

TRAINING PROGRAMS ON GENDER ISSUES FOR KOSOVO'S PUBLIC ADMINISTRATION

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KGSC has been contributing to gender mainstreaming since 2002 and continuously makes efforts to achieve gender equality in Kosovo. It has been pioneering changes to the discriminatory system, social norms, and double standards within Kosovar society, and is very active in monitoring public institutions. KGSC's mission is to integrate gender-sensitive analysis, programs, and policies in all sectors of Kosovar society by increasing gender awareness and focus on gender issues, developing gender studies and ensuring the inclusion of gender-sensitive policies through research, policy development, advocacy, and lobbying.

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Equal Rights for All Coalition

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TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	7
INTRODUCTION.....	8
METHODOLOGY.....	9
LEGAL FRAMEWORK.....	10
FINDINGS.....	12
SURVEY FINDINGS.....	13
CONCLUSIONS.....	20
RECOMMENDATIONS.....	21
REFERENCES.....	22

LIST OF FIGURES

Figure 1: Sex of respondents

Figure 2. Where do respondents work

Figure 3. Training organized in the last three years

Figure 4. Did respondents participate in any gender issues related training in the last three years?

Figure 5. Who organized the training sessions?

Figure 6. Most common training topics

Figure 7. Are training programs foreseen?

Figure 8. Have you proposed training on gender issues?

Figure 9. Are you involved in policy-making?

ABBREVIATIONS

AGE Agency for Gender Equality

GIZ Gesellschaft für Internationale Zusammenarbeit

KGSC Kosovar Gender Studies Center

KIPA Kosovo Institute for Public Administration

KWN Kosova Women Network

OSCE Organization for Security and Co-operation in Europe

EXECUTIVE SUMMARY

Gender equality is one of the fundamental rights enshrined by the Constitution of Kosovo. The Civil Service of Kosovo is the main administrative body that is responsible for the implementation of the policies and legislation in Kosovo and should be in continuity updated to carry out its job. Therefore, training programs shall be foreseen in various topics in order for the civil servants to be equipped with the necessary knowledge and skills to be an equal service within and also to the people it serves.

Kosovo Government has adopted a training strategy for 2016-2020 which doesn't have a single word mentioned relating to gender equality or gender issues. None of its objectives relate to gender equality or has gender issues acknowledged as cross-cutting issues. Furthermore, according to our findings, there have been no trainings carried out on gender issues in 2015 and 2016. The only training sessions carried out were in 2017, where only approximately 0.6% of the entire civil service participated (103 out of 18,321 civil servants).

Furthermore, gender equality training was carried out only for gender equality officials and a few other officials of other departments; however, it is concerning that there were gender equality officials who were not informed for the training held. In addition, gender equality officials are not involved in the policy-making processes within their institution which is stipulated by legislation. Finally, there is no proper coordination of training programs organized from various stakeholders operating in Kosovo and there is no written agreement between the Agency in charge of Gender Equality and the Kosovo Institution in charge of Public Administration.

Thus, Kosovar Gender Studies Center recommends the following steps in order to improve the current situation concerning training programs on gender-related issues for Kosovo's public administration:

- Agency on Gender Equality and Kosovo Institute for Public Administration should formalize their cooperation through a Memorandum of Understanding in issues concerning gender;
- Kosovo Institute for Public Administration should coordinate all training programs organized for the public administration;
- Training programs on gender-related issues should be organized systematically and be all inclusive;
- Kosovo Institute for Public Administration should keep sex segregated data on training sessions carried out;
- The Strategy for Training of Civil Servants should be revised and gender mainstreamed; and
- A new, more detailed, Administrative Instruction should be drafted on the procedures of training and hiring trainers from Kosovo Institute for Public Administration.

INTRODUCTION

The Civil Service in Kosovo is the main administrative body responsible for applying policies and ensuring rules and procedures. As such, the Civil Service is obliged to uphold and reflect constitutionally enshrined principles, *inter alia*, of gender equality. For the effective and adequate functioning of the Civil Service in accordance with Kosovo legislation, it is crucial to ensure that all Civil Servants are sufficiently qualified and re-qualified. In order to do so, both probationary as well as permanent Civil Servants are legally required to undergo training suited to their specific position. A main purpose of training is to guarantee that the Civil Service provides administrative services to all citizens of Kosovo without any discrimination, including gender-based discrimination.

