

# Between Promised Reforms and Reality: First Year of Kurti II Government

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Policy Analysis

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# BETWEEN PROMISED REFORMS AND REALITY: FIRST YEAR OF KURTI II GOVERNMENT

## INTRODUCTION

The Kurti II government took office on the 22<sup>nd</sup> of March 2021 with a 50.28% of the overall vote in Kosovo. This victory was established with a pre-coalition agreement with a political initiative led by former Speaker of the Assembly of Kosovo and former LDK high-official, Ms. Vjosa Osmani-Sadriu. This ruling coalition has 67 seats out of 120 in the Parliament. The majority group in the legislative branch performs under the same parliamentary group that of Vetëvendosje (LVV). This government marked a very new political chapter for Kosovo being the first ruling majority without any war wing parties.

LVV was a very vocal opposition party for more than 10 years within the Parliament and also outside the institutions through political initiatives such as protests and demonstrations. During this time LVV under the lead of Kurti presented a vast number of promises to the citizens that fueled public hope that a political transformation would occur when LVV came to power. Hence, the expectations for transformative changes and tangible reforms in justice, economy, and education have been high during this first year of governance.

LVV through its political campaign and electoral promises envisaged the transformative approach that the government would take in many fields. LVV promised structural reforms in the rule of law, and listed it as the highest priority. Furthermore, economic recovery, public administration reforms, proactive foreign policy, and a principled dialogue with Serbia, were the key issues and pillars that the governance will be constituted of.

That said, this policy analysis makes a thorough assessment of one year of Kurti II government and evaluates its performance in several policy fields. The first part of the analysis assesses the economic recovery and the rule of law reforms. The paper then delves into foreign policy by examining the Dialogue with Serbia, Kosovo's membership in International Organizations and the European Union integration path for Kosovo. The paper then continues in analyzing the policies related to COVID-19 management, reforms in public administration, and electoral reform, including the legislative agenda.

## I. ECONOMY: TRYING TO RECOVER

Economic recovery and development ranks as the second most priority on Kurti's Government program. The COVID-19 pandemic has affected the economy; and in response a series of measures have been taken to curb the crisis. In the first months (March to May 2021) in power the Government approved a budget allocation of 6 million Euros for the economic recovery program. Part of the payment subsidized up to 50% of the net salary for food service workers and for those in the intra-urban transport sector. The rent subsidy was provided the level of 50% net up to a maximum of 2.500 Euros.<sup>1</sup> Another 5.2 million Euros additional funds were allocated for the payment of health and security sector allowances, totaling 11 million euros for the private and public sector. A positive aspect of this package was that the beneficiaries were well categorized.

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<sup>1</sup> Government Decision No.01/08," Government of Kosovo (2021) Available at: <https://kryeministriks.net/wp-content/uploads/2021/04/Vendimet-e-Mbledhjes-se-8-te-te-Qeverise-se-Republikes-seKosoves....pdf> [ Accessed 5 March 2022]

However, the government delayed the amendment and distribution of economic recovery package to businesses in a larger scale during the first months in power.<sup>2</sup> The Government of Kosovo in July approved the Economic Revival Package, with a total of 420 million euros.<sup>3</sup> In aiming to address the lack of performance and mismanagement of public enterprises, the Government dismissed the boards of the Kosovo Energy Corporation (KEC), Kosovo's Telecom (KT), Kosovo's Railways (KR) and INFRACOS, appointed by the former Prime Minister Hoti.<sup>4</sup> However, we were unable to note any major achievement in this first year by the abovementioned public enterprises. In general, the full restructuring of public enterprises shall remain a high priority for Kurti's Government and the Government has approved the Draft Concept for the Establishment of the Sovereign.<sup>5</sup> This draft has been published on the public consultation platform and has been open for public comments from 28.02.2022 to 14.03.2022. The Concept Document on the Establishment of the Kosovo Sovereign Fund has defined as problems: the monitoring of the work of public enterprises, the unsatisfactory level of professionalism of management in public enterprises, the abuse of assets, and assets of public enterprises.

The parliament of Kosovo approved the budget for 2022.<sup>6</sup> The budget amounts 2 billion 748 million euros, making it the highest budget that the Republic of Kosovo has ever had. Budget revenues, on the other hand, are expected to be worth 2 billion 364 million euros.<sup>7</sup> In the projected budget a greater value is presented for capital expenditures rather than for economic recovery. A substantial amount of the budget, 700 million euros is allocated to be spent in health, education, culture, infrastructure, and security.<sup>8</sup>

Kosovo performed better economically this year than ever before. According to the Ministry of Finances (MoF) data, during 2021 the country has recorded the highest economic growth, which by the end of the year is expected to have a real growth of 10%.<sup>9</sup> This economic growth is also reflected in the increase of business turnover, with 33% in 2020 compared 23% in 2019. There has been progress in the collection of taxes and on the fight against informality. Kosovo customs achieved a record during 2021 with 1 billion and 371 million euros collected in tax revenue.<sup>10</sup> This marks a 320 million Euros increase of 30.6% more than in the previous year, while compared to 2019, 198 million Euros or 16.2% more.<sup>11</sup> A record increase of exports was evidential as well, with over 700 million Euros recorded.<sup>12</sup>

Arguably, there is progress from Kosovo government in relation to economic recovery and financial stability of the state. More taxes and revenues have been collected, and the fight

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<sup>2</sup> "The government will subsidize the businesses affected by the measures; the amount is unknown" Koha.net (2021). Available at: <https://www.koha.net/video/265757/qeveria-do-ti-subvencioje-bizneset-e-prekuranga-masat-shuma-nuk-dihet/> [Accessed 10 March 2022].

<sup>3</sup> <https://www.evropaelire.org/a/rritja-e-shpenzimeve-demton-sektorin-privat/31541838.html>

<sup>4</sup> Government Decisions No.01/12" Government of Kosovo (2021). Available at: <https://kryeministriks.net/wp-content/uploads/2021/06/Vendimet-e-Mbledhjes-se-12-te-te-Qeverise-se-Republikes-seKosoves....pdf>

<sup>5</sup> <https://kryeministri.rks-gov.net/u-miratua-ne-parim-koncept-dokumenti-per-themelimin-e-fondit-sovran-te-republikes-se-kosoves/>

<sup>6</sup> "The Assembly approved the Law on Budget for 2022" Kosovo Assembly (2021). Available at: <https://www.assembly-kosova.org/shq/per-publikun/lajmi/kuvendi-miratoi-ligjin-per-buxhetin-per-vitin-28568/> [Accessed 7 March 2022].

<sup>7</sup> "Budget of the Republic of Kosovo", Ministry of Finance (2021). Available at: <https://mf.rks-gov.net/page.aspx?id=1,16> [Accessed 8 March 2022].

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> "The report for 2021 is presented, customs revenues 1 billion 371 million euros" <https://dogana.rks-gov.net/prezantohet-raporti-i-vitit-2021-te-hyrat-nga-dogana-1-miliard-e-371-milion-euro/>

<sup>11</sup> Ibid.

