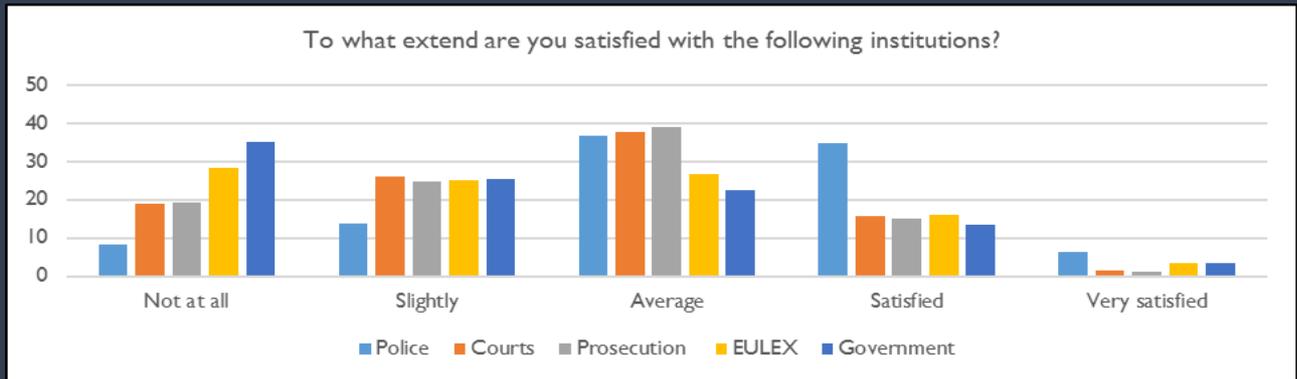


A POLICY REPORT BY GROUP FOR LEGAL AND POLITICAL STUDIES AND EUROPEAN MOVEMENT IN KOSOVO

NO. 03 – August 2016



KOSOVAR CITIZENS' SATISFACTION WITH THE RULE OF LAW – An Empirical Study

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Policy Report 03/2016

Kosovar Citizens' Satisfaction with the Rule of Law – An Empirical Study

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August 2016

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KOSOVAR CITIZENS' SATISFATION WITH THE RULE OF LAW – AN EMPIRICAL STUDY

A-Survey

I. Executive Summary

In Article 3 of Kosovo's Constitution the separation of power as well as the equality of every citizen before the law is defined. However, though formally accomplishing democratic standards, the practice of an independently operating legislative and judiciary still lacks behind. Those deficiencies have also contributed to an unfortunate image of the Rule of Law institutions among Kosovar citizens. For this reason, Group for Legal and Political Studies in cooperation with European Movement in Kosovo conducted a national survey assessing individuals' attitudes towards the Rule of Law institutions. The survey provides results on citizens' satisfaction and trust with the institutions and the findings assist to better understand the perception of the Rule of Law institutions' performance so far. These insights are especially meaningful since they demonstrate evidence of the perceived lacks and deficiencies of the Rule of Law in Kosovo and by this means can assist the institutions and policy-makers to implement necessary reforms and invest into improving their image among the Kosovar citizens. More independently and efficiently working Rule of Law institutions can contribute to the democratic development, foster economic growth and in the end lead to a more prosperous country.

The most important findings of the survey are as follows:

- Just 5% of the respondents describe themselves as at least satisfied or very satisfied with the Police, the Courts, the Prosecution, EULEX and the Government. In contrast, more than twice (13%) are not or not at all satisfied with all of the five institutions.
- The Government is the institution dissatisfying the greatest share of respondents (35.13%).
- More than four out of ten Kosovars consider it possible that citizens could be discriminated against by the Courts, the Prosecution, the Police or EULEX.
- Concerning the issue of corruption, more than a third of all respondents believe that the Courts (34.28%) or the Prosecution (31.09%) at least mostly demand or accept bribes.
- More than two-third (71.01%) of the individuals believe that the Government is not effective at all or just slightly effective in fighting corruption.
- Nearly every second citizen (44.94%) perceives the current political situation in Kosovo as bad or very bad

2. Introduction

*" Rule of Law refers to a principle of governance in which all persons, institutions, and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights, norms, and standards. It required, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability of the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency."*¹

In contrast to the formal implementation of full democratic Rule of Law standards in Kosovo, the independence of the judiciary in Kosovo in practice is threatened by political interference and high levels of corruption. Moreover, the parliament has been criticized not to exercise its constitutional mandate in terms of seriously controlling the executive. The government in turn

¹ UN (2011). "The United Nations Implementation Guide and Project Tools: First Edition". The United Nations, pp. 5-6.

still fails in attending parliamentary question sessions or meetings of parliamentary committees and thus, diminishes the Assembly's opportunities to call it to account. All judges have been vetted and reappointed in 2009 and new laws on the Courts, the state prosecutor, the Kosovo Judicial Council, the Kosovo Prosecutorial Council and on the Special Prosecutorial Office entered into force in 2013. Yet, according to the European Commission Progress Report 2013, there are still serious concerns about political interference in the work of the judiciary as well as about successfully fighting organized crime and corruption remaining.² Moreover, the Assembly's decision to debate the so-called "Kiqina case", that concerned the killing of an Albanian man who worked as a Serbian policeman prior to the 1999 Kosovo War, is considered to be a throwback for the attempts to strengthen the institutions' independence and approach to full democratic standards.

Given these deficiencies and setbacks, the public opinion of the Rule of Law institutions and the citizens' trust into the Kosovar institutions run the risk to suffer significantly. Since the Rule of Law is one of the most important pillars of a democratic society, it therefore seems necessary and meaningful to assess the image of the institutions among the public in Kosovo and furthermore ask for the variables that determine the citizens' satisfaction with the institutions.

Thus, the main aim of this study is to analyze Kosovar citizens' perception and satisfaction with the Rule of Law institutions, more precisely, the Police, Courts, Prosecution, EULEX, and the Government of the Republic of Kosovo. The survey results can provide necessary and meaningful insights into the attitudes of Kosovar citizens towards the functionality as well as the lacks of those institutions. It therefore measures the respondents' satisfaction, the perceived effectiveness, the accountability of these institutions and their ability to guarantee for equality. While the next section presents the data collection process and methodology of the study, the fourth section discusses the findings of the survey and the fifth section concludes the most important findings and results. The second part of this study finally tries to find factors that contribute to citizens' satisfaction with the Rule of Law institutions and asks if there are differences among specific socio-economic groups when assessing the functionality of the respective institutions.

3. Data Collection and Methodology

The survey was conducted by Group for Legal and Political Studies in cooperation with European Movement in Kosovo between 01.11.2013 to 24.12.2013. It encompasses a national representative sample of 1097 respondents, capturing the entire territory of Kosovo and consists of twenty-two questions.

All interviewers involved into the data collection process have been professionally trained. The survey was conducted in face-to-face interviews. This survey method is, in particular, very advantageous in terms of achieving a high response rate.³ In order to reach representative results, in total 1097 individuals were surveyed⁴. The survey captured the entire territory of the Republic of Kosovo; the sample was set up as a stratified sample with the different municipalities being the strata. The number of surveys for each municipality was calculated based on the overall population of each municipality. If necessary in terms of achieving homogenous subgroups, the municipalities themselves were divided into other strata, in order to minimize the variability in the strata while maximizing the variability between the strata. In the

² European Commission (2013). "Kosovo*. Progress Report 2013". European Commission.

³ For a detailed discussion of the advantages and disadvantages of the survey method see Groves, R.M. et al. (2009). "Survey Methodology." New Jersey.

⁴ The sample size was calculated using a 95% confidence interval and assuming a 3% margin error.

municipalities itself the households as well as the respondents were selected on a random basis. This sampling method permits to consider the results of the survey as nationally representative. 55% of the respondents live in the rural areas whereas 45% in urban areas. 63% of the individuals are male, while 37% are female.⁵ Concerning their ethnicity 90% of them are Albanian, 7% Serbian whereas the remaining belongs to the RAE community, Turkish, Bosnian, and Macedonian nationality. Nearly a third (28.62%) of the respondents is aged 18 to 25, four out of ten (44.03%) are 26 to 45 years old, a fifth (23.79%) are 46 to 65 years old, and less than five percent (3.55%) of the respondents are older than 65. Every second respondent (47.86%) has a secondary education level, whereas every third (32.82%) even enjoyed a third education.

