



**Republika e Kosovës • Republika Kosovo • Republic of Kosovo
Institucioni i Avokatit të Popullit • Institucija Ombudsmana • Ombudsperson Institution**

**ANNUAL REPORT 2025 ON THE IMPLEMENTATION OF LAW NO. 05/L-021
ON PROTECTION FROM DISCRIMINATION IN THE REPUBLIC OF KOSOVO**

Prishtina, 20 August 2026

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LIST OF ABBREVIATIONS

AGE – Agency for Gender Equality
AFLA – The Agency for Free Legal Aid
OI – Ombudsperson Institution
EU – European Union
KSF – Kosovo Security Force
ECtHR – European Court of Human Rights
CC – Constitutional Court
ECHR – European Convention for the Protection of Human Rights and Fundamental Freedoms
KJC – Kosovo Judicial Council
CoE – Council of Europe
KPC – Kosovo Prosecutorial Council
IMC – Independent Media Commission
IOBCSK – Independent Oversight Board for the Civil Service of Kosovo
CEC – Central Election Commission
GEL – Law on Gender Equality
LPD – Law on Protection from Discrimination
MES – Ministry of Education and Science
MAFRD – Ministry of Agriculture, Forestry and Rural Development
MDPA – Ministry of Digitalization and Public Administration
MoJ – Ministry of Justice
MoE – Ministry of Economy
MoF – Ministry of Finance
MIETI – Ministry of Industry, Entrepreneurship, Trade and Innovation
MIT – Ministry of Infrastructure and Transport
MCR – Ministry for Communities and Return
MCT – Ministry of Culture and Tourism
MLGA – Ministry of Local Government Administration
MoD – Ministry of Defence
MESP – Ministry of Environment and Spatial Planning
MIA – Ministry of Internal Affairs
MLFVW – Ministry of Labour, Family and Values of the Liberation War
MFAD – Ministry of Foreign Affairs and Diaspora
MSY – Ministry of Sports and Youth
MoH – Ministry of Health
MRD – Ministry of Regional Development

FOREWORD

Honourable Members of the Assembly of the Republic of Kosovo, dear citizens of the Republic of Kosovo,

I am pleased to submit to the Assembly of the Republic of Kosovo and to publish the Annual Report on the Implementation of the Law on Protection from Discrimination for 2025, which reflects the state of protection from discrimination in the Republic of Kosovo, the challenges in the implementation of the relevant legislation, as well as the findings of the Ombudsperson in the exercise of its constitutional and legal mandate.

This is the third consecutive year in which the Ombudsperson has submitted to the Assembly a separate report on the implementation of the Law on Protection from Discrimination. Nevertheless, it remains a matter of concern that the two previous reports have not been reviewed by the Assembly of the Republic of Kosovo due to the political circumstances and institutional deadlocks that have characterised institutional functioning during this period.

The failure to review these reports has hindered the development of institutional and parliamentary debate on one of the most important issues related to the protection of human rights and the implementation of the principle of equality. It has also limited the opportunity for the Ombudsperson's recommendations to be addressed systematically and translated into public policies and concrete measures to strengthen protection from discrimination.

The findings of this report demonstrate that the Republic of Kosovo continues to have a consolidated legal framework in the field of protection from discrimination, largely harmonised with European and international human rights standards. However, the principal challenge remains the effective and sustainable implementation of this legal framework in practice.

During the reporting period, the Ombudsperson identified cases of discrimination and unequal treatment in various fields, including access to public services, employment, social protection, the rights of persons with disabilities, the rights of non-majority communities, language rights, gender equality and freedom of religion. In a number of cases, administrative practices and normative provisions were identified that produce discriminatory effects or create unjustified barriers to the exercise of rights guaranteed by the Constitution and the law.

The Report highlights that discrimination in Kosovo remains a matter of concern, as a considerable number of cases addressed are related to persistent shortcomings in legislation, public policies, administrative practices, and institutional mechanisms. The findings indicate that vulnerable groups, particularly persons with disabilities, non-majority communities, women, and other marginalized groups, continue to face repeated barriers in exercising their rights, despite constitutional and legal guarantees. In a number of cases, these barriers are related not only to individual actions, but also to the way legislation is implemented, as well as to institutional policies and practices.

A particular concern remains the low level of implementation of the Law on Protection from Discrimination by public institutions. The data presented in this report show that a considerable number of institutions have yet to establish functional mechanisms for addressing cases of discrimination, do not maintain comprehensive statistical records, and do not respond adequately to requirements for accountability and monitoring.

Therefore, this report should serve not only as an overview of the current situation, but also as a call to action. Respect for the principle of equality and effective protection from discrimination are not merely legal and constitutional obligations; they constitute the foundation of a democratic, inclusive and just society.

I express my confidence that the Assembly of the Republic of Kosovo will consider this report with the seriousness it deserves and will undertake the necessary actions to ensure the implementation of the recommendations presented, with the aim of strengthening the rule of law and ensuring the effective protection of the human rights of all citizens, without distinction.

I. LEGAL FRAMEWORK FOR PROTECTION FROM DISCRIMINATION IN THE REPUBLIC OF KOSOVO

Pursuant to its constitutional mandate to protect and promote fundamental human rights and freedoms, the Ombudsperson plays a central role in promoting equality and protecting against discrimination. In its capacity as the equality body, it is responsible for promoting, monitoring and supporting the implementation of the principle of equal treatment through the examination of complaints, the conduct of *ex officio* investigations, participation as *amicus curiae* in judicial proceedings, the issuance of recommendations, and the implementation of awareness-raising and educational activities.

In accordance with Article 9 of the Law on Protection from Discrimination (LPD), the Ombudsperson oversees the implementation of this Law and reports to the Assembly of the Republic of Kosovo at least once a year. The 2025 Report constitutes the third annual report prepared pursuant to this legal basis.

The Republic of Kosovo has an advanced constitutional and legal framework for protection from discrimination, largely harmonised with European and international standards. The Constitution of the Republic of Kosovo, the Law on Protection from Discrimination, and sector-specific legislation guarantee the prohibition of discrimination in both the public and private sectors.

Nevertheless, although the Law on Protection from Discrimination obliges all public authorities and private entities to respect the principle of equal treatment, the Ombudsperson's powers in relation to the private sector remain limited. Consequently, the Ombudsperson does not enjoy full investigative and supervisory powers to address directly cases of discrimination occurring in the private sector. For this reason, its mandate in this field is exercised primarily in an indirect manner, through the referral of cases to the administrative, inspectorate and misdemeanour authorities that are legally competent to investigate and address such violations in the private sector.

Constitution of the Republic of Kosovo

The Constitution of the Republic of Kosovo accords the right to equality before the law and protection from discrimination a dual status. First, the right to equality before the law and the prohibition of discrimination are enshrined as fundamental constitutional principles in Chapter I of the Constitution (Basic Provisions), specifically in Articles 3 and 7. Second, equality before the law and protection from discrimination are guaranteed as individual constitutional rights in Chapter II (Fundamental Rights and Freedoms), namely in Article 24.

Furthermore, protection from discrimination is also supported by Article 22 of the Constitution (Direct Applicability of International Agreements and Instruments), which provides that several international instruments forming an integral part of Kosovo's legal order contain provisions prohibiting discrimination.

In addition, Article 53 of the Constitution of the Republic of Kosovo obliges the courts and all public authorities in Kosovo to interpret the human rights and fundamental freedoms guaranteed by the Constitution, including the right to equality before the law and protection from discrimination, in accordance with the case law of the European Court of Human Rights (ECtHR).

Law No. 05/L-021 on Protection from Discrimination

The Law on Protection from Discrimination (LPD) constitutes *lex specialis* in the field of protection from discrimination and, as such, plays a central role in addressing issues related to discrimination. In addition to the Constitution of the Republic of Kosovo, this Law constitutes the principal normative act on the basis of which cases of discrimination are addressed and dealt with in administrative and judicial proceedings, as well as in proceedings conducted before the Ombudsperson. The legal protection guaranteed by this Law is supplemented by specific provisions of sectoral legislation regulating various areas, such as education, healthcare, employment and public administration.

This Law establishes a general normative framework for the prevention of and fight against all forms of discrimination, while at the same time guaranteeing the right to equality before the law for all natural and legal persons under the jurisdiction of the Republic of Kosovo.

The LPD provides comprehensive safeguards against discrimination, establishing a broad and non-exhaustive list of protected grounds. In this regard, Article 1, paragraph 1 of the Law stipulates that its purpose is to prevent and combat discrimination on grounds such as: nationality or affiliation with any community, social or national origin, race, ethnicity, colour, birth, descent, sex, gender, gender identity, sexual orientation, language, citizenship, religious belief and belief, political affiliation, political opinion or other opinions, social or personal status, age, family or marital status, pregnancy, maternity, property status, health status, disability, genetic inheritance or any other ground.

This Law applies in the public and private sectors and contains very comprehensive definitions of various forms of discrimination, including direct discrimination, indirect discrimination, harassment, incitement to discriminate, victimisation, segregation, discrimination by association, failure to provide reasonable accommodation for persons with disabilities, discrimination based on perception, and multiple discrimination.