<sup>12</sup> Klan Kosova (2022) "Murati: Exports set a record with over 700 million euros" available at: <https://klankosova.tv/murati-i-kenaqur-me-te-hyrat-nga-dogana-eksporti-shenoi-rekord-me-mbi-700-milione-euro1/> [Accessed 10 March 2022].

against informality and tax evasion reaped its fruits.<sup>13</sup> However, there was still a lack of structural reforms in the first year, as this year resulted more in the planning and drafting of reforms,<sup>14</sup> than the implementation of them. For instance, the government needs to implement a new social and pension system, as well as numerous development projects that prompt a substantial economic change. Identifying and strengthening strategic sectors, restructuring public enterprises, as well as designing and implementing ad hoc plans to attract foreign direct investments (FDIs) remain some of the key pillars for the Government to address in the following months and years.

It is of note that during its first year, the Government has supported post-partum women financially and created child allowances. Maternity payments became available to all unemployed women over the age of 18 who are citizens of Kosovo, who gave birth from August 1, 2021 and onwards.<sup>15</sup> For 6 months they received an amount of 170 euros per month, whereas for other employed woman, the support will be in the amount of the minimum wage for a period of 3 months.<sup>16</sup> For children 0 to 24 months the allowances amount 20 euros per month. From January 2022, those aged 16 or less will be added, for which the value of the supplement is 10 Euros per month.

Additionally, the Government approved the increase of pensions to four categories, so that no pension is less than 100 Euros. The four categories that increased are basic pensions at 90 Euros, disability pensions at 75 euros, family pensions at 90 euros, and disability work pensions for 90 euros.<sup>17</sup>

## II. RULE OF LAW: FROM PROMISE TO PRACTICE (?)

The Kurti II government has listed two goals as the most important in reforming the justice sector in Kosovo, fight corruption and organized crime by: 1) the vetting process and 2) the confiscation of unjustifiable assets. In this first year of governance, primary initiatives have been launched to revive these processes. The process of amending the laws regulating the prosecutorial system, including the Law on the Prosecutorial Council, the Law on the State Prosecutor and the Law on the Special Prosecution of the Republic of Kosovo has been initiated. Additionally, the process of adopting the law to establish a Commercial Court was finalized. The Kurti II government has focused most of the electoral campaign of February 2021 on these two processes so the expectations of citizens and other stakeholders have been high.

### a. Vetting

During this first year of the Kurti II government, the Ministry of Justice (MoJ) has taken the initial steps regarding vetting of employees in the justice sector. A working group was established by officials of the MoJ to draft the vetting process concept document, and the group was later approved by the government.<sup>18</sup> One of the four options proposed and favored by the government

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<sup>13</sup> "The report for 2021 is presented, customs revenues 1 billion 371 million euros", Kosovo Customs (2021) Available at: <https://dogana.rks-gov.net/prezantohet-raporti-i-vitit-2021-te-hyrat-nga-dogana-1-miliard-e-371-milion-euro/>

<sup>14</sup> "The Government approves the Program for Economic Reforms 2022-2024", Government of Kosovo (2022), Available at: <https://kryeministri.rks-gov.net/qeveria-miratton-programin-per-reforma-ne-ekonomi-2022-2024/>

<sup>15</sup> "Support for women after childbirth and child allowance schemes begins", Ministry of Finance (2021) Available at: <https://mf.rks-gov.net/page.aspx?id=1,2,1123>

<sup>16</sup> "Extras: 170 euros for postpartum women and 10 to 20 euros for children" Koha.net 2021. Available at: <https://www.koha.net/arberi/287893/shtesat-170-euro-per-lehonat-dhe-nga-10-e-20-euro-per-femijet/>

<sup>17</sup> Ibid.

<sup>18</sup> GazetaAloo. "The working group for vetting in the justice system is formalized". April 2021. Available at: <https://gazetaalo.com/formalizohet-grupi-punues-per-vetting-ne-sistemin-e-drejtese/>

Ministry of Justice. "Draft Concept paper for the development of the Vetting Process in the Justice System". Available at: <https://konsultimet.rks-gov.net/viewConsult.php?ConsultationID=41154>

is the vetting process through constitutional changes. A welcomed step is that the MoJ has sent the concept document to the Venice Commission for a recommendatory opinion, which is expected at the end of June 2022.<sup>19</sup>

A worrying factor regarding this process is the skepticism expressed on this issue in the European Commission's Country Report.<sup>20</sup> Civil society has called for all institutions belonging to the category of rule of law sector to be included in the vetting process;<sup>21</sup> including the Constitutional Court, the Tax Administration (TAK), the Customs, the Kosovo Intelligence Agency and the Kosovo Police. Nevertheless, MoJ has decided that the reform includes members of the judiciary, prosecutors, leaders and members of the KPC and KJC.<sup>22</sup> This selection of vetting categories will nevertheless characterize the reform as incomplete. The absence of international experts in this process is concerning, as the reform lacks a guarantee for respect for transparency and international legal aspects.<sup>23</sup>

In this first year the necessary cooperation with the opposition parties and the non-majority representatives in the parliament has been missing, and neglected, in regarding to a tremendously important process, as vetting. The required double majority support from the Assembly to add "vetting requirements" to the constitution has not been met. In this period, the MoJ has had major clashes with relevant actors, such as the opposition party and the institutions that will be subject to vetting, which fundamentally affects the reform.

## **b. Law on Confiscation of Unjustifiable Assets**

The confiscation of unjustifiable assets is and has been one of the main promises of the LVV, during its time in opposition and during the election campaign. The idea of such a law was presented as a tool to fight corruption and organized crime which has been present and growing in the country for years.<sup>24</sup> Considering that criminal confiscation of unjustifiable assets has proved to be rather ineffective and weak in Kosovo, the civil confiscation has been considered as a tool to deal with all high political figures which have benefitted from suspicious practices.

During this first year, the MoJ has presented a draft law addressing these concerns titled the Confiscation of Unjustifiable Assets. GLPS has identified several problems within the drafted law. First, the proposed law specifies that the subjects of this law will be only official persons, politically exposed individuals, their family members, and third persons related to them. By primarily targeting public officials to investigation by the bureau two problems can be identified. First, it could discourage individuals from civil service. Second, it does not fully address the problem of unjustifiable assets. As it currently is proposed, the right to enjoying their property without any violation is being legally denied to a specific category of people based on their job. It would be more effective for the law to include the discipline of anyone suspected of having unjustified assets, regardless of their job. The investigative procedure should start with objective procedures, clearly stating the reasons why and when an individual may be subject to this law.

It remains unclear what can be considered as an incentive to initiate investigative proceedings by the bureau, despite it being a very important aspect of the confiscation process. Additionally, the draft law fails to outline a required preliminary review before the investigation procedure starts. This preliminary review would involve the court at the initial phase of the

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<sup>19</sup> Lajmi.net. "The Ministry of Justice will receive the opinion of the Venice Commission on vetting in March". December 2021. Available at: <https://lajmi.net/ministria-e-drejetise-do-te-marre-opinionin-e-komisionit-te-venecias-per-vetting-un-ne-mars/>

<sup>20</sup> European Commission, "Key findings of the 2021 Report on Kosovo", Brussels, 2021, (link: <file:///C:/Users/Admin/Downloads/Kosovo%202021%20report.PDF> ).

