

STRIKING A BALANCE: HUMAN RIGHTS V. COMBATING COVID-19 IN KOSOVO



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**STRIKING A BALANCE: HUMAN RIGHTS V.
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ABBREVIATIONS AND ACRONYMS

- **CEDAW** – Convention on the Elimination of All Forms of Discrimination Against Women
- **CoE** – Council of Europe
- **ECHR** – European Convention on Human Rights
- **ECtHR** – European Court of Human Rights
- **FCPNM** – Council of Europe Framework Convention for the Protection of National Minorities
- **GoK** – Government of Kosovo
- **ICCPR** – International Covenant on Civil and Political Rights
- **IPA** – Information and Privacy Agency
- **LAPD** – Law on Access to Public Documents
- **LDK** – Kosovo Democratic League
- **LGE** – Law on Gender Equality
- **LPFD** – Law on Protection from Discrimination
- **NGO** – non-governmental organisation
- **NIPHK** - National Institute for Public Health of Kosovo
- **OHCHR** – Office of the United Nations High Commissioner for Human Rights
- **PDK** – Kosovo Democratic Party
- **RTK** – Radio Television of Kosovo
- **SPO** - Specialist Prosecutor’s Office
- **UNICEF** – United Nations International Children’s Emergency Fund
- **USAID** - United States Agency for International Development
- **VV** – Vetëvendosje

1. INTRODUCTION



The first Covid-19 cases in Kosovo were confirmed on March 13, 2020, more than two months after the novel coronavirus had surfaced in Wuhan, China. Over the year, during which more than 1,000 people in the country died from the virus and thousands more got infected, a series of measures were introduced by the government and legislation was approved in the parliament to combat the pandemic. The situation grew more uncertain as quarrels between the country's political leaders brought down a 52-day-long government at the beginning of the pandemic, while lockdown measures brought the economy to a standstill.

Amidst an unprecedented, manifold crisis, human rights took blows from different sides. This report does not offer a full-fledged coverage, analysis or interpretation of all the human rights challenges that occurred during the past year. Instead, it narrows down to two main currents through which it (1) aims to identify whether Kosovo's response to the pandemic discriminated against any groups, particularly those who have already been in a vulnerable position and (2) summarises violations of the right to freedom of movement and peaceful assembly, right to information, and right to education through illustrative examples.

2. METHODOLOGY

Combating a global pandemic requires striking a balance between public's health through adequate measures and other human rights that might be at stake while implementing them. The following report, which analyses the extent to which this balance could be maintained throughout the year, is divided into three parts.

2020 was a year characterised by abrupt political developments. As such, analysing these developments was crucial in order to contextualise and gain a better understanding of the level that the two consecutive governments paid attention to prioritising the pandemic response over issues that were not as urgent.

In the first part, which outlines the main political developments throughout the year, the primary sources analysed, in order to chronologically and accurately summarise these events, were the government decisions available on the official webpage of the Prime Minister of Kosovo, press releases, and social media posts of the relevant institutions such as the National Institute of Public Health of Kosovo (NIPHK) and the Ministry of Health. News reports from various media outlets in Kosovo and civil society reports were consulted as secondary sources.

The second part comprises a legal analysis identifying the legal framework relevant to the developments throughout the year. A close reading was undertaken of the constitutional provisions regulating human rights law in Kosovo. The constitutional analysis was followed by the identification of other local laws and provisions that recognise and regulate minority rights, state's positive obligation to ensure gender equality and the right to information. Lastly, responses and positions of European and international human rights mechanisms on human rights and rule of law during the pandemic were tracked, identified and summarised. Summarising these rights and the government's response, the report explores the position of individu-

als with intersecting vulnerabilities such as gender, ethnicity, economic and social status.

The last part scrutinises the direct effects of Kosovo's governmental response to the Covid-19 pandemic. In order to provide adequate analysis, this portion of the research consists of monitoring and reviewing media reports, reports compiled by civil society organisations and scholarly reports concerned with human rights violations during the pandemic in Kosovo.

3. POLITICAL CONTEXT

2020 found Kosovo in a political uncertainty following the 2019 election results. The Movement of Self-Determination (VV) won the elections with 26.27% of the votes, followed by Kosovo Democratic League (LDK) with 24.54% of the votes.¹ The long-running coalition discussions of the two were finalised in February with a VV-LDK government being voted by the Assembly.

During this period, Kosovar politics grabbed the attention of the international community, especially of the U.S., whose Special Presidential Envoy for Kosovo and Serbia Peace Negotiations, Richard Grenell, got closely involved. He vocally opposed the 100% tariff imposed on Serbian imports by the preceding Kosovo Prime Minister Ramush Haradinaj, which the newly elected PM Albin Kurti had announced his government would withdraw in order to enact reciprocity measures. However, the U.S. administration insisted that it should be lifted unconditionally, considering both the tariff and reciprocity measures a barrier to Prishtina - Belgrade relations and dialogue.²

Remote to the local developments in Kosovo, the Covid-19 virus had emerged in China and started spreading across the world. Initially, when cases of the coronavirus had yet to be confirmed in Kosovo, the newly-elected government did not impose any radical measures such as a lockdown. NIPHK started checking body temperature and symptoms of individuals upon their arrival to Kosovo through air and land travel and received the first 650 test kits.³ The situation twisted in favour of the coronavirus on March 13, when the first two cases were confirmed.⁴

As the number of individuals infected with Covid-19 started increasing, so did the measures that were introduced. First, the government issued a decision that interrupted the education process, temporarily suspended air travel from high-risk countries, imposed a curfew after 23:00h on bars, restaurants, clubs, gyms and pools, imposed a quarantine to those who enter Kosovo, and allowed the organisation of public events only without an audience.⁵ Municipalities were quarantined,⁶ inter-urban transport was terminated and all shops except for essential ones were closed for a number of weeks.

While the Ministry of Health and other institutions were making efforts to flatten the coronavirus curve, cracks in the governing coalition and the polarisation between PM Kurti and President Hashim Thaçi came to the surface.

On March 17, when there were 20 confirmed Covid-19 cases in the country, Thaçi convened the National Security Council to propose a declaration of a state of emergency, which would place considerable power in his hands as president.⁷ Kurti reacted to the president's initiative as "unreasonable, illogical, unnecessary and useless,"⁸ while the Defense Minister Agim Veliu from LDK indicated on a live TV interview that he was in favour of a state of emergency.⁹

The existing public perception of the VV-LDK coalition as a fragile one was strengthened further when Kurti dismissed Veliu with the argument that he had spread unnecessary panic with this statement in the TV interview, and that his stance had not been in line with official discussions of the government.¹⁰

1 Central Election Commission, [Zgjedhjet për Kuvendin e Kosovës: Rezultatet Përfundimtare](#) (Kosovo Parliamentary Elections: Final Results)

2 Radio Free Europe, [Grenell takohet me Kurtin dhe Mustafën](#) (Grenell meets with Kurti and Mustafa)

3 NIPHK, [Në IKPSHKP është mbajtur takim në lidhje me koronavirusin](#) (NIPHK held a meeting on the coronavirus)

4 Kosovo 2.0, [Two Cases of Covid-19 confirmed in Kosovo](#)

5 Government Decision No. 01/07, 11 March 2020

6 Government Decisions No. 01/09, 13 March 2020 and No. 01/10, 14 March 2020

7 Radio Free Europe, [Thaçi mbledh Këshillin e Sigurimit, propozon gjendje të jashtëzakonshme](#) (Thaçi convenes Security Council, proposes state of emergency)

8 Prime Minister's Office, [Prime Minister Albin Kurti: Declaring State of Emergency is Illogical, Unnecessary and Useless](#)

9 Klan Kosova, [Agim Veliu's statement regarding the declaration of the state of emergency](#)

10 Prishtina Insight, [Kurti Sacks Minister of Internal Affairs Agim Veliu](#)

While citizens had to face direct and indirect repercussions of the pandemic, they had to additionally face the political chaos, on the other hand. Conventional means of protests were unfeasible due to the newly-imposed restrictions on movement and assembly, however, citizens found alternative ways of expressing dissent. They organised daily balcony protests, banging pots and pans, calling on leaders to mobilise and unite to fight the Covid-19 pandemic and to leave political divisions aside.¹¹

LDK initiated a motion of no-confidence regardless of the public backlash, calls from the international community and objections from some of the most influential figures within the party. The international community was particularly vocal in their opposition of it; the QUINT ambassadors issued a demarche calling political leaders to focus on the pandemic over politics.¹² Nonetheless, many have been suspicious of the Trump administration's involvement and continuous pressure in the whole process.

The months following Kurti government's dismissal brought numerous uncertainties. It was unknown whether there would be a technical government set until a new one elected, or if LDK — which came second in the elections — would be able to form a new coalition, hence a new government without opting for new elections. President Thaçi was highly involved in this process by calling meetings with all political parties to discuss a potential solution to the situation.

