Kosovo

by Krenar Gashi

Capital: Pristina
Population: 1.82 million
GNI/capita, PPP: US$9,300

Source: World Bank World Development Indicators.

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NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. If consensus cannot be reached, Freedom House is responsible for the final ratings. The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The opinions expressed in this report are those of the author(s).
EXECUTIVE SUMMARY

Kosovo continued its democratic consolidation at a slow pace in 2015, moving one step further in the process of European integration and continuing dialogue on normalization of relations with Serbia, but making little progress in strengthening its statehood. A critical development was Kosovo’s signing of a Stabilization and Association Agreement with the European Union (EU), which marked the first contractual step towards EU membership. However, the ongoing political crisis in national governance overshadowed these and other developments.

The current government was formed at the end of 2014 through an unexpected and highly unpopular coalition between the Democratic Party of Kosovo (Partia Demokratike e Kosovës, PDK) of then deputy prime minister and foreign minister Hashim Thaçi and the Democratic League of Kosovo (Lidhja Demokratike e Kosovës, LDK) of Prime Minister Isa Mustafa. Despite record-low approval ratings of only 17 percent, with a supermajority of the 100 directly elected seats and support of ethnic minority parties holding another 20 seats, the coalition was able to pursue a policy and legislative agenda containing three controversial components: demarcating Kosovo’s border with Montenegro; passing special legislation to enable international prosecution of war crimes; and reaching four agreements with Serbia, one of which extends the self-governing powers of the Serb community in Kosovo.

Unable to stop the coalition’s agenda through parliamentary means, the three opposition parties channelled popular anger at the government by organizing petitions, staging protests, and, most controversially, by throwing tear gas in plenary sessions and attacking government ministers with pepper spray. The governing parties’ response was no less controversial. Ruling coalition MPs passed crucial legislation, including the state budget, in an alternative location in the parliament building that security forces prevented opposition MPs from reaching. Police arrested and detained half of the opposition MPs in several incidents, some under highly questionable circumstances.

The crisis continued through the end of 2015, with opposition parties demanding a reversal of the policies related to war crimes courts, the Montenegrin border, and Serbia, and the government ignoring their demands. While it remains unknown whether and how the situation will be resolved, the conduct of both government and opposition indicates the fragility of Kosovo’s process of democratic consolidation and the antidemocratic tendencies of some political actors.

Despite the political stalemate, some institutions continued their democratic consolidation, albeit at a slow pace. In 2015, the parliament elected an independent candidate to the position of ombudsperson and took a more decisive role in overseeing independent regulatory authorities. The Assembly increased cooperation with civil society organizations, although much work is needed to make this cooperation structured and systematic. Authorities also elected a chief prosecutor and new president of the Constitutional Court, but many top positions, including two judgeships on the Constitutional Court, still remain vacant due to partisan clashes. Political parties continued to nominate partisan candidates for ostensibly apolitical public positions.

Internal elections in three political parties demonstrated the dominance of unchallenged leaders in different political groupings. Electoral reform did not restart in 2015 and is currently not on the government’s agenda. There were positive steps in local governance, as municipalities in northern Kosovo began functioning and citizen satisfaction with local governments improved. Civil society organizations continued to be vibrant and influence policies but only in the final stages of the policymaking cycle, and sustainable financing remains the biggest challenge for the civic sector. Some positive developments have been noted at the University of Pristina, the largest public university in the country, which suffered from politicization and cronism over the last decade. Judicial independence has shown minor improvements, with authorities arresting several high-profile individuals, including an international drug lord and corrupt officials of the judiciary. Corruption remains widespread, though, and the fight against it has not been effective.
Score Changes:

- **Independent Media rating improved from 5.50 to 5.25** due to protection in practice of journalists’ sources in investigative cases and the flourishing of online media.
- **Local Democratic Governance rating improved from 4.50 to 4.25** owing to overall improvement in municipal government performance and functionalization of municipalities in northern Kosovo.

As a result, Kosovo’s Democracy Score improved from 5.14 to 5.07.