<sup>21</sup> Group for Legal and Political Studies. "Five Integral Questions about the Vetting Process". April 2021. Available at: [http://www.legalpoliticalstudies.org/wp-content/uploads/2021/04/GLPS\\_EI\\_FiveIntegralQuestionsVetting.pdf](http://www.legalpoliticalstudies.org/wp-content/uploads/2021/04/GLPS_EI_FiveIntegralQuestionsVetting.pdf)

<sup>22</sup> Ministry of Justice. "Draft Concept paper for the development of the Vetting Process in the Justice System". Available at: <https://konsultimet.rks-gov.net/viewConsult.php?ConsultationID=41154>

<sup>23</sup> Group for Legal and Political Studies. "Proposal for a Justice System Reform through Vetting in Kosovo: An initial model for further thought". 2020.

<sup>24</sup> European Commission (2021). "Kosovo Report 2021", available at: [https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021\\_en](https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021_en)

procedure by ensuring the proportionality test is satisfied and would serve as the indication to start the procedure because there is legitimate evidence that someone might possess unjustifiable assets.

### c. The package of laws regulating the prosecutorial system in Kosovo

As the Vetting reform might take a while, the MoJ added amendments of four laws relating to the prosecutorial system in the country. From the proposed amendments regulating the Kosovo Prosecutorial Council (KPC), one can conclude that the MoJ considers the change of the current composition of the council as crucial to achieving the aim of combating the corporatism within the prosecution system. The proposal first downsized the number of KPC members from 13 to 7, with the majority of the new membership being lay members. The second proposed rule removed the Chief State Prosecutor from his ex officio KPC membership. Third, changes to the appointment procedures were proposed, which rendered the electing of KPC members a part of a simple majority vote of the Assembly. Fourth, it was proposed that the mandate of the current members be ended when the new law enters into force.<sup>25</sup> The draft law was sent to the Venice Commission for an opinion, which was published on December 2021.<sup>26</sup> The Venice Commission found the proposed amendments regarding the new composition of the Council aligned with European standards. More concretely, the Commission found that the new proposed balance between prosecutorial and lay members of the KPC satisfies standards considering that prosecutors elected by their colleagues are a substantial part of the KPC.<sup>27</sup> The opinion also highlighted the need to ensure KPC independence from any form of subordination to the ruling parliamentary majority.<sup>28</sup> The proposed election method of lay members by a simple majority in the Assembly was considered to increase the risk of undue political influence over the KPC. The proposal for terminating the mandate of current KPC members and allowing the renewed KPC to function only with lay members in its composition, was seen by the Venice Commission as dangerous for prosecutorial independence. The Commission offered a two-element test in order to satisfy international standards.<sup>29</sup> The two-element test includes the need to define how such an act would serve vital public interest, and how it would lead to the overall improvement of the system.<sup>30</sup>

After receiving the Venice Commission opinion, the MoJ started redrafting the amendments to address the concerns. Currently, the amendments still change the number of KPC members to 7 members, with 3 of them being prosecutors (2 representing the Basic Prosecution Officers and 1 representing the SPRK or the Appellate Prosecution), the Chief State Prosecutor will continue its ex-officio mandate to being a KPC member, 2 members coming from the Parliament as lay members and the final member coming from the Ombudsperson Office. The current draft has yet to be adopted and is being discussed at the Parliamentary Committee on Legislation.

The amendments in the new Law on SPRK permanently define the Departments of this institution, the number of prosecutors, the exact determination of competencies of the SPRK, the threshold to be reached for a money laundering case to be under the competence of the SPRK, and the establishment of a Special Unit of Kosovo Police which will help the SPRK investigate such crimes. Regarding the Law on the State Prosecutor, the amendments provide for the definition of criteria, duties, responsibilities and mandate of the Deputy Chief State Prosecutor, Deputy Chief Prosecutors and the Head of Departments. It is also outlined that a candidate for

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<sup>25</sup> Ministry of Justice. "Draft Law on Amending and Supplementing Law No.06/L-056 on the Prosecutorial Council of Kosovo". February 2022. Available at: <https://konsultimet.rks-gov.net/viewConsult.php?ConsultationID=41322>

<sup>26</sup> European Commission for Democracy through Law (Venice Commission). "Opinion on the Draft Amendments to the Law on the Prosecutorial Council". December 2021. Available at:

[https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2021\)051-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2021)051-e)

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.



the position of prosecutor cannot have an indictment filed. These amendments are still being discussed in the ministry-assigned working groups.

#### Commercial Court

The establishment of the Commercial Court had been initiated by previous administrations but the Kurti II government achieved to adopting it as a law.<sup>31</sup> The establishment of such a court has been applauded by international donors and the business community in Kosovo but has been criticized by Group for Legal and Political Studies. The establishment of the Commercial Court is thought to bring more harm than good.<sup>32</sup> A study published found that some of the main problems faced in Kosovo, such as the lack of specialization, the lack of quality of judgments and the period necessary to solve a case, will not be addressed by establishing a court. Moreover, the establishment of such a court would affect the principle of the uniformity of the law, it would create a detached judiciary and hurt the integrity of the unitary appeals system, and it would mix the jurisdiction between administrative law and commercial law, among other reasons.

### III. Reforms path: slowly but surely

Reforms during this year of governance have focused more on drafting strategy and legislation than in the mobilization with activities that affect the lives of citizens. The entire first year of the government has been spent preparing key strategies such as the Rule of Law Sector Strategy; Strategy for National Development in Public Administration; and other strategic documents.

Most laws approved by the government are at different stages of consideration by the Parliament which are expected to be drafted by the same. This past year has resulted in no tangible results of the promised reforms.

#### a. Public Administration Reform

In the area of Public Administration Reform (PAR) there are several processes that need to be considered. Firstly, for the Law on Organization and Functioning of State Administration (LOFSA)<sup>33</sup>, several elements must be thoroughly considered. This law, in addition to establishing the legal framework for the functioning of the state administration and independent agencies, contains reforms that must be pushed forward, such as the rationalization of independent agencies; as well as the establishment of a mechanism for oversight and accountability for these bodies<sup>34</sup>. Unfortunately, all three of these aspects are unimplemented, to date.

Whereas at the rationalization of agencies, a long-awaited reform,<sup>35</sup> a draft-law has been sent for approval to the Assembly, but due to the dilemmas raised by the MPs regarding its omnibus law structure it has been stopped. Additionally, the first wave of rationalization of these agencies was projected to involve around nine agencies, however, only 4 of them are currently included, which is less than half of the primary goal.

The rationalization of agencies process was foreseen to be completed by the end of 2021. While the Government concludes this year without any rationalized agencies, a draft-law that rationalizes four agencies is still in the approval phase and discussion in the Assembly. The second wave of rationalization, from sixteen-seventeen agencies as it was targeted, was changed to only two agencies to be rationalized, and there is not a clear vision of what will happen or when the rationalization process will take place for the other agencies. This important process

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<sup>31</sup> Assembly of Kosovo. *Law No. 08/L-015 on Commercial Court*. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=53748>

<sup>32</sup> Group for Legal and Political Studies. *More Harm than Good: An analysis of the proposal to establish a Commercial Court in Kosovo*. July 2021. Available at: [http://www.legalpoliticalstudies.org/wp-content/uploads/2021/07/GLPS\\_PolicyAnalysis\\_CommercialCourtinKosovo.pdf](http://www.legalpoliticalstudies.org/wp-content/uploads/2021/07/GLPS_PolicyAnalysis_CommercialCourtinKosovo.pdf)

<sup>33</sup> Law No. 06 / L-113 On The Organization and Functioning of the State Administration and Independent Agencies. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=18684>

<sup>34</sup> Ibid.

