



Freedom in the World 2015 - [Kosovo](#)

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2015 Scores

Status: Partly Free

Freedom Rating (1 = best, 7 = worst): 4.0

Civil Liberties (1 = best, 7 = worst): 4

Political Rights (1 = best, 7 = worst): 4

Ratings Change:

[Kosovo](#)'s political rights rating improved from 5 to 4 due to the comparatively successful conduct of June elections and a subsequent agreement by rival parties to form a coalition government.

OVERVIEW

In June 2014, [Kosovo](#) held general elections. Observers deemed the elections relatively free and fair, and there was a considerable increase in Serbian voter turnout. No single political party or coalition won enough seats in parliament to secure a governing mandate. As a result, [Kosovo](#) politics became mired in constitutional gridlock until December 2014.

That month, former rivals the Democratic Party of [Kosovo](#) (PDK) and the Democratic League of [Kosovo](#) (LDK) formed a government with LDK leader Isa Mustafa serving as prime minister. As part of the deal, former prime minister Hashim Thaçi of the PDK will become president once the term of the sitting president, Atifete Jahjaga, expires in 2016. Movement for Self-Determination (Vetevendosje), an opposition party, accused the new coalition of not respecting an earlier agreement that sought to exclude the PDK from the government. Vetevendosje leader Albin Kurti said the PDK and LDK alliance's main purpose was to allow both parties to cover up corruption.

[Kosovo](#) extended the mandate of the European Union (EU)'s rule of law mission to [Kosovo](#), known as EULEX, until June 2016. The EU task force investigating war crimes and its prosecutor Clint Williamson are looking into the claims of Council of Europe rapporteur Dick Marty, who in 2010 accused senior members of the [Kosovo](#) Liberation Army (KLA) of engaging in war crimes and organ trafficking. In July 2014, Williamson said he too found compelling evidence of KLA crimes. The EU and [Kosovo](#) are in talks on the nature of the court that will be established to pursue these

allegations, its jurisdiction, and location. In May 2014, [Kosovo](#) finalized the negotiations on its Stabilisation and Association Agreement (SAA) with the EU, a milestone for the country.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 23 / 40 (+6)

A. Electoral Process: 9 / 12 (+3)

Members of the unicameral, 120-seat Assembly of [Kosovo](#) are elected to four-year terms. The assembly elects the president, who serves a five-year term. The president nominates the prime minister, who is then approved by the assembly.

[Kosovo](#) held elections in June 2014. International election observers considered the elections to be relatively free and fair, and all observers noted the increased participation of ethnic Serbs. The Central Election Commission was judged to have fulfilled its responsibilities. The ruling PDK won 34 seats, LDK won 27 seats, Vetevendosje won 14 seats, and the Alliance for the Future of [Kosovo](#) (AAK) gained 11 seats. A coalition led by LDK and AAK and several smaller political parties attempted to form a government, but challenges to the interpretation of government formation procedures in the constitution, raised by the PDK, halted the process. An agreement was reached in November 2014 between the PDK and the LDK to form a government whereby current prime minister Thaçi will become deputy prime minister and Mustafa will replace him. The new government was chosen in December.

B. Political Pluralism and Participation: 10 / 16 (+1)

There is little difference in policy between mainstream political parties. The exception is Vetevendosje, which has matured from a grassroots youth opposition movement into a party focused on affirming and defending [Kosovo](#)'s national sovereignty.

Given the power-sharing features enshrined in the [Kosovo](#) constitution, it is nearly impossible for a single political party to form a government on its own. A party or coalition needs at least 61 seats in the assembly to secure a governing majority.

The International Steering Group, a body representing 25 countries, ended its oversight of [Kosovo](#) in 2012. However, North Atlantic Treaty Organization (NATO) peacekeepers, EULEX, and a scaled-back team from the UN Interim Administration Mission in [Kosovo](#) (UNMIK) continue to monitor conditions on the ground.