**Outlook for 2016:** Kosovo’s political deadlock will continue during the first part of 2016 due to the hardened stances of the government and opposition parties, which make any negotiations unlikely. The crisis may deepen further as the mandate of President Atifete Jahjaga, a nonpartisan figure, expires. According to the government coalition deal between PDK and LDK, the LDK MPs will be required to vote for PDK leader Hashim Thaçi as president in indirect parliamentary elections. The opposition, as well as a good portion of the society’s elite, including media and civil society, are very much against a Thaçi presidency because of the prosecution and conviction of members of his party for corruption. Although Thaçi is likely to be voted president, the political tension will continue to push other policy developments to the margins. Dialogue with Serbia may stall for much of 2016, while additional reforms such as electoral legislation may remain indefinitely stalled.
Recent political life in Kosovo has centered on an ever-growing tension between government and opposition parties over key policy issues, which by the end of 2015 had devolved into the opposition’s disruption of the parliament and a political crisis. The Democratic League of Kosovo (LDK) and the Democratic Party of Kosovo (PDK) formed a government at the end of 2014 through a last-minute ruling coalition, after the LDK surprisingly abandoned its postelection coalition partners Self-determination (Vetëvendosje), Alliance for the Future of Kosovo (Aleanca për Ardhmërinë e Kosovës, AAK), and Initiative for Kosovo (NISMA per Kosovo).

The PDK-LDK government remained formally stable throughout the year. Together with representatives of ethnic minorities that have guaranteed representation in the legislature, the government has 85 MPs in the 120-seat Assembly. This stability, however, is in name only. Despite its supermajority in the Assembly, the government was deeply unpopular, polling at a record-low 17 percent approval rating as of September 2015. This unpopularity left it open to challenges from the numerically small opposition. Some MPs of both governing parties have publicly opposed the government on several instances, thus the real parliamentary support of the government varies across policy issues.

The year’s first national governance crisis came in January, when Aleksandar Jablanović, a leader of Serb List (Srpska Lista), the largest political grouping of Kosovo Serbs, made derogatory remarks about Albanians. Opposition parties led massive protests that left over 170 protesters and police injured, forcing the government to sack Jablanović from his position as Minister of Local Government Administration. Serb List then pulled out of the government and announced a boycott of the Assembly. The party called off the boycott in April, following negotiations with the Albanian parties in the government and reassurances from the governing coalition.

Despite having only 31 seats in the legislature, opposition parties were able to create a stalemate with the government on key policy issues, mainly on international agreements that Kosovo’s supporters, the United States and the European Union (EU), had encouraged the government to adopt. In June, the opposition managed to initially halt the government’s efforts to establish a special war crimes court to try former Kosovo Liberation Army (KLA) guerrillas. The “Specialist Chambers” and “Specialist Prosecutor’s Office” were nevertheless established in August after being put to a fresh vote in the Assembly.

In August, the government reached four key agreements in the EU-facilitated “Brussels dialogue” with Serbia, including to establish an Association/Community of Serb Municipalities in Kosovo that would enable the Serb-majority municipalities to extend their governing powers whilst strengthening their bargaining positions vis-à-vis national institutions. Opposition parties criticized the deal, arguing that the structure was unconstitutional and would result in an irredentist entity similar to the Republika Srpska in Bosnia that Serbia’s government could use to sabotage Kosovo institutions. The opposition parties Vetëvendosje, AAK, and NISMA demanded Prime Minister Mustafa withdraw his signature from the agreements to block the work of the Assembly, insisting the government retract its policies and call early elections.

The opposition’s tactics seriously interrupted the work of the Assembly starting in September. Opposition MPs threw tear gas in plenary sessions, assaulted government representatives with pepper spray, and staged large protests, some of which turned violent. The government and much of
the international community condemned the opposition’s actions.\textsuperscript{10} The opposition boycotted the vote but did allow the Assembly to ratify the Stabilization and Association Agreement (SAA) with the EU, the first contractual step in Kosovo’s relationship with the EU and an important development for future European integration.\textsuperscript{11}

- Given the political climate, President Atifete Jahjaga asked the Constitutional Court to review whether the Agreement on the Association/Community of Serb Municipalities in Kosovo was in line with the constitution. On November 10, the court brought a decision on interim measures, suspending implementation of any further actions regarding the agreement until it reviewed its compliance with the constitution.\textsuperscript{12} A month later, the court gave its approval in a ruling that nonetheless noted how some of the agreement’s principles did not fully comply with the spirit of the Kosovo constitution.\textsuperscript{13} The opposition pounced on the ruling, continuing to charge the agreement as unconstitutional.

