

Title of Presentation:  
*The Impact of Civil Society in Enhancing  
Policy-Making in Kosovo*

Prof. Ass. Dr. Qerkin Berisha, University of Prishtina

June 11<sup>th</sup> 2025

# Introduction

- ❖ Civil society in Kosovo has become a key actor in democratic governance, especially in policy-making and legislative processes.
- ❖ Since the post-independence period, CSOs have grown not only in number but also in capacity, influencing both the content of laws and the transparency of public institutions.
- ❖ This presentation shares findings from field research and publications, examining the process, tools, impact, and limitations of civil society engagement.

# Tools and Mechanisms of Engagement

- ❖ Civil society in Kosovo uses a mix of institutional and informal tools to participate in policy-making:
- ❖ Working groups in legislative drafting
- ❖ Use of the Konsultimet Publike platform: <https://konsultimet.rks-gov.net>
- ❖ Legal opinions, comparative analyses, and advocacy reports
- ❖ Media campaigns and public roundtables
- ❖ MoUs with institutions to formalize engagement
- ❖ Participation in the Government Strategy for Cooperation with Civil Society, Including the Council for Cooperation and CSO

# From Consultation to Co-Drafting of policies and legislation

- ❖ The role of civil society has moved beyond commenting to co-drafting legal texts.
- ❖ In some cases, CSOs have led the process of initiating or amending legislation. This shift was enabled by:
  - Legal expertise in CSOs;
  - Institutional openness to external input (especially under donor pressure);
  - Use of comparative models and EU approximation standardsHowever, this role remains dependent on political will, donor support, and informal networks;

# Case Study: Law on Freedom of Association & CSO Legal Framework

- ❖ CSOs were instrumental in shaping the Law on Freedom of Association in NGOs (2019);
  - Drafted and revised key provisions on registration, governance, and accountability;
- ❖ Advocated for alignment with international best practices  
They also co-prepared the Strategy for Cooperation of the Government with Civil Society and were deeply involved in:
  - Designing performance indicators;
  - Monitoring implementation;
- ❖ On public funding, CSOs helped establish rules for transparent grant-making and criteria for eligibility, enhancing long-term sustainability.

# Case Study: Civil Code Drafting Process

- ❖ The drafting of the Draft of Civil Code marked a milestone in participatory law-making:
  - Civil society experts were invited to provide legal analysis, especially on property rights, inheritance, and family law;
  - CSOs submitted comparative studies and commented on each chapter;
  - Public consultations were organized to inform citizens of key provisions;
  - Although not all recommendations were adopted, the process reflected a more deliberative and inclusive legal culture.

# Achievements and Impact

❖ Civil society contributions have led to:

- More inclusive and transparent policy and legislative drafting;
- Greater alignment with EU standards in law and governance;
- Improved policy responsiveness in sectors like education, youth, anti-discrimination, CSO environment;
- Creation of a culture of participation, particularly in areas traditionally dominated by the state;

❖ However, this impact is not always the desired, and follow-up mechanisms are often weak.

# Challenges and Limitations

## ❖ Despite progress, challenges persist:

- Superficial consultations where CSO input is ignored or delayed;
- Political resistance to independent monitoring and criticism;
- Funding dependency on donors, affecting sustainability;
- Limited capacity in smaller or grassroots CSOs;
- Gaps between policy proposals and policy implementation;
- Structural reforms in state–civil society relations are still needed.

# Conclusion

- ❖ Civil society in Kosovo plays an essential and evolving role in shaping policies and legislation;
- ❖ To enhance this impact further:
  - Institutional mechanisms for participation must be respected;
  - CSOs should be involved from the early stages of policy and legislative drafting;
  - Capacity-building and core funding for CSOs should be prioritized, at a time when international donations and grants are reduced;
  - Feedback loops and monitoring should be strengthened.