ACCOUNTABILITY MECHANISMS IN EDUCATION AND EMPLOYMENT
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The Case of Kosovo

The views expressed in this report are those form the Kosovans and the author of this report. They do not necessarily represent views of the UN Kosovo Team.

1 All references to Kosovo are made in the context of UN Security Council Resolution 1244 (1999)
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ACKNOWLEDGMENTS

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- Municipal Leaders, Representatives, Heads and Members of the Coordination Mechanisms and Planning Directorates, Administrative Offices, Office for Communities and Returns of Mitrovicë/a; Gjilan/ Gnjilane; Gjakova/ Djakovica; Prishtinë/Pristina; Prizren and Dragash/s for their readiness and support and ensure substantive responses to the consultations;

- Civil Society Organizations: Women’s organizations and networks, People with disabilities organizations, Youth organizations for convening their partners and community groups in the consultations;

- More than a thousand of participants who voted for the ‘World they want after 2015’ and filled the Questionnaires of consultations during “DokuFest 2014”- a festival held in Prizren in August with tens of thousands of visitors and the key stakeholders who met at different venues to exchange their views on a better Kosovo;

- Many thanks to the members of the UN family in Kosovo who facilitated or got involved in consultations; UN Women and UNICEF as the global co-leads in this topic as well as: UNDP, UNHCR, UNV, UNFPA, UNOPS, OHCHR, IOM, ILO and WHO for convening the consultations.

This document is a product of Kosovans who gave their opinions, observations and suggestions which can be taken forth when designing the future development agenda in Kosovo. Young and old, women and men, powerful and the most excluded proposed changes which will open the path to a stronger society and better governance.

The future Kosovans want after 2015 is a theme that is picking up just as the global leaders of the most advanced countries reaffirm their commitment to fighting poverty and create a better life for the future of the people worldwide.
United Nations Kosovo Team (UNKT) was involved in facilitating the Post-2015 consultations since the initiation of the global discussions in 2012. More than 7000 people were reached in the first phase of consultations, a process that uncovered the interlinked themes of opportunity and equity as being the central concerns and aspirations that Kosovans have for the future. Namely, Kosovans told us at the time that what they wanted from the future was a chance to live up to their potentials, and fair institutions that could make this possible.

*Figure 1: Results of the first phase of Post-2015 consultations process - by gender*

Based on the biggest bubbles (priority focus) which the participants produced in the first phase of general consultations, the voices of people called for a better *Education Quality and Access and Fair Employment*, followed closely by the protest to reduce Bias and Corruption in Kosovo. In the second phase of the consultations process, Kosovo was invited to contribute to the more specific theme of *Participatory Monitoring and Accountability* for which UNICEF and UN Women were the global co-leads. Drawing on the priorities of the first phase of consultations in Kosovo, the Post-2015 Task Force — consisted of all the UN entities in Kosovo — decided that Kosovo could provide a substantial contribution to the global consultations process by providing an overview of the challenges and ideas that exist in Kosovo with regard to Accountability Mechanisms in the areas of employment and education.

The broader question that was to be posed to Kosovars during the consultations process would be the following: what is working and isn’t working in their efforts to hold institutions accountable, and how are their interactions with institutions having an impact education and employment services?
The Post-2015 Task Force met weekly to coordinate the consultation efforts that consisted of several stages:

I. Mapping and identification of relevant institutions and target groups for consultations that was done during early summer,
II. Preparation of all supporting materials and guidance for consultations,
III. Convening of consultations with individual institutional representatives, group consultations with various demographic groups and the online survey. A review of secondary sources was also conducted throughout the period. The flow of the consultation process is presented graphically in Figure 1 below.

**Figure 2: The Phase II of Post-2015 consultations process**

Individual discussions with representatives of institutions were conducted by representatives of UN agencies who then reported on the findings to the Task Force. Each UN agency took the lead in organizing several group discussions (in a focus group format) with various demographic groups, either by organizing separate events or using existing outreach activities and modifying them accordingly for the purpose of the Post-2015 consultations.

The groups were selected so that, from a demographic perspective, the views of diverse categories of the population would be captured. In total, nineteen group consultations were held in the following localities: Prishtinë/Priština, north Mitrovicë/a; Dragash/Dragaš; Gjakovë/Dakovica; Istog/Istok Lipjan/Lipjane; Graçanicë/Gracanica, Prizren, Dragash and Gjilan/Gnjilane. Representatives of UN agencies followed guidelines and questions prepared in advance by UNKT and reported on the findings through a uniform reporting template. In total, around 200 people were reached through the consultations process.

The consultations process also utilized an online survey that was launched in mid-September and was open until 15 October. The survey drew 174 respondents (51% male, 49% female). Apart from this one the Future we want survey reached more than 1000 respondents (ages 16 and above) in one week during DOKUFest- a documentary festival which takes place for 13 years now in Prizren in August.