In the assembly, 10 seats are reserved for ethnic Serbs and another 10 for other ethnic minorities. While several political parties represent the Serb minority, the population itself is not fully integrated into the electoral process or [Kosovo](#)'s institutions. Turnout for Serbs was higher in 2014 than in 2010, ranging from 27 to 40 percent in the four northern municipalities where most live.

South of the Ibar River, which divides predominantly Serb from predominantly Kosovar regions, Priştina has made advancements in the decentralization process granting self-rule to Serb enclaves, thus weakening parallel structures in those areas. The aim of a failed April 2013 EU-led agreement was to diminish these structures in the North. Northern [Kosovo](#) Serb authorities do not

recognize Pristina's legitimacy and rejected the EU-backed agreement, creating their own legislature.

The June 2014 election saw an increase in Serb minority participation to 43 percent. Mitrovica, which is divided by the Ibar into ethnic Serb and Kosovar sections, remained the exception, with turnout of only 17 percent. Northern [Kosovo](#) also saw a strong boycott movement in the November 2013 local elections, and turnout was low. While voting was taking place, masked men released tear gas canisters and smashed ballot boxes in a majority-Serb area of Mitrovica.

C. Functioning of Government: 4 / 12 (+1)

Corruption remains a serious problem. A legislative framework to combat corruption is in place, including a new four-year anticorruption strategy and action plan adopted in 2013. Amendments to laws governing political party financing, conflicts of interest, and asset declarations for politicians and public servants were also approved in 2013. However, implementation has been insufficient, and graft and misconduct remain widespread across many state institutions.

In October 2014, EULEX was accused of corruption and gross mishandling of its mandate. Whistleblowers reported bribery affecting prosecutorial decision making in 2014. Moreover, an analysis of the mission's progress over its six years of operation revealed that it routinely failed to vigorously pursue high-ranking Kosovar officials, frequently scapegoating lower-level offenders while leaving systemic issues unaddressed. Transparency International ranked [Kosovo](#) 110 out of 175 countries and territories surveyed in its 2014 Corruption Perceptions Index.

A wide range of government documents is available online. Civil society is consulted in the drafting of laws.

Discretionary Political Rights Question B: 0 / 0 (+1)

Over the last five years, [Kosovo](#) has seen progress in relations between the government and Serb communities. In September 2014, the Serbian Parliamentary Committee on [Kosovo](#) declared conditions for the Serb population had improved, though they remained unsatisfactory. International troops have helped to enforce respect for Serb culture.

Civil Liberties: 29 / 60 (+3)

D. Freedom of Expression and Belief: 9 / 16 (+1)

The constitution protects freedoms of expression and the press, except speech that provokes ethnic hostility. A wide variety of print and television outlets operate, but journalists are subject to political pressure, including from their editors. Outside the newsroom, journalists report frequent harassment and intimidation, and occasional physical attacks. In March 2014, a court ruled against three people for their role in the 2012 attack on a launch event for a [Kosovo](#) 2.0 magazine issue focusing on LGBT (lesbian, gay, bisexual, and transgender)-related topics; 30 people had stormed the magazine's offices, destroying property and beating one employee. The EU Progress report for 2014 praised the reappointment of the Independent Media Commission after two years of inactivity. There are no reports that the government censors or monitors the internet.

The constitution guarantees religious freedom. The arrest of the imams of Priştina, Peja, and Mitrovica in September 2014 produced an islamophobic discourse in the media as well as anti-Islamic political declarations. In 2013, [Kosovo](#) began implementing a 2012 agreement with Serbia within the EU-led dialogue to create a special multiethnic police force to better protect religious and cultural sites. Attacks on Serbian Orthodox religious sites have declined over the last decade, though several Serbian Orthodox cemeteries were desecrated in September 2014.

The [Kosovo](#) Police Force arrested 43 citizens in August 2014 on accusations of inciting terrorism and challenging the security and constitutional order of [Kosovo](#). None of the arrested has been charged of the alleged crimes. Still, [Kosovo](#)'s Muslim community fears persecution as [Kosovo](#) officials face pressure from both the United States and the EU to crack down on Islamic preachers who incite extremism.

