# **Youth Partnership**

Partnership between the European Commission and the Council of Europe in the field of Youth





# CONTRIBUTION OF PARTNER COUNTRIES TO EU YOUTH WIKI

CHAPTER I: KOSOVO<sup>1</sup>

YOUTH POLICY GOVERNANCE

Updated by: Boshko Stankovski, September 2021

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<sup>&</sup>lt;sup>1</sup> All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

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#### 1.1 TARGET POPULATION OF YOUTH POLICY

In Kosovo, the <u>Law on Empowerment and Participation of Youth</u> is the official document which establishes the age group of young people. Young people are defined as persons aged between 15 and 24 years. The age range is narrower in comparison to other countries in South East Europe. For example, in Albania and North Macedonia the upper threshold is 29 years of age, while in Greece it is 35 years. Most international documents also define young people as persons between 15 and 29 years old.

The last General Census of Population and Housing in Kosovo was carried out in 2011. According to the official data, Kosovo has a population of 1 739 825 of which young people make up 19.4%. The new census, initially scheduled for 2021, has been postponed due to the Pandemic. The World Bank estimates that Kosovo had 1 775 378 inhabitants in 2020 while, according to World Factbook, this number is 1,935,259 inhabitants as of July 2021, with 16.95% between 15 to 24 years of age. No matter the estimation, it is generally believed that Kosovo has the highest population of young people in the Balkans and Europe.

The Article 45(1) of the <u>Constitution of the Republic of Kosovo</u> establishes the eligibility for voting in both local and national elections at 18 years of age. On the other hand, The Constitution does not mention young people further in the text. <u>The Criminal Code of Kosovo</u>, in Article 17(3), defines the minimum age for criminal liability at 14 years.

#### 1.2 NATIONAL YOUTH LAW

During the years 2003-2004, the Department for Youth at the Ministry of Culture, Youth and Sports, with the support of UNICEF and the German Corporation for International Cooperation (GIZ) and in collaboration with the International Council for National Youth Policies and a group of local law experts in Pristina, compiled the first draft <u>Law on the Empowerment and Participation of Youth</u> (Shurdhani and Sylhasi 2011: 15). This law was not adopted by the Assembly of Kosovo until 30 September 2009, and it came into force on 5 November 2009.

The Law aims to strengthen the participation of youth in decision-making processes in order to

<sup>2</sup> In the statistics young people are divided into two subcategories: a) aged 15-19, which is 10.2% of the population and b) aged 20-24, which is 9.2% of the population. Thus, the percentage of young people in Kosovo aged 15-24 is 19.4.

improve their quality of life, as well as their social status. It has a total of 19 articles and it incorporates the responsibilities of different central and local institutions and youth organisations in order to ensure wide youth participation in the public life. In addition, it defines voluntary work and informal education of young people and provides instruction for the licensing of the so-called "Youth Centres".

Based on the Law on Empowerment and Participation of Youth four administrative instructions were issued: 1. Administrative instruction for youth participating in the decision-making process; 2. Administrative instruction on licensing youth centres; 3. Administrative instruction for voluntary work; 4. Administrative instruction for non-formal education of youth.

To this date, the Law on Empowerment and Participation of Youth has not undergone any revisions since its ratification in 2009.

#### 1.3 NATIONAL YOUTH STRATEGY

The main document regarding the implementation of youth policy is the Kosovo Strategy for Youth and Action Plan 2019-2023 (KSYAP) drafted by the Ministry of Culture, Youth and Sport of Kosovo in consultation with other relevant governmental bodies, representatives of local and national youth organisations, as well as international organisations present in Kosovo. It is a strategic document which involves the vital interests of youth needs for the period 2019-2023.

The Strategy aims to improve the overall situation of youth in Kosovo by promoting cooperation between youth organisations and the government, and increasing the collaboration of central institutions with the municipal bodies in order to empower youth policies and programmes. It consists of two parts: policy document and an action plan. While the former outlines the "youth interests and their needs for the 2019-2023 period" (the Kosovo Strategy for Youth and Action Plan 2019-2023: 5), the latter is a plan of activities foreseen to be implemented in a given period of time according to each strategic and specific objective. It includes the implementation period of a particular activity, the responsible and supporting institutions, indicators of success, and its budget implications. As such, it is reviewed on a yearly basis in the framework of the monitoring planning set out in the strategy.