To ensure that the Kosovo Civil Service operates in a non-discriminatory and equal manner as required by the law, it is necessary that gender issues are specifically addressed in the training programs attended by Civil Servants. This is because the above-mentioned principles can only be upheld if they are translated into the everyday practice of the Civil Service, which is only possible if Civil Servants are instructed on how to prevent gender inequality and/or discrimination.

In addition, it is not sufficient if merely a fraction of the staff at the Civil Service is being trained on these issues, since the constitutional principles of gender equality must be reflected holistically in the practice of the Civil Service. Instead, it is crucial that all Civil Servants are taught how to implement principles of gender equality in their daily tasks, such that administrative services in Kosovo can indeed be provided effectively and equally to all citizens.

Therefore, any legislation or strategy concerning the training of Civil Servants should mention and elaborate the methods by which gender issues are included in the training of the former. If this is not the case, there is no way to guarantee that principles of gender equality are indeed being upheld in the practice of the Kosovo Civil Service. Moreover, in many organizations, training is seen as an expensive activity to be conducted; however, this is one of the ways to manage human resources and also retain the best employees. Finally, being trained on gender-related issues and adhering to constitutional requirements on gender equality ensures a gender-sensitive workplace that is welcoming for all.

The current Training Strategy in place for civil servants has no reference to gender issues either as a separate subject to be considered or as a cross-cutting issue. Furthermore, if any training on gender issue is carried out it is mainly organized for gender equality officials and not for the overall public administration. Gender issues, however, are not a matter of concern only for those officials and it is considered important for all public administration to be aware and informed on gender concepts, gender equality, and other gender-related aspects that they need to adhere to during their everyday work.

METHODOLOGY

Kosovar Gender Studies Center hired an external expert to carry out the research, inclusive of the desk research, interviews and the survey, and drafting this report on the training programs on gender issues for Kosovo's public administration.

The methodology used for conducting this research consisted of a mixed method approach, whereby both content analysis or desk research and interviews were used. The combination of these methods has provided the material for the final research results, based on which recommendations are given.

Initially, all institutions and training programs relevant to the research were identified. This means that all public institutions which have a mandate to train, qualify, and re-qualify their staff were included in the research. Then, a desk research was conducted on relevant legislation and previous reports and research that was complemented with a semi-structured interview with the Executive Director of the Kosovo Institute for Public Administration. Follow up emails with questions were sent to the Training Director in KIPA, whose answers are included in the report.

The survey was sent out to all Gender Equality Officials in Kosovo municipalities and ministries and other public institutions from the 62 contacts received from the Agency for Gender Equality. It is worth noting that there was no contact person for the Ministry of Foreign Affairs. A more detailed account is given under the chapter Findings.

Finally, the objective of the research was to create clear recommendations on how to strengthen, implement, and, where possible, streamline individual, existing training programs in the area of gender issues.

LEGAL FRAMEWORK

The Constitution of Kosovo clearly ensures equal rights and civil freedoms for all citizens and defines gender equality as a fundamental principle of Kosovo's democratic development (Assembly of Kosovo, 2008). Citizens' absolute equality before the law and the prohibition of discrimination on any grounds, including gender, are further enshrined in the Constitution's fundamental rights and freedoms (Article 24, Constitution of Kosovo). In addition, the Constitution of Kosovo demands gender equality with regard to the composition of the civil service.

In 2015, Law No. 05/L-020 on Gender Equality was adopted by the Assembly of Kosovo to guarantee, protect, and promote the fundamental value of gender equality and eliminate gender discrimination in all public and private areas of social life. In order to ensure that gender equality and the elimination of gender discrimination is upheld, the Law identifies general and special measures that must be respected by all public institutions of Kosovo. Furthermore, institutional mechanisms to protect and enhance gender equality are specified, including the establishment of an executive Agency for Gender Equality (AGE) operating under the Office of the Prime Minister, as well as the appointment of specific ministerial and municipal persons responsible for gender equality. The Law also equally defines the obligations of employers and educational institutions to ensure the protection and implementation of gender equality principles in the respective organizations.