Finally, less than a fifth of the respondents (17.23%) is just in possession of a primary education degree, whereas 1.82% of the respondents have no education degree at all. Nearly a half of all respondents do currently not have any employment (42.39%), roughly a third of them are housewives. Four out of ten (38.62%) respondents are employed or self-employed. The remaining are students and pensioners. With regard to the monthly income of the respondents, the majority receives a monthly income of 300 to 500€ (36.81%). Nearly the same share (35.99%) receives an income ranging from 100 to 300€, whereas more than every tenth respondent (13.46%) earns 500 to 800€ a month. Finally, just 7% of the respondents earn less than 100€ per month, whereas 4% receive 800 to 1000€ and 3% of them even more than 1000€, respectively.

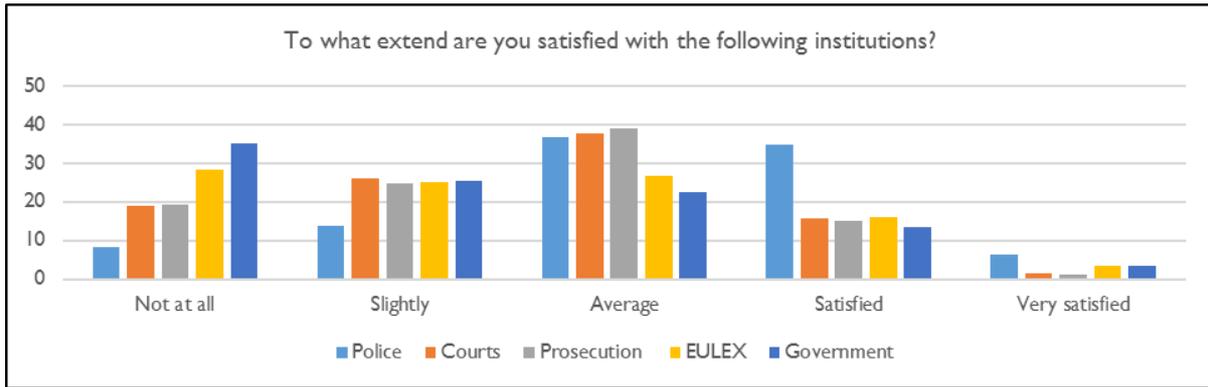
The respondents were asked to express their opinion to several aspects of the Rule of Law institutions in Kosovo. Most of these items were measured on a five-scale, also known as Likert scale⁶, whereas some of them were only measured on a three-scale (see Annex for details).

4. Descriptive Results

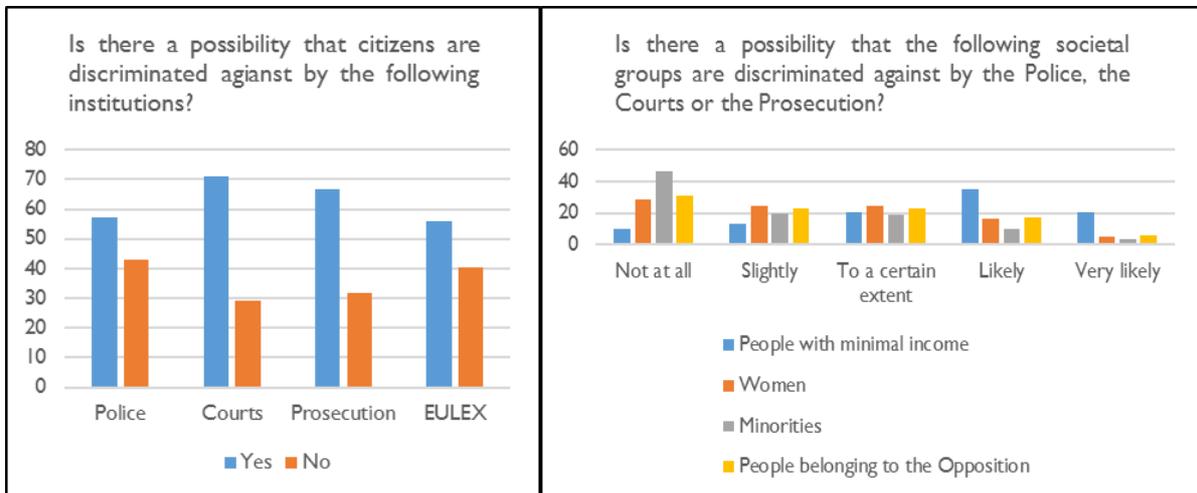
When first of all asked for the degree of satisfaction with the Kosovar Police, the Courts, the Prosecution, EULEX and the Government, just less than 0.01% of all respondents claim to be very satisfied with all of the aforementioned Rule of Law institutions. Still, just 5% of them describe themselves as at least satisfied or very satisfied with all five institutions. In contrast, more than twice (13%) are not or not at all satisfied with the Rule of Law institutions. Considering the differences of the satisfaction level among the five institutions, the Government is the institution dissatisfying the greatest share of respondents (35.13%). Still, every third respondent also claims not to be satisfied at all with the performance of EULEX (28.45%). Yet, while the Government, the Courts and the Prosecution is just performing on a high satisfaction level (satisfying or very satisfying) in around one of six respondent's opinion, at least around 20% of the individuals surveyed appear to be very satisfied or satisfied with EULEX. Comparing all institutions, the Police achieves the greatest satisfaction level – though, a high satisfaction level still applies just to less than the half of all respondents (41.11%).

⁵ This bias might firstly have emerged by the sampling method that has been used in each household: The respective respondent among all household members was always chosen by alphabetic order. Thus, this might have caused a bias and might have caused an overrepresentation of male respondents. Second, it might also be likely, that men were just claiming to be the chosen respondent since in traditional families they feel responsible for speaking about political issues and answering a survey, whereas women are not considered to be qualified to do so. However, in both cases it is necessary to keep the gender bias in mind and therefore consider the results carefully.

⁶ Likert, Rensis (1932). "A Technique for the Measurement of Attitudes". In: Archives of Psychology 140, pp. 1–55.

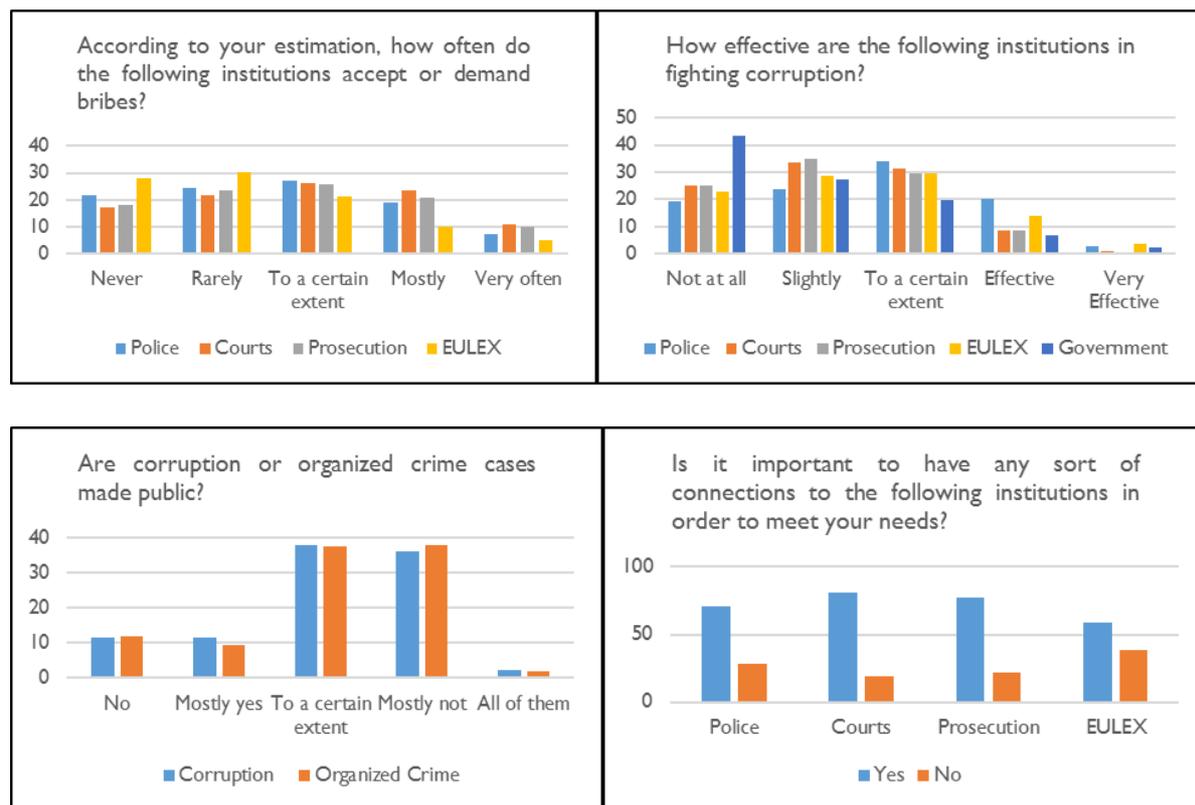


More than four out of ten Kosovars consider it possible that citizens could be discriminated against by the Courts, the Prosecution, the Police or EULEX. Among these institutions the percentage share of people claiming so is highest for the Courts: More than two-third (70.83%) of the respondents believe the Courts could discriminate individuals against. When asked about specific groups in society that might be more likely to be discriminated against than others, more than every second respondent (55.88%) feels that it is very likely or likely that people with minimal income could be discriminated against. In view of the great share of people living in Kosovo being unemployed or facing very low wages, this result appears to very remarkable. In contrast, just three percent of the respondents consider it very likely that minorities could be discriminated against, amongst those only every fifth belonging to an ethnical minority him- or herself. These statistics therefore show some evidence for a successful integration of ethnical minorities living in Kosovo.