The KSYAP aims to implement the best European standards and practices in the field of

youth. It also supports the young people in the field of innovation and creative ideas. The Strategy incorporates social inclusion as a general approach, and relies on the principle of cross-sectoral cooperation (*Ibid*: 15).

The document establishes three strategic objectives:

- 1. Mobilizing Youth for Participation, Representation and Active Citizenship.
- 2. Providing Skills and Preparing Youth for the Labour Market.
- 3. A Healthy and Safe Environment for Young People.

In addition, the KSYAP incorporates seven principles: a) legality, b) participation, c) equal treatment, d) common approach, sharing of experiences and responsibilities, e) information rights, f) drafting an evidence-based strategy, and g) sustainability.

As stated by <u>Administrative Instruction No. 02/2010</u>, released by the Ministry of Culture, Youth and Sports, the Ministry's Department of Youth (DoY) is responsible for the development of policies and strategies for the youth sector.

### 1.4 YOUTH POLICY DECISION MAKING

The Law on Empowerment and Participation of youth, in Article 6, paragraph 2, states that: "The Government by sub-legal act will determine the key Ministries, responsible for enforcing the provisions of paragraph 1 of Article 6 of this law." However, the Government of Kosovo has not yet issued a sub-legal act concerning this issue.

Despite the fact that the responsibilities of certain ministries regarding the enforcement of the Law on Empowerment and Participation of Youth are not clearly provided, the main central authority in charge for youth policies is the Ministry of Culture, Youth and Sports. The ministry was, in fact, among the first one to be created by the United Nations Mission in Kosovo (UMNIK) as part of the executive branch of the provisional institutions of self-government in Kosovo. According to Regulation No. 2001/19 and Regulation No. 2005/15, this ministry is responsible for developing policies and strategies for the youth sector, including the identification of specific youth vulnerable groups, developing programmes to address their needs and to promote clubs, groups and youth associations. In addition, the ministry is responsible for developing and implementing the relevant legislation for the establishment and functioning of organisations, clubs, groups and youth associations.

Inside this ministry, at the central level the DoY holds overall responsibility for the youth

sector in Kosovo. This department has in its mandate:

- to implement strategic and operational plan for the youth sector;
- to conduct a comprehensive analysis of the situation of the youth sector (including legislation and programmes);
- to identify specific youth groups and develop certain programmes that deal with their needs;
- to develop programmes that aim to identify the needs of young women;
- to co-operate and co-ordinate, with other administrative departments, municipalities, national and international agencies and non-profit organisations, the development and implementation of coherent and efficient policies;
- to stimulate the establishment of clubs, groups, and youth associations in the whole territory of Kosovo and supervise their progress;
- to encourage financial support and other support for the youth sector in Kosovo;
- to provide Kosovo Youth with information on available services and programs to assist them.

The internal structure of the DoY consists of three divisions:

- Division for Promotion and Development of Non-formal Education;
- Division for Youth Policy Development;
- Division for Prevention and Social Integration.

The DoY performs policy development and policy co-ordination and implementation functions. Thus, in the youth policy area the Ministry of Culture, Youth and Sports (MCYS) co-operates closely with other government ministries: the Ministry of Internal Affairs (MIA), the Ministry of Labour and Social Welfare (MLSW) and others. The MCYS is responsible for policy development and co-ordination while the other ministries are responsible for the actual service delivery to youth groups (Partnership between the European Commission and the Council of Europe in the Field of Youth 2011: 14).

Apart from the central administration, the municipalities, according to <u>Article 7 of the Law on Empowerment and Participation of Youth</u>, also have the following responsibilities at the local level:

- to ensure the provision of financial and human resources for the implementation of youth programmes;
- to care for the provision of adequate public space in consultation with the council to resume the action of the municipality, where young people plan, manage and develop their youth activities and informal education;

- to support informal education for youth organisations and other development activities initiated by young people;
- to resume the action of youth policy development in consultation with the local youth council, in accordance with local needs;
- to ensure a transparent process during management engagement for public youth centres licensed by the municipality concerned.