<sup>35</sup> For more on this topic, please see: GLPS (2021) "Rationalization of Independent Regulatory Agencies in Kosovo: What Are the Options?". Available at: [https://www.legalpoliticalstudies.org/wp-content/uploads/2021/05/GLPS\\_Rationalization-of-Independent-Agencies-in-Kosovo.pdf](https://www.legalpoliticalstudies.org/wp-content/uploads/2021/05/GLPS_Rationalization-of-Independent-Agencies-in-Kosovo.pdf)

should be concluded between a close cooperation between the executive and legislative, a cooperation which has been absent during this year of governance.

LOFSAIA is not yet being implemented in terms of internal reorganization of state administration institutions. The government restructuring process started in the Government Kurti I and continued with the Government Kurti II. Additionally, the reduction of ministries has not been implemented in practice in terms of restructuring (based on the new structure of Government), and the systematization of civil servants has resulted from the merger of some ministries.<sup>36</sup> No action has been taken to implement the rules outlined by LOFSAIA within the system of monitoring and evaluating the performance of executive and regulatory agencies.

Another fundamental process in the PAR area is the Law on Public Officials which was contested by the Constitutional Court.<sup>37</sup> The Assembly has been authorized to make the necessary changes, but unfortunately, since 2020<sup>38</sup> these changes have not been made yet.

No concrete progress has been seen around the Law on Salaries. Although it is technically in the working phase,<sup>39</sup> the working groups are closed and the foreseeable changes have not been disclosed.<sup>40</sup>

In the PAR area, the process for administrative inspection has been proposed by the Kurti II government.<sup>41</sup> The government has unveiled a draft that has serious flaws.<sup>42</sup> The first flaw is that there is no serious argument as to why this type of mechanism is needed, and why it should exist outside the current oversight system. It is also unclear what the main scope of this initiative is, what are the expected results, and how will the independence of this mechanism be ensured when the same will operate within the Ministry of Internal Affairs. All these elements are open dilemmas that affect the scope of this draft law and have not been sufficiently clarified by the government.

The main recommendation in this important area, from the perspective of the GLPS, is to focus on establishing mechanisms that would directly establish elements of transparency and merit in the civil service. Specifically, in the case of the Law on Public Officials in the process of job classification as it is a process that has been dragging on for years and must be addressed. Likewise, the organization and rationalization of agencies is a process that has no turning back, consequently the government must be committed in this regard. Given all these issues, all efforts should be focused on concrete mechanisms and not constant changes in legislation and strategies.

Internal reorganization and systematization of jobs according to LOFSA and LPO (Law on Public Officials) is an urgent need therefore should be prioritized. Senior management positions and other management positions that are vacant should be filled appropriately.

## **b. Electoral Reform**

Electoral reform during this first year of governance has not been prioritized nor had any concrete progress. The lack of an electoral reform was cited again in the latest European Union

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<sup>36</sup> Evropa e Lire (2019), "Problematic merger of Ministries". Available at: <https://www.evropaelire.org/a/30342728.html>

<sup>37</sup> Kallxo.com (2020) "

Law on Public Officials in the Assembly after December 15". Available at: <https://kallxo.com/lajm/ligji-per-zyrtare-publike-ne-kuvend-pas-15-dhjetorit/>

<sup>38</sup> Kallxo.com (2020) "

Law on Public Officials in the Assembly after December 15". Available at: <https://kallxo.com/lajm/ligji-per-zyrtare-publike-ne-kuvend-pas-15-dhjetorit/>

<sup>39</sup> Radio Free Europe (2022). "Law on Salaries close to draft - far from implementation". Available at:

<https://www.evropaelire.org/a/ligji-pagave-afere-hartimit-larg-zbatimit/31684971.html>

<sup>40</sup> For more on this topic, please read: GLPS (2021) "The new Law on Salaries in Kosovo: what is missing, and what is needed to ensure an equal, efficient and non-discriminatory salary policy". Available at:

<https://www.legalpoliticalstudies.org/the-new-law-on-salaries-in-kosovo-what-is-missing-and-what-is-needed-to-ensure-an-equal-efficient-and-non-discriminatory-salary-policy/>

<sup>41</sup> KOHA (2022) "The government aims to "discipline" the public administration with the new draft law". Available at: <https://www.koha.net/arberi/306489/qeveria-synon-disiplinimin-e-administrates-publike-me-projektligjin-e-ri/>

<sup>42</sup> Public Consultations - DRAFT LAW ON ADMINISTRATIVE INSPECTION. Available at: <https://konsultimet.rks-gov.net/viewConsult.php?ConsultationID=41260>

Country Report as one of the main issues in Kosovo.<sup>43</sup> One of the most essential parts of the reform is the draft Law on the Financing of Political Parties. So far, all political parties have not shown any proactivity in the adoption of this draft law, which implies that they are in unison when it comes to their financial restriction. The draft law has been approved in the first reading by the Assembly for further consideration in the relevant committees.<sup>44</sup> In principle the draft law was approved by the Committee on Budget and Transfers and passed for consideration as well as approval in the parliamentary session. Unfortunately, the draft law in this first year of government has not received the necessary attention to be pushed forward, but is planned to be completed as a finalized process in the third quarter of the government Kurti II.<sup>45</sup>

A positive step in the field of financial transparency of political parties was marked in June this year by the Commission for Public Financial Oversight. After three years this commission "managed" to select the external auditor for the audit of the financial reports of the political parties for three consecutive years as well as of the election campaigns conducted during this period.<sup>46</sup>

The auditor's findings once again exposed the poor financial management of all political parties, without exception, in the country and highlighted the need for improvements. The list of findings and violations is extensive but essential to mention.<sup>47</sup>

Political parties, without exception, during these years have not maintained appropriate records of financial transactions and financial statements that are in line with applicable accounting standards in Kosovo. Contrary to legal provisions within the country, the parties have not practiced the necessary tendering procedures that enable efficient spending of funds with cost-effectiveness and increased transparency. Internal financial control, which is outlined in the current law on financing of political parties, is not practiced by the parties although most of them have it defined in their party statute.

To conclude, the Kurti II government, in this period of governance has not shown any initiative for electoral reforms, although it was promised in the election campaign and has been urgently requested by the public, international actors, and other relevant parties.

### **c. Order and Chaos: Foreign Policy Under Gervalla's lead**

Kosovo's foreign policy during this year can be defined by two words, order and chaos. Order that is seen in initiatives and efforts to establish structure through the reformatting of political ambassadors in some key foreign service countries as well as through initiatives to change primary and secondary legislation. Contrastingly through these attempts to establish order, a kind of chaos has been created in all these initiated processes.

In a decision in May 2021, Minister Donika Gervalla Schwarz, dismissed twelve ambassadors.<sup>48</sup> This decision, although aimed to ensure the most qualified individuals filled these positions, created vacuum where the positions stayed vacant for 6 months.<sup>49</sup> The new ambassadors were appointed only in October 2021. Removing ambassadors before evaluating their work or without an immediate plan to replace them was a rushed and damaging diplomatic move. This situation occurred at a time when Serbia was announcing to withdraw recognition and threatening to step up efforts if Kosovo returned to initiatives to increase recognition and membership in international organizations.