There was no scientific sampling methodology used for analysis and as such the findings are not representative of the total population of Kosovo. Since most respondents were reached online, the audience is disproportionally younger, more urban and better educated than the overall population in Kosovo. The sample is also relatively small. Nevertheless the data from the survey can be useful to understand trends and perceptions in broad strokes.
SUMMARY OF KEY FINDINGS

The findings from the second phase of the post-2015 consultations process in Kosovo are structured in three separate chapters. The subject of accountability mechanisms in the areas of education and employment is assessed through a step by step process using a logical framework approach to construct a problem tree: the identification of the causes of low accountability (chapter 1); the consequences of low accountability on service provision in education and employment (chapter 2); the proposed ideas and solutions on how to strengthen accountability mechanisms (chapter 3). The key findings from these chapters may be summarized as follows:

CAUSES: The conclusion from the second phase of the post-2015 consultations is that Kosovo has a well-developed legal and institutional framework to ensure accountability in the management of education and employment policies. Nevertheless, there are significant difficulties with the implementation of legal provisions. The functionality of accountability mechanisms is hampered by a wide range of factors that may be grouped into three main categories: a) political influence in public sector staff recruitments, which disrupts proper accountability by prioritizing political allegiance over quality of service provision; b) the weak capacities and lack of executive powers of oversight institutions which prevent the latter from forcing implementing agencies to modify behavior in accordance with the law; c) the low empowerment of civil society and people to play an active role in decision-making and express dissatisfaction.

CONSEQUENCES: The improper functioning of accountability mechanisms reduces the quality and reach of service delivery, while also raising equity issues, since marginalized and disempowered social categories suffer disproportionately. Stakeholders involved in the consultations process expressed dissatisfaction with a wide range of issues related to the quality of services (ex. teaching practices, mismatches between curricula and trainings with labour market needs, breach of workers’ rights, etc). They noted the presence of a high degree of discrimination or lack of access to services which are not addressed by institutions.

Those who face the greatest challenges in this regard are:
I) Members of Roma, Ashkali and Egyptian (RAE) communities – especially on the issue of school dropouts, informal work and lack of access to training opportunities.
II) Women, who face multiple layers of discrimination.

SOLUTIONS: Participants in the consultations process highlighted several existing measures or ideas which could help make institutions more accountable. Political interference in the education sector could be improved by making the teacher selection process more transparent and involving multiple stakeholders – a practice recently adopted by the Prishtinë/Priština municipality.

The quality of teaching could be improved by improving and increasing the weight of performance evaluations on teacher contract conditions. Accountability in school management could be improved through greater financial decentralization.
Civil society organizations and the media could use technology to empower people and provide critical spaces where they could file complaints that are not addressed by non-responsive institutions. Technology can also be used to improve the efficiency of Public Employment Services and enable better performance evaluations of employment counsellors. Marginalized groups could benefit from a wider range of other support services by public institutions or CSOs (legal counseling, support from social workers, advocacy efforts) to address the many barriers to education and employment that are caused by social norms or the constraining conditions of life in poverty.

THE ACCOUNTABILITY CHALLENGE: EDUCATION AND EMPLOYMENT

In every corner of Kosovo — East and West, North and South — when you ask people to express what their top priority is — through public opinion polls, focus groups or individual conversations; with representatives of institutions or ordinary people — the almost homogenous response is the lack of job opportunities. This does not come as a surprise if we take into account that unemployment stands at 30.5% of the active workforce and is even higher among young people. As people become increasingly aware that the labour market rewards those with better training, obtaining a good education is quickly catching up as another key priority. Similar conclusions arrived as the United Nations Kosovo Team reached out to Kosovo’s people in the second phase of consultations for the post-2015 development agenda to investigate the effectiveness of accountability mechanisms in the spheres of education and employment. Just as an illustration, Figure 4 below shows that out of 1,059 young people (16-30 years old) who were reached in Kosovo through the My World 2015 Survey, the vast majority listed a good education and better job opportunities as their top priorities.

![Figure 4: What is your most important priority?](image-url)
Access to quality education and job-opportunities are indeed a top societal priority, but the consultations process uncovered that Kosovo’s institutions are facing great challenges in meeting these priority demands. Much of the dissatisfaction results from the belief that policy elites have not given sufficient attention in addressing them. When asked whether they thought that policymakers have prioritized the education sector sufficiently, a majority of respondents in the Post-2015 online survey (54.4%) said that they haven’t, whereas 34.2% said that education has been prioritized “somewhat” (see Figure 5 below). Only 5% of respondents thought that the education sector has been prioritized.

**Figure 5: Have policy-makers in Kosovo prioritized the education sector sufficiently?**

There are many reasons why governments might not perform well in a certain area and which are common across developing countries: lack of financial resources, limited human and technical capacities, etc. Nevertheless, an important part of the explanation in Kosovo is the fact that there are ineffective accountability mechanisms in place to ensure higher responsiveness of institutions towards people’s demands with regard to education and employment. The analysis of accountability mechanisms in Kosovo must first and foremost take into account the broader context of governance and the culture of civic participation in public affairs. Following the armed conflict in 1999, Kosovo had to build up new institutions from scratch, having no prior tradition of participative monitoring by people at any level of governance. The lack of the so-called bottom-up accountability mechanisms, coupled with an insufficient capacities for efficient democratic administration, created a governance context in which there was a considerable distance between power holders and the people.

