



# 2021 CIVIL SOCIETY ORGANIZATION SUSTAINABILITY INDEX

KOSOVO  
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For Kosovo

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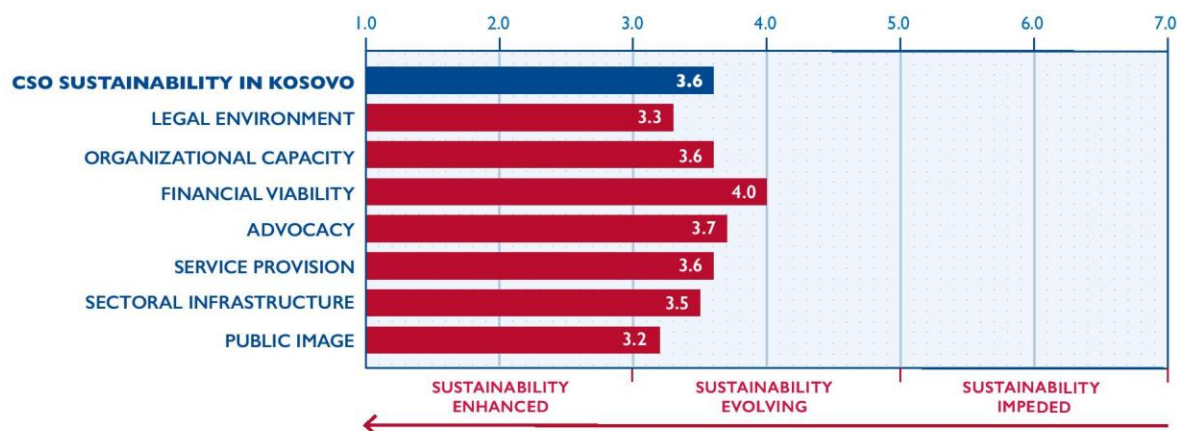
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## OVERALL CSO SUSTAINABILITY: 3.6



The COVID-19 pandemic continued to impact most aspects of life in Kosovo in 2021. Widespread dissatisfaction with social distancing measures put pressure on the government to ease restrictions whenever the COVID-19 infection rate declined. The crisis conditions of the COVID-19 pandemic, as well as the war-like rhetoric surrounding the fight against it, re-ignited war-related trauma in many Kosovars. Uncertainty about the future, frequent changes in social distancing measures, and other adaptations to life during the pandemic required significant lifestyle and consumption changes for most Kosovars. As in other countries, domestic violence reached new peaks during the pandemic.

Regular local elections and snap national elections were held in 2021. At the central level, the new government coalition comprised of Vetevendosje and Guxo represents one of the most stable coalitions in Kosovo's history. At the local level, many municipalities experienced changes in political leadership, with some of the more experienced leaders being ousted after many years in power.

Kosovo's primary foreign policy challenges continue to be Euro-Atlantic integration and resolving the dialogue to normalize relations with Serbia, which has been ongoing for more than a decade. The international community supporting the discussions has insisted on the full implementation of past agreements, but there were no major developments in that regard during the year, as both countries were focused on domestic elections.

Kosovo, alongside Montenegro and Bosnia, continued to oppose the Open Balkans initiative, an economic and political zone that is supported by Albania, Serbia, and North Macedonia. Kosovo instead favors the so-called Berlin Process, a platform for high-level cooperation between the six Western Balkan countries, which it views as the only formula that will ensure a European future for the region.

Kosovo experienced significant economic uncertainty in 2021, which were exacerbated by global transportation and logistical challenges stemming from the pandemic. The government implemented economic assistance programs that helped to stabilize the economy. In addition, remittances from the diaspora, which represent a significant supplement to consumption in Kosovo, increased in 2021 and alleviated some of the financial hardship experienced by vulnerable groups.

Government funding for CSOs increased significantly in 2021. Emergency assistance packages for CSOs, which were administered alongside regular support schemes for CSOs, raised total public assistance for civil society from approximately EUR 15 million to approximately EUR 29 million. This funding increase improved the situation for many organizations in Kosovo, which rely on public funding for their survival.

CSOs had to adapt to the reality of the COVID-19 pandemic again in 2021. Most CSOs organized their activities and gatherings when social distancing measures were relaxed, which required significant ad hoc planning and delivery. Remote work arrangements continued to be widespread and were usually combined with office days for tasks that could not be completed from home. Donor organizations also adapted their rules to the pandemic, such

as introducing COVID-19 safety measures for their activities and events. This increased project implementation costs due to the need to purchase items such as masks and disinfectants. It also increased the per-person cost of activities due to the reduced number of persons attending events.