The period from the fall of the Kurti government on March 25 up to the formation of

the new one on June 3 was accompanied by strict coronavirus measures. Individuals who arrived from other countries had to quarantine in a designated quarantine centre in the capital of Prishtina. Starting from mid-April, citizens could go outdoors only for ninety minutes during an allocated time slot based on the penultimate digit of one's personal ID number.¹³

Meanwhile, President Thaçi told the public in a conference that the acting government's decision to restrict the movement of citizens in time slots was "dangerous" and called for the police and security forces "to not respect this unconstitutional government decision."¹⁴ VV's deputies requested a constitutional review of Thaçi's call not to comply with the rules imposed by the government, based on Article 4.3 of the Constitution which states that "the president represents the unity of the people." The Constitutional Court later dropped the case, maintaining that the Court can halt proceedings if the President has resigned or has terminated his mandate pursuant to Rule 75.5 of the Rules of Procedure of the Court.¹⁵

The new government, headed by LDK's Abdullah Hoti, was voted in at the beginning of June. It took power when the majority of anti-Covid restrictions set by the previous government were phasing out gradually in the weeks leading up to the parliament vote. That month saw an increase in confirmed Covid-19 cases¹⁶ as the measures relaxed and daily life began to resemble normalcy.

On June 12, VV organised a public gathering where thousands of citizens participated, party

11 Klan Kosova, [Qytetarët do të protestojnë edhe sonte me tenxhere në ballkone për situatën politike](#) (Citizens will protest tonight as well with pots on balconies about the political situation).

12 U.S. Embassy in Kosovo, [Statement by the Embassies of France, Germany, Italy, United Kingdom, and the United States](#)

13 Kallxo.com, [Orari për qarkullim të qytetarëve në bazë të numrit të parafundit personal](#) (Circulation of citizens based on penultimate personal number)

14 Kallxo.com, [Thaçi: Policia dhe organet e sigurisë nuk duhet ta zbatojnë vendimin e Qeverisë Kurti](#), (Thaçi: The police and security bodies should not implement the decision of the Kurti Government)

15 Constitutional Court [Decision on Case No. K056/20](#)

16 Radio Free Europe, [Rritet numri i të infektuarve me koronavirus](#) (The number of people infected with coronavirus increases)

officials held speeches and musicians performed live. This gathering gave rise to yet another round of political polemics centered around questions on public health and the degree to which anti-Covid protocol was respected.

Citizens watched from the sidelines as another controversial topic, that of the Kosovo Specialist Chambers, re-entered the public discourse when the Specialist Prosecutor's Office (SPO) in The Hague filed charges against President Hashim Thaçi and PDK leader Kadri Veseli for crimes against humanity and war crimes allegedly committed during and after the 1999 war in Kosovo.¹⁷ The charges, which were confirmed later in October, agitated the already fragile political situation.

Hoti replaced President Thaçi in the EU-facilitated dialogue process between Kosovo and Serbia which restarted in July. In a series of meetings between both countries' representations and EU officials, Hoti and the Serbian President Aleksandar Vučić reportedly discussed and aligned their positions on the issue of missing and displaced persons from the 1999 Kosovo war – an issue which remains largely unresolved and underdiscussed since the beginning of the dialogue in 2011.¹⁸ Both the EU and the U.S. appeared involved in the newly restored discussions; US envoy Grenell announced that talks on political matters would be facilitated by the EU once “economic normalisation” had been achieved in a process facilitated by the US.¹⁹

It was during July, when Covid-19 numbers soared and new restrictions were introduced after a relatively calm period, that the government approved a draft-law aimed

at recovering the economy from the losses that came with the pandemic. The draft-law was shortly sent for a first reading in the Assembly, however, due to a poorly-consolidated political power and enmities between parties, it took several failed voting attempts in a span of over four months to approve the Law on Economic Recovery - Covid-19.²⁰

While the then President Thaçi was being questioned in the Hague by the SPO on account of the initial charges against him, PM Hoti told the media, after a meeting in Brussels with the Serbian President Vučić, that the drafting of a “final agreement” between the two countries would be set in motion at the next meeting in the same month of July. Vučić contradicted this claim.²¹

On the other hand, the “economic normalisation” portion of the discussions, under the patronage of the Trump administration, was moving forward at a quicker speed. In a meeting held in Washington in September, Hoti and Vučić signed two separate agreements which the then US President Trump hailed as a “historic commitment.”

Under the agreements, Kosovo agreed to a one-year moratorium on seeking membership to international organisations, during which Serbia agreed to pause its de-recognition campaign against Kosovo. The deal also included plans for mutual recognition between Kosovo and Israel, which was hailed by Thaçi as well as LDK, while Trump said it would help bring peace to the Middle East. This was met with an adverse reaction from the EU.²²

In late October the country saw a dramatic rise in COVID-19 patients and the health service was

17 Kosovo Specialist Chambers, [Press Statement](#)

18 Prishtina Insight, [Lajcak hails progress in Kosovo-Serbia dialogue](#)

19 Balkan Insight, Grenell: [US to lead Kosovo-Serbia talks on Economy, EU on Politics](#)

20 Official Gazette of the Republic of Kosovo, [Law No. 07/L-016 on Economic Recovery - Covid-19](#)

21 Prishtina Insight, [Vucic denies final agreement being drafted](#)

22 EuroNews Albania, [EC: Kosovo and Serbia expected to act in line with EU commitments. No EU country has an embassy in Jerusalem](#)

on the brink of capacities for a second time. As the government tightened restrictive measures that affected the freedom of movement, education and business activities, citizens braced for yet another political reshuffle.

Thaçi resigned from the post of president after the SPO confirmed his indictment — containing 10 counts of war crimes and crimes against humanity.²³ Following his resignation, Assembly president Vjosa Osmani was handed over the post and became acting President for a period of up to six months.²⁴

The indictment and the resulting resignation manifested a major change not only in Thaçi's public career, but in Kosovo's political landscape as a whole. For the first time in more than a decade, the former PDK leader has not held a high-level public office position. His successor as PDK leader, Kadri Veseli — one of the people indicted by the SPO — stepped back from political activities as well, at a time when his party was in opposition for the first time in over ten years.

In this unstable arena, members of parliament managed to pass the Law on Economic Recovery - Covid-19 after multiple failed attempts throughout the second part of the year, releasing funds aimed at providing economic relief for businesses and citizens to a degree.

These shifts in the political landscape came before the Constitutional Court decision in December which ruled the Hoti-led coalition government unconstitutional, sending the country into early elections for the second time in 16 months.²⁵

23 Prime Minister's Office, [Statement of the Government of the Republic of Kosovo](#)

24 Office of the President, [Dr. Vjosa Osmani officially assumes the function of the Acting President of Kosovo](#)

25 Constitutional Court, [Decisions from the review session held on 21 December 2020](#)

4. APPLICABLE HUMAN RIGHTS LAWS AND STANDARDS

The following section analyses the applicable legal framework concerning multiple rights that have been affected during the pandemic. It initially inspects the relevant constitutional provisions that regulate human rights, along with other local laws that regulate and foster the right to information, gender equality and protection from discrimination.

Correspondingly, it reviews guidelines of international mechanisms that promote and protect human rights guaranteed under the Constitution of Kosovo within the scope of this research. Utilising these guidelines, as well as Judgment No. KO54/20 of the Constitutional Court of Kosovo on the constitutionality of the government's April decisions, this section builds arguments on the circumstances in which human rights limitations can be imposed.

4.1. HOW DOES THE CONSTITUTION OF KOSOVO REGULATE HUMAN RIGHTS IN TIMES OF CRISIS?

Determining the human rights framework applicable in the context of a pandemic in Kosovo stems from its Constitution. The key element concerning human rights, set out in Chapter 2 on Fundamental Rights and Freedoms, is integration — i.e., direct applicability of key human rights agreements and instruments and the superiority of these agreements over local legislature in case there is a conflict of laws.²⁶

This priority is also emphasised in Article 19.2 of the Constitution. International agreements like the International Covenant on Civil and Political Rights (ICCPR), the European Convention for the Protection of Human Rights and

Fundamental Freedoms (ECHR), Council of Europe Framework Convention for the Protection of National Minorities (FCPNM), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) are directly applicable in Kosovo, regardless of the fact that the country can still not sign or ratify them. Moreover, human rights and fundamental freedoms guaranteed by the Constitution of Kosovo should always be aligned with the jurisprudence of the European Court for Human Rights (ECtHR). Chapter 2 of the Constitution incorporates an extensive set of human rights that guarantee citizens' civil and political rights, as well as ensure protection from discrimination and equality before law. Citizens of Kosovo are free to move within the country,²⁷ they are free to express themselves, disseminate and receive information, opinions or other messages without impediments,²⁸ they have the right to access public documents,²⁹ are free to organise and participate in gatherings, protests, and demonstrations,³⁰ and they enjoy their right to free basic education. For this last part, public institutions need to put additional efforts to ensure equal opportunities for education of those with specific abilities and needs.

To complement all these rights, individuals cannot be discriminated against, on the grounds of, among others, race, colour, gender, language, religion, political or other opinion, relation to any community, property, economic and social condition, sexual orientation, birth, disability or other personal status.³¹

Some of these rights, however, are not absolute and can be limited or derogated in circumstances set out by law or the Constitution, and the President is authorised

26 Art. 22, Constitution of Kosovo

27 Art. 34, Constitution of Kosovo

28 Art. 40, Constitution of Kosovo

29 Art. 41, Constitution of Kosovo

30 Art. 43, Constitution of Kosovo

31 Art. 24, Constitution of Kosovo

to do so by declaring a state of emergency. The President can use his/her authorisation in consultation with the Prime Minister when there is a need for emergency defence measures, in cases of internal danger to the constitutional order or to public security, or if there is a natural disaster affecting all or part of the territory of the Republic of Kosovo.³²

A pandemic can be considered a natural disaster affecting the country. Nevertheless, there are arguments that declaring a state of emergency generally opens the door to higher repression by governments.³³ These powers can be misused to jeopardise media plurality and freedom, while the impact of state of emergency measures on reducing the number of infections remains doubtful.³⁴

In the event of a state of emergency, the Security Council of Kosovo exercises executive functions and is chaired by the President of Kosovo; however, consultation with the Prime Minister is also required. In the case of Kosovo, the President convened the Security Council to that aim, but did not get the Prime Minister's support. As a result, Kosovo went through the pandemic without declaring a state of emergency.