As Figure 6 below illustrates that according to the Worldwide Governance Indicators produced by the World Bank in 2012, Kosovo ranks in the 40th percentile on the “Voice and accountability” indicator – one of the most common indexes known to measure accountability in governance. That is significantly lower than the already low percentile of regional countries like Serbia (56th), Montenegro (56th), Albania (51st) and the Former Yugoslav Republic of Macedonia (47th).

**Figure 6: Voice and Accountability Indicator – Kosovo (percentile), source World Bank 2012 report**
Similar conclusions regarding the low level of accountability in governance in Kosovo emerged during the second phase of the consultations for the Post-2015 agenda. During discussions with the Office of the Auditor General, it was noted that Kosovo’s institutions face significant challenges with regard to the system of checks and balances, particularly in the education sector. The problem is not necessarily the lack of laws or institutions and systems mandated to ensure such checks and balances – in most cases they do exist and have some form of legal authority – but the difficulties in implementing what is enshrined in law. The three main reasons that cause the ineffective implementation system of checks and balances that were noted during consultations are:

a) the politicized nature of appointments in institutions responsible for managing the education system and the employment services (civil service, teachers, employment counselors, etc);

b) the lack of executive powers or technical capacities for independent oversight institutions (ex. inspectorates) that are supposed to monitor and hold accountable the respective implementing agencies;

c) the limited space and capacities for civil society or people’s groups, especially of marginalized groups, to impose themselves and seek accountability from institutions.

The politicized nature of appointments in public sector jobs is one of the most important root causes identified during the consultations with CSOs in Prishtinë/Priština as being disruptive of accountability mechanisms in the spheres of education and employment. This is particularly problematic in the appointment of school directors and teachers by municipal directorates of education. It is common in Kosovo to see changes in the structures of school administrations when municipal authorities change. The patron-client nature of relations between the wide range of institutional actors – from civil servants, to school directors and teachers in classrooms – creates a context in which quality of service delivery is overshadowed in importance by political or other forms of nepotistic allegiance.

“The political appointment of school directors is one of the key problems in Kosovo. School directors are important for political parties because they are also managers of polling stations on Election Day. They are not held accountable for their work in educating young people but for their political loyalty.”

Representative of NGO GAP,
Consultations with Civil Society Organizations, October 10, 2014

The findings from the consultations are supported by earlier empirical research conducted by UNDP. For example, the Public Pulse survey from 2012 found that a vast majority of people in Kosovo think that finding employment in the public sector is dependent on non-meritocratic factors such as family connections (34%), bribes (23.7%) or party allegiance (13.5%). Only a small share think that educational qualifications (11.8%) or professional experience (4.7%) are key factors. These findings are presented in Figure 7 below.
Political influence over public service employment reduces accountability also because it lowers incentives for institutions to be transparent and to be open to feedback from below, thus limiting the space and opportunities for civil society organizations and people to have their say. For example, during consultations with CSOs, it was noted that, despite the existence of laws such as the Law on Access to Official Documents, which gives people the right to request information from any public institution on matters of public interest, very few of them actually adhere to the law when they are requested information about a sensitive matter. CSOs complained that cooperation with institutions is possible but conditional upon not criticizing any aspect of their work.

In consultations with CSOs, education sector institutions, particularly the Ministry of Education and the University of Pristina, were specifically mentioned as not being very transparent about their work. The FOL Movement classified the Ministry of Education as a “closed institution” in its Index of Institutional Transparency. CSOs claim that requests for access to official documents on sensitive matters are either completely ignored (despite a legal time limit) or, when pressed about the matter, rejected on the basis of privacy laws, which they claim is one of the main legal avenues that institutions use to prevent damaging information from coming out.

“Public institutions in Kosovo cooperate and are transparent up to the point when you criticize them. When you report something negative or criticize them, you burn a bridge!”

_Representative of the Balkan Investigative Reporting Network (BIRN), Consultations with Civil Society Organizations, Prishtinë/ Priština, October 10, 2014._

![Figure 7: Perceptions on factors affecting chances of employment in the public sector.](image-url)
Furthermore, local and central level institutions were also criticized during the consultations process for not informing or involving people sufficiently in decision-making processes. In 2012, only 33% of people in Kosovo reported to have heard about a meeting of their Municipal Assembly. This is important in terms of accountability for the education sector, since municipalities have substantial authority in the management of schools. At the central level, Kosovo’s government has developed an institutional mechanism through which CSOs can take an active role during the development of new legislation. Through the Government’s Rulebook (Regulation Nr. 09/2011 “On Consultations with the public”), the government has established a fifteen day period during which CSOs can review and provide feedback on legislative measures that are being processed. In the year 2013, the Government of Kosovo submitted 45 new laws or government regulations to the CIVIKOS platform (an umbrella organization of CSOs) for comments and reviews by its respective member organizations. Nevertheless, there are many instances when the comments made by CSOs were not taken into account or when the latter did not provide any feedback.