- With the opposition using extra-legal means to block the parliament’s work, authorities arrested 13 out of 31 opposition MPs, including the founder of Vetëvendosje, Albin Kurti.\textsuperscript{14} While some arrests were justifiable as responses to illegal actions, others were conducted preventatively, indicating their purpose may have been to quiet the opposition rather than stop illegal activities. Furthermore, during the crisis, government MPs held plenary sessions of the Assembly in an alternative hall, while security forces prevented opposition MPs from entering the room. By using this tactic, the Assembly adopted the Kosovo 2016 budget and other legislation in what the media and independent observers called “extraordinary plenary sessions.”\textsuperscript{15}

- The conflicts noted above stalled the work of the government throughout the year. By July, the parliament had adopted only a quarter of its planned legislation.\textsuperscript{16} It did adopt some significant legislation nonetheless. The Assembly halved the Value Added Tax (VAT) for groceries and medications, and increased it from 16 percent to 18 percent for other products and services.\textsuperscript{17} It implemented mild reforms of social welfare and pensions by eliminating abuse\textsuperscript{18} and increasing social welfare benefits by 25 percent.\textsuperscript{19} In May, following long debates, consultation with civil society, and amendments in line with EU recommendations, the Assembly adopted the Law on Surveillance of Telecommunications, which the EU had criticized for not distinguishing between surveillance for criminal investigation and for intelligence purposes.\textsuperscript{20} The Assembly also adopted a special law that made fighting in foreign conflicts a crime punishable by up to 15 years in prison.\textsuperscript{21}

- Kosovo institutions of governance continue to make their work more transparent to citizens. Meetings of the presidency of the Assembly, where the policy agenda is set, are now open to representatives of civil society. Representation of nongovernmental organizations (NGOs) in the work of parliamentary committees has increased, and a special committee has been established to implement the Declaration for Partnership between the Assembly and Civil Society adopted in 2014, which consists of seven representatives from civil society and seven from the Assembly.\textsuperscript{22}

- In July, the International Monetary Fund approved a standby arrangement for Kosovo guaranteeing fiscal and macroeconomic sustainability,\textsuperscript{23} although foreign direct investment in the country has been declining.\textsuperscript{24} Public dissatisfaction with the economy has left Kosovars voting with their feet. In early 2015, more than 25,000 Kosovars sought asylum in EU countries in a wave of massive immigration using smuggling channels through Serbia.\textsuperscript{25} The implementation of the Brussels Agreement on freedom of movement between Kosovo and Serbia allowed Kosovars to travel through Serbian territory and reach the EU through cheaper ground transportation, while organized criminal routes quickly began transferring people across the Hungarian border into the EU. In September, Germany, the main destination country, designated Kosovo a “safe country of origin,” meaning asylum-seekers could more easily be returned there.\textsuperscript{26}

- In international recognition, there was progress and also setbacks. The Cook Islands, Niue, and Solomon Islands recognized Kosovo as an independent country. Kosovo became part of the South-East European Cooperation Process (SEECP) as well as the EU’s “Connectivity Agenda for the Western Balkans.”\textsuperscript{27} Kosovo completed the process of demarcating its border with Montenegro, over
opposition protests. The country’s bid for membership in UNESCO was unsuccessful, however, and represented a serious setback in its efforts to consolidate international legitimacy for its statehood.