Despite this difficult context, CSO sustainability remained unchanged in 2021, although improvements were noted in a number of dimensions. The legal environment improved slightly as it became more predictable, allowing CSOs to operate with greater ease. Similarly, the sector's financial viability improved due to increased availability and predictability of public support for CSOs. Many CSOs successfully adapted to the challenges of the COVID-19 pandemic, driving a slight improvement in organizational capacity. The infrastructure supporting the sector also improved slightly as CSOs had access to more capacity-building activities during the year. Advocacy, service provision, and public image remained unchanged.

A total of 11,232 organizations were registered in Kosovo as of the end of 2021. This represents an increase of nearly 1,000 organizations over the past year, double the growth in the previous year. Many organizations, however, are not active but remain registered due to the lack of clarity in the deregistration process. The majority of registered organizations are member-based associations, while approximately 500 are foundations.

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## LEGAL ENVIRONMENT: 3.3



While the laws governing CSOs did not change in 2021, the legal environment for CSOs became more predictable, driving a slight improvement in the score for this dimension. For example, a government report on public financing for CSOs in 2021 indicates a significant improvement in the percentage of budgetary institutions that complied with reporting obligations, from a 48 percent non-compliance rate in 2020 to just 31 percent in 2021. Improved governmental compliance with the requirements regarding funding criteria, public announcements, and committee evaluations benefited CSOs that receive this funding by making it more predictable.

Registration of organizations under the Law on Freedom of Association is easy and most steps can be completed

online. CSOs continued to freely operate in 2021 without major impediments or fear of harassment from the government. While organizations that are supportive of government actions received preferential treatment in some cases, the government did not pursue measures to eliminate or restrict criticism.

Registered CSOs must submit annual narrative reports to the NGO Liaison and Registration Office and tax/financial reports to the Kosovo Tax Administration. The Tax Administration treats CSOs as economic operators and requires them to use the same annual reporting forms as businesses, which raises some difficulties for CSOs, whose operations differ greatly from those of private businesses. Similarly, other laws related to commerce, competition, and imports treat for-profit and not-for-profit entities equally, which can complicate CSO operations.

Some CSOs enjoy public benefit status, although the practical dividends of this designation are limited. Further, public benefit status must be renewed annually and imposes additional reporting requirements.

A 2021 publication by the civil society platform CIVIKOS notes that the legal environment for volunteering should be improved in line with international standards, and that there should be separate funding mechanisms for youth volunteer programs.

CSOs can engage in fundraising campaigns and accept donations from local and international individuals and corporate donors. CSOs are allowed to earn income, but all earned income is taxable, in order not to disrupt competition in the market. Commercial and competition laws in Kosovo have been almost fully harmonized with the EU Acquis on single market competition and allow CSOs to compete for public funding and contracts by treating them as eligible economic operators. The Social Enterprise Law, which was passed in 2018 to diversify

sources of income for civil society, has yet to be implemented in practice. Although relevant legal and technical documents have been prepared, the Office for Social Enterprises within the Ministry of Finance and Transfers has not yet been established, preventing the implementation of this law.

Charitable donations by individuals and corporations are tax deductible. An increasing number of local corporations are involved in giving campaigns, charity initiatives, and other philanthropic activities in their communities. However, many companies that donate to CSOs do not claim tax exemptions due to the challenges associated with following the procedures of the Law on Sponsorship in the Field of Culture, Youth, and Sport. In April 2021, the Ministry of Culture, Youth, and Sports published guidelines on sponsorships and tax forms on its website to address this challenge. Commercial and competition laws in Kosovo have been almost fully harmonized with the EU Acquis on single market competition and allow CSOs to compete for public funding and contracts by treating them as eligible economic operators. International donor funding is exempt from all taxes, including value-added tax (VAT) on purchases made. Earned income is subject to taxation.

CSOs have access to legal services, which are available in Prishtina and in larger administrative centers. However, there is limited demand for these services, largely because CSOs have limited ability to pay for them.

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## ORGANIZATIONAL CAPACITY: 3.6

Organizational capacity in the sector improved slightly in 2021, as many CSOs successfully adapted to the challenges of the COVID-19 pandemic. Although engagement has yet to reach pre-pandemic levels, CSOs' capacity to engage volunteers slightly improved during the year as they started to organize more events and field activities again. The overall trend of increased digitalization also continued, with additional organizations incorporating new digital technologies in their work.