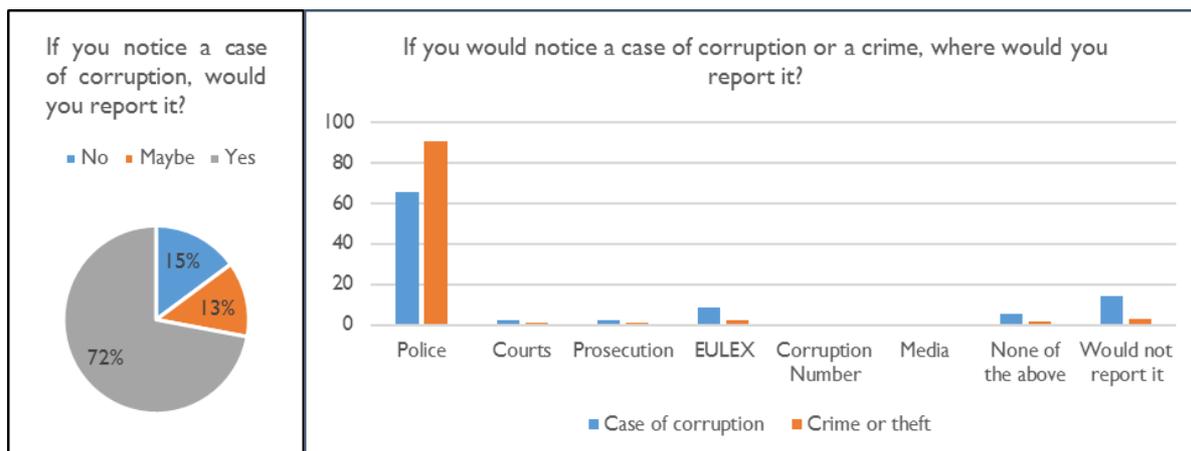


Concerning the issue of corruption, more than a third of all respondents believe that the Courts (34.28%) or the Prosecution (31.09%) at least mostly demand or accept bribes. In contrast six out of ten individuals (57.97%) perceive the EULEX officials never or mostly never accept or demand bribes, while just 15% of the Kosovars believe the opposite. When asked about the effectiveness in fighting corruption, results reveal that among all five Rule of Law institutions, the Government is perceived to be the least successful in handling this issue: More than 70% (71.01%) of the individuals believe that the Government is not effective at all or just slightly effective. In contrast, less than a tenth of the respondents (9.39%) believe the exact opposite. Moreover, none of the institutions is at perceived to be very effective by more than 4% of all citizens. Instead, citizens believe that the Government, Courts, and Prosecution are the least effective in combating corruption. Respondents were furthermore asked how transparent

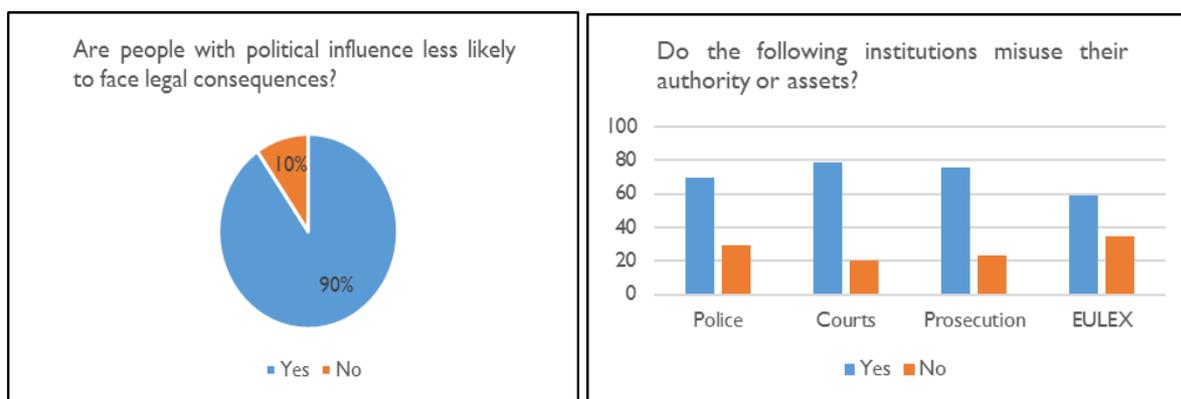
corruption and organized crime cases according to their estimation in Kosovo are. More than a fifth of the respondents believe that corruption cases (23.43%) and organized crime (22.24%) is (mostly) not made public. When asked about the importance of any sort of personal contacts through family, or friends to the Rule of Law institutions, more than two-third of the respondents believe such relations are necessary concerning the Courts (80.95%), the Prosecution (77.39%) and the Police (71.19%) to meet their needs. Among all Rule of Law institutions, connections are estimated to be least important concerning EULEX (58.52%).



Furthermore, respondents were also asked if they themselves would report cases of corruption and if so to whom. While the first part of the question might be highly affected by social desirability bias, though, the latter one can – similar to the previous question – reveal interesting results about the trustworthiness of the Rule of Law institutions. Seven out of ten (72.01%) of the Kosovar citizens claim to report a case of corruption if they would notice one, while less than every sixth (14.94%) would not report it, with the remaining part of the individuals not being sure if they would report it. An outstanding great majority of the respondents would report the case to the Police (65.54%), accompanied by EULEX (8.56%), the Prosecution (2.46%), and the Courts (2.37%), the corruption number (0.09%) and to none of the aforementioned institutions (5.19%). Yet, if instead noticing a crime (like a theft or violence) a greater share of individuals would report it (86.87%). Again, the highest percentage of the respondents would report it to the Police (90.88%). Those results suggest that citizens trust most in the Police when reporting both a crime and a case of corruption. Yet, reporting crimes to the police instead of other institutions is maybe the easiest and least complicated way to report such an issue; therefore, to some extent the results may also just reflect matters of bureaucratic difficulties that citizens fear to face when reporting a crime directly to any other institution instead of the police.

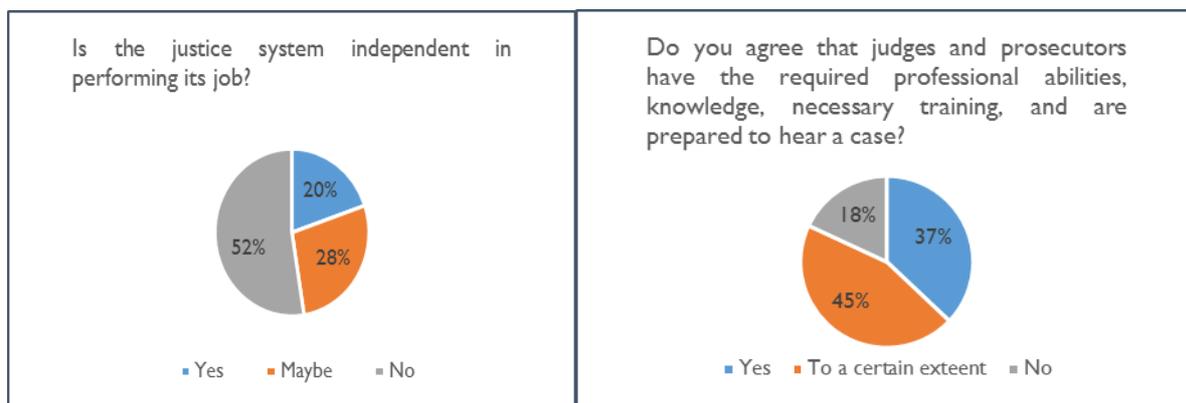
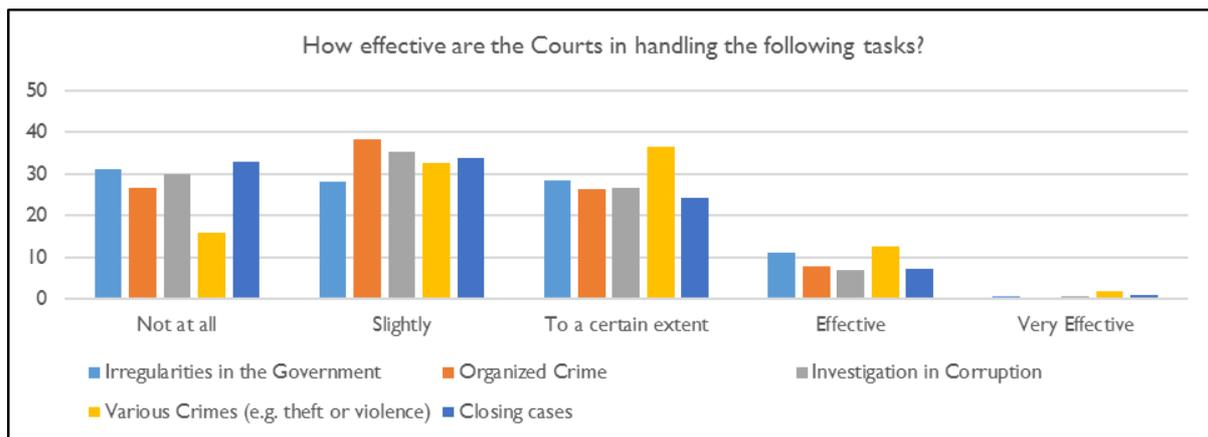