**Electoral Process**

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- Although 2015 was not a national election year in Kosovo, the main political events were influenced by the 2014 general election, the institutional crisis that followed, and the last-minute coalition-making deals between political parties. Authorities did not complete the election reform that the EU has recommended since the fraudulent elections of 2010.
- In January, mayoral elections were organized in the majority-Serb municipality of Gracanica following Branimir Stojanović’s resignation to become a deputy prime minister. The elections were rated as free, fair, and democratic, and Vladeta Kostić of Serb List was elected mayor, winning 65 percent of the votes.
- Without active elections during the year, three parliamentary parties (LDK, Vetëvendosje, and AAK) held internal elections. Since there are no uniform standards for internal elections in political parties, each party has different electoral systems defined in their statutes.
- The electoral process within LDK started with elections of local councils and branch delegates, who then elected the party’s council and leader. On May 31, Prime Minister Isa Mustafa was reelected as leader by voice vote. The leadership position was not put to a standard secret-ballot vote, since the only other candidate, Vjosa Osmani, had signatures of only 62 out of 350 delegates upon application and all others were assumed to support Mustafa. Osmani, LDK’s former leader Fatmir Sejdiu, and many independent observers said that this procedure was a “simulation of democracy.”
- All members of Vetëvendosje are entitled to vote in internal elections, which took place February 21–22. Albin Kurti, the movement’s founder, did not run for another term as leader, and Visar Ymeri was the only candidate standing for the position, winning 96 percent of the votes. Since the race for leadership was carried out with a single candidate, other political parties and independent observers criticized it, too, for being undemocratic.
- The AAK internal elections drew similar criticism. The party’s election process was gradual and well prepared, yet with no surprises and no opponents; Ramush Haradinaj was elected AAK president, winning 527 out of 532 votes.

**Civil Society**

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- Kosovo’s civil sector is diverse and vibrant, with thousands of active NGOs. Constitutional and legal provisions that guarantee freedom of association are well implemented. NGOs are independent, and the government neither has nor exercises control over civil society groups and activities. Administrative procedures for registering and running NGOs are minimal.
- In 2014, Institute for Development Policy (INDEP) and Lens conducted research showing that among the more than 7,000 registered NGOs in Kosovo, only 2,200 were active. During 2015, the Department for Registration and Liaison with NGOs at the Ministry of Public Administration began conducting its own verification. When completed, this process will provide better data on the
vibrancy of the civil sector. The department also published a list of all registered NGOs on its website.\textsuperscript{37}

- During the year, Kosovo think tanks and advocacy centers continued to serve as public policy watchdogs; civil society organizations were consulted on most controversial laws, such as the Law on Surveillance of Telecommunications, as well as on important processes such as the appointment of Constitutional Court judges. Consultation with civil society organizations is more systematic in the Assembly than in the government, which does not consult with think tanks and independent organizations at the early stage of policy development and has yet to implement its strategy on cooperation with civil society.\textsuperscript{38} The government has not addressed the EU’s recommendation to contract NGOs to provide services.

- A lack of sustainable financing remains the biggest challenge for Kosovo’s civil society, even though it continues to improve on IREX’s CSO Sustainability Index.\textsuperscript{39} Most NGO funding comes from the EU, the United States, Western European countries, and private international foundations.

- Kosovo’s legal framework guarantees the right to form and join trade unions, but the impact of such unions has been minimal. Unionization is widespread in the public sector but virtually nonexistent in the private sector. As a consequence, most union efforts focus on issues of public wages, which often damage the private sector.\textsuperscript{40}

- Kosovo has a basic legal framework for freedom of religion that has yet to be finalized. As a consequence, many religious organizations and churches are registered as NGOs.\textsuperscript{41} Amendments to the Law on Religious Freedoms have been initiated, but the process has stalled, mainly due to other more pressing policy issues occupying the government agenda.

- In 2015, the government took measures against organizations with extremist agendas, raiding, among others, five NGOs suspected of links to money laundering and terrorism.\textsuperscript{42} Under a 2013 law, the Financial Intelligence Unit of the Ministry of Finance has the power to require NGOs to apply for a special permit in order to receive international grants. This competence was given to the unit with the aim to prevent money laundering and financing terrorism. It remains to be seen whether the policy will affect civil society work, as it could also be used as a tool to pressure NGOs.

- There have been positive developments at the University of Pristina, the largest public university in Kosovo, which suffered from extreme politicization in the last decade. A new rector, Ramadan Zejnullahu, has taken measures to improve the reputation and quality of studies at the university. Among other achievements, Zejnullahu has kept enrollment consistent instead of allowing the number of registered students to inflate as in the past. Additionally, he has disrupted a corrupt system of academic advancement and published the doctoral theses of most of the academic personnel, welcome steps toward transparency.\textsuperscript{43} These measures have opened up a wide and vibrant public debate on the university and higher education in general.