The limited space for participation in decision-making extends all the way down to educational institutions themselves, and exclusion from such participation is a matter of particular concern for high school students. During a group consultation with youth in the village of Gurrakoc (municipality of Istog/Istok), participants were unanimous in stating that their voices are not heard in classrooms and interactions with school administration. This despite the fact that there are various legal provisions that guarantee students the right to be heard through independent student councils (more specifically, Administrative Instruction 27/2013 “On Extracurricular Activities).

The responsiveness of institutions or persons responsible for the education sector to people participation was also evaluated through the Post-2015 survey. Respondents were asked to rate a range of institutions or persons on a range from 1 to 5, based on their experiences or general impressions (see Figure 8 below). A particularly low score was given to municipalities and central institutions, suggesting once again that relations of accountability are more difficult with the political and policy levels than with institutions that have direct interaction with service beneficiaries.

Figure 8: Based on your own experiences or general impressions, please rate the following institutions or persons with regard to how responsive they are towards citizens who express concerns. Please rate on a scale from 1 to 5 (1 being very non-responsive, 5 very responsive)?

The low empowerment and engagement of CSOs and people in relation to public institutions is not only influenced by politics and power relations, but also caused by other factors related to cultural norms and social attitudes on civic engagement and challenges to authority. Accountability is a two-way street: in order for an institution to behave accountably someone needs to hold it accountable.
There are several quite active NGOs and civic groups, but Kosovo people are generally not very active in challenging the work of public institutions or insistent in participatory decision-making. As the Figure 9 below illustrates, UNDP’s Public Pulse survey found that in 2012 only a small share of people (3-6%) took part in any form of public engagement (community based initiatives, public discussions, NGOs, etc).

**Figure 9: Civic engagement in public affairs**

![Civic engagement in public affairs](source: UNDP Public Pulse IV (2012))

Nevertheless, a large part of the inactivity may be explained by the lack of belief in the fruitfulness of public engagement, or the fear of repercussions from any such action. As Figure 10 below illustrates, when asked about the reasons why they did not seek accountability for any concern they might have had with educational institutions, 68% of the respondents from the Post-2015 survey say that they did so because seeking accountability has no effect, whereas 22% said that they feared repercussions. Many of the high school students who complained in the group consultations with youth that student voices are not heard added that they do not trust that student bodies can bring about change for students.

**Figure 10: If you have had concerns with educational institutions and did not take any action, what was the cause of inaction?**

![Reasons for inaction](source: Kosovo post-2015 Online Survey)

Ideally, the necessary space for people to hold institutions accountable would be created by top-down accountability mechanisms – namely, by institutions that are tasked with overseeing and improving the performance of public authorities.
These are institutions such as the Ombudsperson Institution which investigates human rights violations, the Auditor General, or internal monitoring institution such as inspectorates. Such institutions do exist in Kosovo and are largely viewed as impartial, but during the consultations process it was noted that there is generally a low degree of trust on the effectiveness of addressing complaints through them.

“**The Ombudsperson and the Auditor General are generally very responsive and open. But they do not have much enforcement power. They can only advise and instruct.**”

*Representative of the Balkan Investigative Reporting Network (BIRN), Consultations with Civil Society Organizations, Prishtinë/ Priština, October 10, 2014.*

During consultations with CSOs it was noted that these oversight institutions either do not have sufficient technical and financial capacities, or the current legal framework doesn’t give them sufficient power to enforce their adjudications, thus limiting their role to mere issuers of guidance and instructions.

The findings from the consultations process are in line with earlier reports from international organizations on the state of independent institutions in Kosovo. One report by the Organization for Security and Cooperation in Europe from 2012 highlighted that such institutions tend to comply with best international practices with regard to their operations, but face several problems such as legal ambiguities, inadequate staffing, poor financing and – most importantly, in the case of institutions issuing legally binding decisions – “a blatant absence of an effective enforcement mechanism to ensure execution.”

The public’s general mistrust towards the effectiveness of oversight institutions is illustrated by the UNDP Post-2015 survey respondents’ answer on the effectiveness of oversight institutions responsible for the protection of workers’ rights. Asked to state whether they thought there were any effective mechanisms in Kosovo to protect worker’s rights, 55% of respondents stated that there weren’t any, whereas 29% said “somewhat” (see Figure 11).

<table>
<thead>
<tr>
<th>Institution</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teachers/Professors</td>
<td>2.9</td>
</tr>
<tr>
<td>NGOs</td>
<td>2.7</td>
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<tr>
<td>Donors</td>
<td>2.7</td>
</tr>
<tr>
<td>Media</td>
<td>2.7</td>
</tr>
<tr>
<td>School / University Managers</td>
<td>2.5</td>
</tr>
<tr>
<td>Municipalities</td>
<td>2.5</td>
</tr>
<tr>
<td>Central Government</td>
<td>2.2</td>
</tr>
</tbody>
</table>

*Figure 11: Based on your own experiences or general impressions, please rate the following institutions or persons with regard to how responsive they are towards citizens who express concerns. Please rate on a scale from 1 to 5 (1 being very non-responsive, 5 very responsive).*
In another closely related question (see Figure 12), when asked to rate the effectiveness of institutions in the protection of workers’ rights on a range from 1 to 5, respondents rated almost all institutions (with the exception of non-state actors such as the NGOs and the media) with a lower than average score (less than 2.5), showing particularly low trust in the effectiveness of courts and the central government in protecting workers’ rights.