Kosovo is divided into 38 municipalities. The main responsibilities of implementing youth policies at the local level lies with the Directorate for Culture, Youth and Sport. Except the municipality of Mamusha, other municipalities have established Municipal Directorates for Culture, Youth, and Sports issues or similar type of bodies. The number of staff members inside these departments varies from municipality to municipality (National Council for European Integration 2013: 63).

In addition to this, youth representative bodies such as Youth Action Councils (Central Youth Action Council and the Local Youth Action Council) and Youth Centres are relevant actors in terms of participating in designing policies and advocating of youth matters.

The Youth Action Councils were established by <u>Administrative instruction No. 9/2010</u> issued by the Ministry of Culture, Youth and Sports. The Central Youth Action Council serves as a youth representative body composed of members from youth non-profit organisations at central and local level. One of the main duties of the Central Youth Action Council is to participate in the drafting, implementing and evaluating youth policies. The same responsibility at the local level lies with the Local Youth Action Council. However, the as one research points out, some of these councils are not yet fully operational, while significant part have felt short of promoting youth participation in the decision-making processes mainly because they have been politically instrumentalised (Youth Initiative for Human Rights - Kosovo 2018: 25).

The establishment and licensing of youth centres was regulated through the specific Administrative Instruction No. 11/2010, derived from the Law on Youth Empowerment and Participation. Youth centres operate within municipalities and offer spaces for youth programmes and activities based on their statute, in order to provide quality youth services. According to Article 3, it is asserted that each municipality must have at least one licensed youth centre in their locality.

The former permanent Parliamentary Committee for Education, Science, Technology, Culture, Youth and Sports was renamed into a <u>Committee for Education, Science, Technology, Innovation, Culture and Sports</u>. Although "youth" was taken out of the title, its

portfolio remains the same. However, this renaming has a more symbolic connotation. The committee consists of eleven deputies and, when it comes to youth policy, its scope of activities include reviewing legislation, issues related to strategic development planning and development of policies, issues related to the budget of the Ministry of Culture, Youth and Sports, and Kosovo international cooperation in the field of youth. Thus, the supervision and monitoring of the implementation of youth law and policies are discussed within this parliamentary committee.

## 1.5 CROSS-SECTORAL APPROACH WITH OTHER MINISTRIES

The Kosovo Strategy for Youth and Action Plan 2019-2023 is a document that aims to establish policies that rely on inter-institutional connectivity and cross-sectorial policies approach when it comes to youth-related issues.

According to it, the responsibility and obligation of ministries and local governments is to exchange information, experiences and resources in order to meet all the objectives prescribed in the strategy (Kosovo Strategy for Youth and Action Plan 2019-2023: 7). The KSYAP also states that it has been drafted in accordance with the short-term and mid-term plan of the state budget, and that it is in harmony with other development strategies of the Republic of Kosovo although it does not mention which one in particular (*Ibid*: 6). The Youth Action plan establishes the steps necessary for preparing the vision of the Strategy by identifying relevant actors and responsible bodies for the implementation, as well as the necessary funds for it.

The monitoring process and final evaluation is led by the DoY based on the indicators related to the implementation of the Strategy objectives. At the end of each year, the Department prepares a progress report on the scale of fulfilment of these objectives and announces it to all interested parties (central and local institutions, civil society, international organisations and the general public). Considering this, it is evident that the DoY is the most advanced among the Ministry of Culture, Youth and Sports' departments when it comes to coordinating and monitoring the delivery of the developed policies through a wide network of partners both in governmental and non-governmental sectors.

#### 1.6 EVIDENCE-BASED YOUTH POLICY

The political commitment to evidence-based youth policy is expressed in the <u>Law on Youth</u> <u>Empowerment and Participation</u>. It is the responsibility of the government "to collect and provide data on the position of young people" (Article 1.4), and also to "provide information and regular consultations with youth-related policies and programmes for youth in the country and international youth exchange programmes" (Article 1.6).

This political commitment is included in the Kosovo Strategy for Youth and Action Plan 2019-2023. In this document, it is asserted that improving the situation of young people is foreseen to be conducted through research which will identify their needs, concerns and expectations. Therefore, DoY is "constantly planning to carry out different researches" conducted by the Department or externally commissioned consultants in order to supplement the primary and secondary legislation (Kosovo Strategy for Youth and Action Plan 2019-2023: 25).