### Independent Media

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- Kosovo’s constitution and legal framework provide strong guarantees for freedom of expression and freedom of the press. Implementation in practice, however, continues to be problematic. There have been significant advancements in the legal environment for media, although concerns remain over the fragmented legal framework of many laws.\textsuperscript{44} Interference from politics and business and the lack of sustainable financing hinder the development of the media and the sector’s professional values.\textsuperscript{45}

- The media legal framework was strengthened in 2014 by a special law that allows journalists to protect their sources, even in criminal procedures. The law was useful on many occasions in 2015, the most famous case being the daily Koha Ditore journalist Vehbi Kajtazi, who refused to reveal his
sources behind a series of investigative stories exposing corruption in the EU rule of law mission (EULEX). In June, Kajtazi won the EU Award for Investigative Journalism.\textsuperscript{36}

- According to IREX’s Media Sustainability Index, Kosovo media are “near stability,” in the same range as EU member states in the region like Croatia and Romania.\textsuperscript{47} Despite this, a recent extensive survey of journalists and media professionals has shown that journalists face numerous challenges in doing their job, from having no short-term contracts or no contracts at all, to being directly influenced by media owners in their editorial policy, to being threatened as a result of their work.\textsuperscript{38}

- The Association of Kosovo Journalists (AKJ) has reacted in tens of cases of violence and threats against journalists by private individuals, business leaders, state officials, and politicians.\textsuperscript{49} In March, Devolli Group, one of Kosovo’s largest companies, launched a public smear campaign against journalist Berat Buzhala with billboards that showed an image of a donkey and tagline “Food for Animals” next to the journalist’s name. The smear campaign was in response to Buzhala’s reporting on the company’s suspicious trade activities.\textsuperscript{50} In April, Astrit Gashi, editor of \textit{Gazeta Blic}, was threatened by Dardan Nuhu, head of the Financial Intelligence Unit, after publishing a document showing suspicious bank transactions by the newly appointed Chief State Prosecutor.\textsuperscript{51} The AKJ has established a hotline to report threats against journalists.

- The Kosovo media scene remains oversaturated; there are 7 daily newspapers, 21 TV stations (3 national), and 83 radio stations.\textsuperscript{53} In the past few years, several outlets have closed because they could not sustain their operations through advertising revenues.

- Online media are flourishing, while the ownership of many online outlets remains unknown and unregulated. Tens of websites provide written and video news, although observers have raised concerns regarding their professional standards.\textsuperscript{54} Most of these websites function with very small teams, with no in-house reporters and no article bylines. Blogs are also thriving, with the recent Sbunker attracting outstanding writers and analysts. Individual bloggers have started emerging as well.

- Problems with Radio Television of Kosovo (RTK), the public broadcasting service, continued in 2015. In January, Prime Minister Mustafa complained of RTK’s coverage and called it “a partisan station,” pointing to the influence of governing coalition partner PDK on the public broadcaster.\textsuperscript{55} In April, 60 journalists and editors of RTK wrote a public letter denouncing General Director Mentor Shala and RTK management for forcing them to include government officials in news coverage while cutting or censoring coverage of civil society activists.\textsuperscript{56}

- In May, a clash between the Independent Media Commission, a regulatory authority, and the Association of Independent Broadcast Media in Kosovo over digitizing terrestrial broadcasts jeopardized the work of the commission.\textsuperscript{57} The issue has not yet been resolved.

- Kosovo Press Council, the self-regulating body for print media, has continued to serve as the gateway for professional and ethical concerns. Its decisions, although sometimes ignored by its members, have been used as a source by courts when reviewing cases of libel and defamation.\textsuperscript{58}

### Local Democratic Governance

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- Since declaring independence in 2008, Kosovo has implemented a detailed decentralization plan whereby powers descend from the central government to municipalities. The constitution obliges the government to adhere to the rigorous standards of the European Charter on Local Self-Government based on the principle of subsidiarity.\textsuperscript{59} Kosovo municipalities are autonomous from the government, and no central authority has the power to annul any local or executive legislative decisions, except for the courts.
Although autonomous in their function, municipalities depend on the central government for financing. On average, 80 percent of municipal budgets comes from grants from the national budget. Property taxes are the main source of the remaining municipal government revenue.