The Law clearly establishes institutional responsibility for its implementation at the central and local levels, with particular roles and prerogatives entrusted to the Ombudsperson. The Law contains specific procedures for its implementation, set out in Chapter II, which determine the means of protection against discrimination in practice.

Since 2024, the Law on Protection from Discrimination (LPD) has been undergoing a process of amendment and supplementation. The Ombudsperson has participated, in the capacity of an observer, in the working group for drafting amendments to this Law.

Most recently, the Ombudsperson has received information from the Council of Europe that the latest version of the draft law, which emerged from the most recent meeting of the working group, has been analysed by the European Commission against Racism and Intolerance (ECRI). According to this information, this version of the draft law incorporates the standards set out in Council Directive (EU) 2024/1499¹ of 7 May 2024, *on standards for equality bodies in the field of equal treatment of persons irrespective of their racial or ethnic origin, equal treatment in matters of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services, and amending Directives 2000/43/EC and 2004/113/EC*.

The draft law also incorporates Directive (EU) 2024/1500² of the European Parliament and of the Council of 14 May 2024, *on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation, and amending Directives 2006/54/EC and 2010/41/EU*.

Furthermore, the latest version of the draft law incorporates the ECRI General Policy Recommendation (GPR) on “Equality Bodies to combat racism and intolerance at national level”.

It should also be emphasised that Directive 2000/43/EC and Directive 2004/113/EC, which are amended by Directive (EU) 2024/1499, as well as Directive 2006/54/EC, which is amended by Directive (EU) 2024/1500, have been incorporated into the legislation in force on protection from discrimination in the Republic of Kosovo.

Both Directives entered into force on 18 June 2024, while the deadline for their transposition by the Member States of the European Union is 19 June 2026. This deadline establishes the period within which the Member States were required to adopt and bring into force the laws, regulations and administrative provisions necessary to ensure the compliance of their legislation with these Directives.

European Union directives, as a general rule, are addressed to the EU Member States. Therefore, in the strict sense of European Union law, the obligation to transpose them applies to the Member States and does not directly create a legal obligation for Kosovo, which is not an EU Member State.

Nevertheless, this does not mean that the standards established by these Directives are irrelevant to Kosovo’s European integration process. Kosovo’s obligations in this regard should be assessed within the framework of its commitments to approximate its legislation with the *acquis* of the

¹ https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L_202401499

² https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L_202401500

European Union and its European integration process. These commitments arise, *inter alia*, from the Stabilisation and Association Agreement (SAA).³

Legal Procedures for Protection from Discrimination under the LPD

The LPD provides multiple avenues of protection for persons who claim to have been subjected to discrimination. Such protection may be pursued through administrative, misdemeanour or judicial proceedings. Through these mechanisms, injured persons may seek protection, the imposition of sanctions on perpetrators, and compensation for material and non-material damage. Overall, the Law aims to ensure effective judicial and administrative protection against all forms of discrimination in both the public and private sectors.

Civil Proceedings Before the Court

A person who has been discriminated against may file a lawsuit before the competent court seeking the establishment of discrimination, the prohibition of discriminatory conduct, the elimination of the consequences of discrimination, and compensation for material and non-material damage.

The lawsuit must be filed within the statutory time limit, generally within five (5) years from the date on which the party became aware of the discrimination. The burden of proof is eased for the victim, as, once the initial facts have been established, the other party must prove that discrimination did not occur.

Administrative Procedure

All institutions, whether at the local or central level, are obliged to implement the legislation on protection from discrimination. Whenever discriminatory treatment is alleged, the first step may be to lodge an administrative complaint within the institution alleged to have committed the violation or responsible for remedying it, whether at the local level (municipality) or at the central level (all central institutions, including independent agencies).

Where discrimination relates to the acts or decisions of public or administrative institutions, an administrative dispute may be initiated before the competent court. This serves to challenge a discriminatory decision, omission or practice of a public authority.

Misdemeanour Procedure

The Law provides for the possibility of imposing fines and other measures on natural or legal persons who commit acts of discrimination. These proceedings may be initiated by the competent authorities, in accordance with the law, and are administrative in nature (such as proceedings conducted by various inspectorates). The Law authorises the Ombudsperson to request the competent authorities to initiate misdemeanour proceedings in cases of discrimination.

Criminal Procedure

³ LAW NO. 05/L-069 ON RATIFICATION OF THE STABILIZATION AND ASSOCIATION AGREEMENT BETWEEN THE REPUBLIC OF KOSOVO, OF THE ONE PART, AND THE EUROPEAN UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, OF THE OTHER PART <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=11239>, Article 74

Where discrimination contains the elements of a criminal offence, criminal proceedings may also be initiated under the Criminal Code of Kosovo by filing a criminal report, where the discriminatory conduct constitutes the criminal offence of “Violation of the Equal Status of Citizens and Residents of the Republic of Kosovo”, or in connection with the criminal offence of inciting division, hatred and intolerance.

Discrimination Complaints Submitted to the Ombudsperson

Before or in parallel with court proceedings, a party may also submit a complaint to the Ombudsperson Institution, which has the mandate to investigate cases of discrimination and issue recommendations to public institutions.

In addition to these typical legal procedures outlined above, it should be emphasised that Article 21 of the LPD provides that cases of discrimination may also be resolved through mediation or conciliation, as provided for by the legislation in force.

II. INSTITUTIONAL MECHANISMS FOR MONITORING THE IMPLEMENTATION OF THE LAW ON PROTECTION FROM DISCRIMINATION

The implementation of the LPD aims to ensure the practical realization of the constitutional right of individuals to protection from discrimination in all spheres of life, while monitoring constitutes an institutional function intended to guarantee the proper implementation of the Law.

The LPD establishes institutional mechanisms for monitoring its implementation and entrusts direct responsibility to a limited number of institutions and public officials with regard to overseeing its implementation.

The Ombudsperson

Pursuant to Article 132, paragraph 1, of the Constitution of the Republic of Kosovo, the Ombudsperson supervises and protects the rights of individuals from unlawful acts or omissions of public authorities. Its mandate is further defined in the Law on the Ombudsperson, the Law on Protection from Discrimination (LPD), and the Law on Gender Equality (LGE).

The Ombudsperson’s competencies in the implementation of the LPD are set out in Articles 9, 12 and 18 of the Law. Under Article 9, paragraph 2, subparagraph 2.1, the Ombudsperson receives, investigates and mediates complaints concerning discrimination, and issues opinions and recommendations. Article 9, paragraph 2, subparagraph 2.6 obliges the Ombudsperson to monitor the implementation of the LPD and to promote the necessary legislative amendments. Subparagraph 2.12 further provides that the Ombudsperson reports annually to the Assembly on the implementation of the Law.

Office of Good Governance

The Office of Good Governance (OGG), which operates within the Office of the Prime Minister, has a central coordinating role in the Government’s implementation of the LPD. It advises the Government on equality issues, ensures that policies and draft legislation comply with human

rights standards, and monitors the implementation of the Ombudsperson's recommendations. The OGG develops policies and action plans, collects data and conducts studies concerning vulnerable groups, and reports annually to the Government on the implementation of the LPD.

As a coordinating mechanism, the OGG leads the process of cooperation with ministries and municipalities, which are required to designate officials responsible for the implementation of the LPD. It also proposes secondary legislation governing institutional reporting and coordination. In addition, the OGG cooperates with international organisations and supports the Government in establishing partnerships with non-governmental organisations to advance equality and combat discrimination.

Institutional mechanisms for protection from discrimination in ministries and municipalities

An important role in monitoring the implementation of the LPD is also entrusted to the units and officials responsible for protection from discrimination within ministries and municipalities.

Article 11 of the LPD provides that all ministries and municipalities are required to designate the relevant unit or official. This institutional mechanism extends protection from discrimination to both the central and local levels throughout the entire institutional structure of the State. Pursuant to Regulation No. 03/2017 on Institutional Mechanisms for Protection from Discrimination in the Government and Municipalities, Article 5, paragraph 2, provides that the relevant unit or official for protection from discrimination within ministries and municipalities is responsible for cooperation, coordination, monitoring, reporting, protection and the promotion of equality and equal opportunities, as well as for coordinating the Strategy for the Prevention of and Fight against Discrimination, in accordance with the legislation in force and the international instruments applicable in the Republic of Kosovo.

III. THE ROLE OF OTHER INSTITUTIONS

Agency for Gender Equality

Law No. 05/L-020 on Gender Equality (LGE) forms part of Kosovo's package of human rights legislation, which also includes the Law on the Ombudsperson and the Law on Protection from Discrimination. This Law defines the function and role of the Agency for Gender Equality (AGE), an executive agency operating within the Office of the Prime Minister.

The Law is closely interconnected with the LPD, which establishes the general framework for protecting every individual from all forms of discrimination, regardless of the ground on which it occurs, including sex, gender identity or sexual orientation. While the LPD has a general scope and covers all forms of discrimination, the LGE focuses specifically on gender equality as a fundamental component of human rights, strengthening the institutional mechanisms for its practical implementation.

In accordance with Article 8 of the LGE, the AGE has a range of functions and responsibilities aimed at promoting and reinforcing the principles of gender equality. It supports the implementation of the LGE by proposing legislative amendments, affirmative measures and

policies necessary to prevent gender-based discrimination. The AGE monitors the state of gender equality within public institutions, prepares analytical reports and issues recommendations. It also cooperates closely with governmental institutions and civil society to ensure the integration of the gender perspective and to advance the rights of women and girls.