Some limitations of human rights can be imposed without declaring a state of emergency. This stance was also confirmed by the Decision No. KO54/20 of the Constitutional Court, which interpreted that while limitations can happen within certain boundaries and imply a lighter degree of interference, derogation implies a more severe degree of interference.³⁵

It is implicit that one particular right can be limited to protect another fundamental right. In the case of a pandemic, governments can and will inevitably limit citizens' freedoms to avoid the breakout of a novel virus when the short- and long-term risks for people's health and lives are unknown. This can be particularly justified in the case of Kosovo which has a poor healthcare system, lacks professional medical capacities and infrastructure to accommodate patients that contract the virus.

Nonetheless, some constitutional rights can never be compromised; they are non-derogable. One of them — equality before law — is enshrined in Article 24 of the Constitution of Kosovo. Equality before law means that no one can be discriminated against based, among others, on their race, colour, gender, language, sexual orientation, disability or other personal status.³⁶ That being said, if the government imposes any measures to prevent an outbreak, the reach of those measures should not be limited to one particular group and the government should take the circumstances that could discriminate against any particular group into account.

Another constitutional element important for the scope of this research is the constitutional framework and mechanisms guaranteeing special protection of minority rights in Kosovo. The relevance of the protection of minority rights in crisis in Kosovo arises from two main factors. The first one is the marginalisation of ethnic groups such as the Roma, Ashkali, and Egyptian, which will be elaborated in

32 The declaration of state of emergency is also regulated by Article 4 of the International Covenant on Civil and Political Rights and is further clarified in General Comments No. 29.

33 Bjørnskov, Christian; Voigt, Stefan, *This Time is Different? - On the Use of Emergency Measures During the Corona Pandemic*, University of Hamburg, p. 6

34 Ibid.

35 Constitutional Court Judgement on Case No. KO54/20

36 Art. 24, Constitution of Kosovo

subsection 5.5 of this research.

The second one is the fragile inter-ethnic relations and sentiments between Kosovar Albanians and Kosovar Serbs, as well as their language differences. The Serb minority in Kosovo is caught between two different currents: that of the influence from Belgrade, and that of the rule of Kosovo institutions. As of 2020, 89.3% of Kosovar Serbs did not have personal identity documents issued by Kosovo institutions,³⁷ 99.2% of Kosovar Serbs indicated distrust in Albanian representatives in the government.³⁸ Most Serbs from Kosovo seldomly follow political events in relation to Kosovo³⁹ and predominantly use a parallel healthcare system provided by healthcare institutions that apply the legal framework of Serbia.⁴⁰

This trend of distrust in institutions, confusion and use of a parallel system seems to have prevailed amidst the pandemic as well. In April, Kosovo's Ministry of Health imposed movement restrictions according to which citizens could circulate outdoors only for one and a half hours a day; the time of day when one could go out was to be determined based on the two final digits of one's ID number.⁴¹ At the same time, the Serbian government imposed a different rule for Serb citizens living in areas with a Serb majority. This double system confused the Serb citizens of Kosovo.⁴² As the measures imposed by the Kosovar institutions were neither officially translated nor properly reported,⁴³ they were left to comply with the rules imposed by the Serbian government.

There are multiple circumstances that perpetuate the information and institutional gap among the Serb community in Kosovo, but one of the elements is certainly the language difference – a right guaranteed by Article 5 of the Constitution of Kosovo, according to which Serbian is the second official language of Kosovo. Article 9, paragraph 1 of the Framework Convention for the Protection of National Minorities — one of the instruments directly applicable in Kosovo — recognises the right of language minorities to receive and impart information and ideas in their own language.⁴⁴

Self-evidently, it is not only the minorities that should adequately receive information of public interest. Freedom of expression is a right guaranteed by Article 40 of the Constitution. According to this provision, individuals have the right to express themselves, to disseminate and receive information, opinions and other messages without impediment. Freedom of expression goes hand in hand with two other rights and freedoms recognised by Article 41 and Article 42 of the Constitution of Kosovo: the right of access to public documents and freedom of the media.

4.2 LOCAL LAWS RELEVANT TO THE SCOPE OF THIS RESEARCH

The constitution sets the general principles for many aspects of human rights, non-discrimination and freedom of expression.

37 NGO Aktiv, *Trend Analysis: Attitudes of the Serbian Community in Kosovo*, p. 20

38 Ibid. p. 19

39 Ibid. p. 17

40 NGO Aktiv, *Lessons learnt: the treatment of non-majority communities during the Covid-19 pandemic*, p. 20

41 Kallxo.com, *Orari i qarkullimit të qytetarëve në bazë të numrit të parafundit personal* (Circulation of citizens based on penultimate personal number)

42 BBC News na srpskom, *Korona virus i Kosovo: Poštuješ jedne mere, kršiš druge*

43 NGO Aktiv, *Covid-19: Between Reality and Disinformation*, p.3

44 Art. 9.1, Framework Convention for the Protection of National Minorities

However, the general framework for preventing and combating discrimination, as well as gender equality, is regulated by the Law on Gender Equality (LGE) and the Law on Protection from Discrimination (LPFD).

Kosovo does not have one single law that regulates media activity; rather, media regulation is spread across numerous laws and provisions. The most relevant for the scope of this research is the Law on Access to Public Documents (LAPD).

According to Article 5 of the LGE, Kosovar institutions are responsible to prevent and eliminate gender discrimination at all levels of legislative, executive and other public institutions.⁴⁵ Translating this into the pandemic terms, the government is responsible to take all necessary measures to apply a gender-sensitive perspective while imposing not only Covid-10 prevention measures,⁴⁶ but also planning and implementing other budgetary measures that aim at recovering from the pandemic's impact in the general population.⁴⁷

While the scope of the LGE is limited to guaranteeing, promoting and protecting gender equality and exclusively applies to men, women and persons who have a protected characteristic of gender identity,⁴⁸ the LPFD covers a broader variety of grounds and forms of discrimination, some of which overlap with the LGE. The most relevant grounds of discrimination specified in the LPFD for the scope of this study are gender, ethnicity and language.

The main purpose of the Law on the Protection from Discrimination (LPFD) is to prevent and

combat discrimination in many bases and forms. The most relevant form of discrimination for the scope of this research is indirect discrimination, defined as an act that does not give the impression of a discriminative practice at first sight, but has or will put persons in an unequal position compared to others. Pursuant to Article 2 of the LPFD, the law applies to state's actions and inactions on social and health protection, education and participation in public affairs, among others. An illustration of indirect discrimination would be the direct effects that the closing of kindergartens has on the position of employed women as primary caregivers in the Kosovar society.

The relevance of the LAPD to the scope of this research arises from two central elements of this law. First, this law safeguards the rights set out in the Constitution of Kosovo.⁴⁹ Second, it sets basic principles on the right to access public documents and regulates the scope of work of the Information and Privacy Agency (IPA) in relation to access to public documents.

A public document is defined as any act, fact or information stored in electronic form or in sound, in print, in visual or audiovisual recordings produced or maintained by a public institution.⁵⁰ In the context of a pandemic, due to the inability of the public to join meetings and follow statements of public officials and representatives due to physical distancing rules, there may arise the need and obligation to record and document government meetings. State officials also have a positive responsibility for transparency and accountability in terms of social, economic and democratic development and advancement.⁵¹ They should proactively publish public documents.⁵²

45 Art. 5, Law on Gender Equality

46 Ibid., Art 5.1, Art. 5.1.3

47 Ibid., Art 5.1.5, Art. 5.1.7

48 Ibid., Art. 2

49 The right to access public documents, freedom of media, freedom of expression

50 Art 3.1.2, Law on Access to Public Documents

51 Ibid., Art. 4.4

52 Ibid., Art. 4.2, Art. 6.1

The LAPD guarantees that every person has the right to access public documents and to re-use them without any discrimination.⁵³ The right to access public documents can be limited, if exercised in compliance with the principle of proportionality, or for the purpose of protecting life, health and public security,⁵⁴ fostering the investigation process,⁵⁵ or if a document contains classified information.⁵⁶

There are numerous legal avenues which can be utilised by parties that consider their right to information violated. One of them is through the IPA. The IPA is a body mandated to monitor and ensure the implementation of the right to access public information.⁵⁷ The agency can also liaise between applicants, whose requests to access public documents have been rejected or neglected, and the public institution that the applicants addressed the request to.

That is to say that applicants whose requests to access public documents have been rejected can file a written complaint to the IPA. In that case, the Agency communicates the complaint to the public institution that rejected the request within seven days. It additionally has the mandate to deliver a decision within thirty days after receiving the complaint.⁵⁸ The IPA can approve or reject a complaint fully or partially.⁵⁹ It can modify the decision of the public institution to grant full or partial access to the rejected document. The public institutions are bound by the decision of the IPA.⁶⁰ Individuals whose right to access public

documents has been violated can also complain to the Ombudsperson Institution.