Based on the constitutional provisions on the Civil Service, the Law No. 03/L-149 on Civil Service regulates the status and employment conditions of Civil Servants, as well as the "overall management and organization" of the Civil Service. According to the legislation, all Civil Servants on probation must undergo training for their relevant position. After the probation period, the Law further requires Civil Servants to undergo internally organized trainings and capacity building, which is considered to be mandatory for all Civil Servants and equivalent to their professional duties. The responsibility for trainings and related policies within the Civil Service lies with the Ministry in charge of Public Administration. Additionally, the Kosovo Institute of Public Administration (KIPA) is also responsible for the implementation of trainings and education, pursuant to Law No. 04/L-221 on Kosovo Institute for Public Administration. Further enshrined in the Law on Civil Service is the Right to Equal Treatment and Career Development Opportunities, which demands that Civil Servants will be treated equally in all relevant aspects and without regard to any differences including sex. Thus, it is the duty of the public administration to remove any constraints on equal treatment or opportunities.

As the responsible institution for training within the Civil Service, Ministry of Public Administration published a strategy for training of civil servants for 2016-2020 (hereinafter: Training Strategy). The Training Strategy - based on the Law on Civil Service - aims at improving the previous strategy from 2011-2013 in order "to create a modern, professional and competent administration at central and local level" and "to provide administrative services effectively to all citizens without any discrimination". However, out of the five objectives of this Training Strategy none mentions gender equality or gender issues as part of the training. According to the Training Strategy, nine (9) training areas were identified as mandatory and six (6) as optional from their respondents (Government of Kosovo, 2015) but none of the 15 areas is on gender issues or has gender issues as a cross-cutting issue. Moreover, the Training Strategy states also that there is no systematic

evidence of attended training neither from central public servants nor from municipal ones and there is no database at any ministry that keeps such data on training. On the other hand, the training participants surveyed for the Training Strategy have reported on poor level of the KIPA provided trainings, lack of interaction, practical examples, and poorly qualified trainers. The Action Plan on the Implementation of the Training Strategy (Government of Kosovo, 2016a) lists the institutions involved; however, the Agency for Gender Equality is not listed there which means it is not even considered as a stakeholder in implementing the Training Strategy for Civil Servants.

Kosovo Institute for Public Administration, moreover, is responsible to support the Ministry in charge of Public Administration in preparing strategies for training civil servants and train both civil servants of central level and local level. Furthermore, KIPA shall coordinate the activities of donors in the area of training in civil service (Assembly of Kosovo, 2014). Finally, this institution, in charge of training, should also keep records on training and programs implemented by KIPA.

The duties and responsibilities of relevant gender equality officials in ministries and municipalities are regulated by a Regulation (Government of Kosovo, 2016) issued by the Kosovo Government in 2016 which clearly defines their role and duties in promoting gender equality, participating in drafting the policies, programs, and plans of their respective institutions, as well as proposing training programs that need to be attended by themselves and their co-workers.

Kosovo Institute for Public Administration is in charge of hiring trainers to carry out the training programs for public administration of Kosovo, including both central and local level. Trainers engagement is regulated by the Administrative Instruction No. MPS. 2004/09 on Payment of Trainers Engaged in Kosovo Institute for Public Administration (Provisional Institutions of Self Government, 2004) which incorporates also the requirements for trainers, external trainers' engagement, their categorization, payment of trainers, and training materials.

Kosova Women Network (KWN) was contracted by GIZ to draft a Curriculum on Gender Equality requested by KIPA which was completed in 2016 and aims at developing knowledge and skills of civil servants to perform their legal responsibilities towards the advancement of gender equality in Kosovo in line with existing legal framework on gender equality. The Curriculum serves as training material for civil servants and includes key concepts and the applicable legal framework in Kosovo and putting knowledge in practice. The Curriculum also provides examples and additional literature on the matter.

FINDINGS

As stated in the methodology, a semi-structured interview was conducted with the Executive Director of KIPA where the training programs were discussed in more detail. The Executive Director of KIPA also explained the process of how priorities are set and provided background information on the matter.

According to the KIPA Executive Director, the performance appraisals that are conducted yearly for civil servants are the core information that they use to plan and organize training sessions. In accordance with laws and regulations, the performance appraisals are submitted to the Department for the Administration of Civil Service (DACs), within MPA, which also drafts the policy and training strategy. KIPA coordinates with DACs and set the priorities and harmonize them.

When it comes to hiring trainers, KIPA adheres to the Administrative Instruction 2004/09. According to KIPA's Training Director, they firstly hire internal trainers from KIPA; then, if no one is appropriate, KIPA look for trainers within the public administration, external trainers, or, finally, international trainers.