As stated in the Strategy itself, the document was drafted in accordance with national and international acts and analyses, internal work reports of the Ministry of Culture, Youth, and Sports, as well as documents provided by other relevant institutions. It also took account of previous research and strategies developed by other ministries (Kosovo Strategy for Youth and Action Plan 2019-2023: 6). In addition, youth organisations, learners and students have been interviewed in order to reach a multi-dimensional approach. The draft preparation stage has also included a number of events, roundtables, workshops and meetings with relevant stakeholders in the field of youth. Thus, it can be argued that the DoY has incorporated many interested parties in designing the Strategy..

Despite this, there are no institutional mechanisms or budgetary allocations in terms of supporting research in the youth field in Kosovo. Further, there is no national youth data source. Most research focused on youth has been conducted by civil society organisations and international organisations. For example, the Friedrich-Ebert-Stiftung (FES) is one of the international organisations that in close co-operation with national NGOs have provided important information regarding the situation of youth in Kosovo. The Kosovo Youth Study 2018/2019 published by this foundation provides a comprehensive overview of the most pressing challenges that the young people in Kosovo face.

The Parliamentary Committee for Education, Science, Technology, Culture, Youth and Sports issues, with the on-going support of the local NGO 'Democracy Plus', has also conducted research that aimed to monitor the implementation of the Law on Empowerment and

Participation of Youth: <u>Monitoring of the Implementation of Law No. 03/L-145 on</u> Empowerment and Participation of Youth.

On the other hand, the evaluation of the national youth strategy lies within the responsibility of the DoY, which should distribute the results to all relevant stakeholders on the youth sector. However, to date, there has been no available evaluation research of this strategic document conducted by this department yet.

#### 1.7 FUNDING YOUTH POLICY

Upon the recommendation of the Parliamentary Committee for Education, Science, Technology, Culture, Youth and Sports, a specific budget code for youth at the local level was created in the Budget of the Republic of Kosovo. This was done in order to prevent the municipalities of using the funds dedicated for youth for other purposes. Prior to this reform, the budget lines allowed the municipalities to redirect funds at their discretion.

The Law on the Budget Appropriations for the Budget of the Republic of Kosovo for Year 2021, allocates 34.305.708 euros for the Ministry of Culture, Youth and Sport out of which 2.209.546 euros for the Youth Programme. There have not been substantial changes in the allocated funds for the past three years. Analysing the last three Kosovo budgets it can be noticed that there are significant unused amounts dedicated to youth which have just been transferred from the previous fiscal years. This tendency can undermine implementing the activities according to the Action Plan. Moreover, as a recent United States Agency for International Development (USAID) report concluded, the "national government does not invest in positive outlets for youth, as budget lines for youth programming at both the national and municipal levels are woefully inadequate" thus creating a feeling of isolation and social exclusion among the young people (USAID 2021: 6).

The <u>Regulation No. 01/2015</u> on Subsidies in the Field of Culture, Culture Heritage, Youth and Sports in Article 9 states that the Department of Youth of the Ministry of Culture, Youth and Sport provides support to stakeholders involved in this filed. That includes subsidising youth organisations, youth centres, school councils, businesses and individuals contributing to the programme objectives in the field of youth. In addition to this, <u>Regulation No. 01/2018</u> on Defining Criteria, Procedures and Forms Concerning the Certificate of Sponsorship in the

Field of Culture, Youth and Sport<sup>3</sup> in Article 5 states that sponsorship beneficiaries in the field of youth may be individuals, informal groups and youth organisations, youth centres,<sup>4</sup> that are registered as NGOs, as well as natural persons and informal groups applying through NGOs dealing with youth activities.

Kosovo is a partner country of the Erasmus+ Programme, in the Western Balkans section, which means that Kosovo can take part in certain actions of the programme. An Erasmus+ Office in Kosovo has been established with the aim of assisting the European Commission, the Executive Agency and the local authorities for the implementation of the Erasmus+ Programme. In the period 2015-2019, total number of 4177 staff and students of Kosovo obtained Erasmus+ International Credit Mobility (ICM) scholarships. Significant funds for youth cooperation project have been also granted by RYCO which, so far, had 4 open calls for proposals for the participants from Western Balkans, including Kosovo.