In the chapter evaluating the implementation of the legal framework, the research will focus on the specifics of the elaborated provisions in more practical terms.

4.3 COUNCIL OF EUROPE AND OFFICE OF THE HIGH COMMISSIONER OF HUMAN RIGHTS ON HUMAN RIGHTS AND COVID-19

Kosovo may not yet be a member of key European and other international mechanisms, but as a country that aspires integration in these mechanisms, it should comply with policies and toolkits recommended or summarised by the relevant organisations. In this spirit, it would be natural for toolkits of CoE and OHCHR concerning human rights in times of sanitary crises to be applicable in Kosovo as well. These toolkits provide a state-of-the-art interpretation of human rights and conventions that Kosovo has already constitutionalised from the Covid-19 perspective.

In July 2020, OHCHR published its internal toolkit of treaty law perspectives and jurisprudence in the context of Covid-19. This report highlights that the pandemic has generated a set of problems exacerbating the protection of vulnerable groups, women's rights, as well as minorities. The High Commissioner stated that "an emergency situation is not a blank check to disregard human rights obligations".⁶¹

53 Ibid., Art. 1

54 Ibid., Art. 2.1

55 Ibid., Arts 2.3, 2.4, 2.11

56 Ibid., Art. 5. The Law on Access to Public Documents encompasses other numerous grounds on which the right to information can be limited. Besides the points mentioned in this research, it includes limitations for protection of: inspection, control and supervision by public institutions in cases of handling classified information, right to privacy and right to be forgotten, commercial confidentiality such as businesses, professional or company secrets, documents for which the public institution or third parties hold intellectual property rights, state economic, monetary and exchange policies, statistical confidentiality, the deliberations within or between the public institutions concerning the examination of an issue, which contains a classified document.

57 Ibid., Art. 27

58 Ibid., Art. 20.1, Art. 20.2

59 Ibid., Art. 27.4, Art. 27.5, Art. 27.7, Art. 27.8

60 Ibid., Art. 27.6

61 Internal HRTB toolkit of treaty law perspectives and jurisprudence in the context of Covid-19, OHCHR, 15 July 2020, p. 3

The report calls upon state parties to take all necessary measures to ensure that accurate information is available to all without discrimination, in different languages and culturally adapted for everyone, in particular for ethnic or national minorities.⁶² OHCHR also recognises that many people face intersecting forms of discrimination on grounds of their gender, ethnic and national origin and that measures imposed should take into account the gender-related dimensions of racial discrimination.⁶³ These acknowledgements are fundamentally important to analyse the Covid-19 response of the Kosovar government in 2020.

On a similar note with the OHCHR, the CoE has also been proactive and prompt in identifying legal human rights challenges generated by the pandemic. In April, they launched the toolkit on *Respecting democracy, rule of law and human rights in the framework of the Covid-19 sanitary crisis*.

In this toolkit, CoE explicitly accentuates the importance of freedom of expression and information, media freedom and access to official information. The responsibility of providing timely, accurate and reliable information is twofold. While journalists are responsible to adhere to the highest professional and ethical standards in times of crisis,⁶⁴ the governments should comply with their obligations to provide information following the standards set by the ECHR's case law⁶⁵ and cooperate with online platforms to prevent manipulation of public opinion by providing trusted information from public health authorities.⁶⁶

Another key point emphasised in the CoE toolkit is States' compliance with Article 14,⁶⁷ namely prohibition of discrimination. The principle of non-discrimination in the context of Covid-19 is particularly important as some measures may put some individuals in an unjustifiably difficult position.⁶⁸ Under those circumstances, States should pay distinct attention to take suitable measures to address measures that may give rise to discrimination.

Generally, the voices of the international human rights mechanisms have been unified and aligned in calling states to amount to the needs and position of marginalised groups and insist on the importance of keeping the public up to date and informed on the latest developments and measures. It was already argued that limitations of human rights in times of emergency situations can be expected. Nonetheless, it is important to analyse what are the tests to determine whether a human right can be limited, and if yes, what are the boundaries of these limitations.

62 Ibid., p. 5 See also Art. 25, Art. 19 of International Covenant on Civil and Political Rights and Art. 2 and Art. 5 of International Convention on the Elimination of Racial Discrimination directly applicable in the Constitution of Kosovo.

63 Ibid., p. 6. See also: N° 25 (2000) on gender-related dimensions of racial discrimination; Concluding observations for Sudan (2015), CERD/C/SDN/CO/12-16, para. 11

64 Respecting democracy, rule of law and human rights in the framework of the Covid-19 sanitary crisis, Council of Europe, 7 April 2020, p. 7

65 See Magyar Helsinki Bizottság v. Hungary, paras 156-170, Leander v. Sweden, paras 50-68. The restriction to public information should be, among others, in accordance with law and necessary in a democratic society in the interest of national security.

66 Ibid. (n. 43)

67 Art 14, European Convention on Human Rights

68 Ibid. (n 43)

4.4 TO WHAT EXTENT CAN HUMAN RIGHTS BE LIMITED WITHOUT DECLARING A STATE OF EMERGENCY?

A sanitary crisis will inherently be accompanied by the need to limit certain human rights. If not, then the state may infringe one of the core non-derogable rights that states are obliged to protect⁶⁹ — the right to life. While protecting non-derogable rights, there may be an expectation of unavoidable limitations and setbacks in fulfilling other human rights. These limitations are foreseen in Kosovo's Constitution as well.

Curbing the spread of a virus such as Covid-19, which can be transmitted through direct contact, is controlled by reducing human contact. As such, the government will inescapably restrict individuals' freedom of movement.⁷⁰

The impossibility to move freely and other physical distancing rules may endanger some other rights that are essential for any democratic society. The possibility to maintain the normal functioning of the formal education system is one of the first to suffer. This situation may give rise to a breach of the right to receive free basic education.⁷¹ So, if one limited right negatively influences another guaranteed right, where does one set the limit? The answer is spelled out in numerous provisions and principles.

According to Article 55 of the Constitution of Kosovo, fundamental rights and freedoms can be limited under certain conditions. A right can be limited if it is (1) prescribed by law, (2) legitimate, (3) proportionate to the threat posed, and (4) necessary for the fulfilment of the purpose of

the limitation in an open and democratic society. The CoE toolkit on respecting democracy, rule of law and human rights in the framework of Covid-19 highlights two additional elements to these limitations. According to this toolkit, limitations should be time-bound and ensure a balance between executive powers. When not complying with these principles, leaders could declare and misuse a state of emergency which extends their authority for an unlimited time — a situation largely associated with authoritarian regimes.⁷² It can be argued that in the case of Kosovo, the balance between executive powers was also put to the test at the time when the President of Kosovo attempted to declare the state of emergency without consulting the Prime Minister. Such situations are exactly the reason why the states should actively maintain a good system of checks and balances.

The spread of a pandemic, particularly in an early stage, can be accompanied with many uncertainties. When Covid-19 emerged, knowledge about its contagiousness, lethality, or antibody production succeeding infections was scarce and uncertain. Coupled with disadvantages inherent to a poor healthcare system, restricting citizens' movement can be anticipated and tolerated. In the first six months of the pandemic in Kosovo, the government relied on the Law for Prevention and Fighting Against Infectious Diseases when imposing restrictions of movement. According to this Law, the Ministry of Health can impose special emergency measures such as prohibition of circulation in infected or directly endangered regions.⁷³

Following a referral to the Constitutional

69 Art. 3, The Universal Declaration of Human Rights, Art. 6, International Covenant on Civil and Political Rights, Art. 2, European Convention for Human Rights, and OHCHR, Core Human Rights in the Two Covenants

The interpretation of right to life referred to in this report follows the interpretation of General Comment No. 36 of the Human Rights Council according to which "[...] the right to life is a right that should not be interpreted narrowly. It concerns the entitlement of individuals to be free from acts and omissions that are intended or may be expected to cause their unnatural or premature death, as well as to enjoy a life with dignity."

70 Art. 35, Constitution of Kosovo

71 Art. 47, Constitution of Kosovo

72 Vanessa Jacobsen, Hungary's Road to Authoritarianism – Through the Demise of a Liberal Democracy and Free Judiciary

73 Art. 41.2, Law for Prevention and Fighting Against Infectious Diseases

Court claiming that imposing such restrictions without declaring a state of emergency is anti-constitutional, the Court ruled that human rights can be limited without a state of emergency. However, it considered that the restrictions imposed by the government up to that point did not have a legal basis as the existing law only restricted movement in an infected, place, area or a place directly endangered, but not in the whole territory.⁷⁴ The court ruled that the government acted beyond its authorisations. This narrow interpretation of law overlooked the fact that due to its small area and population, every place in Kosovo was directly endangered by the pandemic and limitations were necessary.