For the period covered by the research, according to KIPA's Training Director, there has been no training organized in 2015 or 2016 but during this time the institution in cooperation with AGE, GIZ, and KWN have conducted the training needs analysis. Although AGE is mandated to draft, implement, propose, coordinate, and monitor domestic and international public policies on gender equality, it doesn't have a signed Memorandum of Understanding with KIPA on training on gender issues which would set forth the duties and responsibilities of both institutions to streamline this cooperation and improve the current state.

In 2017, a five-day training for trainers was held with 15 participants (14 women and 1 man) followed by six two-day training sessions attended by 88 civil servants (63 women and 25 men) such as gender equality officials, human rights officials, human resources officials, and officials from legal offices. The training programs were organized in cooperation with GIZ and KIPA only spent about 300 EURO.

SURVEY FINDINGS

The questionnaire was sent via email to gender equality officers in municipalities, ministries, and independent agencies from the list received by the AGE. It included questions related to the respondents' sex, their work experience, questions concerning the organization of training, and questions concerning their role and inclusion in policy-making within their institutions. The questionnaire also included questions concerning the opinion of gender equality officers on their and the public servants' needs for gender issues related trainings.

In total, 28 responses were received with one of them being from a Serbian speaking gender equality officer. The majority of respondents were women, namely 89.3%, while only 10.7% were men, or 25 women and three men respectively.

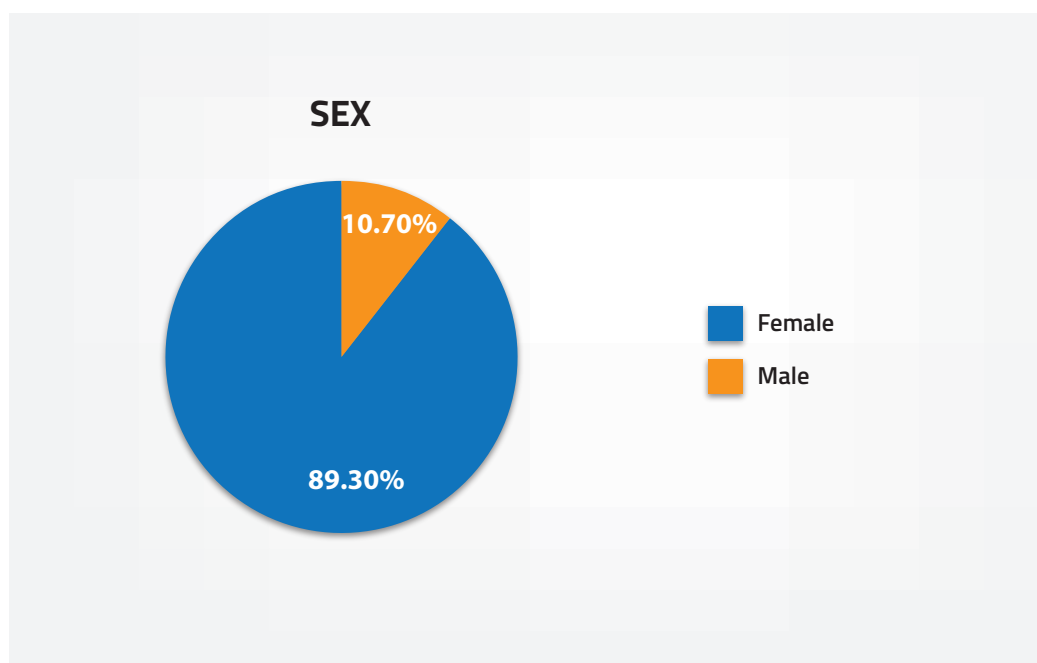


Figure 1: Sex of respondents

Most of the respondents work for the municipalities, namely 15 of them while 9 other respondents work for the Ministries. An equal number (2) of respondents work for an independent agency, or did not fill out the answer respectively.