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<sup>43</sup> Kosovo Report 2021. Available at: [https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021\\_en](https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021_en)

<sup>44</sup> Assembly Session, 16 Mart 2022. Available at: <https://www.kuvendikosoves.org/shq/seancat/seancat/>

<sup>45</sup> Government of Kosovo (2021) "Strategic and Operational Plans of the Government of Kosovo"

Available at: <https://kryeministri.rks-gov.net/wp-content/uploads/2021/07/Plani-Strategjik-dhe-Operacional.pdf>

<sup>46</sup> Lajmi.net (2021), "Audit of financial reports of political parties: lack of transparency and accountability". Available at: <https://lajmi.net/auditimi-i-raporteve-financiare-te-partive-politike-mungesa-e-transparences-dhe-llogaridhenies/>

<sup>47</sup> Central Election Commission (2021). "Audited Reports". Available at: <https://web1.kqz-ks.org/sherbime-per-subjektet-politike/raportet-vjetore-financiare-te-audituar/>

<sup>48</sup> KOHA (2021), "Politically appointed ambassadors fired today". Available at:

<https://www.koha.net/arberi/271737/shkarkohen-te-gjithe-ambasadoret-e-emeluar-politikisht/>

<sup>49</sup> <https://www.koha.net/arberi/280462/zvarritet-emerimi-i-ambasadoreve-te-rinj-asnje-emer-ne-kuvend/>

Kurti II government promised a profound reform of the foreign service in terms of legislation that would help make the service as efficient as possible.<sup>50</sup> The new draft law on the Ministry of Foreign Affairs and Foreign Service (MFAFS) has not yet been presented and it has not yet been announced what the composition of the working group is. In this period, legislation for the regulation for changing the structure of the Ministry of Interior was also introduced, resulting in the removal of the position of the general director.

In general, foreign policy during this recent period was more reactive than proactive. Almost all the steps initiated by this institution have been a reaction to current events, as seen in the NATO membership initiative.<sup>51</sup> There was a lack of a proactive strategy through which all the steps would be followed and there would be a strategic plan through which this important ministry would function, throughout the year, fulfilling the promises, such as the reform of the foreign service, the draft law on MFA and Foreign Service, applications for accession in international organizations, and lobbying for new state recognitions. These elements in this period of governance were absent and lacked transparency and solid results.

#### **d. Kosovo's membership into International Organizations and the attempt to join NATO**

After declaring its independence on February 17th, 2008 Kosovo joined various several international, regional, and intra-governmental organizations. Some of those included the International Monetary Fund (IMF), the World Bank, the World's Customs Organization, the European Bank for Reconstruction and Development, the Council of Europe Venice Commission, and the Regional Cooperation Council. However, Kosovo's path towards accession to international organizations has had its obstacles and disappointments. The failure, for instance, to enter the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 2015 exposed many flaws in Kosovo's foreign policy.

Former Kosovo's Prime Minister Hoti and Serbia's President Vucic signed and submitted to the then US President Trump a document titled 'Economic Normalization', better known as the 'Washington Agreement.' They agreed on a one-year moratorium that ended on the 4<sup>th</sup> of September 2021 and suspended Kosovo's application for membership in international organizations. On its side Serbia committed to disengage its de-recognition campaign for the same time-frame.<sup>52</sup>

The moratorium has since expired, and no application has been prepared nor submitted to any international or regional organization. In the government program it is stated that "membership into international organizations and the cultivation of good neighborly relations are of special importance for the Republic of Kosovo,"<sup>53</sup> yet to date, no strategy has been presented or discussed in relation to this. As observed, during this first year of government, no results have been achieved towards membership in multilateral organizations and other specialized mechanisms. This is a major shortcoming as the moratorium had a clear deadline and Kosovo's government had the time to prepare applications and strategy for membership into international organizations. This becomes more relevant when considering the difficulties Kosovo faces in the international arena. Thus, Kosovo should seek acceptance into international organizations (IOs) and cautiously apply only where prospects of success are in place. Doing so will inevitably enhance multilateral cooperation while providing the space for professional assistance and expertise, and it will further boost recognition of Kosovo's statehood internationally.

Following the Ukraine crises which erupted in February 2022, Kosovo's raised its stakes for membership into North Atlantic Treaty Organization- NATO. Membership in this organization is considered of paramount importance for security and stability of Kosovo. However, four of the

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<sup>50</sup> See Operational and Strategic Plan 2021-2025, PM Office. Available at: <https://kryeministri.rks-gov.net/wp-content/uploads/2021/07/Plani-Strategjik-dhe-Operacional.pdf>

<sup>51</sup> Klan Kosova (2022), "NATO membership a priority". Available at: <https://www.facebook.com/watch/?v=1123862495120990>

<sup>52</sup> Robert Muharremi. The 'Washington Agreement' Between Kosovo and Serbia, Volume: 25 Issue: 4, 12 March 2021 [online]. Available at: <https://asil.org/insights/volume/25/issue/4/washington-agreement-between-kosovo-and-serbia>

<sup>53</sup> Office of the Prime Minister of Kosovo (2021). Available at: <https://kryeministri-ks.net/wpcontent/uploads/2021/05/Programi-i-Qeverise-se-Kosoves-2021-2025.pdf>

thirty member-states of NATO do not recognize Kosovo's independence.<sup>54</sup> Nevertheless, Kosovo's government has decided to establish an inter-institutional working group for Kosovo's membership in NATO.<sup>55</sup> The group is composed of the Minister of Foreign Affairs, Minister of Internal Affairs and the Minister of Justice. Despite the establishment of the working group, the response to the application remains unclear from the states within NATO that do not recognize Kosovo. To date however, no strategy has been presented to address this matter. The membership in NATO must be sought and consistent work should be done for this to be achieved. The desire for membership without a strategy or clear plan could further hamper the position of Kosovo in the international arena.

#### e. Dialogue with Serbia: Same Table, Different Goals?

The EU-led Dialogue on the normalization of relations between Kosovo and Serbia has experienced its ebbs and flows since the beginning. The political landscape of Kosovo has often been guided by the Dialogue process and its dynamics. Prime Minister Albin Kurti declared, after his victory in the elections, that the Dialogue is not his government's priority, despite the requests of international allies, such as the EU and the U.S., for resumption of the talks. Despite his previous statements, there was a noticeable shift of the Government's priorities with the Dialogue climbing to the top of the agenda.

In this first year in governance PM Kurti held two high level meetings with President Aleksander Vucic of Serbia. Several other meetings on the technical level have been held with mild evidence of progress. On the 15th of June 2021, Kurti and Vucic met face to face for the first time under the Dialogue's format on the normalization of relations facilitated by the European Union.<sup>56</sup> The first meeting clearly revealed that both parties have opposing views about a final solution over the Dialogue. After the meeting, the Serbian President said he agreed with Kurti on absolutely nothing.<sup>57</sup> Kurti's approach in the first meeting represented a change from previous counterparts. Apart from the request for recognition by Serbia, Prime Minister Kurti made four proposals: Free Trade Agreement for Southeast Europe (SEFTA); the signing of a peace declaration between Kosovo and Serbia after the NATO summit; the request for Veljko Odalović, (one of the people who led the occupation of Kosovo) to leave the Serbian Commission for missing persons; the establishment of a National Council for Serbs, as in Serbia for Albanians.<sup>58</sup> However, no consensus was reached on Kurti's proposals or on the agenda of the Dialogue. The second meeting, which took place on 15<sup>th</sup> of July 2021, was reported as "tense" because both parties agreed on nothing and both leaders blamed each other for being obstructive.<sup>59</sup>