<table>
<thead>
<tr>
<th>Institution</th>
<th>Average grade (1 to 5)</th>
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<tbody>
<tr>
<td>NGOs</td>
<td>2.6</td>
</tr>
<tr>
<td>Media</td>
<td>2.6</td>
</tr>
<tr>
<td>Police</td>
<td>2.4</td>
</tr>
<tr>
<td>Inspectorates</td>
<td>2.1</td>
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<tr>
<td>Labour Unions</td>
<td>2.1</td>
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<tr>
<td>Courts</td>
<td>1.9</td>
</tr>
<tr>
<td>Central Government</td>
<td>1.9</td>
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</tbody>
</table>

**Figure 12:** Please rate the following institutions and mechanisms based on how effective you think they are in protecting workers’ rights? Please rate on a scale from 1 to 5 (1 being very ineffective, 5 very effective)?

An important institution in overseeing the implementation of legislation related to education and labour are labour and education inspectorates. The latter were also viewed as largely ineffective by respondents in the survey (average score of 2.08) as well as in group discussions with different stakeholder groups. In the consultations with Kosovo Serb private enterprises, for example, it was noted that labour inspectorates within Serb majority municipalities “do not function at all.”

Inspectorates face several barriers in fulfilling their mandate, and these are largely related to **weak technical and financial capacities and legal ambiguities**, all of which ensure that they are not properly empowered. In consultations with CSOs in Prishtinë/Priština it was noted that inspectorates are staffed with insufficient number of workers who are also poorly incentivized to perform their functions properly.

With regard to legal ambiguities, typical problems that emerge are those related to frictions and unclear division of tasks between the central and local levels. For example, the Education Inspectorate at the central level complains that municipalities do not respect its authority, since teachers are hired by local authorities and there are often political differences between the central and local level. The effectiveness of the inspectorates is also hampered by the fact that there are no mechanisms mandated to holds them accountable or inspect their own work. The inspectorates only produce yearly reports for the institutions of which they are part of.

Of course, the failure of independent oversight institutions to address matters effectively would entail that potential people complaints could be addressed through the instance of last resort – the judicial system. Nevertheless, the latter is severely burdened with a pile of unresolved cases and court processes can be extremely time consuming. This is why courts received a very low score of 1.9 (out of 5) in the Post-2015 survey question on their effectiveness as a mechanism for the protection of workers’ rights.
To summarize: Insights from the consultations process and other secondary sources used for the purposes of this report helped identify and categorize a couple of key root causes that reduce accountability in the spheres of education and employment in Kosovo. These causes are the low enforcement powers of oversight institutions, political interference in public sector employment and affairs, the low financial and technical capacities of institutions in general, as well as the low empowerment of civil society and people to hold institutions accountable and take part in decision-making. These root causes are presented in Figure 14 below in the form of a problem tree which shows the continuum leading to the wide range of social consequences (to be discussed in the next section).

“The Labour Inspectorate has only about fifty inspectors who are not very motivated. How can we expect them to be able to inspect all workplaces in Kosovo?”

Representative of NGO GAP,
Consultations with Civil Society Organizations, Prishtinë/ Priština, October 10, 2014.

Figure 14: Graphical illustration - Problem tree.
CONSEQUENCES: QUALITY, ACCESS, NONDISCRIMINATION AND EQUITY IN SERVICE DELIVERY

The conclusion derived from the consultation process is that the low accountability of institutions reduces the quality and reach of services delivered, as well as raises issues related to unequal treatment, as it affects vulnerable groups disproportionately. The latter have less power and opportunities to make their voices heard and hold institutions accountable for poor performance and service delivery. This puts to test the implementation of international legal instruments directly applicable through its Constitution (Article 22) - such as for example the Convention on the Rights of The Child (CRC), or the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) – or domestic laws such as the Anti-discrimination Law, all of which guarantee equal rights and opportunities in accessing public services.

QUALITY AND REACH OF EDUCATION:
During the process of consultations it was noted that overall substantial progress has been achieved in Kosovo with regard to access to education, as new schools were built and municipalities increased their capacities to ensure transportation for residents of remote areas. For example, in the group consultation in Dragash/Dragaš, a mountainous municipality, it was noted that compared to a couple of years ago the municipality can now ensure transportation for even the most remote areas.

Nevertheless, dissatisfaction is higher with regard to the quality and methodology of teaching in the education system; the incompatibility of curricula with the professional qualifications requested by the labour market; the lack of opportunities for informal education and trainings for skills, etc. Concerns were also raised with the quality of school administration and facility management, linked largely to the low degree of financial decentralization and school’s abilities to manage their own affairs more effectively.

‘‘There are a lot of problems in the education sector, but the biggest is this: we have an old generation of teachers, they do not follow new developments and children are taught only to repeat things and the best repeater gets the highest marks. We have a society of repeaters and we are afraid to think and act different.’’