Office of the Language Commissioner

The Office of the Language Commissioner, established pursuant to Law No. 02/L-37 on the Use of Languages, has the mandate to monitor and ensure the implementation of this Law throughout the territory of the Republic of Kosovo. Its role is to guarantee the preservation, promotion and protection of the official languages, as well as the languages of communities whose mother tongue is not an official language. All public institutions are required to cooperate with the Office and provide the necessary information and reports, while each institution designates a contact person responsible for language issues.

The Office is authorised to conduct investigations on its own initiative or upon complaints submitted by natural or legal persons where there is suspicion of non-compliance with the Law or other acts regulating the use of languages. It may take measures within its mandate, including mediation, in order to ensure that institutions act in accordance with the Law. In addition to its supervisory function, the Office supports the Government in implementing public awareness programmes, thereby contributing to ensuring that citizens are well informed of their linguistic rights.

Independent Oversight Board for the Civil Service

The Independent Oversight Board for the Civil Service of Kosovo is an independent body that ensures compliance with the rules and principles governing the civil service, in accordance with the Constitution and the relevant Law on the Independent Oversight Board for the Civil Service of Kosovo. The Board plays an important role in ensuring administrative justice by protecting the rights of civil servants from unfair treatment, including discrimination in employment relations.

It is also important to emphasise that the Board monitors the implementation of legal provisions, including compliance with employment quotas for underrepresented groups within public institutions, which may apply affirmative measures in accordance with the relevant legislation on protection from discrimination.

Labour Inspectorate

The Labour Inspectorate is responsible for monitoring the implementation of the provisions of the Law on Labour governing employment relationships, occupational safety and health, and protection at work.

Pursuant to Article 5 of the Labour Law, discrimination is strictly prohibited in all aspects of the employment relationship, including recruitment, training, promotion, working conditions, disciplinary measures and the termination of employment contracts. This provision guarantees protection against all forms of discrimination, whether direct or indirect, particularly with regard

to persons with disabilities, provided that they are capable of performing their job duties adequately.

Within this framework, the Labour Inspectorate has clear powers to monitor, investigate and take measures in response to any violation related to discrimination in the workplace. Labour inspectors are authorised to conduct regular or extraordinary inspections in public institutions and the private sector to verify compliance with the principles of equality and fair treatment in employment relations.

Where inspections establish that an employer has engaged in discriminatory conduct during recruitment, employment, the treatment of employees or the termination of employment contracts, the Inspectorate is empowered to order the immediate cessation of discriminatory practices, require the rectification of the situation and the restoration of equal treatment, and propose punitive or administrative measures in accordance with the applicable legislation.

The Labour Inspectorate also performs a preventive and educational role by providing advice, training and guidance to employers and employees on the prohibition of discrimination and the implementation of gender equality and equal opportunities standards in the workplace.

Market Inspectorate

The Market Inspectorate ensures that consumers are not discriminated against in accessing and receiving goods or services. It protects consumers from discriminatory practices and supervises service providers to guarantee equal treatment. By monitoring compliance with market standards, the Market Inspectorate contributes to preventing economic and social discrimination in both public and private services. Furthermore, with regard to public services provided to consumers, a provider delivering a public service through a distribution network is required to grant consumers access to the distribution network and to provide services in accordance with the relevant regulations, concession agreements or other acts of the local authority within whose territory the service is provided, under non-discriminatory conditions.

Education Inspectorate

The Education Inspectorate monitors compliance with the principle of non-discrimination in educational institutions by examining complaints submitted by pupils, parents, students and educational staff. It ensures equal access to education, monitors recruitment processes within the education sector, and intervenes where discriminatory practices are identified. Through this role, the Education Inspectorate promotes an inclusive and accessible education system for all.

Health Inspectorate

The Health Inspectorate ensures that healthcare institutions provide services free from discrimination, both to patients and healthcare personnel. It investigates violations, issues professional recommendations, and takes measures to ensure equal treatment in access to and the provision of healthcare services. Its contribution is essential to the functioning of an inclusive and non-discriminatory healthcare system.

Independent Media Commission

The Independent Media Commission (IMC) is an independent constitutional institution responsible for the regulation, management and supervision of the broadcasting frequency spectrum. The IMC regulates the rights, obligations and responsibilities of natural and legal persons providing audio and audiovisual media services.

The IMC monitors audio and audiovisual content to prevent the dissemination of material involving the use of inflammatory, offensive or degrading language, takes measures in response to violations, and ensures that media operators comply with the legal and ethical standards of non-discrimination.

IV. THE OMBUDSPERSON'S FINDINGS REGARDING CASES OF DISCRIMINATION

Pursuant to the LPD, the Ombudsperson receives, investigates and mediates complaints concerning discrimination, and issues opinions and recommendations. In this regard, the Ombudsperson provides an overview of the cases investigated by the Institution in which discrimination has been established.

The total number of complaints registered with the Ombudsperson's Department for Protection from Discrimination is 106, of which 26 concern allegations of discrimination, while 4 cases were initiated *ex officio*.

The alleged grounds of discrimination in the investigated cases include disability, age, ethnic affiliation, social status, gender, sexual orientation, health status, political affiliation, and other grounds protected under Article 1 of the Law on Protection from Discrimination.

Of the 16 reports with recommendations published on the basis of complaints received or cases initiated *ex officio*, 7 concern findings of human rights violations, unequal treatment and discrimination.

The Ombudsperson has also published four opinions addressed to public authorities and two *amicus curiae* opinions in the capacity of a friend of the court.

NORMATIVE ACTS INCONSISTENT WITH THE PRINCIPLE OF NON-DISCRIMINATION

The principle of equality is one of the fundamental principles underpinning Kosovo's domestic legal system. As a legal principle permeating every sphere of society, equality constitutes a cornerstone of contemporary legal systems and a requirement imposed upon every State to continuously enhance the standards of human rights protection. In the course of examining individual complaints as well as *ex officio* cases, the Ombudsperson has identified provisions in normative acts that are inconsistent with the principles of equality and non-discrimination. During 2025, the Ombudsperson identified two cases in which normative acts contained provisions that directly or indirectly affected the principle of equality and non-discrimination.

Law No. 04/L-131 on Pension Schemes Funded by the State

The Ombudsperson examined the issue of recognising the right to receive pensions on two different legal grounds. The case concerned the failure to implement a court judgment recognising citizens' entitlement to a contributory pension and to a pension based on another legal ground. Although judicial practice had already developed in favour of citizens, the competent authorities continued to reject claims for dual pension entitlements.

The Ombudsperson found that the unequal treatment of similar cases violated the principles of equality and non-discrimination, created legal uncertainty, and compelled citizens to pursue judicial proceedings in order to exercise their rights. It was further concluded that there was a lack of an institutional approach to harmonising pension policies with constitutional and judicial standards. The Ministry of Finance, Labour and Transfers and the Government have not undertaken any initiative to conduct an analysis or develop a concrete plan to address this issue, despite the existence of numerous pension schemes and pension laws in Kosovo that are often not harmonised with one another.

Internal Regulation No. 11/2024 on the Recruitment of the Director of the Secretariat of the Central Election Commission

The Ombudsperson examined two complaints concerning the recruitment procedure for the Director of the Secretariat of the Central Election Commission (CEC), conducted under Internal Regulation No. 11/2024 on the Position of Director of the Secretariat of the Central Election Commission. The Regulation required proof of English language proficiency at the B2 level exclusively through TOEFL or IELTS certificates. The relevant provision was repealed by the CEC itself before the Ombudsperson concluded its investigation.

Nevertheless, the Ombudsperson found that limiting proof of language proficiency solely to these two specific certificates was disproportionate and violated the principle of equal treatment. The criterion was assessed as discriminatory and lacking sufficient legal justification.

GENERAL PRACTICES THAT CONTRAVENE THE PRINCIPLE OF NON-DISCRIMINATION

Although there is broad consensus that the legal framework in the Republic of Kosovo is advanced in terms of human rights protection and the field of non-discrimination, the Ombudsperson, in the course of investigating cases, continues to encounter situations where laws are either incorrectly applied or not applied at all. Such practices are contrary to the principle of non-discrimination and equal treatment.

Discrimination on the Ground of Disability

Persons with disabilities continue to face difficulties in accessing healthcare services, education, employment and participation in public life.

The Ombudsperson has consistently addressed issues concerning the rights of persons with disabilities through recommendations directed to the state authorities. Some of these recommendations, including the recommendation concerning the medical reassessment of

disability for persons with paraplegia and tetraplegia, have led to amendments of regulations that were inconsistent with Law No. 05/L-067 on the Status and Rights of Persons with Paraplegia and Tetraplegia.

In 2023, the Constitutional Court of the Republic of Kosovo unanimously decided to add the United Nations Convention on the Rights of Persons with Disabilities to the list of international agreements and instruments that are directly applicable in the Republic of Kosovo.