Examining the Dialogue, it is evident that no substantial consensus concerning main issues has been reached by both countries. The primary achievement during this period was the agreement on license plates. The deal was achieved after the government decision to establish reciprocity for license plates which was followed by protests and the erection of barricades near the two border crossings that connect Kosovo with Serbia. On September 30, with mediation from the European Union, the parties reached an interim settlement and on October 4, 2021, both countries began affixing stickers of state symbols on license plates.<sup>60</sup> Lajcak, the EU representative, said that a high-level meeting should occur before the end of 2021, but that did

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<sup>54</sup> "Member Countries" NATO (2022) Available at: <https://www.nato.int/nato-welcome/index.html>

<sup>55</sup> "Kosovo establishes a working group for NATO membership" Radio Free Europe(2022), Available at: <https://www.evropaelire.org/a/kosova-nato-grupi-punues/31744430.html>

<sup>56</sup> "Belgrade-Prishtina Dialogue: Press Statement by EU Special Representative Miroslav Lajčák following the meeting" EEAS (2021). Available at: <https://eeas.europa.eu/headquarters/headquartershomepage/100074/belgrade-pristina-dialogue-press-statement-eu-special-representative-miroslav-lajcak-en> [Accessed 10 March 2022].

<sup>57</sup> Top Channel (2022). "Kurti – Vucic meeting ends/Serbian President: They came to agree on nothing" Available at: <https://topchannel.tv/2021/06/15/perfundon-takimi-kurti-vucic-presidenti-serb-ata-erdhen-qe-te-merren-vesh-perasgje/> [Accessed 16 March 2022].

<sup>58</sup> Ibid.

<sup>59</sup> DW (2021) "The second Kurti-Vucic meeting ended with insults" Available at: <https://www.dw.com/sq/takimi-i-dyt%C3%AB-kurti-vu%C3%A7iq-p%C3%ABfundoi-me-ofendime/a-58320923> [Accessed 16 March 2022]

<sup>60</sup>Radio Free Europe(2022)EU: The working group for license plates meets on Thursday <https://www.evropaelire.org/a/grupi-punues-targat-kosove-serbi-/31520641.html>

not happen. There has been no progress in the discourse between Kosovo and Serbia around the issues of mutual recognition the implementation of association of Serbian municipalities, war crimes, and war reparations.

Although the slow progress of the Dialogue is not ideal, it is to be welcomed that the government of Kosovo has pushed the principle of reciprocity into the dialogue with Serbia as it meets the precedent of relations between independent and sovereign states. Kosovo's increased caution in engaging in dialogue can be viewed positively, because Kosovo's haste in the past has compromised many agreements to the integration of Serbs in the institutions of Kosovo. Given the current situation, it is necessary to move from negotiating agreements for technical matters to a chapter of the final agreement. The introduction to such a chapter is the framework of the dialogue process in a direction that brings mutual recognition.

Additionally, the recently elected Government is responsible to reach a consensus on the matter to people across the entire political spectrum due to two reasons; firstly, the Dialogue is a state duty and not solely an issue of the Government and secondly, despite the power of the new Government in the Assembly of the Republic of Kosovo, it must insist on cross-party cooperation by providing the necessary infrastructure for substantial involvement of the parliamentary opposition in the Dialogue process. This should be done for two reasons: first, because the Dialogue is not a common political issue, but it is decisive to the future of Kosovo and the consolidation of its own statehood. Throughout the Dialogue the country may face difficult topics and demands for compromises on a consensual political response. Second, it should serve as a lesson learned from a disrupted representation in the Dialogue in the past, paving the way to worse scenarios likely to undermine the statehood of Kosovo.<sup>61</sup> In addition to a domestic consensus, the way forward requires transatlantic cooperation.<sup>62</sup> A proactive approach by involving the EU and the U.S. is needed to reach a final agreement in the process. The institutional capacities and the political stability could, in principle, secure a sustainable continuation of the talks.

#### IV. EUROPEAN INTEGRATION PROCESS: HIGH STAKES, LITTLE RESULTS

Currently Kosovo ranks last amongst WB countries in terms of European integration. It holds the status of a potential candidate, alongside Bosnia and Herzegovina, and is the country with the poorest progress overall towards accession.<sup>63</sup> The keystone for Kosovo to achieve accession remains the SAA signed in 2015 and entered into force in 2016.<sup>64</sup>

The National Plan for Implementation of the Stabilization Agreement (NIPSAA) is the main national policy and planning document for the implementation of all reforms for the adoption of the entire EU acquis in the national legislation. It is implemented in addition to the second phase of the European Reform Agenda (ERA II), documents how EU integration pertains to political priorities and reforms. Overall, progress in fulfilling obligations deriving from NPISAA have not been very satisfactory. The results suggest that in 2021, compared to previous years, there is a slight increase, with around **50%** fulfillment rate. Monitoring the implementation of the SAA and the process of integration of Kosovo in the EU shows that the pillar of this journey is the institutional capacity in drafting and implementing legislation and measures arising from the contractual relationship between the EU and the Republic of Kosovo. Despite the expressed political will and attitudes in line with EU policies are not enough without more pronounced

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<sup>61</sup> "Pitfalls of the dialogue with Serbia. Why Kosovo needs a new negotiation strategy?" GLPS (2021). Available at: [http://www.legalpoliticalstudies.org/wp-content/uploads/2021/05/GLPS\\_PolicyNotes\\_AF.pdf](http://www.legalpoliticalstudies.org/wp-content/uploads/2021/05/GLPS_PolicyNotes_AF.pdf) [Accessed 10 March 2022]

<sup>62</sup> "International Competition and Geopolitical Stakes in the framework of the resumption of the Kosovo-Serbia Dialogue" GLPS (2020) Available at: [http://www.legalpoliticalstudies.org/wpcontent/uploads/2020/09/GLPS\\_PolicyReport\\_0120\\_DialoguewithSerbia.pdf](http://www.legalpoliticalstudies.org/wpcontent/uploads/2020/09/GLPS_PolicyReport_0120_DialoguewithSerbia.pdf) [Accessed 28 February 2022]

<sup>63</sup> European Commission, "2020 Communication on EU enlargement policy," COM(2020) 660 final, October 6, 2020.

<sup>64</sup> European Commission, "Stabilisation and Association Agreement (SAA) between the European Union and Kosovo signed," April 1, 2016

dynamics of other state mechanisms. Consequently, more effective forms of institutional interaction at the level of public administration and prioritization of measures stemming from the NPISAA should be built in order for Kosovo to accelerate progress towards the conclusion of the Stabilization and Association Agreement.