Subsequent to the Decision of the Constitutional Court which found the Law for Prevention and Fighting Against Infectious Diseases insufficient to impose movement restrictions in the whole territory, the Assembly adopted the Law on Preventing and Combating Covid-19 Pandemic. This law does not leave room for too much interpretation as it explicitly authorises the Ministry of Health to limit freedoms and human rights as long as they do not fall into the category of non-derogable rights.⁷⁵

The Law on Combating Covid-19 is aligned with the principles set in CoE's toolkit on respecting human rights during the pandemic. The Minister of Health has a generous amount of authority, but s/he also has strict responsibilities to ensure that measures include concrete and detailed information on numbers and names of activities taken, the category the restrictions apply to, as well as the duration of the restrictions. Additionally, these decisions should also be approved by the Government.⁷⁶

Limitation of rights in the context of a pandemic are not only relevant and important to minimise a potential misuse of power or disbalance among institutions' responsibilities, but to also ensure that other rights guaranteed by Kosovar human rights mechanisms are upheld. If the government imposes restrictions while having sufficient grounds to know that a whole generation or group can suffer the long-term educational consequences of a stalling system, it should pay due diligence to minimise this negative impact. Such is the case of school interruptions, the consequences of which take time to surface.

Ensuring the fulfilment of other freedoms, as that of expression, is equally important. There are arguments that human rights limitations and states of emergency can play a direct role in limiting the freedom of expression.⁷⁷ The Constitution of Kosovo allows limitation and censorship if dissemination of information or ideas, as well as freedom of expression, is used for the encouragement or provocation of violence and hostility on grounds of race, nationality, ethnicity or religion.⁷⁸

However, it can be argued that a pandemic such as Covid-19 could hardly encourage or provoke violence and hostility on the grounds set in the Constitution. In contrast, free flow of information is crucial to keep the public abreast with the latest developments around the pandemic through affirmative action. Regular communication, transparency, accountability and refrain from actions that may limit the public's access to information is crucial to meet the public's demand for quick information.⁷⁹

74 Constitutional Court Judgement in Case No. K054/20, para. 289

75 According to the Constitution of Kosovo, non-derogable rights in Article 56 are: human dignity, equality before law, right to life, prohibition of torture, cruel, inhuman or degrading treatment, prohibition of slavery and forced labour, the right to liberty and security, the right to fair and impartial trial, the principle of legality and proportionality in criminal cases, the right not to be tried twice for the same criminal act, right to marriage and family, and the freedom of belief, conscience and religion.

76 Art. 5.2.3, Art. 5.2.6, Art. 5.3, Law on Preventing and Combating Covid-19 Pandemic in the Territory of the Republic of Kosovo

77 Ibid. (n. 40)

78 Art. 42.2 and Art 40.2, Constitution of Kosovo. Freedom of expression is also acknowledged in Art. 10 of the European Convention on Human Rights

79 Council of Europe, The impact of the sanitary crisis on freedom of expression and media freedom, p. 3

5. IMPLEMENTATION OF HUMAN RIGHTS STANDARDS: ACHILLES' HEEL OF KOSOVAR INSTITUTIONS

5.1. FREEDOM OF MOVEMENT AND PEACEFUL ASSEMBLY

Freedom of peaceful assembly⁸⁰ was one of the first to be affected by restrictive measures that the government set after the first cases of Covid-19 in Kosovo were confirmed on March 13. Initially, people were discouraged to gather due to the close-down of public spaces such as bars and restaurants. These limitations were thereafter intensified with a country-wide lockdown. During this initial lockdown, people were allowed to go outside only for necessities or emergencies during their allocated time, and no more than two people could be outside together.

The public's pulse to comply with this restriction was put to the test less than a month in, when disagreements within coalition partners led to a motion of no-confidence that dismissed the newly-elected government. However much this manoeuvre added to collective uncertainty and anxiety, in the capital of Prishtina residents chose to manifest their disappointment with the political class through symbolic protests on their balconies for a number of days.⁸¹

When the initial strict lockdown started gradually relaxing during May, restrictions on gatherings changed intermittently depending on the situation with new cases, the time of year and other factors that were not always clearly communicated by the institutions that enacted them. However, despite the widespread discontent with the

overall management of the pandemic as a consequence of the gradual decay of the public health system and policy-making that was weighed down by polarised political agendas, there were no major protests throughout the year.

There are no clear indicators on how many protests and demonstrations there would have been without a pandemic. This makes it difficult to estimate how much Kosovars' right to peaceful assembly was violated.

However, in some cases, violations and states' double standards can be more easily measured. A typical example is the police's response to/rejection of the request submitted by the *Iniciativa Drejtësi për Kujtimin*.⁸² The petition involved civil society's requests concerning the case of racial discrimination in handling of a case of sexual abuse and murder of Kujtim Veseli — a 10-year-old Ashkali child.⁸³ The initiative's request was to publicly submit a petition signed by more than 1,000 citizens requesting a public apology for the family of Kujtim Veseli for violating his right to life by neglecting multiple police reports that Kujtim's family submitted prior to his death, the initiation of independent criminal investigations of prosecutors and police officers responsible for the case and compensation for the family of Kujtim Veseli.

Despite the fact that organisers have previously notified the police that there would only be 10-20 activists who plan to submit the petition whilst complying with the physical distancing rules,⁸⁴ the police refused the gathering with the argument that "security

80 As guaranteed by Art. 20 of the Universal Declaration of Human Rights, Art. 21 of the International Covenant on Civil and Political Rights, Art. 11 of the European Convention for Human Rights

81 Radio Free Europe, [Confined Indoors, Pristina Protesters Bang Pots From Balconies](#)

82 *Iniciativa Drejtësi për Kujtimin* or Justice for Kujtim Initiative is a group of activists gathered to address the state response to the case of Kujtim Veseli - an 11 year old child from the Ashkali community who was murdered by an individual who had repeatedly raped him in Fushë Kosovë. Despite multiple police reports to address the issue of his neighbour sexually abusing him, the institutions failed to protect him

83 Kosovo 2.0, [Kujtim Veseli's killer sentenced to 25 year in prison](#)

84 Kallxo.com, *Policia s'e lejon tubimin për dorëzimin e peticionit 'Drejtësi për Kujtimin!'* aktivistët i reagojnë me padi (Police does not allow the gathering to submit petition 'Drejtësi për Kujtimin!', activists react with lawsuit)

conditions are not in place to allow the gathering because of the Covid-19 epidemic restrictions”.

A day before this event, the police did not halt a book promotion in a public square which was attended by more than 40 people, with a deputy prime minister being among the participants of this event. The police of Kosovo have applied a double standard by selectively allowing some events, while refusing others despite the commitment to comply with the Covid-19 rules. Activists of the Initiative filed a lawsuit against the Kosovo Police for violating the freedom of assembly and the right to equal treatment. It is suspected that the Kosovo police response amounts to discriminatory treatment on the basis of race.

Gatherings of other types were occasionally held during the year, regardless of restrictions and at times in direct contradiction with them. An illustrative example is a rap-singer’s album promotion tour organised in several cities. Hundreds of people gathered in tight crowds, hardly any of them wearing masks. The police did not attempt to ensure that the crowd complies with physical distancing rules nor did they disperse the crowd. This happened in July, after confirmed cases of Covid-19 rose sharply and hospitals across the country were on the brink of their capacities to accommodate new patients. Furthermore, there was an ongoing ban on gatherings of more than five people, as well as imposed measures of mask wearing in public and a 2-meter distance.⁸⁵

To make matters worse, the authorities repeatedly failed to punish politicians or other public officials who violated the Law on Preventing and Combating the Covid-19

Pandemic; not only did the officials who enacted the rules violate them, they also openly posted photos on social media of large gatherings with no masks and no physical distance. In a Prishtina Insight article, Agron Demi argues that selective law enforcement has a counterproductive effect when it comes to the willingness of the general population to take the measures seriously and respect them.⁸⁶

When putting things into perspective, in the context of limitation of the right to movement and freedom of assembly, it is difficult to say that the government of Kosovo struck a right balance. There was a wide gap between the rules on paper and their implementation in practice.

In some governmental decisions and public statements by public officials, the language used gives the impression that the restrictions are toughened, while in practice there were becoming increasingly relaxed. This can be seen in a sample decision of the Government of 1 July 2020. In this decision, the government obliges all citizens to “rigorously” and “strictly” comply with the physical distancing and other rules imposed by NIPHK.⁸⁷ In reality, there was not a strict or rigorous compliance with these rules. People could go to cafes, bars and other public spaces without complying with the rules.

5.2. THE RIGHT TO INFORMATION

During 2020, both consecutive Kosovar governments, the Ministry of Health and NIPHK updated the public about the new measures

85 Kallxo.com, [Skandal - Në sy të Policisë Mozzik promovon albumin e tij në kohë pandemie \(Scandal - In front of Police Mozzik promotes new album during the pandemic\)](#)

86 Agron Demi, [Kosovo turns blind eye to officials flouting Covid-19 laws](#)

87 Decision No. 01/09, 1 July 2020

and restrictions regularly, even during the transition and the shift of the governments. Government decisions were accessible on its official webpage, and the local media were quick to disseminate them online and on other platforms.

Besides in writing, public representatives of the above-mentioned and other relevant institutions also informed the public through regular media conferences, which were held more often in the first months of the pandemic when there were many unknowns about the virus and about the government's plans to counter its spread.

Additionally, ever since the first cases were confirmed, NIHPK began informing the public daily through Facebook about the number of individuals infected as well as the number of Covid-related deaths. However, the accuracy of the data provided is highly questionable, particularly from July onwards due to the limited number of Covid-19 tests carried out daily and the lack of a systematic approach to testing on a large scale. It is difficult to conclude what was the actual number of infected cases when there were only 200 individuals tested daily.