The United Nations Convention on the Rights of Persons with Disabilities establishes respect for inherent dignity, individual autonomy, including the freedom to make one's own choices, and the independence of persons with disabilities; respect for the principle of non-discrimination; the full and effective participation and inclusion of persons with disabilities in society; respect for difference and acceptance of persons with disabilities as part of human diversity and humanity; respect for the evolving capacities of children with disabilities; and respect for the right of children with disabilities to preserve their identity.

Upon the adoption of this Convention, the Republic of Kosovo would assume specific positive obligations, including the adoption of the necessary legislative and other measures and the establishment of mechanisms to ensure the full implementation of the Convention. Despite the Constitutional Court's decision, the Convention has not yet been adopted by the Assembly.

Failure to Provide Appropriate Dental Healthcare Treatment and Discrimination on the Ground of Disability

The case concerned a citizen with a disability and a serious health condition who was unable to receive the necessary dental treatment at the University Clinical Centre of Kosovo (UCCCK) and was forced to seek treatment abroad. The investigation identified the absence of adapted procedures and adequate professional capacities for the treatment of persons with disabilities and serious health conditions.⁴

The Ombudsperson found discrimination on the grounds of disability and health status, as the complainant had not been guaranteed equal access to healthcare services. The investigation also highlighted the existence of a broader systemic problem affecting other persons with disabilities.

The Ombudsperson recommended that the Ministry of Health issue specific guidelines for public healthcare institutions on adapting diagnostic and treatment procedures to the needs of persons with disabilities and establish mechanisms for reimbursing the costs of dental treatments that are not available in Kosovo; that the Health Inspectorate monitor compliance with legal and professional standards; and that the UCCCK fully implement Clinical Guideline No. 28 in cases involving the diagnosis and treatment of these categories of patients.

Reduction of Electricity Tariffs for Persons with Paraplegia, Tetraplegia and Blind Persons

⁴ <https://oik-rks.org/en/2025/01/13/report-of-ombudsperson-r-no-649-2024-on-the-obligations-of-state-authorities-to-act-in-accordance-with-the-principles-of-the-law-on-protection-from-discrimination-and-the-applicable-legislation-for/>

The Ombudsperson examined the implementation of the Government's programme for vulnerable electricity consumers, which made eligibility conditional upon the household's income level. The programme also affected persons with paraplegia, persons with tetraplegia and blind persons, who enjoy specific rights under special legislation.⁵

It was established that making eligibility conditional upon household income disregards the rights guaranteed under the relevant laws, which provide for reduced electricity tariffs for persons with paraplegia, persons with tetraplegia and blind persons. The Ombudsperson considered that entitlement to these benefits should be based on the individual's legal status rather than the economic situation of his or her household.

In relation to this case, the Ministry of Finance, Labour and Transfers was recommended to issue an administrative instruction establishing the criteria for reducing electricity consumption tariffs for persons with paraplegia and tetraplegia, for the purpose of implementing Law No. 05/L-067 on the Status and Rights of Persons with Paraplegia and Tetraplegia, as well as an administrative instruction establishing the criteria for reducing electricity consumption tariffs for blind persons, for the purpose of implementing Law No. 04/L-092 on Blind Persons.

The Right to Vote of Persons Partially Deprived of Legal Capacity

The case concerned the denial of the right to vote to a woman with Down syndrome who had been partially deprived of legal capacity by a court decision.⁶

The Ombudsperson examined the practice of automatically excluding persons under guardianship from the voters' lists. The automatic deprivation of voting rights, based on the lists transmitted by the Kosovo Judicial Council (KJC) to the Central Election Commission (CEC) for the preparation of the electoral register, without an individual assessment, constitutes discriminatory treatment of persons with disabilities. The Ombudsperson recommended that the right to vote should be restricted only where this is expressly determined by a court decision.

The Ombudsperson has been informed that the complainant, notwithstanding the court decision partially depriving her of legal capacity, exercised her right to vote in the most recent elections held on 28 December 2025. Nevertheless, the Ombudsperson considers that this issue should be regulated by clearly defining the circumstances in which a person's electoral rights and right to participate may be restricted.

Discrimination on the Ground of Age

The Ombudsperson has continued to address cases involving discrimination on the ground of age. The Ombudsperson's findings indicate that age discrimination is frequently linked to other protected grounds, resulting in multiple discrimination, since, in addition to discrimination based

⁵ <https://oik-rks.org/en/2025/04/14/report-of-ombudsperson-r-no-94-2024-on-the-denial-of-the-right-to-reduced-electricity-tariffs-for-paraplegic-tetraplegic-persons-and-persons-who-are-blind/>

⁶ <https://oik-rks.org/en/2025/12/15/report-of-ombudsperson-r-no-226-2025-on-the-denial-of-ms-medina-surdullis-right-to-vote/>

on age, individuals are often discriminated against on one or more of the other grounds protected under Article 1 of the LPD.

Discrimination on the Ground of Age in the Recruitment Competition Announced by Kosovo Customs

The Ombudsperson examined a recruitment competition for customs officers, which required applicants to be under the age of 30. The investigation established that this criterion was not supported by the relevant legislation and lacked a clear legal basis.⁷

It was found that restricting access to employment solely on the basis of age constituted direct discrimination. The justifications provided by Kosovo Customs were not considered sufficient to justify the differential treatment of applicants.

Consequently, the Ombudsperson recommended that Kosovo Customs remove the age criterion from the relevant legal acts and ensure their regular publication.

Kosovo Customs informed the Ombudsperson that it is in the process of drafting a new administrative instruction based on the new Customs Code, including harmonisation with the highest international human rights standards while taking into account the Ombudsperson's recommendations.

Discrimination in Employment

During the reporting period, the Ombudsperson handled a significant number of complaints concerning allegations of discrimination in employment relationships. These complaints involved unequal treatment in recruitment, working conditions, career advancement and termination of employment, highlighting the need for more effective institutional measures to prevent and address discrimination in the workplace.

Opinion in the Capacity of *Amicus Curiae* Concerning the Transfer of a Workplace Position at KOSTT

The Ombudsperson submitted a legal opinion to the Basic Court in Prishtina concerning the case of a KOSTT employee who had been transferred to a lower-ranking position. The investigation established that the demotion decision was not based on disciplinary proceedings, lawful reasoning, or any obligation arising from the court judgment relied upon by KOSTT.

The Ombudsperson concluded that the transfer constituted an unlawful demotion and that reinstating previous administrative decisions without conducting any administrative or judicial proceedings violated the principle of legal certainty. Furthermore, the failure to examine the complainant's grievances and the unequal treatment in comparison with another employee gave rise to a well-founded suspicion of discriminatory treatment and a violation of the principle of equal treatment in employment relations.

⁷ <https://oik-rks.org/en/2025/05/06/the-report-of-ombudsperson-r-231-2024-r-234-2024-r-244-2024-on-the-legal-basis-for-determining-the-age-criterion-for-applying-in-the-kosovo-customs-recruitment-process/>

***Amicus Curiae* Opinion Concerning the Annulment of a Recruitment Competition by the Ministry of Justice**

The Ombudsperson submitted a legal opinion concerning a case involving the refusal to conclude an employment contract and the annulment of a recruitment competition for the position of Director General of the Institute of Forensic Medicine. The complainant had been selected as the successful candidate, but her appointment was suspended due to disciplinary proceedings and a criminal investigation, both of which were subsequently concluded without establishing any violation or liability.

The Ombudsperson found that the annulment of the recruitment competition and the failure to implement the decision appointing the complainant had been undertaken without a clear legal justification. It was emphasised that the actions of public institutions must comply with the principles of legality, the presumption of innocence, and the right to fair and impartial treatment, since the continued restriction of the complainant's rights, despite the absence of any established wrongdoing, could result in unfair and unequal treatment.

Opinion to the Assembly of the Republic of Kosovo Concerning the Rights of Employees of Economic Operators Providing Services to Public Institutions

The Ombudsperson published an opinion concerning the rights of employees engaged by economic operators providing services to public institutions. Acting within its statutory mandate, the Ombudsperson initiated an *ex officio* investigation into suspected violations of rights guaranteed by the Constitution and the Labour Law affecting workers employed in maintenance and cleaning services within public institutions. The case was initiated following notifications from workers who had gone on strike, raising concerns regarding low wages, non-payment of overtime and weekend work, the inability to take sick leave, and the non-payment of pension contributions.⁸

The investigation established violations of labour rights and raised concerns regarding structural gender-based discrimination, as the affected workers were predominantly women. The Ombudsperson emphasised the responsibility of public institutions to ensure that economic operators respect the labour rights of their employees.

Opinion of the Ombudsperson Concerning the Obligations of the University of Prishtina “Hasan Prishtina” to Act in Accordance with the Principles of the Law on Protection from Discrimination

The case concerned the exclusion of a candidate from a recruitment procedure on the grounds of having a family relationship with a faculty employee, although that employee had no role in the selection process. The complainant alleged a lack of transparency and unequal treatment. The Ombudsperson concluded that excluding the candidate solely because of a family relationship, in the absence of an actual conflict of interest, constituted unequal and discriminatory treatment. It

⁸ <https://oik-rks.org/en/2025/12/08/opinion-of-the-ombudsperson-r-no-1157-2024-on-the-rights-of-employees-of-economic-operators-that-provide-services-to-public-institutions/>

was emphasised that access to employment should be based on merit rather than on general assumptions concerning family relationships.