Young male from Damanek village (Malishevë/Malisevo municipality), Comment posted in “Post-2015 Online Survey”
In consultations with youth in North Mitrovica, participants noted that many young people cannot find jobs due to a lack of expertise, and emphasized the need for **harmonization of education programs with contemporary labor market requirements** and better coordination, communication and joint planning among companies/industries, education institutions and local authorities.

**EMPLOYMENT SERVICES:**
One of the greatest matters of concern expressed during the consultations process was the quality and range of services provided by Employment Offices that are part of the Public Employment Services (PES). The later provide a wide range of support services to around 240,000 unregistered job-seekers in Kosovo, including career counselling, training guidance, development of individual employment plans, matching with potential employers and placing job-seekers in actual workplaces through active labour market measures.

During group consultations with youth, the latter generally expressed the belief that Employment Offices are not able to assist them in finding some employment. Many of them expressed frustration that young people were registered with PES for a long time without getting any employment offers or even routine phone calls, and that trainings were not in line with contemporary market needs. Young people also expressed concern over the lack of opportunities for practical experiences, which puts them at a disadvantage since employers find earlier experiences as critical during recruitments.

There is therefore a need for more placements in active labour market measures such as on-the-job trainings and professional practices in private enterprises.

“**All employers want us to have some work experience in order to apply for jobs, but how can we gain experience if nobody is giving us the opportunity to learn?”**

Young male from Gurrakoc (Istog/Istok municipality)
Consultations with youth, October 8th 2014

In consultations with CSOs, one of the other great problems with the jobs offered through the employment offices was their temporary nature – namely, engagements in short-term public infrastructure projects, after which workers go back to the PES to register as job-seekers without having gained many skills that would increase the likelihood of permanent employment.
During consultations with CSOs, one organization that has followed the work of the Employment Offices stated that people are generally informed about the existence of these offices and the types of services that they are provided with. This is confirmed by the findings of the post-2015 survey, where most people answer “yes” or “somewhat” to the question of whether they were informed about the type of services provided by the employment offices. It was noted during the consultations that this is mostly the case because registration with employment offices is a requirement for a range of other support services, including social assistance. Awareness and information on the work of the Employment Offices, however, is lower for marginalized groups, particularly the RAE community.

Another concern that was frequently expressed during the consultation process in relation to the employment sphere was the issue of **worker’s rights**. Although Kosovo has passed a Law on Labour which envisions a wide range of rights of employees in the workplace, it was noted that the provisions of this law are rarely implemented because there are no powerful mechanisms in place to ensure their enforcement. In consultations with the private sector in North Mitrovicë/a, participants agreed that the main problem for employees is informal work, which exposes workers to engagements without contracts, and thus without any social or health insurance. Problems such as occupational safety and discrimination were also mentioned as being significant in scale.

Children from Roma, Ashkali and Egyptian (RAE) communities and children with special needs have been recognized as facing the greatest problems in terms of access to education. In several of the consultations with community members it was noted that one the greatest problem they were facing was the issue of **school dropouts**, which is caused by a mixture of factors: early marriages, discouragement to pursue school due to discrimination, child labour, and the overall complex web of problems related to live in poverty, which forces families to prioritize spending on immediate needs (food, shelter) and neglect long-term ones like education.

But it was also noted that responsible institutions are often negligent to take any measures to prevent school dropouts, or the RAE communities themselves do not even seek assistance because they are discouraged and not empowered, and do not trust that anyone will help them. Another finding from the consultation process is that marginalized groups living in conditions of so-called structural poverty, such as for example the RAE communities, as well as those who have been internally displaced due to the conflict in Kosovo (especially the Kosovo Serb community), are disproportionately disadvantaged in terms of opportunities to find employment and break through the spiral of poverty.
During consultations with RAE communities members in the village of Gadime (municipality of Lipjan/Lipjane), it was noted that most of the working age members of the community had not received any formal education or training and thus had a higher barrier to climb than others competing in the labour market.

“Yes, worker’s rights are continuously breached. But, very few workers have the courage to raise the issues with management or relevant institutions, because they risk their jobs and are not protected by the state. Losing a job in an environment where it’s difficult to find one, can have grave and long-term consequences”

31 year old employed male from Prizren, Post 2015 Online Survey

RAE community members in Lipjan/Lipjane and Gjakova/Dakovica, for example, often noted that they did not have any formal documentation that would allow them to benefit from a range of public services, including employment counseling and training. As a result many of them engage in informal labour that often has hazardous effects on their health.

“My children have no education. Only my daughter finished six years of school and has a certificate in tailoring and haircutting. There are no jobs for my sons, they collect scrap and have health problems with their lungs.

Roma woman from village of Gadime, Lipjan/Lipjane municipality
Consultations with internally displaced persons, September 3, 2014

During consultations with INTERNALLY DISPLACED Kosovo Serbs in the town of Graçanicë/Gracanica - several participants said that they could not have access to their lands in the original locations, which would allow them to have some form of self-employment. The internally displaced also noted that they were discriminated against in their new localities during job applications, as they lacked social networks in an environment where employment is largely done through patronage and clientelism.