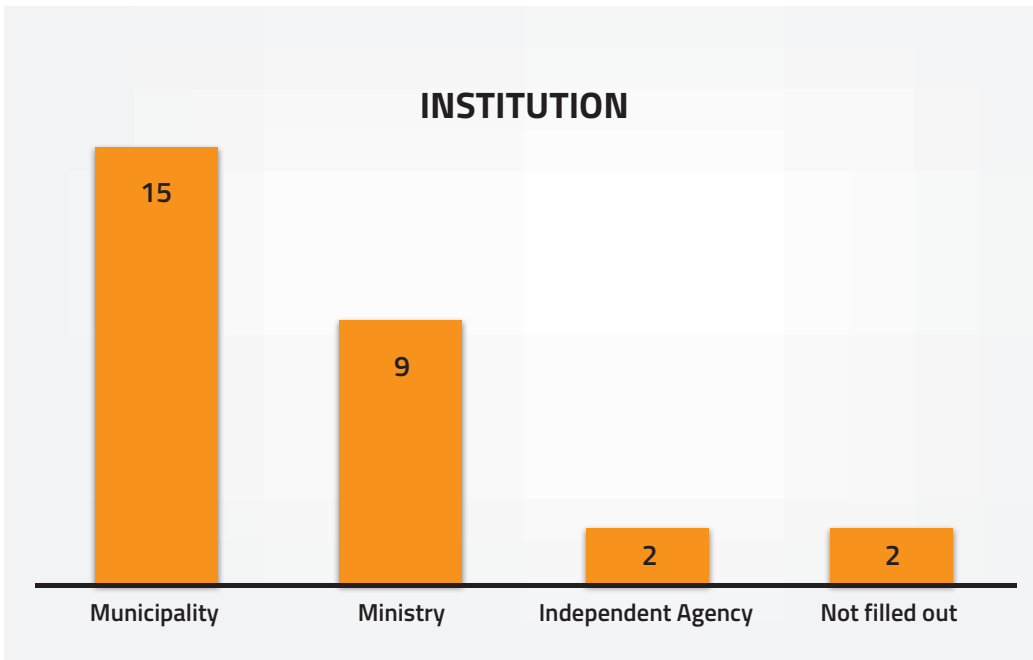


Figure 2. Where do respondents work

One of the respondents has been working in this position for less than three years; therefore, the responses concerning the training sessions held are not taken into account since it cannot be sure whether the respondent had information for all the previous years or not. Nevertheless, the rest of the answers are included in the analysis.

The majority of respondents (78%) stated that there have been training programs organized in the last three years in or for their institutions. Only 22% of respondents stated that there has been no training organized in the last three years.



Figure 3. Training organized in the last three years

Figure 4 below shows that in the last three years, 96% (27) of the respondents have participated in gender issues related training while only 4% (1) of the respondents have not been part of any gender issues related training during these years.



Figure 4. Did respondents participate in any gender issues related training in the last three years?

Although KIPA is the responsible institution to train public employees, there are other donors and organizations that occasionally organize training sessions on various topics, inclusive of gender issues, either on their own or in cooperation with certain institutions. Respondents listed a number of institutions that have organized training sessions in the last three years, such as UN Women, United States Agency for International Development (USAID), OSCE, Ministry of Local Government Administration (MLGA), and AGE. Nevertheless, as Figure 5 shows, the majority of training sessions organized, namely stated by 18 respondents, were by donors in cooperation with the respondents' institution followed closely by KIPA organized training sessions (response shared by 13 respondents).



Figure 5. Who organized the training sessions?

Respondents listed a number of topics on which they attended training sessions, as shown in Figure 7. They mostly attended training sessions on Gender-Responsive Budgeting, Property and Inheritance Rights and Gender Equality.



Figure 6. Most common training topics

Kosovo institutions prepare work plans based on which they develop their activities. Respondents to our survey were asked if there are training programs on gender issues foreseen in such work plans at the institution where they work. The majority of them, namely 79%, stated that their institution has planned such training, whereas 21% of the respondents stated that no such training is foreseen in their institution’s work plan.

ARE TRAINING PROGRAMS ON GENDER ISSUES FORESEEN IN YOUR INSTITUTION'S WORK PLAN ?

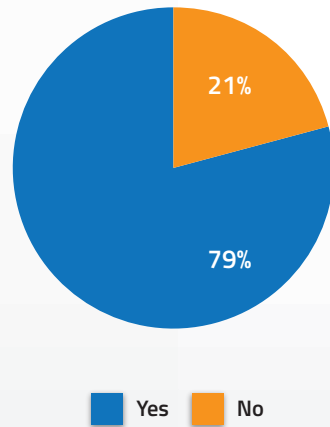


Figure 7. Are training programs foreseen?