The Ombudsperson has also been informed that, on 10 December 2025, the Supreme Court issued a judgment in a similar case, declaring unlawful and annulling Article 153, paragraphs 3 and 4, of the Statute of the University of Prishtina, as well as Article 7, paragraph 6, of Regulation No. 2/54 on the Evaluation Procedures for the Engagement of External Associates at the University of Prishtina.

The Court found that these provisions imposed absolute prohibitions without any individual assessment of a conflict of interest, thereby violating the constitutional principles of equality, meritocracy and the prohibition of discrimination. It held that the measures were disproportionate and contrary to the legislation governing higher education and the prevention of conflicts of interest, as they excluded candidates solely on the basis of family relationships.

The Court further emphasised that a family relationship does not automatically constitute nepotism and that the contested provisions infringed the right to equal competition and the exercise of academic functions on the basis of merit.

Opinion of the Ombudsperson Concerning the Obligations of State Authorities to Act in Accordance with the Relevant Legal Principles

The Ombudsperson examined the complaint of a police officer who alleged that the Basic Prosecution Office in Gjilan and the Kosovo Police Inspectorate had violated his right to exercise his profession independently and fairly.⁹ The complaint related to actions taken following an incident in 2023, when the complainant ordered the stopping of a vehicle driven by a prosecutor for a traffic violation, after which criminal proceedings and administrative measures were initiated against him.

Discrimination on the Ground of Ethnic Affiliation

The Ombudsperson considers that, despite the progress achieved over the years, non-majority communities in Kosovo continue to face various forms of discrimination in access to public services, employment, education and institutional representation. This demonstrates the need for continued efforts and more effective measures to ensure full equality and the protection of their rights.

Report with Recommendations Concerning the Failure of Public Institutions to Fulfil the Employment Quota for Members of Non-Majority Communities

While examining a complaint against the Central Election Commission concerning violations of the principles of good administration in recruitment procedures, the Ombudsperson also assessed the representation of non-majority communities within public institutions.

⁹ <https://oik-rks.org/en/2025/11/04/opinion-of-ombudsperson-r-no-176-2024-on-the-obligations-of-state-authorities-to-act-in-accordance-with-the-relevant-legal-principles/>

The investigation revealed a lack of comprehensive data and the underrepresentation of non-majority communities in the public administration.

Although no individual discrimination was established in the specific case, the findings indicated a risk of failing to ensure the effective implementation of fair ethnic representation. The Ombudsperson called for improved monitoring and the use of affirmative measures for underrepresented communities.

Language Rights

The Ombudsperson monitored compliance with language rights and published a report concerning the services provided by commercial banks.¹⁰ The investigation identified the lack of documentation and services in the Serbian language, as well as the absence of staff capable of communicating in that language.

It was found that these practices created barriers for Serbian-speaking citizens and constituted unequal treatment in access to services. The Ombudsperson classified these cases as discrimination on the ground of language and called upon the Central Bank of Kosovo (CBK) to adopt corrective measures.

In response to the Ombudsperson's recommendations, the CBK stated that, in accordance with its statutory mandate and its role as the regulator and supervisor of the banking sector, it would contribute constructively to improving the situation. In this regard, the CBK will issue an advisory letter to commercial banks presenting the findings of the Ombudsperson's report and, as expected by the regulator, will require compliance with the use of the official languages of Kosovo in order to promote good practices and ensure fulfilment of the legal obligations arising from the Law on the Use of Languages.

Suspension of Child Allowance Payments

The Ombudsperson initiated an *ex officio* investigation following a large number of complaints concerning the suspension of child allowances, primarily submitted by families from the Serbian community.¹¹ Payments were suspended during a verification process without individual decisions and without providing clear information to the affected citizens.

According to the findings, the procedures applied had disproportionate effects on non-majority communities, particularly the Serbian community. The Ombudsperson concluded that the actions of the institutions undermined legal certainty and produced discriminatory consequences for children belonging to these communities.

The Ombudsperson recommended the immediate and transparent publication of all verification acts and guidelines, the establishment of clear and accessible procedures for citizens, the issuance

¹⁰ <https://oik-rks.org/en/2026/01/15/report-of-ombudsperson-ex-officio-no-152-2023-on-the-use-of-official-languages-in-commercial-banks-in-kosovo/>

¹¹ <https://oik-rks.org/en/2025/05/29/recommendation-letter-ex-officio-68-2025/>

of reasoned individual decisions, and the payment of retroactive benefits to all beneficiaries, including for the period of suspension and any additional benefits provided by law.

Freedom of Belief, Conscience and Religion

Freedom of belief, conscience and religion in Kosovo is guaranteed by Article 38 of the Constitution and Article 9 of the European Convention on Human Rights. This area is regulated by Law No. 02/L-31 on Freedom of Religion, which remains in force but does not comprehensively regulate the legal status of religious communities, including issues relating to registration, legal personality, and property and financial matters.

This creates legal gaps and practical difficulties in the exercise of religious freedoms. For many years, initiatives to amend the Law have remained incomplete, which continues to have a negative impact on the full enjoyment of religious freedom, particularly for smaller religious communities.

During 2025, the Ombudsperson handled four cases relating to religious rights and freedoms, including the legal status of religious communities, access to religious facilities, the exercise of religious freedoms in educational institutions, and allegations of discrimination on religious grounds. One case concerned the constitutionality of certain provisions of the Law on Freedom of Religion and the treatment of smaller religious communities. Another concerned physical access to a mosque in Kamenica, where mediation resulted in a resolution without any finding of a human rights violation.

The issue of wearing the headscarf in educational institutions remained a current concern. Following the Ombudsperson's intervention regarding the exclusion of two female pupils from classes, they were allowed to resume their education.

Although no further formal complaints were submitted, the cases examined demonstrate the existence of systemic problems and the need for legislative reform. The Ombudsperson considers it essential to adopt a new law on freedom of religion, strengthen the monitoring of cases involving religious discrimination, and clarify the legal framework governing the exercise of religious freedoms in educational institutions.

According to the Kosovo Police, 35 criminal offences against cultural and religious heritage were reported during 2025.

GENDER EQUALITY

The Constitution of the Republic of Kosovo recognises gender equality as a fundamental value for the democratic development of society and guarantees equal opportunities for women and men in all spheres of life. The Law on Gender Equality designates the Ombudsperson as the equality institution, with a mandate to examine cases of gender discrimination.

Gender Equality in Employment

The Ombudsperson recalls that *Ex Officio* Report No. 535/2019¹² identified unequal gender representation at managerial and administrative levels within public institutions. Pending a new assessment, the Ombudsperson considers that women continue to be underrepresented in the public sector.

Gender discrimination in the workplace also continues to manifest itself in the form of sexual harassment. During 2025, the Ombudsperson examined a case involving allegations of sexual harassment in order to assess whether the employer had adequate mechanisms for preventing and addressing such conduct.

Gender Equality in Property and Inheritance

According to data from the Kosovo Cadastral Agency, in 2023, 19.79% of properties were registered in the names of women. In 2024, this percentage increased to 20.23%, while in 2025 it reached 21.02%. Although a positive trend and gradual increase in property ownership registered in the names of women is evident, the pace of this increase remains low and relatively slow.

The Ombudsperson considers that the main obstacles to the enjoyment of women's property and inheritance rights are related to traditional norms, lack of awareness, the renunciation of inheritance for family reasons, and procedural delays in property disputes. During the reporting year, one legal counselling case concerning the division of inheritance was handled, in which the complainant was informed of her legal rights and the possibility of receiving free legal aid.

Protection from Domestic Violence and Gender-Based Violence

Following the entry into force of Law No. 08/L-185 and the implementation of electronic monitoring mechanisms, Kosovo has made progress in protecting victims of domestic violence and gender-based violence. Nevertheless, these forms of violence remain widespread, particularly psychological, sexual and economic violence.

According to the Kosovo Police, 2,509 cases of domestic violence were reported during 2025, compared to 2,547 cases in 2024. Meanwhile, reported cases of sexual harassment decreased from 102 in 2024 to 64 cases in 2025.¹³

Survivors of Conflict-Related Sexual Violence

During 2025, no complaints were submitted by survivors of conflict-related sexual violence. Nevertheless, the Ombudsperson recalls its 2024 report, which identified legal and procedural shortcomings in the process of recognising the status of victims, including the absence of clear

¹² <https://oik-rks.org/en/2024/12/16/ombudsperson-report-ex-officio-535-2019-on-the-implementation-of-special-measures-provided-for-in-article-6-special-measures-of-law-no-05-l-020-on-gender-equality-by-legislative-executive-and-ju/>

¹³ According to a response from the Kosovo Police dated 21 May 2026, during 2025 the Kosovo Police received 183 reports of sexual harassment, of which 60 were referred to the Prosecution.

deadlines, procedural ambiguities, delays in the issuance of identification cards, and the lack of psychosocial support.

The Ombudsperson has recommended strengthening the legal and institutional framework in order to guarantee dignified treatment, confidentiality and effective access to the rights guaranteed to victims.