WOMEN are also disproportionately disadvantaged with regard to opportunities for education and employment, as they are less empowered than men to seek accountability and equal treatment. The Law on Gender Equality and Law on Labour ensure an equal treatment of women in the labor market, but the implementation of these legal provisions is severely lagging.

In a group consultation with women politicians and CSO leaders it was noted that women, young ones in particular, still represent the most discriminated group in the labor market and face additional costs in their job search. In the group consultation with youth in the village of Gurrakoc (municipality of Istog/Istok), female participants were aware of several cases where women were discouraged to register and seek services from employment office due to the attitude of employment office directors.
Another key area of the Law on Labour that has been difficult to implement is the provision related to maternity leave. During consultations with CSOs it was noted that many enterprises either do not implement maternity provisions appropriately, or they have become more reluctant to hire women after the law came into force. The reluctance of employers to hire young women after the adoption of the law was also stressed in the consultations with women politicians and civil society leaders. Much of this is caused by the inability of labour inspectorates or other oversight institutions to hold employers accountable for breaching the law.

Nevertheless, during consultations with women politicians and civil society leaders, it was noted that the barriers that women faced with regard to employment and education opportunities are not only related to public institutions, but are more entrenched and sourced in traditional societal rules. As such the discrimination against women in most cases occurs even before they enter the labour market or educational institutions, and this kind of discrimination is harder to address by institutions. Discussants in the group consultation with women leaders noted that women are usually primed to become housewives and, in case of an employment opportunity within a family, men are preferred to take up the job. This is one of the main reasons why Kosovo has the lowest female labour force participation rate in Europe (at 21%).

More disaggregated data by gender, age and regional spread from Kosovo’s consultations will be available by end of 2014. They will cover both more details on education and employment results which are initially presented in this document.
SOLUTIONS: PAVING THE WAY FORWARD

During the discussions with stakeholders a strong emphasis was given to ideas or proposed solutions to the problems that hamper accountability in the spheres of education and employment. Particular focus was given to any existing practices which can be showcased as models of success with potentials for replication.

To this end, the ideas presented in this chapter are those that were highlighted as having the potential to improve accountability, and not the many ideas that were received on the needs that citizens have in improving the overall situation with regard to education and employment.

More specifically, the focus in this section is not on what needs to happen so that education and employment policy is more effective (ex. better quality of teaching), but what needs to happen so that accountability is increased and such changes can become possible (ex. better performance evaluations for teachers, etc).

In order to address the negative impact of the political nature of teacher recruitments, it was noted during the process that the municipality of Prishtinë/Pristina has recently introduced a new transparent recruitment process involving multiple stakeholders. CSOs, parent associations, media and other relevant stakeholders are invited to take an active part in the interview and selection process, thus reducing the patronage dimensions in teacher selection. This reform has received considerable coverage in the Kosovar press and has been praised by young prospective teachers as giving them a better chance at a fair assessment. It has also started to be replicated by other municipalities. CSOs present in the group consultation in Prishtinë/Pristina confirmed that they have received invitations to interviews and have taken part in them.

Improvements in the quality of teaching require deep structural reforms in the education sector as a whole, including measures such as capacity building efforts and financial incentives. Nevertheless, some improvements could be achieved by simply scrutinizing the performance of teachers more effectively – namely, by giving more weight and effects to performance evaluations. In consultations with CSOs in North Mitrovicë/a proposals were made to modify the permanent nature of teacher contracts and replace them with periodic contract that would be reviewed and continued depending on performance evaluations.

However, since institutions are politicized, there is no guarantee that these performance valuations would not suffer from the same biases that are present in the process of teacher recruitments, thus risking the job security of teachers without actually linking accountability with quality performance.
Experience has shown that accountability mechanisms work better when the responsible authorities are as close as possible to the citizen. In consultations with CSOs in North Mitrovica, it was proposed that the education system should be as financially decentralized as possible, with schools having a higher degree of financial decentralization to manage their own day to day affairs.

This would ensure that on school management and administration issues there would be a clearer address of responsibility, which in turn could lead to more student/parent engagement in daily affairs During the consultations process it was also noted that technology could be used to increase accountability, by creating space and platforms for people to address complaints or issues that are otherwise neglected by oversight institutions. Recent media reports suggested that Kosovo has one of the highest internet penetrations in the Balkans, which makes the internet a powerful tool for active civic work.

The Balkan Investigative Reporting Network (BIRN) has developed the Kallxo.com platform, through which people can report any abuses or injustices, which BIRN then follows up with an investigation. It then mediates the issue through its media platforms (TV Show in public broadcaster, online portal, etc).

The success of such initiatives is one of the reasons why media and NGOs were listed as having the higher score in the post-2015 survey’s question related to the effectiveness of mechanisms responsible to seek accountability.

“\textit{A complaint is first reported to us through Kallxo.com. It is then verified by us. If there is a basis for investigation, we then start contacting the responsible institutions and developing a story.}”

\textit{Representative of the Balkan Investigative Reporting Network}
\textit{Consultations with CSOs in Pristina, October 10 2014}

Technology can also be used to improve the efficiency of the Public Employment Services, but also to increase the accountability of employment counsellors for their performance.