Municipalities, especially small ones, suffer from a lack of professional human resources. Transparency of local government is improving, but at a slow pace. A detailed and systematic analysis by the Ministry of Local Government Administration shows that the overall performance of municipalities has been increasing by 5 percent annually since 2010. Municipality performance, a standardized tool to measure citizen satisfaction with local services, averages 54.7 percent. It is important to note that citizen satisfaction with municipal services is higher on average than public satisfaction with the ministry.

During 2015, the four Serb-majority municipalities in northern Kosovo (Mitrovica North, Leposavić, Zubin Potok, and Zvečan) were functionalized and began operating under Kosovo’s institutional and legal framework. This was a major step towards integration of northern Kosovo Serbs into the state’s institutional framework and shifting these communities away from reliance on Serbia, which has continued to maintain administrative structures in them. These municipalities also began to deliver services to their citizens, which for the first time is being done in a uniform fashion aligned with Kosovo’s other municipalities.

In August, Kosovo signed four agreements with Serbia in the framework dialogue on normalization of relations, facilitated by the EU. One of the agreements envisages creation of an Association/Community of Serb Municipalities, representing 10 noncontiguous municipalities with majority-Serb populations, including the newly functionalized municipalities in the north. The Association/Community (official communications use this hybrid name) provides a wider autonomy of self-government for the Serb community in Kosovo and a framework for extensive inter-municipal cooperation. It would, among other things, represent the Serb municipalities vis-à-vis central authorities and is intended to further integrate the Serb community into the Kosovo legal and constitutional system. The opposition’s protests against the Association/Community in parliament and on the streets blocked its establishment at the end of 2015 amid questions about its constitutionality (see “National Democratic Governance”).

Clashes between central and municipal authorities have emerged regarding the rights of municipalities to establish publicly owned enterprises. An initiative by the Pristina municipality to establish a publicly owned company to manage public parking has been halted by the Ministry for Local Government Administration due to unclear legal provisions. The issue may be due to political clashes, because Vetëvendosje runs the municipality of Pristina but is in the opposition in the Assembly.

Comprehensive research by the Gap Institute, an independent think tank, shows that Kosovo’s current mayors demonstrate significantly improved transparency in local governments, although results vary across municipalities. Significant positive changes were also noted regarding the municipalities’ public consultations on projects. The mayor of Pristina, Shpend Ahmeti, has received particular praise for transparency and anticorruption measures at the local level. Although Article 13 of the constitution stipulates special status for Pristina as the capital of Kosovo, the legal framework remains stalled and Pristina continues to receive the same treatment as other municipalities.

### Judicial Framework and Independence

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Independence of the judiciary is guaranteed by Kosovo’s constitution and extensive legal framework, but implementation lags in practice. There was some progress in 2015 in filling key judicial positions.
left vacant in 2014. In March, the Assembly elected Bekim Sejdiu to the Constitutional Court, \(^{69}\) and in May, the mandate of court president Enver Hasani expired and the court elected Arta Rama-Hajrizi as president. \(^{70}\) This election may improve the reputation of the court, which suffered damage in 2014 due to rulings on the postelection coalition formation that favored PDK. \(^{71}\) Nonetheless, the court continues to have two vacant positions, operating with seven instead of nine judges, because of clashes between political parties. \(^{72}\) In April, Kosovo’s Prosecutorial Council (KPC) elected Aleksandër Lumezi as Chief State Prosecutor, a position that was vacant during 2014.

- In September, the Basic Court of Pristina ruled in favor of the Balkan Investigative Reporting Network, an NGO that had sued the Prime Minister’s Office for not implementing the Law on Access to Public Documents. \(^{73}\) The case, though minor, was a positive sign of judicial independence.

- In August, the Kosovo Assembly voted to establish “Specialist Chambers” and a “Specialist Prosecutor’s Office” for war crimes, which will act in effect as the new international court for war crimes in Kosovo. \(^{74}\) The process was marked by controversy stemming from the urgent introduction of legislation into the Assembly agenda and fierce protests by the opposition (see “National Democratic Governance”). Although grounded in Kosovo’s legal and court system, the specialized chambers will be located in the Netherlands and will be comprised entirely of international judges and prosecutors, who will seek to shed light on the kidnapping, torture, and organ-harvesting allegedly committed by Albanians during and immediately after the Kosovo 1998–99 conflict, as described in the 2010 report of the Parliamentary Assembly of the Council of Europe drafted by Dick Marty. \(^{75}\) The United States, European Union, and its member states have praised the establishment of the chambers.