Few organizations have developed strong constituencies among local communities, although there is strong popular support for issues such as environmental protection and combating gender-based violence. In particular, environmental issues have mobilized communities and brought together environmentalists, community leaders, and media organizations. For example, when the company Kelkos brought a strategic lawsuit against public participation (SLAPP) against environmental activists related to claims about the company's environmental practices, stakeholders rallied to the defense of the activists and the lawsuit was dropped. CSOs focused on culture and persons with disabilities have also successfully built their constituencies, while think tanks and CSOs focused on democracy and governance are sometimes criticized for their alleged lack of constituencies and legitimacy.

All CSOs must have clearly defined missions in order to register. In practice, however, few CSOs strictly adhere to their missions or strategic plans. Short-term project funding, which most CSOs depend on to finance their activities, hinders organizations' capacity for strategic planning in the medium and long terms.

Although more than 95 percent of the legally registered CSOs in Kosovo are member-based associations, few of these hold legally required members' meetings. Further, only a small number of organizations have clear internal management structures or a clear division of responsibilities between board, management, staff, and members. Many CSOs also do not have clear guidelines or application procedures for new members, which limits membership growth.

The short-term nature of most CSO funding also undermines organizations' ability to hire and maintain full-time staff on permanent contracts. This reliance on short-term funding also prevents CSOs from adhering to the labor law, which requires employers to offer permanent contracts after two years. Most CSOs cannot afford professional IT, legal, and accounting services. Volunteer engagement improved in 2021 but has yet to reach pre-pandemic levels as only some of their activities and in-person events that traditionally utilize volunteers were



organized during the year. According to the Charities Aid Foundation's *World Giving Index 2022*, which covers developments in 2021, 11 percent of respondents in Kosovo reported that they had participated in volunteering activities in the previous month.

CSOs' investments in infrastructure and equipment also depend on grant funding. Consequently, CSOs that receive multiple grants generally have the most advanced technology and equipment. However, many donor organizations restrict funding to project activities and do not allow CSOs to use funding to buy equipment, thereby undermining their ability to maintain up-to-date equipment and technology. Remote working arrangements, which CSOs embraced during the pandemic, further increased organizations' use of digital technology, including virtual meetings. Most CSOs maintain a presence on social media platforms to engage with their constituencies.

## FINANCIAL VIABILITY: 4.0



The CSO sector's financial viability improved moderately in 2021 due to the increased availability and predictability of public funding, which is the largest source of funding for CSOs in Kosovo. The 2021 Report on Public Financial Support for Non-Governmental Organizations shows that public funding increased across all categories of support. Fifty-seven government institutions awarded more than EUR 29 million to CSOs, which includes EUR 15 million from central government bodies and EUR 14 million from municipalities. This represents a significant increase in comparison to the average of EUR 15 million given in previous years.

The number of CSOs receiving public funding also increased significantly in 2021. While just 420 CSOs received support from the central government in 2020,

this number rose to 1,073 in 2021, while the number of CSOs receiving municipal support increased from 939 to 2,677. Although the increase is significant, the total number of beneficiaries still represents only 27 percent of all registered organizations. The government's financial assistance program to mitigate the effects of the pandemic, which included a component for CSOs, accounted for much of the increase in both funding amounts and CSO beneficiaries. In addition, the change in governments at both the central and local levels, as well as the increased use of online applications and the improved quality of award processes likely contributed to the increases. It remains to be seen whether the 2021 funding levels will be maintained in the following years.

CSOs obtain most of their funding from local sources, including central and local government bodies and local foundations re-granting funding from major international donors. While many CSOs have several funding sources, a significant number of organizations continue to rely on a single donor, which limits their financial sustainability. The majority of CSOs plan and operate on a short-term basis and their finances tend to be unpredictable beyond a few-months' outlook. This puts significant pressure on organizations to apply for projects and activities that diverge from their core missions and purposes.