Moreover, nine out of ten individual (89.97%) evaluate that people with political influence are less likely to face legal consequences whereas only less than one out of ten (9.57%) believe that they are not. Seven to eight out of ten individuals believe that the Courts (79.03%), the Prosecution (75.38%), and the Police (70.01%) misuse their authority, their position, and/or their assets. This suggest an extreme low level of trust in those three Kosovar Rule of Law institutions. Yet, it is remarkably that more than half of the respondents (58.70%) do not trust EULEX as well.

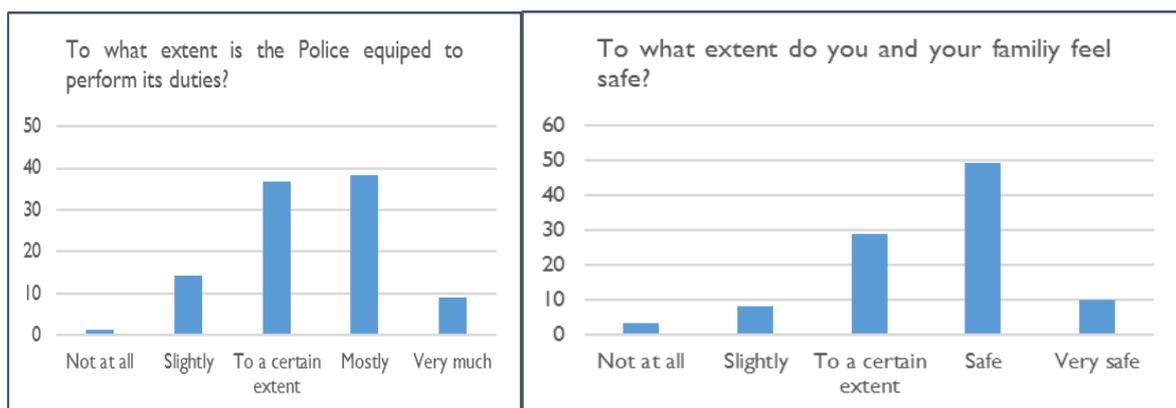
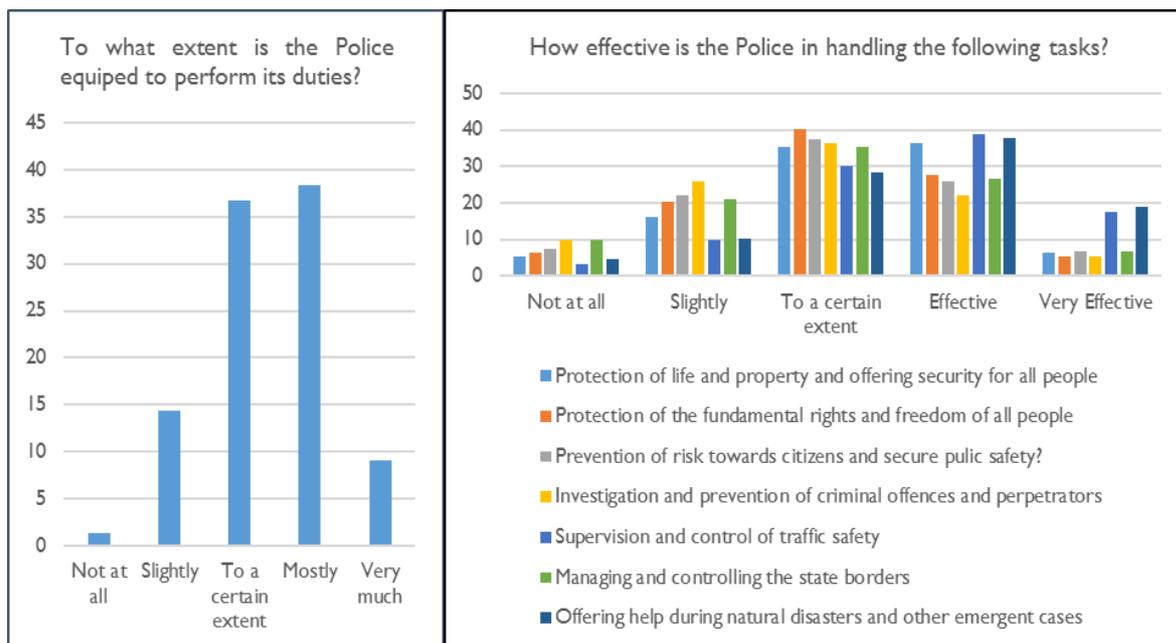


Respondents were asked to express their opinion regarding the effectiveness of the Courts in dealing with various crimes, corruption activities and government irregularities. A third of the individuals (31.17%) believe that the Courts are not effective at all in handling, while roughly another third (28.07%) states that the Courts are just slightly effective in this regard. Concerning the Courts' effectiveness towards first organized crime, second the investigation in corruption and third towards closing cases, another two-third (64.99%, 65.45% and 66.90% respectively) estimate they are not or only slightly effective. Given various crimes like theft or violence nearly every second respondent (48.49%) believes the Courts to be ineffective or slightly effective in handling those issues. In turn, just less than every tenth (8.84%) considers the Courts to be at least mostly effective in all the aforementioned issues. These results reveal that most Kosovar citizens are considering the Courts to be largely ineffective in successfully handling various tasks and challenges and thus can serve as a possible explanation for the high dissatisfaction level with the Courts. Furthermore, more than half of the respondents (52.51%) believe that the justice system is not independent in performing its job. Still, every fifth respondent (19.78%) claims instead that the justice system is independent. Thus, on the one side, a high share of individuals possibly not makes the Courts directly responsible for their ineffectiveness when

estimating that the judges themselves are not even independent in doing their job. Though, one out of five respondents trusts in their independence and therefore might have even higher expectations towards their commitment to performing effectively. The first is supported by the fact that more than eight out of ten respondents (81.95%) believe that the judges and prosecutors theoretically would have the required professional abilities, knowledge, the necessary training and finally are prepared to hear a case. Lastly, this suggests that many Kosovars believe the Courts could in theory be operating effectively, but in practice are not due to a lack of independence.

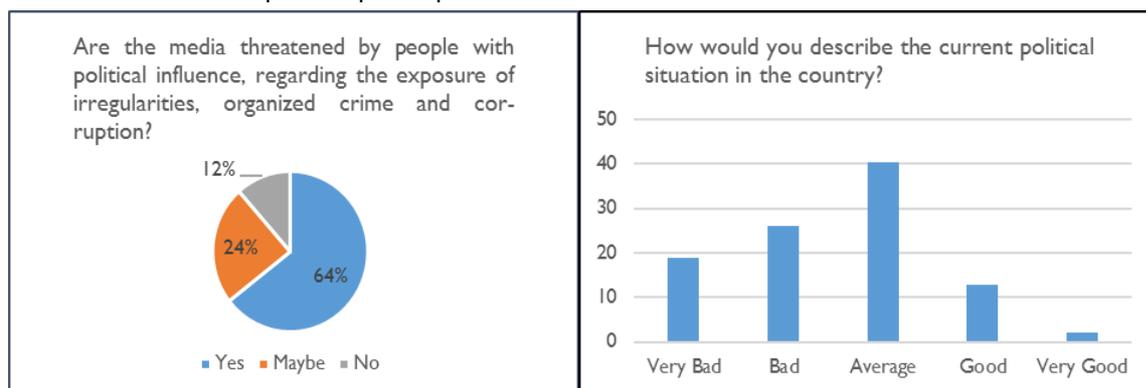


When further exploring the citizens' attitude toward the Police' effectiveness in dealing with several of their tasks, it reveals that individuals are considering the Police to be most effective (very effective or effective) in supervising and controlling the traffic safety (56.65%) and in offering help during natural disasters and other emergent cases (56.61%). In contrast, they are considered to be the least effective (not effective at all or slightly effective) in the investigation and prevention of criminal offences and perpetrators (35.89%) as well as in managing and controlling the state borders (31.08%). A half of the individuals (47.49%) also believes that the Police in practice is very well or mostly well-equipped to perform its duties. Closely related to the effectiveness of the Police, respondents were asked to describe how safe they and their family feel. While just every tenth of the individuals (11.85%) is not or just slightly feeling safe, the great majority of them (59.34%) feels safe. This suggests that the Police is indeed considered to be very effective, but mostly in terms of tasks that are directly related to their regular duties rather than more complex issues like investigating crimes.