The Rights of LGBTIQ+ Persons

During the reporting year, the Ombudsperson examined one complaint concerning the language used against the LGBTIQ+ community during the election campaign. Taking into account the prior examination of the matter by the competent institutions, as well as the Ombudsperson's previously published documents on discrimination and hate speech, the case was closed.

During the reporting year, the Ombudsperson continued the investigation of a case opened in 2024, submitted by the Center for Social Group Development (CSGD) on behalf of the person N.N. (whose protected victim code, assigned by court decision, was "Fabian"). The case concerned a request to monitor court hearings relating to case No. PKR.nr.112/2024. Of the total of six (6) hearings held, representatives of the Ombudsperson monitored five (5). The Ombudsperson considers that the judicial proceedings were conducted regularly and in accordance with the law.

At the hearing held on 13 January 2025, the judgment was delivered, finding the defendants guilty of the criminal offences with which they had been charged.

According to the Kosovo Police, three criminal offences against members of the LGBTIQ+ community were reported during 2025.

CONCLUSION

The state of discrimination in Kosovo remains a matter of concern, despite the existence of an advanced legal framework for protection from discrimination. The Ombudsperson considers that the principal challenges do not stem from the absence of legislation, but from its inadequate implementation, erroneous interpretation, and administrative practices that result in unequal treatment. During the reporting period, cases of discrimination were identified in various fields, including disability, age, ethnic affiliation, gender, language, employment and access to public services.

Persons with disabilities, non-majority communities, women and other marginalised groups remain particularly vulnerable, as they continue to encounter barriers in the effective enjoyment of their rights.

V. THE OMBUDSPERSON'S FINDINGS IN ITS OVERSIGHT ROLE IN THE IMPLEMENTATION OF THE LAW ON PROTECTION FROM DISCRIMINATION

In the Report on the implementation of the LPD for 2024, the Ombudsperson recommended that the responsible institutions develop action plans for the implementation of its recommendations in the field of protection from discrimination. It was also recommended that, during the process of

amending and supplementing the Law on Protection from Discrimination, the mechanisms, competencies and responsibilities for its effective implementation be clearly defined.

The key recommendations also include the operationalisation of units or the designation of officials for protection from discrimination in all institutions that are legally required to establish them, the standardisation of their duties and responsibilities, and the maintenance of records of discrimination cases. Furthermore, the Ombudsperson recommended clarifying the role of the Office of Good Governance (OGG), organising training for the responsible officials, and establishing dedicated systems for the registration and monitoring of discrimination cases by the courts and prosecution offices.

Moreover, the Ombudsperson recommended that public institutions clearly publish the procedures for submitting complaints to the Ombudsperson and carry out continuous activities to promote equality and raise awareness against discrimination.

However, based on the data collected and the information received, particularly from the Office of Good Governance, it appears that the implementation of the Law on Protection from Discrimination and the Ombudsperson's recommendations remains at an exceptionally low level.

As part of monitoring the implementation of the Law, the Ombudsperson sent requests for information to 38 municipalities and 19 ministries, which, pursuant to the LPD, are obliged to designate units or officials responsible for coordinating, monitoring and reporting on the implementation of the Law. A request for information was also sent to the Office of Good Governance in its capacity as the coordinating, reporting and cooperating mechanism with the institutional mechanisms for protection from discrimination.

Requests for information were likewise sent to 14 other institutions, authorities and bodies, including the Constitutional Court, the Independent Media Commission, the Kosovo Judicial Council, the Kosovo Prosecutorial Council, the Parliamentary Commissioner of the Kosovo Security Force, the Independent Oversight Board for the Civil Service of Kosovo, the Kosovo Police, the Kosovo Police Inspectorate, the Labour Inspectorate, the Health Inspectorate, the Education Inspectorate, the Office of the Language Commissioner and the Free Legal Aid Agency. Of these institutions, only nine responded to the Ombudsperson's request.¹⁴

Overall, of the 71 institutions, authorities and public bodies from which the Ombudsperson requested information regarding the implementation of the Law on Protection from Discrimination, only 27 provided a response. This low response rate reflects a lack of institutional commitment and constitutes a concerning indicator of the level of implementation and monitoring of this Law.

¹⁴ The Independent Media Commission (IMC), the Independent Oversight Board for the Civil Service of Kosovo (IOBCSK), the Kosovo Judicial Council (KJC), the Kosovo Prosecutorial Council (KPC), the Kosovo Police (KP), the Kosovo Police Inspectorate (KPI), the Office of Good Governance (OGG), the Office of the Language Commissioner (OLC), and the Agency for Free Legal Aid (AFLA).

OFFICE OF GOOD GOVERNANCE

The Office of Good Governance (OGG) provided information regarding its responsibilities arising from the LPD. With respect to its coordinating and monitoring role in the implementation of the Law, the OGG stated that there is no uniform practice regarding the designation of officials for protection from discrimination in municipalities. In this regard, some municipalities have designated several officials for protection from discrimination, some have designated only one official, while others have yet to designate any official.

According to the OGG, the majority of public institutions have already designated officials or units responsible for protection from discrimination. OGG data indicate that 75.8% of institutions reported having designated the official responsible for implementing the Law on Protection from Discrimination, while 15.2% stated that they had not yet made such a designation.

Nevertheless, according to the OGG, even where officials or units for protection from discrimination have been designated, their functioning continues to face obstacles and difficulties, primarily due to the lack of clearly defined duties and responsibilities. In the OGG's assessment, this situation remained the same throughout 2024, and no substantial improvement was observed during 2025. Such a situation risks leaving officials for protection from discrimination appointed only formally, without effectively performing their functions.

The OGG further reported that in only 21.9% of institutions have officials for protection from discrimination or human rights officials been assigned the implementation of the Law on Protection from Discrimination as their primary responsibility, whereas in the majority of other institutions these responsibilities have been assigned as additional duties through separate decisions.

Although most institutions have designated officials for protection from discrimination, the absence of clearly defined duties and the assignment of these responsibilities as additional tasks continue to limit the effectiveness of the institutional mechanisms for implementing the Law on Protection from Discrimination.

A particularly important finding provided by the OGG concerns the implementation of the Ombudsperson's recommendations during 2025. In that year, the Ombudsperson issued 645 recommendations, of which 78 were addressed to governmental authorities. According to the OGG, only 11 of these 78 recommendations, or 14.01%, have been implemented. The OGG noted that the situation has remained essentially the same over the previous two to three years.

OFFICE OF THE LANGUAGE COMMISSIONER

The Office of the Language Commissioner (OLC), in accordance with Law No. 02/L-37 on the Use of Languages and the relevant secondary legislation, exercises its mandate through monitoring the implementation of language rights, handling complaints, conducting institutional monitoring and communicating with public institutions.

The OLC reported that during 2025 it received 11 complaints, of which 9 were examined and resolved. The Office also issued 18 recommendations addressed to central and local level institutions with the aim of improving respect for and implementation of language rights.

MINISTRIES

Of the 19 ministries to which the Ombudsperson requested information regarding the implementation of the Law on Protection from Discrimination, only six ministries responded: the Ministry of Economy, the Ministry of Finance, the Ministry of Sports and Youth, the Ministry of Foreign Affairs and Diaspora, the Ministry of Education and Science, and the Ministry of Justice.

Ministry of Economy

The Ministry of Economy reported that it had appointed an officer responsible for protection from discrimination, with a mandate to monitor the implementation of measures for the prevention of and protection from discrimination, provide advice and guidance on equality and non-discrimination, and prepare periodic reports in accordance with the applicable legislation.

Regarding cases involving allegations of discrimination during 2025, the Ministry reported that it had neither received nor handled any such cases.

Ministry of Finance

The Ministry of Finance reported that it had taken measures to implement the obligations arising from the Law on Protection from Discrimination, including the appointment of an officer responsible for coordinating and reporting on matters related to the implementation of this Law within the Ministry. The Ministry stated that its officials had been informed of the possibility of submitting complaints to the responsible officer through the Manual for the Implementation of the Policy against Sexual Harassment by Public Administration Bodies in the Republic of Kosovo. The Ministry also reported that, during 2025, it had not received, nor had any cases been reported involving allegations of discrimination.

Ministry of Sports and Youth

The Ministry of Sports and Youth reported that it takes concrete actions and measures to promote an inclusive and equal environment for all citizens. According to the Ministry's response, institutional policies and practices aimed at respecting human rights and preventing discrimination have been implemented. The Ministry has also been engaged in building the professional capacities of its staff regarding the implementation of legislation on protection from discrimination, as well as ensuring fair and impartial treatment of parties in administrative and institutional proceedings. The Ministry did not provide data on the number of complaints received and handled involving allegations of discrimination, but emphasized that every complaint or request is handled in accordance with the applicable legal and administrative procedures, while ensuring transparency, impartiality and respect for human rights standards.

Ministry of Foreign Affairs and Diaspora

The Ministry of Foreign Affairs and Diaspora reported that it had appointed an officer responsible for coordination and reporting and had taken the necessary actions to ensure fulfilment of the obligations arising from the Law on Protection from Discrimination. The Ministry has taken measures to implement the Ombudsperson's recommendations concerning the Law on Protection from Discrimination. An action plan has been prepared for the implementation and recording of recommendations, while, following the ex-post evaluation of the Law, a review of the structure for human rights and non-discrimination is expected, including a clear definition of the responsibilities of the officer responsible for protection from discrimination. The Ministry has also published information on its official website regarding the procedures for filing complaints with the Ombudsperson in matters of discrimination.