USAID and other sources of US government funding continue to be the largest source of bilateral funding available to CSOs, alongside Swedish, Swiss, Norwegian, Danish, and Dutch government sources. During 2021, USAID launched the Citizen Engagement Activity, which supports CSOs to build constituencies, diversify their resource and partner base, and affect change; the program issued its first public calls for support for CSOs in early 2022. Engagement for Joint Action (EJA Kosovo) supports civil society initiatives that contribute to a democratic and inclusive society in Kosovo. The program, which is implemented by Kosovo Civil Society Foundation (KCSF) and co-financed by the Swiss Agency for Development and Cooperation (SDC), Sweden, and the Government of the Grand Duchy of Luxembourg, announced several calls for proposals in 2021. The Geneva-based Global Community Engagement and Resilience Fund (GCERF) continued to provide grants for CSOs in Kosovo focused on the de-radicalization of returning foreign fighters. The EU is the biggest multilateral funder in the country; Kosovo-based CSOs can apply for both local and regional EU funding opportunities. Most donors only provide



project-based support, although some like the Swedish International Development Cooperation Agency (Sida) and the EU Office in Kosovo provide a handful of more developed and established organizations with core funding.

Few local CSOs are able to meet the demanding standards required to directly receive funding from major foreign donors. Therefore, international donors continued in 2021 to delegate grant-making responsibilities to more developed local re-granting organizations.

Local philanthropy is undeveloped, with both individual and corporate giving primarily oriented to more traditional welfare-related causes, as well as sports events and cultural activities. However, the number of corporations and individuals involved in philanthropic giving is on the rise. For example, the corporation Buçaj LLC awarded EUR 30,000 to Artpolis, a local feminist CSO, in 2021. According to the *World Giving Index 2022*, 56 percent of respondents in Kosovo reported that they had donated money in the previous month.

Professional business associations collect membership fees, although most other registered associations do not. While a small number of local organizations conduct regular fundraising campaigns, funding from these campaigns seldom represents a significant portion of their budgets.

Few CSOs in Kosovo earn significant revenue from services, products, or the rent or lease of assets. Cultural and sports events, which offer CSOs great potential to generate income, began to be organized again in 2021—albeit with reduced capacity due to social distancing measures. While some CSOs have established social businesses, these initiatives are often subsidized by donor funding. Educational CSOs like Kosovo Education Center, TOKA, and Let's Do It Peja; media CSOs like the Balkan Investigative Reporting Network (BIRN); and other organizations like Kosovo 2.0 and Betimi per Drejtesi successfully earn income by selling their goods and services both locally and online. As noted above, the Law on Social Enterprises remained unimplemented in 2021 as the Ministry of Finance and Transfers had not yet established an office to register social enterprises.

CSOs must have basic digital financial management procedures to comply with reporting requirements, as the Tax Administration only accepts electronic submissions. In 2021, CSOs increasingly digitalized their financial management processes as part of the transition to remote work. Despite this progress, most CSOs in Kosovo still do not have well-developed accounting and financial management systems. Only a limited number of organizations can afford advanced financial and accounting tools, while most CSOs use spreadsheets to track their finances. Professional financial services are available, but few CSOs can afford them. CSOs with annual budgets of EUR 50,000 or more are required by law to undertake independent financial audits from licensed auditors. Few organizations publish annual financial reports and statements on their websites and they generally provide this information only to donor organizations to satisfy grant requirements.

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## ADVOCACY: 3.7

CSO advocacy remained unchanged in 2021. As in previous years, civil society activists achieved several major advocacy successes in 2021. The implementation of the government's 2020 policy against sexual harassment, which was delayed because of the change in government, as well as a similar policy at Prishtina University that was approved in 2021 represented significant victories for Kosovo's feminist movement. Environmental CSOs, particularly in the Dukagjini region, were active in protecting natural and environmental resources from commercial exploitation. As noted above, CSOs and media successfully rallied to support environmental activists who were the subject of a SLAPP lawsuit. CSO and media reports on environmental violations also caused the Ministry of Environment to conduct inspections, halt development projects, and discontinue certain licenses, and led to the dismissal of the head of the Environmental Protection Agency for alleged corruption. CSOs active in social dialogue and labor relations actively participated in the amendment of legislation on these topics, which was still under review at the end of the year.





CSOs also maintained a significant presence throughout the electoral process, and as in previous election cycles, political candidates paid increased attention to CSOs during the campaign. The environment for engagement with the new government on policy issues improved in 2021 partly due to the stability of the government and the presence of civil society actors in the government. At the same time, CSOs' opportunities to advocate for legislative and policy reforms were limited in 2021 due to the government's focus on the election and pandemic response.