Finally, the respondents were asked to respond some general questions towards their perception of the independence of the media and the current general political situation in Kosovo as well as towards their voting intention in the next general national elections. Two third (64.44%) of the respondents believe that the independence of the media is threatened by people with political influence, regarding the exposure of irregularities, organized crime, and corruption whereas just one out of ten individuals (11.48%) believe that the media is not threatened. This is in particular remarkable since the media is often considered to be a fourth power besides the executive, the legislative and the judiciary. Thus, it seems outstanding that many Kosovar apparently do not trust in this power separation when considering the media to be threatened by politicians. Since a functioning media system is highly essential to guarantee that the government is controlled and irregularities become public, the fact that that two third of the citizens believe that politicians possibly successfully influence the media can be considered alarming. Furthermore, nearly every second individual (44.94%) perceives the current political situation in Kosovo to be bad or even very bad, while just less than every sixth believes it to be good or very good (14.77%). Additionally, respondents were asked which party they plan to vote for at the next general elections. The majority of the respondents plan to vote for the LDK (25.52%), which is currently the strongest opposition party in parliament. PDK follows closely (24.61%), while VV (14.13) and AAK (7.93%) achieve less than ten percent. Finally, AKR appeals to less 2.18% of the individuals.

The rest of the respondents intends to vote for other parties (5.04%), whereas 4.46% of the individuals does not plan to participate in the elections at all.



5. Conclusions

The descriptive results presented in the previous section can make great contributions to understand the lacks and deficiencies of the Rule of Law institutions in Kosovo. They show evidence that there is a remarkable high percentage share of people not being satisfied with the Rule of Law institutions and instead considering them to discriminate citizens against, operate ineffectively or failing to reach their full potential. Corruption is perceived to be widespread across the Police, the Courts and the Prosecution, whereas the Government is assessed to be highly ineffective in combating these defects. Additionally, more than half of the respondents believe that the Justice System is not independent in performing its job. Lastly, the results reveal that two-third of the Kosovar citizens believe that the media cannot operate independently and instead are threatened when reporting about irregularities by politicians being involved. The survey results can, in particular, also provide meaningful insights for Kosovo's policy-makers and encourage them to implement possible necessary reforms. Given the low level of satisfaction of Kosovar citizens with the institutions, the next part of the study investigates some factors that contribute to the citizens' satisfaction.

B-Individuals' Satisfaction with the Rule of Law Institutions

I. Introduction and Hypothesis

Kosovo, like any other country in transition, has gone through different post-war challenges and the Rule of Law institutions have been performing under substantial pressure. Similar to other post-conflict nations, there remains a significant gap between the formal Rule of Law and the Rule of Law in practice: The idea of the Rule of Law on paper is not yet fully implemented in reality. In spite of various reforms undertaken in Kosovo, including the re-appointment of the entire judiciary and the increase of material wellbeing of professional judges, amongst others, judicial independence and professionalism continues to struggle. The Courts continue to encounter various challenges such as organized crime, war and ethnic crimes, property issues, enormous backlogs, and corruption, amongst others.⁷ Organized crime and corruption are the most critical areas and even though the government has taken steps towards these issues, the Rule of Law institutions are still mostly perceived to operate ineffectively by the Kosovar citizens (see Part 1). Moreover, high levels of corruption among all Rule of Law institutions in turn

⁷ OSCE (2012). "Independence of the Judiciary in Kosovo: Institutional and Functional Dimensions". Organization for Security and Cooperation in Europe MISSION IN KOSOVO.

discourage foreign investment and increase poverty.⁸ As a result, public perception of the Rule of Law has suffered massively throughout the years which results in citizens' dissatisfaction.

In the scientific literature there are two competing theories towards citizens' trust in institutions. While cultural theories assume that trust emerges outside of the political sphere, i.e. exogenously, and is deeply rooted in cultural norms and socialization, institutional theories argue that trust is directly linked to the political institutions and their performance, thus, originating endogenously.⁹ Trust is considered to be a rational response to the performance of the institutions.¹⁰ This assumption has an important implication: Citizens' trust can directly be enhanced and fostered by improving the performance or implementing necessary reforms. Especially in new democracies, like in Kosovo, institutional theories consider not solely the policy performance – or more specific, the economic performance – to be most crucial, but also the policy output and the political character of the institutions. Therefore, it might be highly decisive for institutions to decrease corruption or to guarantee equality in front of the law for all citizens.¹¹ Since the micro-level based institutional theories assume the individual's evaluation of the performance of the institutions to be critical, the level of trust can also vary considerably across individuals.

Given the great dissatisfaction of Kosovar citizens with their Rule of Law institutions, it seems relevant and meaningful to explain what contributes to the respective satisfaction level of individuals in Kosovo and thus, get a better understanding of the characteristics that contribute to increase or decrease citizens' satisfaction. Parallel to the micro-level institutional theories of trust in institutions, we hypothesize that the citizens' satisfaction level is determined by an individual's perception of the performance of the Rule of Law institutions.¹² Therefore, the following testable hypothesis are formulated:

H1: The higher an individual's perception of the effectiveness in fighting corruption of the Kosovar Rule of Law institutions, the higher the individual's satisfaction level with the respective institutions.

H2: The higher an individual's perception of the discrimination level of the Kosovar Rule of Law institutions, the lower the individual's satisfaction level with the respective institutions.

Furthermore, micro-institutional theories assume that the level of trust varies among individuals according to their individual circumstances. Since citizens might attribute their current living conditions to institutions' policies, the level of trust could differ significantly among different groups of society.¹³ According to the institutional theory of trust, we want furthermore to test whether in Kosovo there are differences in the satisfaction level among different income groups and among unemployed versus employed citizens. Those variables might affect the level of satisfaction in a significant way since the personal living conditions, i.e. the monthly income or to currently be employed, might be perceived as a direct or indirect consequence of policies implemented by the Rule of Law institutions. Consequently, we hypothesize:

⁸ International Crisis Group (2010). "The Rule of Law in Independent Kosovo". Europe Report N°204. Available at: <http://www.crisisgroup.org/en/regions/europe/balkans/kosovo/204-the-rule-of-law-in-independent-kosovo.aspx>.

⁹ Mishler, W. and Rose, R. (2001). "What Are the Origins of Political Trust? Testing Institutional and Cultural Theories in Post-communist Societies". In: Comparative Political Studies 2001: 34.

¹⁰ See March, James G. (1988). "Decisions and organizations." Oxford, UK: Blackwell.

¹¹ Mishler, W. and Rose, R. (2001): 36.

¹² To be more precise, this refers to the micro-level of the institutional theory.

¹³ Mishler, W. and Rose, R. (2001): 36.

H3: Individuals who are employed have a higher satisfaction level with the Rule of Law institutions than individuals who are unemployed.

H4: The higher an individual's income, the higher his or her satisfaction level with the Rule of Law institutions.

Furthermore, the aim of this study is to test in an explorative manner whether in Kosovo there are differences in the satisfaction level among generations, the different ethnicities living in the country and different education levels of the individuals. The first seems in particular relevant, since the experience of the Socialist Federal Republic of Yugoslavia and the Kosovo War might cause both a higher or lower degree with the Rule of Law institutions and therefore might differ among the generations living in Kosovo nowadays. The second appears to be a potential crucial factor since the integration of various ethnic minorities in Kosovo still remains a sensitive political issue and possibly could cause a diverge satisfaction level among the ethnicities. Lastly, the different education level might conceivably lead to a different evaluation of the Rule of Law institutions. Yet, concerning all the aforementioned socio-demographic variables, it is not possible to formulate any testable hypothesis due to the lack of theoretical foundation and empirical evidence. Hence, the results of the study are supposed to contribute to explain differences in the satisfaction level with the Rule of Law institutions among the Kosovar society. These insights can be employed in future research projects and serve as a basis for prospect theoretical and empirical investigation.