#### 1.8 CROSS-BORDER CO-OPERATION IN THE YOUTH FIELD

Kosovo signed a Memorandum of Understanding (MoU) with Albania, an EU candidate country, in July 2015. The MoU aims to strengthen the co-operation between countries in terms of initiating common youth policies and programmes. The parties will stimulate co-operation and exchange about youth interest. The parties agreed to organise 'Youth Week' each year in Pristina and Tirana, or any other city if agreed beforehand by the parties (Memorandum of Understanding between the Ministry of Social Welfare and Youth of Albania, and the Ministry of Culture, Youth and Sports of Kosovo 2015: Article 1).

Kosovo is part of the Western Balkan's Regional Youth Co-operation Office (RYCO). Its memorandum of co-operation was signed on 4 July 2016 by six Western Balkan countries: Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia. The mission of the Office is to support regional youth exchange by sharing ideas of co-operation based on values of coexistence, tolerance and respect for human rights. In addition, it is dedicated to ensure implementation of joint programmes on youth related issues. Its Head Office is located in Tirana and there is a local branch office in Pristina.

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<sup>&</sup>lt;sup>3</sup> The Regulation was amended in 2019, see LIGJI NR. 06/L-116, available at: LIGJI NR. 06 L-

<sup>116</sup>\_\_\_PËR\_NDRYSHIMIN\_DHE\_PLOTËSIMIN\_E\_LIGJIT\_NR.\_05\_L-

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<sup>&</sup>lt;sup>4</sup> According to Article 5(2), the licensed youth centers need to obtain consent of the Department of Youth.

Regarding international co-operation, the OSCE mission in Kosovo continuously supports the participation of young people in policy design and decision making by closely working with central and local institutions, youth civil society organisations, and young individuals. The OSCE mission drafted an important <a href="Participatory Handbook">Participatory Handbook</a> for Local Youth Action Council. This handbook was designed to increase the understanding of LYAC members with the role, function and responsibilities of the council and to share good practice.

The co-operation on youth matters is also reflected within the <u>United Nations Development Programme (UNDP)</u> with special emphasis on youth employability, gender equality and social inclusion. Likewise, United Nations Children's Fund (UNICEF) within its project <u>Innovations Lab</u> Kosovo supports young people to discover and propose innovative ideas in order to address various challenges faced by Kosovo's society.

#### 1.9 CURRENT DEBATES AND REFORMS

On 11 August 2021, a day before the International Youth Day, a <u>State Commission on Youth</u> was established for the first time as a key mechanism of the Government for cooperation, support and decision-making towards our youth. This Commission aims to harmonise the strategic documents, such as the Programme of the Government, the work plans of the ministries, and national youth strategy. The Commission will also be part of the process of drafting the new National Youth Strategy and propose measures and activities that should be undertaken by the sector ministries. It will also periodically monitor and evaluate the implementation of the Strategy. The establishment of such a body is a recommendation of the Council of Europe to ensure a horizontal approach to youth policy. However, it is yet to be seen if the Commission's work will bring concrete results.

The current reform discourse in Kosovo is dominated by the debate on education reform and labour policies reform in order to increase the competences of young people and prepare them better for the job market.<sup>5</sup>

Another important issue is the fact that Kosovo does not have a youth agency as a separate institution, as the current Department of Youth exists under the auspices of the Ministry of Culture, Youth and Sport. In this legal and institutional framework, there is lack of

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<sup>&</sup>lt;sup>5</sup> Interview with Kosovo youth activist, 27 August 2021.

mechanisms to implement the legislation on youth.<sup>6</sup> As a result, large percentage of young people has not been involved in the civil society activities as political parties are the main mobilising factor. This mainly due to lucrative reasons, i.e. young people expecting to use party connections in order to find a job, than a raised awareness of political participation.<sup>7</sup> This, along with the fact that the youth civil society sector still exists predominately on external funding, significantly reduces the sustainability of the youth sector.

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<sup>&</sup>lt;sup>6</sup> Interview with Kosovo youth activist, 26 August 2021.

<sup>&</sup>lt;sup>7</sup> *Ibid*.

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