The Government Strategy for Cooperation with Civil Society 2019-2023 remains the formal channel for government cooperation with the sector. Although the first objective of the strategy is to increase the participation of civil society in policy making, little progress has been made in this area since the strategy's adoption. Public hearings are mandatory for all legislative and regulatory processes that affect communities at both the local and central levels, and CSOs are invited and often participate in working groups and public hearings on policies, strategies, and laws. Despite this, public participation in the policy-making process remains limited. Central government institutions have been able to use the Online Public Consultation platform for years. In 2021, municipalities were added to the platform; however, the system remains underutilized by both municipalities and citizens.

Most formal and public advocacy is conducted by liberal, rights-based organizations that promote individual and collective rights and freedoms. For example, the Center for Social Group Development advocates for the rights of the LGBTQI community; the Kosovo Disability Forum advocates for the rights of persons with disabilities; Artpolis promotes the feminist agenda; and the Group for Legal and Political Studies advances labor rights. CSOs can criticize the government, although doing so may limit an organization's access to funding from public sources.

Watchdog and media organizations such as BIRN obtain public information through access to information requests to monitor government spending and decisions, procurement processes, and hiring practices. These groups often serve as whistleblowers on corruption and other government scandals. CSOs also cooperate with the Ombudsperson institution to advance a rights-based agenda and protect marginalized groups from discrimination.

Politicians, CSOs, media, and citizens are comfortable with the concept of lobbying and this term is often used interchangeably with "advocacy."

Civil society actors did not engage in major advocacy efforts to reform the legal framework for CSOs in 2021.

## SERVICE PROVISION: 3.6



CSO service provision remained largely unchanged in 2021. A recent CIVIKOS report notes that service provision CSOs, many of which have more than twenty years of experience, are generally professional and well-established. The report finds that most service providing CSOs have between four and ten permanent staff and annual budgets of EUR 60,000 or more with funding from Kosovo's government, municipal governments, and international donor organizations.

CSOs serving vulnerable communities played an integral role in the COVID-19 response by providing hands-on relief services and enabling public institutions to access the communities they serve. CSOs also continued to provide a range of services related to domestic violence and human trafficking; childcare; health; and persons with

special needs, among other programmatic areas. CSO services generally reflect the needs of their beneficiaries, though demand for these services exceeds their availability. CSOs are the exclusive providers of services for victims of trafficking and domestic violence and children without parental care.

Member-based organizations offer services without discrimination, although they sometimes charge fees to non-members. Organizations in Kosovo generally advertise their services broadly and apply a "first come, first served" approach to service provision.

Few organizations are able to recover a significant portion of their operating costs through the services they provide. A small number of organizations earn income through commercial activities, social enterprises, renting of assets, management services, participation fees for training programs, or similar activities.

The Ministry of Finance and Transfers and municipal governments contract with CSOs to provide social services. The ministry awards contracts worth several million Euros to CSOs each year. Municipalities have had extensive responsibilities to provide social services since 2011, when social service provision was decentralized. However, the financial resources provided by the central government to municipalities for this purpose is insufficient and smaller municipalities encounter difficulties in offering quality social services and contracting CSOs to do so. Despite the barriers, municipalities award contracts to CSOs to help implement significant portions of their local strategies (for example, on local development, environmental protection, and tourism).

In 2021, the Ministry of Finance and Transfers began to publish foresight plans online. The availability of this information enhanced the ability of service providers to plan and manage their cash flow. Previously, most service providers had to improvise and make ad hoc arrangements because of the unpredictability of public funding; this also resulted in serious cash flows in many CSO service providers.

Given the new government's more open approach to CSOs, CSOs anticipate that they will have new opportunities to partner with public bodies to provide environmental protection and other types of services.

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## SECTORAL INFRASTRUCTURE: 3.5

The infrastructure supporting the sector slightly improved in 2021. More CSOs held capacity development activities in person, although participation was limited due to social distancing. Additionally, the Forum for Civil Initiatives opened the Civil Society House to serve as a permanent resource center for the sector. The impact of this initiative remains to be seen in 2022.

Larger CSOs such as KCSF operate resource centers when grant funding is available; these centers stop operating or reduce activities when they run out of funding. Most intermediary and support centers offer training and services to CSOs for free or at reduced cost subsidized with donor funding. Only a small number of programs require co-payments from participants.