Academic freedom has improved. Student protests in February 2014 prompted the head of the University of Priştina to resign, which was considered a victory for civil society.

Space for private discussion has improved, especially on formerly sensitive topics such as treatment of the Serb population, Roma communities, and LGBT people.

E. Associational and Organizational Rights: 6 / 12

The government, EULEX, and NATO peacekeepers generally respect legislative guarantees on freedom of assembly, though demonstrations have occasionally been restricted for security reasons. The constitution includes safeguards for public order and national security. Nongovernmental organizations function freely, though the courts can ban groups that infringe on the constitutional order or encourage ethnic hatred. The constitution protects the right to establish and join trade unions. However, workers face intimidation, and private sector unions are nearly nonexistent.

F. Rule of Law: 6 / 16 (+1)

The judicial reforms started in 2013 were reviewed positively in the October 2014 EU Progress Report. The extension of the EULEX mandate by the [Kosovo](#) president, however, has come under criticism for noncompliance with the constitution over the mandate of international judges.

Ethnic Albanian officials rarely prosecute cases involving Albanian attacks on non-Albanians. In August 2013, Amnesty International criticized UNMIK for failing to investigate the abduction and murder of [Kosovo](#) Serbs after the 1998-99 war, allegedly contributing to a climate of impunity. EULEX has also been criticized for failing to prioritize war crimes investigations, particularly those allegedly committed by former KLA members. Prison conditions meet international standards, but concerns include poor medical care for inmates.

[Kosovo](#) authorities are cooperating with EULEX's investigation into the allegations in Dick Marty's 2010 report. The EU Special Investigative Task Force report presented by the chief prosecutor, Clint Williamson, found compelling evidence of KLA crimes based on investigations in 2013 and 2014. It proposed a special court to handle the proceedings.

The police are rated as the most trusted public institution in [Kosovo](#). According to the October 2014 EU Progress Report, accountability mechanisms designed to investigate and punish police

misconduct have been especially effective. After examining more than 200 civilian complaints against officers from late 2013 to mid-2014, the independent police inspectorate carried out dozens of arrests, suspensions, and transfers against officers found to have acted improperly. Moreover, the [Kosovo](#) police's own disciplinary unit sanctioned 165 officers involved in 120 complaints.

The constitution prohibits discrimination, including based on sexual orientation. However, [Kosovo's](#) Roma, Ashkali, Gorani, and other minority populations face discrimination and difficult socioeconomic conditions. In 2013, President Jahjaga signed into law an amnesty for [Kosovo](#) Serbs who had agitated against Priština's authority after 2008 in an effort to help integrate the northern [Kosovo](#) Serbs. Discrimination against sexual minorities is a problem, and LGBT people face societal pressure to hide their sexual orientation or gender identity.

G. Personal Autonomy and Individual Rights: 8 / 16 (+1)

Freedom of movement for ethnic minorities is a problem. Returning refugees face hostility and bleak economic prospects, and property reclamation by displaced persons remains problematic.

In 2012, [Kosovo's](#) unemployment rate was 35 percent, with youth unemployment at 55 percent. The gray economy accounts for a considerable share of economic activity.

Patriarchal attitudes limit women's ability to gain an education or secure employment. Women in rural areas are disenfranchised through the practice of family voting, in which the male head of a household casts ballots for the entire family. Domestic violence also remains a problem. Despite these obstacles, [Kosovo](#) has the largest participation of women in its legislative and executive branches among Western Balkan countries thanks to gender quotas enshrined in the constitution.

In March 2014, parliament passed a law guaranteeing financial compensation and other social welfare benefits to the more than 20,000 victims of sexual violence during the 1998-99 war. However, rape in general and war rape in particular are taboo topics in Kosovar society. Women are subject to abuse and abandonment by their husbands and families for admitting they were raped, discouraging them from applying for the new benefits.

[Kosovo](#) is a source, transit point, and destination for human trafficking.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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