As for a timely and effective communication of government information to the public, a peculiar problem surfaced during 2020. With hardly any exceptions, institutional press conferences and public communication were exclusively presented in Albanian without or with delayed translation for members of minority communities who speak Serbian – one of two official languages in Kosovo – or other languages.⁸⁸ In this way, not only was the right to information of minority communities violated by the institutions responsible for equal treatment of all citizens, but it was done at a time when it was particularly crucial to protect everyone's health and safety. Moreover, there have been cases

when it could bear immediate economic consequences for individuals receiving fines because of failing to comply with new measures of which they weren't aware due to being deprived of timely translation.

With this it can be concluded that the government did not treat its citizens equally and has indirectly discriminated not only against the Serbian minority in Kosovo, but against other ethnic groups such as Bosnian and Gorani communities that consume information in the Serbian language. This negligence has also directly affected the Roma community who reside in municipalities with a Serbian majority and do not speak Albanian. As such, it has failed to comply with its obligations as set in Article 24 of the Constitution of Kosovo. Equality before law, as previously addressed in section 4.1. of this research, cannot be derogated in any circumstances, but yet there are clear indicators that institutional response was not compliant with this obligation.

Additionally, this negligence raises concerns around the compliance of Kosovar institutions with the Law on the Protection from Discrimination, on the one hand, and harmonisation of its action with the CoE's and OHCHR toolkits – as elaborated in section 4.3 of this research paper – on the other.

More generally, the situation created as a consequence of the pandemic has also had an impact on the public's right to access public information. Although it is a right guaranteed by law, it is not one that is always easily exercised, even more so in the time of Covid-19. There have been reports of delays of institutional responses to requests for accessing public documents and even cases of no responses, which in several instances resulted in complaints to responsible bodies.⁸⁹

⁸⁸ NGO Aktiv, [The Treatment of Non-Majority Communities During the Covid-19 Pandemic](#)

⁸⁹ Open Data Kosovo, [Qasja në dokumente zyrtare — pengesat dhe e drejta për t'u informuar](#) (Access to official documents — barriers and the right to be informed)

A related case is that of Pishtarët, an NGO dealing with environmental conservation that has been a vocal opponent of operating hydropower plants in the Deçan gorge to the south-west of the country, claiming that the plants are causing irreparable damage to the surrounding environment and livelihoods of the local community. According to the organisation, in May 2020 they submitted a request to the Ministry of Environment for complete documentation of the licensing process of the contested hydropower plants, to which they did not receive a response. After repeating the request several times, only in November did they receive a response, but not the documents they had requested. In its response, the Ministry stated that, based on the Law on Access to Public Documents, the deadline for taking a decision on the request submitted by the organisation had been extended because of reduced staff due to the pandemic and the sheer volume of the required documents.⁹⁰

During the pandemic, the rate at which members of the public filed complaints regarding access to public information remained steady, according to data received from the Information and Privacy Agency (IPA) and the Ombudsperson Institution. In 2019, the IPA received six complaints in total; in 2020 it received 40. Meanwhile the Ombudsperson received 106 complaints in 2019, and 63 in 2020. The majority of complaints came from non-governmental organisations, followed by individuals and the media.

5.3. REPORTING AND COVERING THE PANDEMIC

As the demand for information increased amidst the pandemic and a tumultuous political period, so did the intensity which media

workers faced doing their job. In the initial phase, when Covid-19 started spreading in Kosovo and the country-wide lockdown began applying to the vast majority of the population, media workers were allowed to continue working in the field, provided that they would take precautionary measures to protect themselves and the people with whom they would be in contact.

It was precisely during the time when effective channels of communication became more crucial than ever that reporters, other media workers and journalists in general shouldered an additional burden of responsibility to keep citizens informed while risking Covid-19 infection.

With the passing of time, many of the initially imposed restrictions were lifted; two that remained throughout were the mandatory physical distancing and mask wearing. This left journalists with limited access to events of public interest, such as Assembly sessions and other meetings of the public sector, which in normal circumstances would be open to the media. The circumstances improved gradually as the government and public institutions boosted their efforts to use video conferencing systems. However, it is difficult to quantify the extent of missed information caused by physical distancing and other restrictions, but it can be assumed that nuances of many public events may have been missed due to media workers' difficulties in following them from up close.

Moreover, the media sector — and consequently media workers — suffered substantially from the drop in economic activity due to the pandemic.

The Association of Journalists of Kosovo

⁹⁰ Kosovo.energy, *Pishtarët: Ministria e Mjedisit ka shtyer afatin e përgjigjes për qasje në dokumente* (Pishtarët: Ministry of Environment delayed the deadline of responding to request for access to documents)

published a report titled “The impact of Covid-19 pandemic on the economic situation of journalists, cameramen and photojournalists” in October 2020, informed by surveys among media employees and interviews with a range of professionals from the sector. In addition to summing up economic implications for the media operating in a pandemic in Kosovo, such as the reduction of marketing revenues and other sources which frequently resulted in delays and reductions of already low wages of the majority of media workers, the report also highlights an illustrative case of a grave violation of labour rights by a media company.⁹¹

In March 2020, the company Zëri terminated contracts of 20 employees without applying the 15-day notice rule or the deadlines set by the Law on Labour. According to a reaction published by the Association of Journalists of Kosovo, the dismissed employees were notified in an email by the director of the medium, that the company was going through financial difficulties due to a fall in marketing income and newspaper sale.⁹² The Labour Inspectorate was informed of this violation, but further developments in the case have not been disclosed.

The state has provided very limited support to keep the media’s vital role active and minimise Covid-19 economic consequences that did not spare the media. Instead, the media were put in the same box as other businesses. In November 2020, the Municipality of Prishtina launched a call for financial assistance targeting independent media organisations.⁹³ Considering that the media in Kosovo are mainly centralised in Prishtina, this could cover a considerable number of media outlets in Kosovo. However, despite being a very positive step towards

acknowledging the struggles that the media went through, there is no available information whether this financial support was granted to any media organisations so far.

5.4. THE RIGHT TO EDUCATION - SOCIOECONOMIC DISPARITIES SURFACING INTERSECTING VULNERABILITIES

Constraints and challenges of different kinds have accompanied the Kosovo education system long before the Covid-19 pandemic hit the country. From a lack of sufficient and appropriate infrastructure, curriculum and teaching materials, to the performance of teachers and lack of mechanisms to provide quality assurance,⁹⁴ it is evident that education has not been high up on the agenda of successive governments.

The situation grew graver with the pandemic. Schools were forced to close mid-March as did the rest of the country,⁹⁵ and they remained physically inaccessible until mid-September. This posed substantial barriers on the institutional pathway to ensuring an inclusive process of education for Kosovo students, particularly with respect to students from Roma, Egyptian and Ashkali communities, students with disabilities or special needs, and students in poor living conditions (the latter oftentimes intersecting with the two former issues.) According to UNICEF’s 2019 Analysis of the Situation of Women and Children in Kosovo published in February, 23% of Kosovo children live in poverty — of those, 7% live in extreme poverty.⁹⁶

Weeks after schools across the country closed, an e-learning platform was made available by

91 Lirika Demiri, *The impact of Covid-19 pandemic on the economic status of journalists, cameramen and photojournalists*

92 Association of Journalists of Kosovo, *Plotësisht i papranueshëm largimi i punonjësve medial nga gazeta Zëri* (Dismissal of media workers from the newspaper Zeri completely unacceptable)

93 Shpend Ahmeti, Facebook status posted on 26 November 2020

94 Luljeta Aliu, *Analysis of Kosovo Education System*

95 Decision No. 01/07, 11 March 2020

96 UNICEF, *Analysis of the situation of women and children in Kosovo 2019*

the Ministry of Education with the assistance of independent media platform Kallxo.com, and lessons of various grade levels began to be transmitted in the national broadcaster Radio Television of Kosovo (RTK). It is worth mentioning that these lessons were carried out exclusively in Albanian, leaving the minority languages excluded; although platforms for three different minority languages were set up in addition to Albanian, all three remained devoid of content.⁹⁷

At around the same time, online school processes were set up with classes being held online, mainly through the Zoom platform, email, and other online tools which require devices for electronic access.

From the beginning and throughout the months of online schooling, e-learning posed challenges to households with insufficient electronic devices or means to purchase them, since they were necessary for students to be able to participate in the process. Moreover, children with any type of disability or special need were affected even harder, as the e-learning platform was not tailored to accommodate their needs.

For Roma, Ashkali and Egyptian students, many of whom have been traditionally excluded from the school system, e-learning posed an extra barrier in exercising the right to education. According to a report published by Admovere NGO in 2020, titled “The challenges of Roma, Ashkali, Egyptian communities in Kosovo during the Covid-19 pandemic”, a substantial percentage of students from these communities did not participate in e-learning at all, mainly because of high poverty levels and

consequently no technological equipment.⁹⁸ It also argues that the long-term impact of this exclusion will be an increased rate of drop-outs in the post-pandemic future, which is an even more concerning prospect.