Gender equality officials, pursuant to Regulation 12/2016, Article 8 (Government of Kosovo, 2016), enjoy the right to propose participation in capacity building activities, inclusive of training, for themselves and the public employees. When asked if they have used this right to propose training on gender issues for their co-workers, 78.6% of them stated to have used it, while 21.4% have not used it. From those who have used their right to propose training, 72% of their proposals have been taken into account, while 28% have not been considered.

HAVE YOU PROPOSED TRAINING ON GENDER ISSUES FOR YOUR CO-WORKERS ?

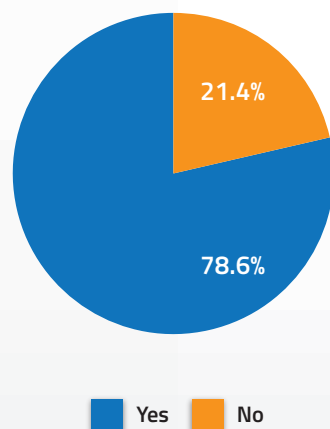


Figure 8. Have you proposed training on gender issues?

Gender equality officers are expected to transfer their knowledge to their co-workers as stipulated in Regulation 12/2016. When asked how they do it, respondents listed a number of ways they transfer the knowledge for gender issues to other public employees. The most common ways were debates, conversations, recommendations, and campaign calls for respecting the human rights law.

Regulation 12/2016 also stipulates the right for gender equality officials, both in municipalities and ministries, to be involved in policy-making activities at their institution in order to provide the gender perspective in all strategic documents, policies, programs, activities, and functions of the institution. It is concerning to see that more than $\frac{1}{3}$ of the respondents stated not to be involved in this process, namely 35.7% of them, while the rest of respondents, 64.3%, stated that they are involved in such processes.

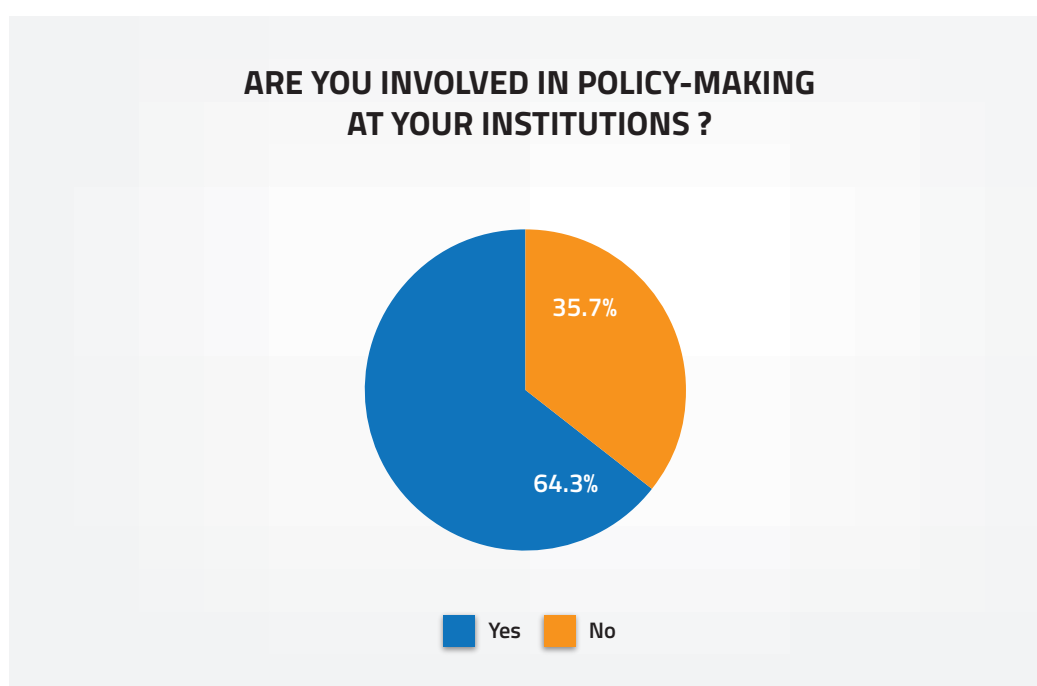


Figure 9. Are you involved in policy-making?

The last two questions were open ones where respondents were asked to provide their opinion on the training needs for themselves as gender equality officials and the training needs for their co-workers.