- In May, the Basic Court of Mitrovica brought one of the most important verdicts in Kosovo’s recent history, finding two high-profile Albanian wartime figures guilty of crimes committed during the Kosovo conflict. \(^{76}\) Sami Lushtaku, mayor of Skenderaj, and Sylejman Selimi, former head of the Kosovo Security Forces and former ambassador to Albania, were found guilty of murder and torture of civilian prisoners, respectively. The “Drenica Group” case, as it is known, became notorious during the last two years because of the strong influence the two figures had in Kosovo. The long trial was marred by protests and eventual escape from custody of the defendants in 2014, yet ended with a sentence in May. \(^{77}\) The verdict is a success story for the Kosovo judiciary.

- In January, Kosovo put on trial Naser Kelmendi, a notorious figure listed by the U.S. as one of the world’s top drug barons, and charged him with aggravated murder, two counts of organized crime, and six counts of sale and production of narcotics, including managing and overseeing a drug ring. \(^{78}\) Kosovo authorities have also launched a fierce campaign against terrorism. In May, authorities charged 32 people for fighting and recruiting for the Islamic State. \(^{79}\)

- Deep structural reforms of the court system enacted in 2013 have been showing positive effects, as courts have improved the clearance of cases from 71 percent to 85 percent per year. Yet, the strategy to reduce the large backlog of cases accumulated through 2012 is still not proceeding at the planned pace. \(^{80}\)

### Corruption

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- Kosovo has strong anticorruption legislation, but authorities have not been successful in investigating, prosecuting, and jailing corrupt individuals. Among other problems, corruption creates high barriers in the economy to much-needed foreign investment. \(^{81}\) Kosovo has multiple institutions dealing with corruption: the Anti-Corruption Agency, which is independent and reports to the Assembly; the National Anti-Corruption Council chaired by the President; a Special Task Force to combat
corruption established by the government, including top prosecutors and police investigators; and special prosecutors tasked with fighting corruption in addition to standard cases. This multiplication of institutions has led to inefficiency, however.

- Authorities claim they have intensified their efforts to combat corruption. The Anti-Corruption Agency, for example, has provided prosecutors with more than 600 criminal reports on corruption and handed over more than 1,300 names of public officials who were reported to the agency for bribery and corruption. Since 2013, when Kosovo’s Chief State Prosecutor adopted an action plan to fight corruption, prosecutors have dealt with 1,232 cases of corruption involving 3,123 suspects, out of which indictments were filed against 780 suspects, while the other cases have either been dismissed or are still being investigated. But only seven prosecutors oversee these hundreds of cases, which is insufficient given the complicated nature of corruption investigations. A comprehensive monitoring report by the Kosovo Law Institute, an independent think tank, has shown that the special prosecutors with exclusive competences in high-profile cases of corruption are the least efficient of the country’s prosecutor offices. Out of 154 cases of high-profile corruption processed, only 34 were resolved.

- In July, Kosovo police arrested Salih Mekaj, Appellate Court president in Peja, for abuse of office and corruption. Mekaj was immediately suspended from his position and is being kept under house arrest pending trial. In August, police arrested Vahide Badivuku, a prosecutor for serious crimes, on suspicion of abuse of office and corruption. In September, a 270-page indictment was filed against 10 officials of the Municipality of Pristina who were arrested in 2014. They are charged with running a systematic corruption scheme controlling building permits in the Kosovo capital. In July, seven people were arrested for economic crimes and corruption in two rings connecting private companies and public officials.

- Despite these increasingly high-profile arrests, Kosovo citizens still perceive the country’s level of corruption as high and very problematic. In a recent survey conducted by the Fol movement, 40 percent of respondents indicated that corruption is widespread in the government, 28 percent in political parties, and 25 percent in the judiciary. In the same survey, 32 percent of citizens stated they were forced to give bribes to doctors in the public health system, 30 percent had given bribes to prosecutors, and some 28 percent said they gave bribes to other state officials. Half of the 650 businesses surveyed by the American Chamber of Commerce in Kosovo have stated that in their experience public procurement involves corruption.

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