For some, the difficult conditions were alleviated somewhat through the help of NGOs, humanitarian aid agencies and volunteering individuals who donated equipment to families in need; several municipalities also donated laptops and tablets among food and hygiene packages and medical devices.⁹⁹

While participation in remote learning was a challenge for many, its quality was a different kind of challenge presented to those who were able to participate. A research study dealing with the effects of Covid-19 on the wellbeing of teachers, parents and students reveals that the lack of experience in online learning, teachers’ insufficient level of technological skills and knowledge, and a lack of clear instructions and cooperation, had a negative impact on the overall remote learning experience for everyone involved.¹⁰⁰

After several months of e-learning, in the beginning of the new academic year in September, the Ministry of Education decided to open pre-university institutions, and students started attending lessons physically. The lack of infrastructure and space to accommodate school goers with the required physical distancing measures in the majority of Kosovo schools — particularly in urban areas with higher population density, thus higher risk of infection — made the transition challenging for schooling institutions across the country. Insufficient budgetary allocation and lack of

97 Ministry of Education and Science, [E-mësimi \(E-learning\)](#)

98 Admovere, [The Challenges of the Roma, Ashkali, Egyptian community in Kosovo during the Covid-19 pandemic](#)

99 Ibid.

100 Zamira Hyseni Duraku, Linda Hoxha, [Ndikimet e Covid-19 në arsim, mirëqenien e mësimdhënësve, prindërve dhe nxënësve: Sfidat e ndërlidhura me mësimin në distancë \(online\) dhe mundësitë për avancimin e cilësisë së arsimit](#) (Impacts of Covid-19 on education, welfare of teachers, parents and students: Challenges related to distance learning (online) and opportunities for advancing the quality of education)

local experience in managing a health crisis aggravated the situation further, however the school process continued for the rest of the year.

Organisations such as UNICEF and USAID provided aid involving hygiene kits and protection equipment to schools in 38 municipalities, as well as support to institutions with regard to implementation of protection measures.¹⁰¹

5.5. THE UNWOMANLY FACE OF THE PANDEMIC

The Covid-19 pandemic found women in Kosovo in a generally disadvantaged social and economic position compared to men. The crisis that followed brought to light and even exacerbated several of the pre-existing conditions that continue to enable and maintain that position.

In the early stage of the virus spread in the country, when not much was known about it or the required protective measures, women were disproportionately at risk of infection due to being overrepresented in the health sector (generally in less paid positions),¹⁰² which brought a higher risk of infection.

More generally, the country-wide lockdown that followed meant closed schools, kindergartens and a majority of workplaces. In Kosovo, this situation lasted until late May,¹⁰³ during which time it added to the weight of unpaid care work for children, the elderly, and family members with disabilities or special needs within households — a weight typically carried by women.

The added obligations and responsibilities, which continued after the strict lockdown was lifted, were accompanied by isolating circumstances which put women at a higher risk of being subjected to domestic violence and other types of abuse by male partners or authority figures inside the household.¹⁰⁴

The worsened economic situation that followed Covid-19 also affected women disproportionately; already underrepresented in the job market, the crisis likely left many without a job due to the forced closing of businesses and widespread job cuts. Additionally, women employed in the informal economy were left out of government aid intended for workers and businesses.

According to a Kosovo Women's Network report on the governmental Covid-19 response from a gender perspective, most of the applied measures did not consider the different needs of women and men, and they may have been gender-negative for reinforcing existing inequalities.¹⁰⁵

The report mentions pre-existing social norms and power relations as a factor that may have contributed to a particular precariousness for women, putting them at a higher risk of poverty. This is especially so considering that working women in the informal economy were not part of aid packages, and neither were single mothers. Moreover, early government measures restricting the freedom of movement may have affected women's access to healthcare, particularly those with limited access to transportation.¹⁰⁶

Tracking back the states' positive obligations

101 Leonora Aliu, UNICEF, [Education in times of pandemic and economic crisis](#)

102 Kosovo Agency of Statistics, [Economic activity by sex 2012-2019](#)

103 Government Decision No. 01/38, 31 May 2020

104 OSCE, [Survey on the wellbeing and safety of women in Kosovo](#)

105 Kosovo Women's Network, [The pandemic knows no gender?](#)

106 Ibid.

elaborated in the first part of this research, despite multiple provisions and international guidelines acknowledging and steadily reiterating the cruciality of institutionalised gender mainstreaming, the government of Kosovo was gender blind when imposing restrictions, thus discriminating against women and further exacerbating their long-term position in society.

5.6. OVERLOOKED ROMA, ASHKALI AND EGYPTIAN COMMUNITIES

The Kosovar local legal framework extensively regulates the promotion and protection of ethnic minorities in Kosovo. The government has a positive obligation to ensure that it takes all necessary measures to protect persons who may be subject to acts of discrimination,¹⁰⁷ and that minorities receive pre-school, primary and secondary public education in their own language.¹⁰⁸

The pandemic surfaced the existing structural inequalities in the society. If a certain group is in an unfavourable economic position, a situation of crisis will exacerbate their position even further; such inequalities arise in the context of Kosovo as well.

Many Kosovars from Roma, Ashkali and Egyptian communities generate income in the informal labour sector.¹⁰⁹ According to a report by OSCE, many individuals from these communities sustain themselves through collecting recyclable materials, woodcutting, scrap metal

collection, seasonal, craftworks, construction or agricultural work.¹¹⁰ The number of individuals from Roma, Ashkali and Egyptian communities registered as job seekers in the Employment Agency is considerably low.¹¹¹

The Assembly adopted the Law on Economic Recovery - Covid-19 on 4 December. Along with numerous measures, this law supports private businesses who have been closed or have had difficulties in their regular functioning during Covid-19,¹¹² covers three-month salaries of employees who have been suspended or dismissed from their jobs. This law does not cover the informal labour sector, in which citizens of Roma, Ashkali and Egyptian backgrounds are predominantly engaged.

These minority communities in Kosovo were already marginalised, overlooked and actively discriminated against.¹¹³ Kosovar institutions have failed to take into account the existing social disparities while tailoring and reviewing the adopted legislation. Roma, Ashkali and Egyptian rights activists have criticised institutions for the lack of effective communication about financial support measures for these communities, as well as for the insufficiency of allocated funds given the pre-existing disadvantaged situation which was only made worse by the pandemic.¹¹⁴

107 Art. 58.3, Constitution of Kosovo

108 Art. 59.3, Constitution of Kosovo

109 OSCE, [Overview of Roma, Ashkali, and Egyptian Communities in Kosovo, \(January 2020\)](#)

110 Ibid.

111 Ibid.

112 Art. 11, Law on Economic Recovery - Covid 19

113 Balkan Insight: Xhorxhina Bami, Jakob Weizman, [How Multi-ethnic is Kosovo?](#)

114 Admovere, [The challenges of the Roma, Ashkali, Egyptian community in Kosovo during the Covid-19 pandemic](#)

CONCLUSIONS



image: Freepik.com

The Covid-19 pandemic has impacted the lives of Kosovo citizens in an unprecedented way, moreover at a time of ongoing political crisis and uncertainties that exacerbated difficult social and economic conditions for the majority of the population. It presented a tremendous challenge for governmental institutions with no previous experience in managing a health crisis of such proportions, which had the responsibility of balancing their response with human rights obligations.

The anti-Covid measures negatively affected a range of rights, such as the right to information, the right to education, freedom of association and freedom of movement. Moreover, the measures and the resulting situation were occasionally used by public institutions to justify violations or to further limit rights. Selective action from law enforcement agencies was prevalent, serving politicians and other public officials to the detriment of ordinary citizens

Individuals with intersecting vulnerabilities, living in precarious conditions before the pandemic, were particularly affected as structural inequalities were brought to the fore. Government measures were generally not informed by the diverse needs of people based on gender, ethnicity, social and economic status, and failed to appropriately protect vulnerable groups and alleviate damages brought by the pandemic.

In some cases — as is the case with many other laws in Kosovo — the legal provisions somewhat cover and foster ethnic inclusivity, gender mainstreaming and freedom of the media. However, what the paper reads and the way in which problems are handled in practice do not appear to fully align. In the end, those who lived on the margins before the pandemic, if not suitably addressed, will remain on the margins — unable to break the cycle of systemic and systematic discrimination — during, as well as after the pandemic.

In conclusion, there are sufficient grounds to presume that the government has failed to strike a balance between protecting, promoting and fulfilling human rights and prioritising the combat against the ongoing sanitary crisis.

RECOMMENDATIONS

- When tailoring recovery plans, Kosovar institutions should always take into account the equal status of all citizens and apply an intersectional lens. Gender mainstreaming, minority rights and individuals with low income should be at the heart of all recovery policies and legislation;
- The Government of Kosovo should fund shelters for domestic violence victims and work towards increasing their numbers and capacities;
- The Government of Kosovo should take all necessary measures for journalists' direct participation in press conferences and communication with the public. Journalists should be able to closely follow all public events, virtual or in-person, and ask questions directly to public officials on matters related to public health;
- The Government of Kosovo should take all necessary steps not to expose journalists to infection. It should provide them masks for in-person meetings;
- Provide financial assistance to media outlets who suffered economic loss triggered by the pandemic;
- All public documents and communication with the public should be translated into Serbian at the central level, and into other official languages at the municipal level. This includes not only official web-pages of institutions but social media accounts as well. Public documents should be easily accessible to the minority media outlets and public. This principle should apply to both written and verbal correspondence of state institutions;
- The Ministry of Education should ensure that each household multiple children shall have the technological means to follow online classes;
- The Ministry of Education should enrich and actively maintain online educational platforms in all official languages in Kosovo;
- The Ministry of Education should communicate with internet providers to encourage or, alternatively, fund them to offer free access to the internet for households with children enrolled in the primary education system;
- The Ministry of Education should provide training for teachers to use online teaching platforms and sponsor their devices.