Donors continue to entrust local re-granting foundations to manage sub-awards to smaller organizations, given the cost-effectiveness of using local partners instead of international intermediaries. Local grant-making foundations managed several re-granting schemes in 2021. KCSF managed grant schemes funded by several bilateral donors. Community Development Fund (CDF) continued grant-making activities funded by Sida, while other local grant-making CSOs like the Kosovo Foundation for Open Society (KFOS) maintained similar funding levels as compared with 2020. Kosovo Women's Network continued its micro-grants program, the Kosovo Women's Fund.

Civil society networks and coalitions are active when donor funding is available. In 2021, the Coalition for Social Justice and Socio-Economic Rights actively engaged in policy analysis and formulation as core legislation relevant to its mission was under review in 2021. Similarly, Democracy in Action, the civil society coalition monitoring the election process, conducted successful activities to ensure a transparent, fair, and accountable election. CSOs monitoring government spending and senior civil servant recruitment often form informal alliances to monitor these issues; they also often arrange joint press conferences and issue statements. CDF coordinates a consortium of thirteen organizations through its Human Rightivism project, though consortium activities cease when funding is exhausted. The CSO Coalition for Child Protection (KOMPF), which actively promoted children's rights for a decade, was largely dormant in 2021 after the 2020 passage of the Law on Child Protection.

Local resources exist to address most of the training needs of CSOs. In comparison to 2020, when little training was offered because of strict social distancing measures and lockdowns, more training was available in 2021.

SECTORAL INFRASTRUCTURE IN KOSOVO



Training activities were carried out both in person (with higher implementation costs) and online throughout 2021. Trainings focused on organizational and project management are offered in Prishtina and major administrative centers. Trainings on more specialized topics such as software development and social media are also available, although these tend to require co-payments and are less common. Environmental CSOs could benefit from more advanced training and certification on topics such as ISO environmental standards.

Few CSOs actively establish partnerships outside the sector. When intersectoral partnerships occur, they generally focus on local causes or charities and are limited in time and scope.

## PUBLIC IMAGE: 3.2



CSOs' public image did not change significantly in 2021. CSOs were most visible during the year in relation to the election process and their participation in the COVID-19 response. Several CSOs conducted public debates with electoral candidates as a way to secure commitments on their priority issues. Civil society monitoring of the electoral process also received significant coverage in the media and public discourse.

The activities of CSOs in Prishtina are covered more widely in the media than those of organizations in more remote and rural areas. In general, coverage of CSOs is positive and CSOs frequently engage media organizations in long-term partnerships to ensure the visibility of their work. Some cultural and sports CSOs jointly produce thematic shows with TV stations or provide them with

exclusive coverage of their events and content. Some CSO activists are regular columnists for established media outlets and write about their priority topics and objectives. CSO activists are often invited to participate in debates and to share their expertise on national and local television. For example, the leaders of CIVIKOS and Leadership and Growth Council (LGC) have recently begun appearing on two different TV stations; this has also improved the gender balance on these panels. Public service announcements on television are aired free of charge, while corporations must pay for advertising.

CSOs are positively perceived by the public. Citizen perception surveys show high levels of support for civil society, comparable only with support for the Kosovo Security Force. In the latest UNDP Public Pulse, which was published in November 2021, 55.62 percent of respondents were firmly convinced that CSOs serve as a truthful monitor of democratic developments in Kosovo. Although there was a 2 percent decline in this metric from 2020, the trust placed in CSOs exceeds that of most public institutions. Most people in Kosovo have a basic understanding of the importance of civil society, and many volunteer to participate in CSOs' activities.

As noted, the recent election and new governing coalition appear to have created greater space for civil society involvement in public policy. This greater openness is also due to the considerable number of civil society activists who joined the public sector during the election year, giving the government increased ties to and trust in civil society. CSOs and the public sector have shown signs of increasing cooperation at the central and local levels to implement activities and technical assistance. Additionally, the government views CSOs as a valuable source of expertise on specialized issues such as sustainable development and environmental protection.

CSOs promote their activities extensively through traditional and new media. CSOs increasingly use online tools to disseminate information about their work and engage their constituencies and the wider public, including through livestreaming events and using social media influencers to publicize their initiatives.

Financial and organizational transparency remains a challenge for the sector. While many CSOs publish annual narrative reports detailing their activities, few publish their financial information or audit reports. The CSO sector does not have a code of ethics, although groups such as CIVIKOS have attempted to introduce such mechanisms.

**Disclaimer:** *The opinions expressed herein are those of the panelists and other project researchers and do not necessarily reflect the views of USAID or FHI 360.*

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