During consultations with CSOs in Pristina, it was noted that the introduction of the Employment Management Information System (EMIS) has helped PES deliver services more efficiently and monitor and report activities more effectively.

EMIS is an information technology tool which enables several automatic functions such as matching jobseekers and employers based on predefined criteria, easier case monitoring and automatic reporting, thus giving employment counsellors more time to provide actual services to their clients (jobseekers and employers).
These kind of technological tools could thus enable employment offices to turn into the “one-stop shops” for employment requested by youth during a consultation session in the village of Gurrakoc (Istog/Istok municipality), where access to a digitized local vacancies was mentioned as a priority. The introduction of the system also allows the easier tracking of results achieved by individual employment counsellors, thus creating an opportunity for the introduction of performance-based financial incentive schemes for employment counsellors.

Increasing the accountability of institutions responsible for education and employment towards marginalized and disempowered communities such as the RAE communities or women would certainly entail better flow of information on public support services (for example, there is definitely a need to inform RAE communities members better about the services provided through employment offices). But it would also entail reforms or activities that extend beyond standard administrative functions of employment and education departments.

To this end, in order to address the social and other barriers that discourage people to even seek access to education and employment, and lead to problems such as school dropouts, there is a need to involve other actors such as social worker or CSOs to engage in service delivery and advocacy that would penetrate to the family and community domain. To this end, during discussions with CSOs in North Mitrovicië/a it was proposed that the government could develop internship programs for graduates of psychology, pedagogy or social work who would provide counselling support to RAE communities.

“I hope that new law on sign language will bring improvement of situation of deaf and blind persons”

Representative of the association of people with hearing impairment in North Mitrovica, October 16, 2014

Consultations organized by UNHCR highlighted the importance of training and hiring teachers from the RAE community as one of the most effective ways of addressing the issue of school dropouts. Disadvantaged groups would also need various forms of free legal assistance, such as the services provided through the Civil Rights Programme Kosovo, in order to obtain basic personal documents that would make them eligible for support services.

As far as women are concerned, in consultations with women politicians and leaders of CSOs, it was noted that better networking and advocacy was needed to empower women so that they can increase their participation rates in the labour market and educational institutions. In a group consultation with municipal leaders in the municipality of Dragash/Dragaš, it was noted that strong advocacy efforts in rural communities were effective in increasing the participation rate of girls in school.
Similarly, in consultations with women’s organizations in Gjilan/Gnjilane, participants highlighted the significant impact of women’s volunteer groups in empowering rural women to **gain skills and become self-employed**. Nevertheless, as noted in the previous chapters, the low empowerment of people results from the lack of belief in the effectiveness of oversight mechanisms to prevent unfair treatment by public institutions. One of the main problems identified during the consultations as impeding the effectiveness of independent oversight institutions was their lack of enforcement powers.

During the consultations process it was therefore suggested by some stakeholders that this would entail an **increase in the powers of independent oversight institutions**, adding more legal weight to their otherwise legally binding adjudications. An increase in powers would surely have to be met with increased budgeting and capacity building efforts for staff.

On the other hand, the effectiveness of oversight institutions, or those mandated to address complaints within any service delivery institution, may be improved by things as simple as clear **internal regulations for case filing**. It is not always the case that the lack of political will is the main reason for ineffective performance.

During consultations with CSOs it was noted that some of the institutions that were more transparent and efficient in addressing requests for access to official documents (such as for example, the Ombudsperson Institution or the Auditor General) simply because they have very clear internal regulations outlining the detailed steps of how a request should be handled.

Other less transparent institutions operate with such requests in an ad-hoc manner, leaving officials uncertain as to how to proceed in dealing with them and thus unresponsive to requests for transparency.
CONCLUSIONS

The discussion on accountability is done in search for reinvented ways to discover tools that are used for monitoring of the institutions responsible for delivering services to their people. TI is a long standing request addressed to all levels of the Kosovo society. This debate should continue. A discussion which has a bottom-up and a top- down approach will capture best the real needs of the society. It can also provide an open space for groups to discuss and propose their ideas on priorities as an important conversation to continue to have.

INTERNATIONAL COMMUNITY is asked to listen to Kosovan opinion. They have an important role in transmitting the voices of nations worldwide in the global process.

KOSOVO INSTITUTIONS are asked to integrate the findings of this report into their locale level strategies, and plans which will enable them to initiate corrective measures for better services. This is possible with a more open planning and monitoring process which welcomes opinions from people and civil society.

CIVIL SOCIETY should be strengthened to continue being involved in proposing as well as being in the role of the watchdog. The overall involvement of all structures of the society in pursuing accountability will result in more stable relations between the people as the rights holders and institutions as duty bearers.

COMMUNITIES including those that are the most vulnerable and unheard voices are encouraged to utilize a direct communication or social platforms and e-communication for greater involvement and political activism. This can later lead to social transformation with increased trust in the leaders throughout Kosovo.
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