WORKS CITED

- ADMOVERE, [The Challenges of the Roma, Ashkali, Egyptian community in Kosovo during the Covid-19 pandemic](#)
- Agron Demi, [Kosovo turns blind eye to officials flouting Covid-10 laws](#)
- Amnesty International, [Responses to Covid-10 and States human rights obligations](#)
- Association of Journalists of Kosovo, [Plotësisht i papranueshëm largimi i punonjësve medial nga gazeta Zëri](#) (Dismissal of media workers from the newspaper Zeri completely unacceptable)
- Balkan Insight, Grenell: [US to lead Kosovo-Serbia talks on Economy, EU on Politics](#)
- Bjørnskov, Christian; Voigt, Stefan, This Time is Different? - On the Use of Emergency Measures During the Corona Pandemic, University of Hamburg
- Constitution of the Republic of Kosovo
- Constitutional Court [Judgement on Case No. KO072/20](#)
- Constitutional Court [Judgement on Case No. KO54/20](#)
- Constitutional Court, [Decisions from the review session held on 21 December 2020](#)
- Council of Europe, [Covid-19: Toolkit for member states](#)
- Council of Europe, [Covid-19: Toolkit for Member States](#)
- Council of Europe, [Guidelines of the Committee of Ministers of the Council of Europe on protecting freedom of expression and information in times of crisis](#)
- Council of Europe, [Mbrotjtja e së drejtës për lirinë e shprehjes](#)
- Council of Europe, The impact of the sanitary crisis on freedom of expression and media freedom
- Dorian Atlia, The right to information during natural disasters in Albania
- EuroNews Albania, EC: [Kosovo and Serbia expected to act in line with EU commitments. No EU country has an embassy in Jerusalem](#)
- European Convention on Human Rights
- European Council, [Kosovo Progress Report 2020.](#)
- European Court for Human Rights, Leander v Sweden
- European Court for Human Rights, Magyar Helsinki Bizottsag v. Hungary
- European Parliament, [Mapping Fake News and Disinformation in the Western Balkans and Identifying Ways to Effectively Counter Them](#)
- Human Rights Watch, Human Rights Dimensions of Covid-19 response
- International Covenant on Civil and Political Rights and its Protocols
- Kallxo.com, [Orari i qarkullimit të qytetarëve në bazë të numrit të parafundit personal](#) (Circulation of citizens based on penultimate personal number)
- Kallxo.com, [Policia s'e lejon tubimin për dorëzimin e peticionit 'Drejtësi për Kujtimin!' aktivistët i reagojnë me padi](#) (Police does not allow the gathering to submit petition 'Justice for Kujtim!', activists react with lawsuit)
- Kallxo.com, [Skandal - Në sy të Policisë Mozzik promovon albumin e tij në kohë pandemie](#) (Scandal - In front of Police Mozzik promotes new album during the pandemic)
- Kallxo.com, [Thaçi: Policia dhe organet e sigurisë nuk duhet ta zbatojnë vendimin e Qeverisë Kurti](#), (Thaçi: The police and security bodies should not implement the decision of the Kurti Government)
- KGJK [Vendimi No.52/2020](#) 12 March 2020
- KGJK [Vendimi No.85/2020](#) 29 May 2020
- Klan Kosova , [Qytetarët do të protestojnë edhe sonte me tenxhere në ballkone për situatën politike](#) (Citizens will protest tonight as well with pots on balconies about the political situation) Kallxo.com, [Orari për qarkullim të qytetarëve në bazë të numrit të parafundit personal](#) (Circulation of citizens based on penultimate personal number)
- Klan Kosova, [Agim Veliu's statement](#)

[regarding the declaration of the state of emergency](#)

- Kosovo 2.0, [Kujtim Veseli's killer sentenced to 25 year in prison](#)
- Kosovo 2.0, [Two Cases of Covid-19 confirmed in Kosovo](#)
- Kosovo Democratic Institute, [Zbatimi i masave anti-covid](#)
- Kosovo Energy, [Pishtarët: Ministria e Mjedisit ka shtyer afatin e përgjigjes për qasje në dokumente publike](#), 30 November 2020
- Kosovo Women's Network, [The pandemic knows no gender?](#)
- Law 02/L-109 for Prevention and Fighting Against Infectious Diseases
- Law 05/L-020 on Gender Equality
- Law 05/L-021 on the Protection from Discrimination
- Law 07/L-016 on Economic Recovery - Covid 19
- Law No. 04/L-044 on the Independent Media
- Law No. 06/L-081 on Access to Public Documents
- Leonora Aliu, [Education in times of pandemic and economic crisis](#)
- Lirika Demiri, [The impact of Covid-19 pandemic on the economic status of journalists, cameramen and photojournalists](#)
- Luljeta Aliu, [Analysis of Kosovo Education System](#)
- Martin Scheinin, [To derogate or not to derogate](#), OpinioJuris
- NGO Aktiv, [Lessons learnt: the treatment of non-majority communities during the Covid-19 pandemic](#), p. 20
- NGO Aktiv, [New Restrictions of Movement in Kosovo Entered into force Without Official Translation Into the Serbian Language](#)
- NGO Aktiv, [Trend Analysis: Attitudes of the Serbian Community in Kosovo](#)
- OECD, [The Covid crisis in Kosovo](#), November 2020
- OECD, [The Covid-19 Crisis in the Western Balkans: Economic impact, policy response, and short-term sustainable solutions](#)
- Office of the High Commissioner of Human Rights, [Covid-19 Guidance](#)
- Open Data Kosovo, [Qasja në dokumente zyrtare — pengesat dhe e drejta për t'u informuar](#) (Access to official documents — barriers and the right to be informed)
- OSCE, Overview of Roma, Ashkali, and Egyptian Communities in Kosovo, (January 2020)
- OSCE, [Survey on the wellbeing and safety of women in Kosovo](#)
- Prishtina Insight, [Kurti Sacks Minister of Internal Affairs Agim Veliu](#)
- Prishtina Insight, [Lajcak hails progress in Kosovo-Serbia dialogue](#)
- Prishtina Insight, [LDK remove Vjosa Osmani from party leadership](#)
- Prishtina Insight, [Vucic denies final agreement being drafted](#)
- Radio Free Europe, [Confined Indoors, Pristina Protesters Bang Pots From Balconies](#)
- Radio Free Europe, [Grenell takohet me Kurtin dhe Mustafën](#) (Grenell meets with Kurti and Mustafa)
- Radio Free Europe, [Rritet numri i të infektuarve me koronavirus](#) (The number of people infected with coronavirus increases)
- Radio Free Europe, [Thaçi mbledh Këshillin e Sigurimit, propozon gjendje të jashtëzakonshme](#) (Thaçi convenes Security Council, proposes state of emergency)
- Sara De Vido, [COVID-19 and the "Gender Crisis": More of a Need for the Istanbul Convention, Not Less](#), OpinioJuris
- UNICEF, [Analysis of the situation of women and children in Kosovo 2019](#)
- United Nations Interim Administration Mission in Kosovo [Report](#) of the Secretary-General, September 2020
- Vanessa Jacobsen, Hungary's Road to Authoritarianism – Through the Demise of

- a Liberal Democracy and Free Judiciary
- Xhorxhina Bami, Jakob Weizman for Balkan Insight, [How Multi-ethnic is Kosovo?](#)
- Zamira Hyseni Duraku, Linda Hoxha, [Ndikimet e Covid-19 në arsim, mirëqenien e mësimdhënësve, prindërve dhe nxënësve: Sfidat e ndërlidhura me mësimin në distancë \(online\) dhe mundësitë për avancimin e cilësisë së arsimit](#)

Government Decisions

- [Decision No. 01/07](#), 11 March 2020
- [Decision No. 01/08](#), 12 March 2020
- [Decision No. 01/09](#), 13 March 2020
- [Decision No. 01/10](#), 14 March 2020
- [Decision No. 01/11](#), 15 March 2020
- [Decision No. 01/13](#), 18 March 2020
- [Decision No. 01/14](#), 20 March 2020
- [Decision No. 01/15](#), 23 March 2020
- [Decision No. 01/16](#), 26 March 2020
- [Decision No. 01/18](#), 27 March 2020
- [Decision No. 01/10](#), 30 March 2020
- [Decision No. 01/20](#), 31 March 2020
- [Decision No. 01/22](#), 5 April 2020
- [Decision No. 01/24](#), 08 April 2020
- [Decision No. 01/32](#), 17 May 2020
- [Decision No. 01/33](#), 19 May 2020
- [Decision No. 01/38](#), 31 May 2020
- [Decision No. 01/39](#), 3 June 2020
- [Decision No. 01/02](#), 5 June 2020
- [Decision No. 01/04](#), 7 June 2020
- [Decision No. 01/05](#), 15 June 2020
- [Decision No. 01/06](#), 17 June 2020
- [Decision No. 01/08](#), 23 June 2020
- [Decision No. 01/09](#), 1 July 2020
- [Decision No. 01/10](#), 5 July 2020
- [Decision No. 01/11](#), 8 July 2020
- [Decision No. 01/12](#), 9 July 2020
- [Decision No. 01/13](#), 13 July 2020
- [Decision No. 01/23](#), 13 August 2020
- [Decision No. 01/27](#), 26 August 2020
- [Decision No. 01/34](#), 7 October 2020
- [Decision No. 01/39](#), 1 November 2020
- [Decision No. 01/42](#), 11 November 2020

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