Ministry of Education and Science

The Ministry of Education and Science reported that it has carried out continuous activities to raise awareness of and promote human rights, as well as support measures for vulnerable categories. During 2024–2026, scholarships were provided to female students in STEM fields, students with disabilities, and students from Roma, Ashkali and Egyptian communities. Learning centres for these communities have also been supported, scholarships have been awarded to secondary school students, and measures have been undertaken to prevent school dropout and create equal opportunities.

With regard to cases of discrimination, the Ministry stated that during 2025 no complaints alleging discrimination were recorded, whether by the responsible offices, the Complaints and Petitions Commission, or the Inspectorate.

Ministry of Justice

The Ministry of Justice reported that it had designated the Human Rights Officer as the mechanism responsible for coordinating, monitoring and reporting on the implementation of the Law on Protection from Discrimination (LPMD).

The Ministry reported that, during the reporting year, no registered cases of discrimination were recorded at the central level of the Ministry. Meanwhile, through the free legal aid system, two cases involving allegations of discrimination have been handled and are currently pending.

The Ministry also reported that, through the official “Complaints and Petitions” platform, it receives and records citizens’ complaints, including complaints involving allegations of discrimination.

The Ministry further stated that it has published a link to the procedures and manner of submitting complaints to the Ombudsperson.

According to the Ministry, measures have been taken to record and report cases of discrimination, build capacities, ensure equal access to services, provide reasonable accommodation for persons with disabilities, and support vulnerable groups.

MUNICIPALITIES

Of the 38 municipalities to which the Ombudsperson requested information, 15 municipalities responded, as follows: the Municipality of Rahovec, the Municipality of Junik, the Municipality of Gjakova, the Municipality of Kamenica, the Municipality of Vushtrri, the Municipality of Shtime, the Municipality of Hani i Elezit, the Municipality of Prizren, the Municipality of Gjilan, the Municipality of Drenas, the Municipality of Lipjan, the Municipality of Fushë Kosovë, the Municipality of Ferizaj, the Municipality of Shtërpçë and the Municipality of Zvečan.

Municipality of Drenas

The Municipality of Drenas reported that it plans to undertake concrete actions to advance the principles of equality and non-discrimination arising from the Law on Protection from Discrimination (LPMD). The Municipality reported that it keeps records of cases brought before the institution concerning matters of this nature and that complaints are handled by the Complaints Commission.

According to the Municipality's data, a total of 28 complaints alleging discrimination were received during 2025. Of these, 27 complaints were rejected, while one complaint was approved. The complaints mainly concerned payment for overtime work, compensation for work performed during weekends, on-call duties and jubilee payments, with allegations of discrimination on the grounds of the method of calculation applicable to the respective categories.

Municipality of Ferizaj

The Municipality of Ferizaj reported that the Human Rights and Communities Sector operates within the Municipality as the institutional mechanism responsible for recording, handling and addressing complaints alleging discrimination, in accordance with the applicable legislation.

In this regard, the Municipality has designated an officer responsible for protection from discrimination, while the relevant decision is expected to be formalized through the Mayor's Cabinet and the Legal Office. The Municipality also reported that the relevant matters are addressed in coordination with the Mayor's Cabinet, in accordance with institutional recommendations and communications, including those issued by the Ombudsperson.

However, the Municipality stated that no case or allegation of discrimination was reported during 2025 and that there were no judicial or administrative proceedings against the Municipality on any of the grounds of discrimination set out in the LPMD.

Municipality of Fushë Kosovë

In response to the Ombudsperson's request, the Municipality of Fushë Kosovë issued a decision on access to public documents, emphasizing that the statutory limitations concerning the protection of personal data and confidential information must be respected.

The Municipality reported on the actions and activities carried out with the aim of promoting and implementing the LPMD. Furthermore, the response states that the Municipality has published a

human rights platform on its official website, while during 2025 it did not receive any cases involving allegations of discrimination.

Municipality of Gjakova

The Municipality of Gjakova reported that institutional mechanisms, responsible teams and competent institutions are in place to handle complaints of discrimination in accordance with the applicable legislation. However, no cases of discrimination were recorded during the reporting period.

Municipality of Gjilan

The Municipality of Gjilan reported that it has filled the regular position of Officer for Protection from Discrimination. It is also planned that this officer will undergo training on data collection and processing, with the aim of monitoring the implementation of the LPMD.

The Municipality also plans to establish a sustainable system for collecting and classifying data disaggregated by the grounds and main forms of discrimination, in accordance with the Ombudsperson's recommendations. According to the Municipality, no case of discrimination was reported during 2025.

Municipality of Hani i Elezit

The Municipality of Hani i Elezit reported that, by a decision assigning additional duties, it appointed an officer responsible for matters related to protection from discrimination, in accordance with the applicable legal obligations. The Municipality did not receive any cases involving allegations of discrimination during 2025.

Municipality of Junik

The Municipality of Junik reported that it receives and handles complaints of all kinds, including complaints of discrimination, through the complaints box, where citizens can submit their concerns.

The Municipality stated that, following the Ombudsperson's recommendation to place an electronic link to the Ombudsperson's complaints page on its website, this has been integrated into the Municipality's official website.

Due to staff shortages and budgetary constraints, an officer was designated, by decision, with additional duties relating to reporting on the implementation of the LPMD. The Municipality keeps records of complaints received, but to date has not received any complaint of discrimination.

Municipality of Kamenica

The Municipality of Kamenica reported on the activities carried out by the officer responsible for protection from discrimination, including the publication of informational video spots, awareness-raising campaigns and lectures in schools.

Through these activities, citizens have had the opportunity to raise their concerns and receive information about their rights and the institutional mechanisms for protection from discrimination. The Municipality has not received any complaints of discrimination, although various citizens have sought advice and information on how to report and address cases of discrimination.

Municipality of Lipjan

The Municipality of Lipjan has informed that it has established the relevant mechanism for reporting cases of discrimination. In this regard, by decision of the Mayor of the Municipality, an official responsible for protection against discrimination has been appointed.

The institution maintains a register of complaints concerning allegations of discrimination; however, no such case was reported during 2025.

Municipality of Prizren

The Municipality of Prizren responded by e-mail, requesting that the Ombudsperson contact the responsible official directly, although the Ombudsperson's letter had been addressed to the Mayor of the Municipality.

The content of the response received indicates that the relevant officials of the Municipality of Prizren did not properly understand the role and constitutional and legal mandate of the Ombudsperson, nor the nature of institutional communication with this institution.

The Ombudsperson's request had been addressed to the Mayor of the Municipality and, consequently, it should have been handled with due institutional priority and responsibility, in accordance with the rules of official communication and the principles of inter-institutional cooperation.

Such an approach is important to ensure effective cooperation with the Ombudsperson and to enable the full and unhindered exercise of the Ombudsperson's mandate in protecting and promoting human rights and freedoms.

Municipality of Rahovec

The Municipality of Rahovec has informed that, since 2020, it has appointed an official who, by decision, was assigned additional duties as the Official for Protection against Discrimination. The Municipality did not report any complaints of discrimination during 2025.

Municipality of Shtime

The Municipality of Shtime has informed that it has planned and carried out activities aimed at reducing discrimination on any ground and increasing the level of respect for human rights, in the context of equality among citizens and between women and men.

According to the Municipality, no complaints alleging discrimination have been submitted to date.

Municipality of Štrpce

The Municipality of Štrpce has informed that no specific activities, meetings or initiatives concerning protection against discrimination have been organized for several years. It has also stated that no complaints of discrimination have been received.

Municipality of Vushtrri

The Municipality of Vushtrri has informed that it has not received any complaint based on the Law on Protection from Discrimination. The Municipality has also stated that it has not received any recommendations from the Ombudsperson.

However, the Municipality has not provided information as to whether it has appointed an official for protection against discrimination.

Municipality of Zvečan

The Municipality of Zvečan has informed that no case of discrimination was reported during the reporting period.

KOSOVO JUDICIAL COUNCIL

The Kosovo Judicial Council (KJC) has informed that the Statistics Office within the KJC, following verification of data in the Case Management Information System (CMIS), identified court cases registered and handled by the Basic Courts in the Republic of Kosovo that are related to allegations of discrimination, specifically matters concerning employment relationships and the prohibition of discrimination. According to the KJC's response, during 2025, three cases involving civil matters and labour disputes related to allegations of discrimination were recorded. However, the KJC did not provide information on the alleged grounds of discrimination in these cases.

KOSOVO PROSECUTORIAL COUNCIL

The Kosovo Prosecutorial Council (KPC) has provided statistical data received from prosecution offices throughout the country, offering an overview of cases related to the following criminal offences: "Violation of the Equal Status of Citizens and Residents of the Republic of Kosovo", "Incitement of Discord and Intolerance", hate-motivated criminal offences, and "Sexual Harassment".

With regard to the criminal offence of "Violation of the Equal Status of Citizens and Residents of the Republic of Kosovo", the KPC reported that 10 criminal reports were received nationwide. Of these, four cases were dismissed, while no conviction was reported.