The empirical analysis is structured as follows: Section II presents the data and variables as well as the methodological approach. Section III finally provides the results of the multivariate analysis and discusses their limitations. The last section summarizes the most important empirical findings and finally provides some recommendations in terms of policy-making to strengthen the Rule of Law's perception in Kosovo.

2. Research Design: Data, Variables and Methodology

This empirical study utilizes the data from the survey conducted by Group for Legal and Political Studies and European Movement in Kosovo which provides results on individuals' satisfaction with the Rule of Law institutions' performance.¹⁴

The dependent variable is the satisfaction level of the Kosovar citizens with their Rule of Law-institutions. The satisfaction level with all Rule of Law institutions was measured on an ordinal five-scale that can be considered as quasi-metrical. All five related questions to the respective Rule of Law institutions are therefore summarized to construct an overall satisfaction-index ranging from 0 to 25. Concerning the independent variables used in the models, the same procedure is applied to measure the citizens' perception of the effectiveness in fighting corruption of all those institutions. Furthermore, individuals' responses whether citizens are possibly discriminated against by the four judiciary institutions, namely the Police, the Courts, the Prosecution and EULEX, are added up and thus, result in a new variable ranging from 0 to 4. Moreover, the socio-demographic variables included in the model are the individuals' income, their age, ethnicity, their education level, their current occupation status and a dummy for rural and urban location of residence.¹⁵ Lastly, the individuals' estimation of the current political

¹⁴ For a detailed discussion of the survey methodology and the data collection process see Part A, Section 3 of this study.

¹⁵ Given the individuals' ethnicity and the occupation status, binary nominal variables are constructed. While k-1 one of them are included in the model, the ones left out serve as base categories. Since the majority of the respondents are Albanian and unemployed, those dummies are not included. The other variables must therefore be interpreted relative to these base categories.

situation in general as well as the intention to vote for one of the ruling parties (PDK and AKR) are included as control variables in order not to mistakenly attribute any explanatory power to some of the other independent variables. While Table 1 provides an overview of the variables and their description, Table 2 displays summary statistics of the variables.

Table 1: Description of the Variables

Variable	Level of Measurement	Description
Satisfaction	Ordinal	Individuals' satisfaction with the Rule of Law institutions in Kosovo
Satisfaction with the Police	Ordinal	Individuals' satisfaction with the Police
Satisfaction with the Courts	Ordinal	Individuals' satisfaction with the Courts
Satisfaction with the Prosecution	Ordinal	Individuals' satisfaction with the Prosecution
Satisfaction with EULEX	Ordinal	Individuals' satisfaction with EULEX
Satisfaction with the Government	Ordinal	Individuals' satisfaction with the Government
Fighting Corruption	Ordinal	Individuals' perception of the Rule of Law institutions' effectiveness in fighting corruption
Fighting Corruption (Police)	Ordinal	Individuals' perception of the Police' effectiveness in fighting corruption
Fighting Corruption (Courts)	Ordinal	Individuals' perception of the Courts' effectiveness in fighting corruption
Fighting Corruption (Prosecution)	Ordinal	Individuals' perception of the Prosecution's effectiveness in fighting corruption
Fighting Corruption (EULEX)	Ordinal	Individuals' perception of EULEX' effectiveness in fighting corruption
Fighting Corruption (Government)	Ordinal	Individuals' perception of the Government's effectiveness in fighting corruption
Discrimination by the judiciary	Ordinal	Individuals' perception of possible discrimination against Kosovar citizens by the judiciary
Income	Ordinal	Income group
Age	Ratio	Individuals' age
Ethnicity	Nominal	Individuals' belonging to an ethnic minority
Education level	Ordinal	Individuals' education level
Unemployed	Nominal	Individual is unemployed
Student	Nominal	Individual is a student
Pensioner	Nominal	Individual is in pension
Location of Residence	Nominal	Individuals' residence is in an urban location

Political Situation	Ordinal	Individuals' assessment of the current political situation
Intention to vote for the Government	Nominal	Individuals' intention to vote for one of the currently ruling government parties (PDK or AKR)

Table 2: Summary Statistics

Variables	N	Mean	SD	Min	Max
Satisfaction	1022	12.93	4.15	5	25
Satisfaction with the Police	1022	3.17	1.03	1	5
Satisfaction with the Courts	1022	2.56	1.01	1	5
Satisfaction with the Prosecution	1022	2.55	1.01	1	5
Satisfaction with EULEX	1022	2.40	1.16	1	5
Satisfaction with the Government	1022	2.25	1.17	1	5
Fighting Corruption	1022	11.59	4.25	5	25
Fighting Corruption (Police)	1022	2.64	1.11	1	5
Fighting Corruption (Courts)	1022	2.26	0.96	1	5
Fighting Corruption (Prosecution)	1022	2.24	0.95	1	5
Fighting Corruption (EULEX)	1022	2.47	1.11	1	5
Fighting Corruption	1022	1.98	1.07	1	5
Discrimination by the judiciary	1022	2.55	1.52	0	4
Income	1022	2.81	1.07	1	6
Age	1022	36.49	14.06	18	81
Education level	1022	2.11	0.75	0	3
Political Situation	1022	2.54	1.00	1	5
	N	n(=0)	n(=1)	Min	Max
Gender	1022	0.63	0.37	0	1
Employment	1022	0.62	0.38	0	1
Student	1022	0.85	0.15	0	1
Pensioner	1022	0.97	0.03	0	1
Location of Residence	1022	0.57	0.43	0	1
RAE Minority	1022	0.99	0.01	0	1
Turkish Minority	1022	0.99	0.01	0	1
Serbian Minority	1022	0.93	0.07	0	1
Bosnian Minority	1022	0.99	0.01	0	1
Macedonian Minority	1022	0.99	0.01	0	1
Intention to vote for the	1022	0.73	0.27	0	1

The multivariate analysis uses a simple OLS regression model¹⁶ to estimate the effects that the perception of the institutions' effectiveness, their discriminatory potential and the socio-demographic variables have on the satisfaction levels. In total, there are six models estimated.

The equation of the models can be described as follows:

- (1) Satisfaction = $\beta_0 + \beta_1$ Fighting Corruption + β_2 Discrimination + β_3 Income Group + β_4 Employment + β_{5-11} Socio-economic variables + β_{12} Government-Vote + β_{13} Political Situation
- (2) Satisfaction (Police) = $\beta_0 + \beta_1$ Fighting Corruption (Police) + β_2 Discrimination + β_3 Income Group + β_4 Employment + β_{5-11} Socio-economic variables + β_{12} Government-Vote + β_{13} Political Situation
- (3) Satisfaction (Courts) = $\beta_0 + \beta_1$ Fighting Corruption (Courts) + β_2 Discrimination + β_3 Income Group + β_4 Employment + β_{5-11} Socio-economic variables + β_{12} Government-Vote + β_{13} Political Situation
- (4) Satisfaction (Prosecution) = $\beta_0 + \beta_1$ Fighting Corruption (Prosecution) + β_2 Discrimination + β_3 Income Group + β_4 Employment + β_{5-11} Socio-economic variables + β_{12} Government-Vote + β_{13} Political Situation
- (5) Satisfaction (EULEX) = $\beta_0 + \beta_1$ Fighting Corruption (EULEX) + β_2 Discrimination + β_3 Income Group + β_4 Employment + β_{5-11} Socio-economic variables + β_{12} Government-Vote + β_{13} Political Situation
- (6) Satisfaction (Government) = $\beta_0 + \beta_1$ Fighting Corruption (Government) + β_2 Discrimination + β_3 Income Group + β_4 Employment + β_{5-11} Socio-economic variables + β_{12} Government-Vote + β_{13} Political Situation

3. Results and Multivariate Analysis

Table 3 provides the results of the OLS model. The amount of variance that can be explained by the employed models (R^2) ranges between 26.3% and 50.5% and is highest for explaining the satisfaction with the Government and lowest for explaining the satisfaction with EULEX. In other words, the dependent variables fit best to explain the satisfaction in model 6, while lowest in model 5.