Among other, Kosovo declared that by the end of 2022 it will submit a formal application for membership in the European Union.<sup>65</sup> Considering the stalemate with enlargement in the Western Balkans, adding to that 5 non recognizing EU states, the chances to acquire candidate status seem minimal. However, it is important at this stage that Kosovo's government gains the support of EU member states whom recognize and assist Kosovo's path towards the EU. Overall, it remains crucial for Kosovo's institutions to explore the possibilities offered by the SAA for failing to could undermine Kosovo's path to EU citizenship. Therefore, the country needs to take concrete steps to offer short, mid and long-term policy solutions in crosscutting sectors. Alignment with and commitment to the EU policies as well as the implementation of the required measures should be prioritized by the current Government. The progress in all sectors is imperative for accelerating Kosovo's status in the EU. Hence major reforms are needed and substantial in paving this way

## V. COVID-19 MANAGEMENT: FROM DESPAIR TO HOPE

Kosovo was not immune from the COVID-19 outburst and has been harshly challenged by the COVID-19's crisis management. The first months of Kurti government were accompanied with high infection rates and critical situations at Kosovo's hospitals.<sup>66</sup> The situation worsened as Kosovo became the last country in the Western Balkans to obtain vaccines against Covid-19. It should be noted that in the first four months' vaccine insurance and administration was at a low level. Given the critical situation with COVID-19, the vaccination process started on April 8th and the first beneficiaries were citizens 85 years old and upward, as well as those with chronic diseases. Kurti's Government in the first months of governance failed to provide mass testing for the wider population. Distributing tests across Kosovo, including rural areas, should have immediately been undertaken by the Government. In addition, the bureaucratic procedures to be tested for COVID 19 rendered the overall process uneven.

Furthermore, COVID-19 management was accompanied with restrictive measures around free movement, operation of restaurants, shopping centers and sport facilities. Throughout a year, adaptation of measures occurred primarily based on the infection rates. In addition to the measures taken, the Ministry of Health launched the mass vaccination process across the country in mid-June 2021.<sup>67</sup> In order to ensure a smooth process in cooperation with the municipalities, the MoH created new vaccination facilities; increased human capacity by establishing 279 vaccination teams nationwide; and set up the necessary distribution infrastructure. Hence, as of the 15th of June 2021, 100.00 citizens have been vaccinated.<sup>68</sup> Despite the increase of administered vaccines starting in June, the infection rates and deaths spiked up during the months of July and August 2021. The decision to ease almost all the safety measures and restrictions for the sake of economic benefits, negatively impacted the public health. The new waves of infections served as evidence, especially during August when death counts went up to 35 per day.<sup>69</sup> Given this situation, as of August, the Government decided to

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<sup>65</sup> <https://www.koha.net/arberi/314464/kurti-skemi-date-kur-do-te-aplikojme-per-statusin-e-vendit-kandidat-ne-be/>

<sup>66</sup> "There are no free beds in Infectious Diseases, new measures are required", Kallxo.com (2021). Available at: <https://kallxo.com/lajm/nuk-ka-shtreter-te-lire-ne-infektive-kerkohen-masa-te-reja/> [Accessed 25 February 2022].

<sup>67</sup> Ministry of Health (2021) "Mass vaccination against Covid-19 begins" available at: <https://msh.rks-gov.net/sq/fillon-vaksinimi-ne-mase-kunder-covid-19/> [Accessed 17 March 2022].

<sup>68</sup> "Kosovo: Over 152 thousand people immunized against COVID-19", Albanian Post (2021), Available at: <https://albanianpost.com/kosove-mpi-152-mije-persona-te-imunizuar-kunder-covid-19/>

<sup>69</sup> "Kosovo: Wave of infections, emergency services in hospitals are interrupted", DW (2021), Available at: <https://www.dw.com/sq/kosov%C3%AB-val%C3%AB-infektimesh-nd%C3%ABrpriten-sh%C3%ABrbime-iourgjente-n%C3%AB-spitale/a-58965345>

dramatically reduce almost all public activities and suspended gatherings, such as at nightclubs and family parties.<sup>70</sup> Due to severe situation with COVID- 19, the University Clinical Hospital Service of Kosovo suspended certain non-urgent hospital services in the surgical wards, where the interventions are performed. This scenario reinforces the ultimate necessity for more planning and investment in the health-care sector. Hence, no strategy has been presented by the Government about the ‘brain drain’ of the health-care personnel. COVID-19 has shed light on the need for strategic planning in multifold dimensions with a view for upgrading the overall health-care system.

Despite the ebbs and flows of crisis management in the first months in power, the Kurti Government made a significant progress with vaccination distribution nationwide. Vaccination campaigns and large number of vaccines administered marked a turn on managing the pandemic outbreak. The number of vaccines provided were sufficient to counter the spread of COVID-19. The government of Kosovo secured 1.2 million Pfizer vaccines and received 500 thousand vaccines as a donation from the United States of America. By November, 2021, 1.3 million vaccines had been administered by the MoH.

The year 2021 ended with 44% of the population being fully vaccinated with two doses and 5.8% partly vaccinated with a single dose<sup>71</sup> which was short of the Government projection that 60% of the population would be fully vaccinated by the end of the 2021. Despite not achieving this milestone, the percentage of the population that is vaccinated is significant considering that Kosovo was the last country in the Western Balkans to start the immunization process. Additionally, there have been obstacles with the immunization of the citizens under 18 years old, further impacting the overall percentage of population vaccinated. Hence, an immunization plan in mass has been launched in high schools and primary schools nationwide.

By March 2022, the total number of administered vaccines in Kosovo was 1,816,955, with 900,687 people or 50.5% of population being partially vaccinated, while 818,194 people or 45.91% of the population have fully completed the vaccination.<sup>72</sup>

During the first year of governance the MoH had two ministers. The initial minister, Mr. Arben Vitia ran and won the position of mayor of Pristina, so Mr. Rifat Latifi replaced him as the new Minister of Health. He is a well-known surgeon who has been working in the United States for years. The new minister declared that he will stop the brain drain in the health system, and will work to provide overall better health services to the citizens.<sup>73</sup> However, during this year despite the COVID-19 management, the government lacked cross cutting reforms in the health system. And no major reform has been presented nor implemented.

Overall, Kurti's II Government should focus on reforming the healthcare system. It is essential to properly amend the 2014 Law on Health Insurance, finalize the Health Insurance Fund's draft with all relevant services, and provide health insurance to the citizens of Kosovo by 2022. Additionally, continuous investment in health-care capacities by further decentralizing medical services is needed. It is crucial for the Government to modernize health-care services and make the health information system operational in the long-term. It should assess current capacities and provide the budgetary means to ensure constant improvement of healthcare services, whether through innovative medical equipment or even digitalization, wherever possible. Accession to the World Health Organization (WHO) is of paramount importance. Evidently, the COVID-19's management should remain the highest priority for the Government. Targeted planning and concrete actions shall be undertaken accordingly in the health system for the upcoming months and years.

## VI. LEGISLATIVE FAILURE

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<sup>70</sup> Ibid.

<sup>71</sup> “Corona Virus (Covid-19) Vaccinations” Our World in Data (2022), Available at: <https://ourworldindata.org/covid-vaccinations>

<sup>72</sup> “Live vaccinations: Kosovo” Covidax (2022), Available at: [https://covidvax.live/location/owid\\_kos](https://covidvax.live/location/owid_kos)

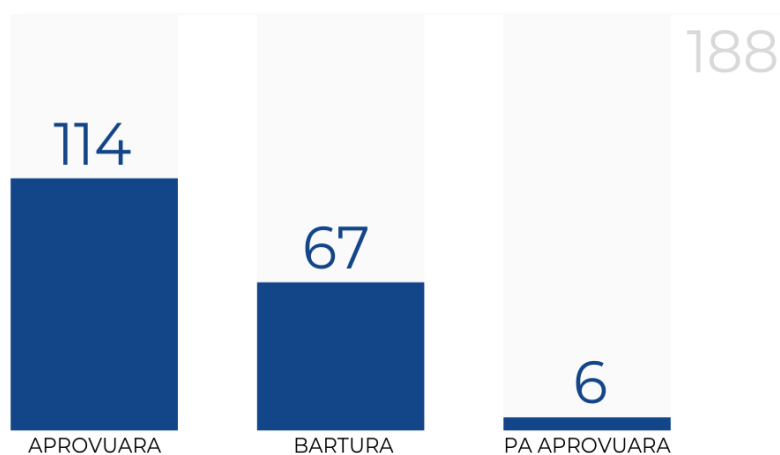
<sup>73</sup> “New Minister of Health, Latifi: We will stop the brain from leaving the country” (2021), Available at: <https://www.koha.net/arberi/297169/rifat-latifi-nbsp-emerohet-minister-i-shendetesise/>