Regarding the criminal offence of "Incitement of Discord and Intolerance", a total of 57 cases received or carried over from previous periods were reported. Of these, convictions were rendered in 10 cases, while five cases were reported as resolved, without providing information on how or with what outcome they were resolved.

None of the prosecution offices reported any cases related to hate-motivated criminal offences.

With regard to the criminal offence of “Sexual Harassment”, the KPC reported that 137 cases were received or carried over from previous periods, while convictions were rendered in 25 of these cases.

KOSOVO POLICE

The Kosovo Police provided data on the number of reported cases related to the criminal offences of “Violation of the Equal Status of Citizens and Residents of the Republic of Kosovo”, “Incitement of Discord and Intolerance”, hate-motivated criminal offences, and “Sexual Harassment”.

With regard to hate-motivated criminal offences, the Kosovo Police did not report any cases during the reporting period.

Regarding the criminal offence of “Violation of the Equal Status of Citizens and Residents of the Republic of Kosovo”, the Kosovo Police reported one case, which was stated to have been closed in a special manner.

With regard to the criminal offence of “Incitement of Discord and Intolerance”, 141 cases were reported. According to data provided by the Kosovo Police, one case was closed in a special manner, three cases were dismissed by the prosecutor, one case was concluded by a final court decision, 12 cases were referred to the prosecution, while one case is still under investigation.

Regarding the criminal offence of “Sexual Harassment”, the Kosovo Police reported 183 cases. Of these, two cases were closed in a special manner, four cases were dismissed by the prosecutor, 60 cases were referred to the prosecution, while three cases are still under investigation.

KOSOVO POLICE INSPECTORATE

As in the previous year, the Kosovo Police Inspectorate (KPI) was the only institution to respond to the Ombudsperson’s request. The KPI informed that, during the reporting period, it had not initiated any cases related to allegations of discrimination on any of the grounds set out in Article 1, paragraph 1, of the Law on Protection from Discrimination.

INDEPENDENT INSTITUTIONS

Among the independent institutions, only the Independent Media Commission (IMC) responded to the Ombudsperson’s request. However, it did not provide information on the substantive issues raised in the request, but instead requested that the addressee of the request be corrected.

The Ombudsperson had addressed the request to the Chief Executive Officer of the IMC. However, according to the IMC’s response, since 1 October 2024, the function of Chief Executive Officer has been exercised by another person, and the person to whom the letter had been addressed had never served as Chief Executive Officer.

The Ombudsperson considers that the IMC, like any other institution exercising public authority in the Republic of Kosovo, should have forwarded the request to the competent and responsible

official, in accordance with the principles set out in the Law on General Administrative Procedure, regardless of any possible inaccuracy in its addressee.

This is particularly relevant given that the request was addressed to the IMC as an institution and not to an individual in their personal capacity. Consequently, this should not have constituted an obstacle to processing and forwarding the request to the responsible person, or to providing a response concerning the substantive issues raised by the Ombudsperson.

THE INDEPENDENT OVERSIGHT BOARD FOR THE CIVIL SERVICE OF KOSOVO

The Independent Oversight Board for the Civil Service of Kosovo (IOBCSK) has informed that, during 2025, it received 2,093 regular complaints. According to the information provided, in some of these cases, complainants alleged that the respective institutions had acted in a discriminatory manner. The IOBCSK stated that these allegations were addressed in accordance with the provisions of Law No. 08/L-197 on Public Officials, particularly Article 7, paragraph 1, and Article 8, paragraph 1, as well as in accordance with the provisions of the Law on Protection from Discrimination.

However, the IOBCSK did not provide statistical data on the number of complaints containing allegations of discrimination, the alleged grounds of discrimination, or the final outcome of the handling of these cases.

THE AGENCY FOR FREE LEGAL AID

The Agency for Free Legal Aid (AFLA) has informed that, during 2025, it received two applications for the provision of free legal aid relating to allegations of discrimination. According to the Agency, these cases were recorded and handled in accordance with the applicable legislation on protection from discrimination, as well as other relevant legislation.

Both applications were approved, as the applicants met the eligibility criteria for receiving free legal aid under Article 10/A of Law No. 08/L-035 on Amending and Supplementing Law No. 04/L-017 on Free Legal Aid. The Agency has informed that, in these cases, it undertook all necessary actions to ensure effective access to justice for the beneficiaries of free legal aid.

CONCLUSION

The data obtained from public institutions indicate that the level of implementation of the Law on Protection from Discrimination (LPD) by public authorities remains extremely low. Despite the appointment of officials responsible for protection from discrimination and the establishment of institutional mechanisms for the promotion of equality, the implementation of obligations arising from the LPD in many institutions remains largely formal, due to the lack of clearly defined duties, limited capacities, and the fact that these responsibilities are often assigned to officials as additional duties. Moreover, a considerable number of institutions have failed to respond to the requests of the Ombudsperson or have failed to provide complete data concerning cases of discrimination.

The Office for Good Governance highlights the absence of a unified system for recording, monitoring and reporting cases of discrimination. Many institutions do not maintain detailed statistics disaggregated by grounds of discrimination and do not provide sufficient data to assess the effectiveness of the existing mechanisms. This situation limits the possibility of obtaining an accurate picture of the situation regarding discrimination in the country and demonstrates the need to strengthen institutional coordination, increase accountability, and ensure the effective functioning of mechanisms for protection from discrimination at all levels of public administration.

In general, based on the data received from the Kosovo Judicial Council (where progress can be observed compared with the previous two years, when no data whatsoever were available on cases of discrimination handled by the courts), the Kosovo Prosecutorial Council, the Kosovo Police, the Kosovo Police Inspectorate, as well as independent institutions and other oversight mechanisms, it appears that cases relating to discrimination and criminal offences involving discriminatory elements are limited. Within the prosecutorial and judicial systems, a number of cases are being handled, but there is a notable lack of final decisions in certain categories and insufficient data on the grounds of discrimination.

On the other hand, independent institutions and administrative mechanisms are reported to have handled cases involving elements of discrimination, but there is a lack of detailed and standardised statistics on the grounds of discrimination, the outcome of cases, and their categorisation. These findings demonstrate the need to strengthen the system for recording and reporting cases of discrimination, increase institutional transparency, and harmonise approaches among institutions, with a view to creating a more accurate and comprehensive picture of cases of discrimination in practice.

With regard to the Ombudsperson's recommendation that public institutions clearly publish procedures for submitting complaints to the Ombudsperson, in the absence of responses, the Ombudsperson, after reviewing the official websites of ministries and municipalities, found that, out of 19 ministries, only the Ministry of Justice and the Ministry of Defence have published a link to the procedures for submitting complaints to the Ombudsperson. However, for some ministries, due to the reconstruction of their official websites, it was not possible to establish whether a link for reporting discrimination to the Ombudsperson exists. Meanwhile, out of 38 municipalities, only the Municipality of Istog and the Municipality of Graçanica have a link for submitting complaints to the Ombudsperson, while the Municipality of Fushë Kosovë and the Municipality of Kamenicë have a link for reporting discrimination, which directs users to the platform of the Office for Good Governance of the Office of the Prime Minister concerning protection from discrimination against Roma, Ashkali and Egyptian communities.

Finally, the failure to act and the lack of accountability in relation to requests from the Ombudsperson, the Labour Inspectorate, the Market Inspectorate, the Education Inspectorate and the Health Inspectorate remain particularly concerning, given that these institutions are competent to handle complaints in cases where the Ombudsperson does not have full powers to intervene.

VI. RECOMMENDATIONS

As regards the findings concerning cases of discrimination investigated by the Ombudsperson, the relevant recommendations have been addressed to the responsible authorities through individual case reports. These reports and their recommendations can be accessed through the links included in this report.

With regard to the recommendations on the implementation of the Law on Protection from Discrimination, considering that the recommendations set out in the annual reports for 2023 and 2024 have not been implemented to the required extent, the Ombudsperson reiterates them in this report, as follows:

- All institutions that have specific obligations under the Law on Protection from Discrimination shall develop action plans for the implementation of the Ombudsperson's recommendations set out in the annual reports submitted to the Assembly of the Republic of Kosovo.
- During the process of amending and supplementing the Law on Protection from Discrimination, the mechanisms for implementation of the law, as well as the competences and responsibilities of the relevant institutions, shall be clearly defined, distinguishing between mechanisms for promotion and awareness-raising and protective and complaints mechanisms, including administrative and judicial mechanisms.
- All public authorities, at the central and local levels, shall operationalise the units for protection from discrimination or promptly appoint officials responsible for protection from discrimination, standardise their job descriptions, and maintain regular records of cases involving allegations of discrimination.
- Continuous training shall be organised for staff of the units and officials responsible for protection from discrimination on the interpretation and implementation of the Law on Protection from Discrimination, as well as on the oversight role of the Ombudsperson.
- Basic courts and prosecution offices shall maintain separate data and registers on cases of discrimination, integrating them into the Case Management Information System (CMIS), and shall adapt the case classification system so that cases of discrimination can be identified and reported separately from other cases.
- Public institutions shall ensure the clear publication, on their official websites, of procedures for submitting complaints to the Ombudsperson and shall undertake regular promotional and awareness-raising activities for the public in the field of protection from discrimination.