Concerning the overall satisfaction level of Kosovar citizens with their Rule of Law institutions, we can find strong support for both H1 and H2: All respective variables are highly significant on the 1% level across all models. The more an individual perceives the Rule of Law institutions to fight corruption effectively, the higher his or her satisfaction level with the institutions. To be more precise, if citizens' assessment of the effectiveness in fighting corruption increases by around three scale points, his or her satisfaction in turn increases by one scale point *ceteris paribus*. This effect strength can indeed be considered to be quite great – in terms of H1 we can therefore conclude, that the perception of effectively combating corruption greatly contributes to citizens' satisfaction with the Rule of Law institutions. The influence of a

¹⁶ Testing of the OLS regression assumptions reveals that heteroscedasticity is a concern for the tested models. To prevent the ordinary least squares estimates of the variance to be biased, robust standard errors are calculated for all models.

perceived discrimination against citizens' by Kosovo's judiciary has in turn a negative effect on individuals' overall satisfaction with the Rule of Law institutions. An individual who considers not any institution to discriminate citizens in Kosovo against is by around two scale points more satisfied than an individual who at least believes that one institution discriminates citizens against.

Comparing the influence of the perceived effectiveness on the satisfaction with the different Rule of Law institutions, we can find the expected positive correlation across all models. The effect strength is quite similar concerning all five institutions, while highest for EULEX and lowest for the Prosecution. More precisely, someone considering EULEX to fight corruption mostly effective is nearly one-point scale more satisfied with EULEX than someone considering it to be just slightly effective in damming corruption. In contrast, in terms of the Police, the Courts, the Prosecution and the Government an increase in the perceived effectiveness of around three scale points (e.g. not effective at all to mostly effective) is necessary to lead to an increase in the satisfaction of one scale point. With regard to the effect of a perceived discrimination by the different institutions on the satisfaction level, the effect strengths vary across the models: While it is lowest for the satisfaction with the Government and EULEX, it is highest for the satisfaction with the Prosecution, the Police and the Courts. If an individual's perception of a potential discrimination by the Prosecution increases in one scale point – i.e. the individual considers one more institution to possibly discriminate people against – his or her satisfaction level decreases by around 0.13 scale points *ceteris paribus*. Concerning the Government, this decrease is just 0.06 scale points great. This reveals that equally treating all citizens is a decisive characteristic that can enhance citizens' satisfaction with the Prosecution, the Police and the Courts a lot, while it still positively affects the satisfaction with EULEX and the Government.

To conclude, the results greatly support the two formulated hypothesis H1 and H2 with regard to the effect of a perceived successful fight against corruption as well as a perceived discrimination against citizen. Both variables seem to significantly contribute to an individual's satisfaction level. Therefore, effectively combating corruption and equally treating all citizens seem to be two crucial characteristics that help Kosovo's Rule of Law institutions to gain a higher degree of trust and satisfaction among the Kosovar citizens.

However, the results of the regression model do not provide any support for H3 or H4: Neither the income group nor the employment variable has any significant effect on an individual's satisfaction level across all models. This suggests that personal living circumstances are either not attributed to the Rule of Law institutions' policies or that – even if they are perceived to be a direct or indirect effect of the policies – they are not crucial in determining the satisfaction level. The latter would suggest that corruption and possible discrimination of citizens is believed to be so critical that it has greater priority to the citizens than their personal living conditions. However, employment status and income level might be perceived to be mostly dependent on the economic environment of the country and thus, not directly related to any of the Rule of Law institutions, in particular not to the judiciary.

Furthermore, the differences among socio-economic groups concerning their satisfaction with the Rule of Law institutions will be discussed in an explorative manner. First, it is remarkable that the age of an individual does not seem to have any significant effect on the satisfaction level – thus, there are no statistical differences concerning the satisfaction level among old and young people. In contrast, someone living in a city is less satisfied with the institutions than someone living in a rural area concerning all institutions except EULEX. Another noteworthy result is that men are considerably more satisfied with the Rule of Law institutions than women are. This applies for the overall satisfaction as well as for the satisfaction with the Courts, the Prosecution and the Government. Since there is no obvious explanation for this correlation, in this respect, there might be more research necessary to find substantial evidence and support for this

result.¹⁷ The same applies to the fact that members of the RAE minority as well as the Bosnian, Macedonian and Serbian are (mostly) more satisfied with the Rule of Law institutions than the majority of the individuals, i.e. the Albanian. Since the sign of the coefficients however is not consistent throughout all models, there might be more investigation necessary to understand the precise relationship between the ethnicity and the satisfaction level with the Rule of Law institutions. Considering an individual's education level, we can find a negative correlation that is at least significant on the 10% level regarding the overall satisfaction as well as the satisfaction with the Prosecution and the Government. Thus, people who have a higher education are significantly less satisfied with the aforementioned institutions. This result appears to be interesting especially since neither the income, nor the age or occupation status has any significant effect on the satisfaction level. Therefore, it seems it is rather educational differences that lead to a different degree of satisfaction with the Rule of Law institutions. Yet, the relationship is not consistent throughout all models and appears to be significant mostly just on the ten percent level. Hence, the influence of this socio-economic variable should be revised in prospect studies.

After having discussed and presented the results of the multivariate analysis, in the next section we want to summarize the most important findings and point out some possibilities for future research projects. Moreover, some possible implications and recommendations for the policy-making process are presented.

Table 3: Regression Results

VARIABLES	(1) Satisfaction (Overall)	(2) Satisfaction (Police)	(3) Satisfaction (Courts)	(4) Satisfaction (Prosecution)	(5) Satisfaction (EULEX)	(6) Satisfaction (Government)
Fighting Corruption	0.317*** (0.0295)					
Fighting Corruption (Police)		0.302*** (0.0295)				
Fighting Corruption (Courts)			0.295*** (0.0346)			
Fighting Corruption (Prosecution)				0.283*** (0.0332)		
Fighting Corruption (EULEX)					0.420*** (0.0331)	
Fighting Corruption (Government)						0.344*** (0.0368)
Discrimination	-0.496*** (0.0706)	-0.111*** (0.0183)	-0.102*** (0.0193)	-0.125*** (0.0193)	-0.0847*** (0.0228)	-0.0621*** (0.0188)
Income	0.130 (0.104)	0.0275 (0.0297)	0.0326 (0.0285)	0.0242 (0.0274)	0.00105 (0.0332)	0.0424 (0.0272)
Age	-0.00845 (0.00913)	-0.00101 (0.00281)	-0.00358 (0.00251)	-0.00412* (0.00250)	0.00103 (0.00289)	-0.000670 (0.00234)
Gender	0.739*** (0.218)	0.0770 (0.0601)	0.245*** (0.0589)	0.198*** (0.0593)	0.0827 (0.0690)	0.131** (0.0598)
Education	-0.413** (0.182)	-0.0798 (0.0491)	-0.0676 (0.0476)	-0.0919* (0.0475)	-0.0765 (0.0570)	-0.0941* (0.0503)
Employment	0.250 (0.260)	0.0998 (0.0746)	0.00378 (0.0706)	0.0300 (0.0707)	-0.00701 (0.0839)	0.112 (0.0694)
Student	0.492 (0.337)	0.175* (0.0990)	0.0494 (0.0905)	0.123 (0.0922)	0.0302 (0.114)	0.0949 (0.0963)
Pensioner	0.227 (0.572)	0.279 (0.180)	0.115 (0.157)	0.204 (0.161)	-0.355** (0.174)	-0.0427 (0.141)
Urban residence	-0.683***	-0.154**	-0.220***	-0.148***	-0.0607	-0.0978*

¹⁷ Keeping the biased representation of male and female respondents in the survey in mind (see Part A – Section III), this result should be interpreted very carefully.

	(0.210)	(0.0619)	(0.0569)	(0.0574)	(0.0693)	(0.0558)
RAE Minority	2.953***	0.397**	0.526*	0.484	0.764***	0.707***
	(0.943)	(0.194)	(0.316)	(0.319)	(0.285)	(0.136)
Turkish Minority	0.836	-0.0610	-0.109	-0.0484	0.486	0.501*
	(1.145)	(0.361)	(0.342)	(0.333)	(0.361)	(0.265)
Serbian Minority	-0.149	-0.327***	0.269***	0.251**	-0.217*	-0.0633
	(0.378)	(0.103)	(0.104)	(0.104)	(0.113)	(0.0952)
Bosnian Minority	1.777**	0.0371	0.208	0.267	0.682***	0.553***
	(0.868)	(0.230)	(0.208)	(0.205)	(0.179)	(0.189)
Macedonian Minority	-0.493	0.122	-0.479***	0.542***	-1.230***	0.465***
	(0.469)	(0.123)	(0.124)	(0.123)	(0.150)	(0.122)
Political Situation	0.975***	0.143***	0.185***	0.181***	0.106***	0.355***
	(0.123)	(0.0344)	(0.0336)	(0.0329)	(0.0392)	(0.0349)
Government Vote	1.413***	0.240***	0.292***	0.338***	0.0451	0.508***
	(0.253)	(0.0646)	(0.0671)	(0.0675)	(0.0813)	(0.0822)
Constant	8.289***	2.344***	1.752***	1.890***	1.420***	0.720***
	(0.742)	(0.208)	(0.193)	(0.195)	(0.220)	(0.185)
Observations	1,022	1,034	1,033	1,030	1,026	1,032
R-squared	0.459	0.295	0.325	0.328	0.263	0.505

4. Conclusions

In conclusion, the results reveal that the perceived effectiveness in fighting corruption as well as the perceived discrimination against citizens by the judiciary have a great effect on individuals' satisfaction level with the Kosovar Rule of Law institutions. This supports the micro-institutional argument. In contrast, the satisfaction level is independent on citizens' income, age or occupation, but rather determined by the education level. Due to the general lack of empirical evidence concerning the satisfaction level with the performance of the Rule of Law institutions in Kosovo, the study can serve as basis for future research and can therefore greatly contribute to develop the theoretical and empirical foundation of the perception of the Rule of Law institutions in Kosovo. Additionally, establishing a panel survey could furthermore help to understand changes and observe developments in the perception of the Rule of Law institution among Kosovar citizens.