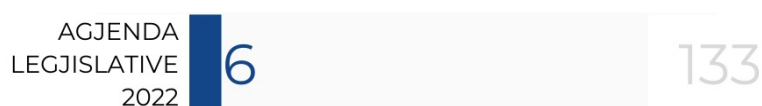
In May 2021 the Government approved the legislative agenda for 2021 with projected coverage of 193 draft laws. However, the legislative plan was subject to frequent changes that occurred during June, and August through October until the last changes in November 2021, which altered the agenda from 193 draft laws to 188.

The Legislative Agenda was assessed as highly ambitious and unrealistic, compared to the legislative agendas of previous years and considering the delay in its adoption as well as the dynamics of drafting and procedures.<sup>74</sup>

The fulfillment of the legislative agenda of 2021 results was 60.6%. The rest of the draft laws remaining from the agenda of 2021 have been transferred to the 2022 legislative agenda.

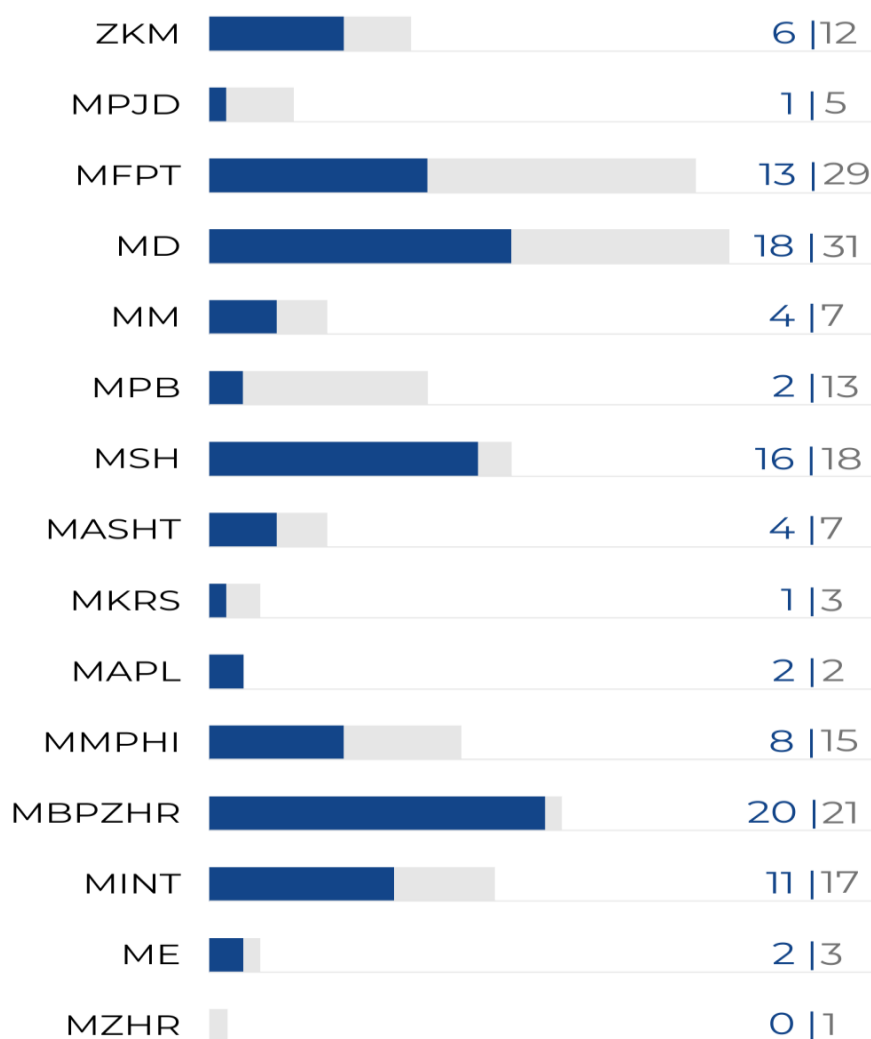


The draft laws transferred from the Legislative Agenda of 2021 to the Legislative Agenda of 2022 constitute 50% of the projected draft laws to be approved in 2022. Of the 6 draft laws approved since the adoption of the Legislative Agenda 2022 from January to date, all are from the draft laws that were rolled over from the 2021 agenda.



The table below presents the performance of the Ministries in relation to their responsibilities towards the legislative agenda of 2021.

<sup>74</sup> GLPS (2021), "Promises and realities of the (100) bygone days: An Assessment of Kurti II Government". Available at: [https://www.legalpoliticalstudies.org/wp-content/uploads/2021/07/GLPS\\_PolicyAnalysis\\_100DaysofKurti2.pdf](https://www.legalpoliticalstudies.org/wp-content/uploads/2021/07/GLPS_PolicyAnalysis_100DaysofKurti2.pdf)



## VII. CONCLUDING REMARKS

The first year of the Kurti II government has been characterized by initiating reforms concerning rule of law, public administration, and economy. Within the rule of law two main processes that were promised have begun: the vetting process and the Law on Confiscation of Unjustifiable Assets during this period of time. Initial steps have been launched to revive these processes with the first legal document being presented to the Assembly. Economic recovery was influenced by the economic consequences of COVID-19. Several steps have been taken to mediate the impact of the pandemic such as the implementation of the new recovery program which supports businesses and households, and provides post-partum support, among others. During this period Kosovo has performed well in terms of macroeconomic figures.

As far as foreign affairs are concerned no development has been seen concerning new recognitions, membership to the International Organizations, or smoothing the relations with the five non-recognizing nations. Importantly, no strategy has been presented to address these issues. The Dialogue with Serbia has faced more obstacles than successes, however, the Kurti II government has been proactive in the process by presenting options on the table of negotiations, and has imposed the principle of reciprocity on the issue of license plates.

During this period COVID-19 management has been one of the most delicate issues especially in securing the vaccines for the citizens. For a certain period of time Kosovo faced obstacles in securing the vaccines but now progress has been witnessed on the second part of the year. Lastly, the legislative agenda was highly ambitious which in turn was accompanied by the slow implementation of draft laws and laws.

Needless to say, the Kurti II government has a significant way ahead to achieve long-awaited reforms and transformative changes, as to directly affect the lives of Kosovar citizens.

## **Policy Analysis**

Policy Analysis in general is a policy advice paper which particularly aims to influence the key means through which policy decisions are made in both local and central levels of government. The purpose of Policy Analysis is to address, more in-depth, a particular problem, to examine the arguments related to a concerned policy, and to analyze the implementation of the policy. Through Policy Analysis, Group for Legal and Political studies seeks to stimulate wider comprehensive debate on the given issue via presenting informed policy-relevant choices and recommendations to the key stakeholders and parties of interest.



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