Gender equality officials consider the following training topics to be of importance for their everyday jobs:

- Gender-responsive budgeting,
- Gender mainstreaming (with special focus in policies and programs),
- Legislation - in particular on the Law on Gender Equality, Law on Compensation of Victims of Violence, and Law on Protection from Discrimination,
- Experiences of gender equal countries and exchanging experiences with them (through study visits),

- Project management,
- Drafting gender-sensitive policies, plans, and strategies,
- Gender perspective in school textbooks,
- Equal rights on inheritance and property issues, and
- Roundtables promoting gender equality in health institutions.

Respondents were asked also to share their opinion on the training needs for their co-workers. The topics they suggested training should be organized about were similar to the one they requested for themselves. The main recommendation was training on gender equality, followed by training on gender budgeting and gender mainstreaming. Other recommendations included gender issues and contemporary politics and practices as well as property and inheritance rights. Some final comments were on the inclusion of directors of municipal directorates and other heads of departments in order for gender equality to be successful.

CONCLUSIONS

Although training is required by the applicable legislation to be carried out continuously for civil servants, this doesn't seem to be the case for the public administration in Kosovo. The desk research carried out, and the survey and interviews conducted testify to this finding. With only 88 civil servants who have undergone a training session on gender equality out of 18,321 in total, 12,364 civil servants of central level and 5,957 of local level (Government of Kosovo, 2014) gender equality seems to be far from a widely-spread topic throughout the civil service.

Civil servants need to be continuously trained on the newest developments on all aspects of their work, inclusive of gender-related issues training, and shall involve all civil servants regardless of their positions.

From the findings, it seems that mainly gender equality officials are trained on gender issues; however, gender issues do not concern only those officials but should be spread out to all civil servants regardless of their position.

Additionally, gender equality officials should be included when institutions draft their policies, plans, or strategies in order for them to provide the gender perspective. It is also important for gender equality officials to be heard when budget is prepared for their respective institutions so it reflects a gender-responsive budgeting and it is used for the benefit of all population.

The findings show that not all gender equality officials were informed for the only training held in 2017 on gender equality by IKAP. Furthermore, it seems that there are various training sessions organized by different stakeholders and from the interview with the Executive Director of IKAP it was understood that not all those training programs go through them, which should be the case. Although, there is this belief that a lot is being done in terms of gender equality and this topic is all over the news, the respondents to this survey asked for more training sessions to be organized in various topics presented in figure 6 above.

It is concerning that more than 1/3 of the gender equality officials are not involved in the policy-making at their institutions, although this is stipulated by the Regulation 12/2016 that regulated the duties and responsibilities of these officials.

Finally, the training topics mentioned by gender equality officials as needed to be organized portray an unsatisfactory level with the overall knowledge possessed by not only other civil servants but also by the gender equality officials themselves.

RECOMMENDATIONS

Kosovar Gender Studies Center, hereby, gives the following recommendations in order to improve the situation concerning training programs on gender-related issues:

- Agency on Gender Equality and Kosovo Institute for Public Administration should formalize their cooperation through a Memorandum of Understanding in issues concerning gender. There is nothing in written between these two main institutions in charge of gender equality and training of civil servants. A written Memorandum would increase the accountability of both institutions and set forth their obligations towards the betterment of civil service.
- Kosovo Institute for Public Administration should coordinate all training programs organized for the public administration. Currently, training sessions are held via all kind of stakeholders and KIPA is not aware of all what is happening since not all parties inform or cooperate with this institution. Therefore, it should be made clear to all interested parties who provide training for civil servants that they should coordinate them with KIPA.
- Training programs on gender-related issues should be organized systematically and be all inclusive. Currently, only certain officials, such as gender equality officials, human rights officials, legal officials, and/or human resources officials participate in training sessions on gender equality and they are not organized systematically.
- Kosovo Institute for Public Administration should keep sex segregated data on training sessions carried out. KIPA should keep the sex segregated data and be ready to provide them upon request.
- The Strategy for Training of Civil Servants should be revised and gender mainstreamed. There is need for the Strategy to be revised and incorporate the gender perspective since it is not gender mainstreamed and it totally ignores this aspect.
- A new Administrative Instruction, more detailed, should be drafted on the procedures of training and hiring trainers from Kosovo Institute for Public Administration. The old Administrative Instruction is not as detailed as it would be needed to clarify all the procedures to be taken when training and hiring trainers.

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