In terms of implications for the policy-making process, both the descriptive results as well as the multivariate analysis can serve as empirical evidence for an urgent need to improve the image of the Rule of Law institutions. Yet, there is some good news: Our study reveals that most of the respondents believe the institutions technically to be equipped with the required knowledge and the professional staff to achieve their objectives. Given this result, it appears to be even more essential that the judiciary *de facto* is able to act independently and professional without any attempts of political interference. The Government should prove greater commitment to act within its constitutional mandate and not exceed its power by interfering in the judiciary. Therefore, it is highly desirable that closed cases are not debated in parliament¹⁸ anymore, amongst others.¹⁹ Moreover, democratic standards require a true parliamentary debate that necessarily needs the members of Government to attend the parliamentary question sessions. If the policy-makers want to increase the citizens' satisfaction with the Rule of Law institutions, they should, according to our results, furthermore try to enable the institutions to fight corruption more effectively. Moreover, treating all citizens' equally – i.e. independent of their societal status and their ethnicity – seems to be critical to achieve a higher level of satisfaction and establish trust in the Rule of Law institutions.

¹⁸ Since the only party refusing the debate was the greatest opposition party LDK (Bertelsmann Stiftung 2014: 9), the decision to debate the case can mostly be attributed to the Government.

¹⁹ Bertelsmann Stiftung (2014). "BTI 2014 — Kosovo Country Report". Gütersloh: Bertelsmann Stiftung.

To conclude, the empirical evidence gained in this study cannot just make great contributions to further developing the understanding of the Kosovar citizens' satisfaction with their Rule of Law institutions from a scientific perspective, but can also serve as a basis for prospect reforms to policy-makers.

Annex Questionnaire

1. To what extent are you satisfied with the performance of following institutions?

	Not at all	Slightly	Average	Satisfied	Very satisfied
Police	1	2	3	4	5
Courts	1	2	3	4	5
Prosecution	1	2	3	4	5
EULEX	1	2	3	4	5
Government	1	2	3	4	5

2. According to your opinion, is there a possibility that citizens are discriminated by the following institutions?

	Yes	No
Police	0	1
Courts	0	1
Prosecution	0	1
EULEX	0	1

3. Is there a possibility that people stated below are discriminated by Police, Courts, and Prosecution?

	Not at all	Slightly	To a certain extent	Likely	Very likely
People with minimum income	1	2	3	4	5
Women	1	2	3	4	5
Minorities	1	2	3	4	5
People belonging to opposition	1	2	3	4	5

4. According to your opinion, how often do the officials of the following institutions demand/accept bribes?

	Never	Mostly not	To a certain extent	Mostly	Very often
Police	1	2	3	4	5
Courts	1	2	3	4	5
Prosecution	1	2	3	4	5
EULEX	1	2	3	4	5

5. Is it important to have personal, familiar, or friendly connections in the following institutions in order to meet your needs?

	Yes	No
Police	0	1
Courts	0	1
Prosecution	0	1
EULEX	0	1

6. Do you think that people with political influence are less likely to face the legal consequences?

- a) Yes
- b) No

7. Do you think that the following institutions misuse their authority, position and assets?

	Yes	No
Police	1	2
Courts	1	2
Prosecution	1	2
EULEX	1	2

8. How effective are the attempts of the following institution in fighting corruption?

	Not at all	Slightly	To a certain extent	Effective	Very effective
Police	1	2	3	4	5
Courts	1	2	3	4	5
Prosecution	1	2	3	4	5

EULEX	1	2	3	4	5
Government	1	2	3	4	5

9. If you notice a case of corruption, would you report it?

- a) No
- b) Maybe
- c) Yes

10. If you notice a case of corruption, where would you report it?

- a) Police
- b) Courts
- c) Prosecution
- d) EULEX
- e) None of the above
- f) Would not report it
- g) Corruption Number

11. If you notice a crime (theft, violence) would you report it?

- a) No
- b) Maybe
- c) Yes

12. If you notice a crime (for instance, theft or violence) where would you report it?

- a) Police
- b) Courts
- c) Prosecution
- d) EULEX
- e) None of the above
- f) Would not report it

13. According to your opinion, how effective are the courts towards the following duties?

	Not at all	Slightly	To a certain extent	Effective	Very effective
Handling Government Irregularities	1	2	3	4	5
Handling Organized Crime	1	2	3	4	5
Investigation of corruption	1	2	3	4	5
Hearing other crimes (theft,	1	2	3	4	5

violence....)

Closing cases	1	2	3	4	5
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14. According to your opinion, how effective are the Kosovo Police in handling the following duties?

	Not at all	Slightly	To a certain extent	Effective	Very effective
Protection of life and property and offering security for all people	1	2	3	4	5
Protection of the fundamental rights and freedom of all people	1	2	3	4	5
Prevention of risk towards citizens and secure public safety	1	2	3	4	5
Investigation/prevention of criminal offences and perpetrators	1	2	3	4	5
Supervision and control of traffic safety	1	2	3	4	5
Management and control of the state borders	1	2	3	4	5
Offer help during natural disasters and other emergent cases	1	2	3	4	5

15. According to your opinion, are the corruption and organized crime cases made public?

	Not at all	Mostly not	To a certain extent	Mostly	All of them
Corruption	1	2	3	4	5
Organized Crime	1	2	3	4	5

16. Do you think the media are threatened by people with political influence (involved) regarding the exposure of irregularities, organized crime and corruption?

- a) Yes
- b) Maybe
- c) No

17. Do you think that the Justice System is independent in the performing its duties?

- a) Yes
- b) Maybe

c) No

18. Do you agree with the following sentence?

Judges/prosecutors have the needed professional abilities, knowledge, necessary training, and are prepared to hear a case?

- a) Yes
- b) To a certain extent
- c) No

19. According to your opinion, to what extent is the Kosovo Police equipped to perform their duties?

- a) Not at all
- b) Slightly
- c) To a certain extent
- d) Mostly yes
- e) Very much

20. To what extent you and your family feel safe?

- a) Not at all
- b) Slightly
- c) To a certain extent
- d) Safe
- e) Very safe

21. How would you describe the current political situation in the country?

- a) Very bad
- b) Bad
- c) Average
- d) Good
- e) Very good

22. Who would you vote for in the next parliamentary elections?

Demographics

1. Age

2. Gender

- a) Female
- b) Male

3. Education level

- a) No education
- b) Primary
- c) Secondary
- d) Tertiary

4. Ethnicity

- a) Albanian
- b) RAE
- c) Serbian
- d) Turkish
- e) Bosnian
- f) Macedonian

5. Average income

- a) Less than 100€
- b) 100-300€
- c) 300-500€
- d) 500-800€
- e) 800-1000€
- f) More than 1000€

6. Employment

- a) Employed
- b) Unemployed
- c) Student
- d) Housewife
- e) Self-employed
- f) Pensioner

7. Location

- a) Urban
- b) Rural

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POLICY REPORTS

Policy Reports are lengthy papers which provide a tool/forum for the thorough and systematic analysis of important policy issues, designed to offer well informed scientific and policy-based solutions for significant public policy problems. In general, Policy Reports aim to present value-oriented arguments, propose specific solutions in public policy – whereby influencing the policy debate on a particular issue – through the use of evidence as a means to push forward the comprehensive and consistent arguments of our organization. In particular, they identify key policy issues through reliable methodology which helps explore the implications on the design/structure of a policy. Policy Reports are very analytical in nature; hence, they not only offer facts or provide a description of events but also evaluate policies to develop questions for analysis, to provide arguments in response to certain policy implications and to offer policy choices/solutions in a more comprehensive perspective. Policy Reports serve as a tool for influencing decision-making and calling to action the concerned groups/stakeholders.