

Kosovo 2024 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Kosovo during the year.

There were no credible reports of significant human rights abuses.

The government took credible but inconsistent steps to identify, investigate, prosecute, and punish officials who committed human rights abuses.

Section 1. Life

a. Extrajudicial Killings

There were no reports the government or its agents committed arbitrary or unlawful killings during the year.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

c. War Crimes, Crimes Against Humanity, and Evidence of

Acts that May Constitute Genocide

The Kosovo Specialist Chambers (KSC) and Kosovo Specialist Prosecutor's Office (SPO) were institutions created by Kosovo law and staffed with international judges, prosecutors, and officers located in The Hague to investigate and prosecute crimes against humanity, war crimes, or other serious crimes under Kosovo law commenced or committed between 1998 and 2000. The SPO and its predecessor, the EU Special Investigative Task Force, were established following the 2011 release of the Council of Europe report, *Inhuman Treatment of People and Illicit Trafficking in Human Organs in Kosovo*, which alleged individual Kosovo Liberation Army leaders had committed acts that could constitute war crimes in Kosovo between 1999 and 2000.

The nongovernmental organization Humanitarian Law Center in Kosovo reported that as of December 2, authorities had arrested nine ethnic Serbs on war crimes allegations during the year. In addition, the SPO issued eight indictments for war crimes against eight persons in Kosovo and five indictments in absentia. The Humanitarian Law Center noted resolution of conflict-related crimes committed in Kosovo between 1998 and 2000 remained problematical, citing inadequate resources and lack of regional cooperation.

The Humanitarian Law Center and victim advocates asserted that in war

crimes cases, individual actions of the accused were frequently not clearly outlined but instead often generalized as actions of a group. Observers asserted this created the perception that a group member was being convicted for the wrongdoing of other individuals.

Kosovan Serb community representatives criticized war crimes arrests, questioned the merits of the charges, and claimed some arrests were associated with property disputes.

In July 2023, the government extended the mandate of its commission to identify and recognize survivors of conflict-related sexual violence entitled to financial compensation to May 2025. The law did not recognize as conflict-related any act of sexual violence that occurred after NATO intervention in June 1999 and did not provide free or adequate access to health services.

The commission granted financial compensation to more than 1,671 victims since 2018, including 75 during the year as of September 5, although there were an estimated 20,000 victims of conflict-related sexual violence. Civil society organizations working with survivors of conflict-related sexual violence noted the slow pace of the government commission in reviewing applications.

The Special Prosecution Office of the Republic of Kosovo designated one prosecutor for cases of conflict-related sexual violence. Police maintained a

directorate for war crimes investigations, including cases of conflict-related sexual violence.

War crimes trials and appeals for deliberate killings committed between 1998 and 2000 continued.

As of December 2, the April 2023 KSC trial continued against former Kosovo President Hashim Thaci, former Kosovo Parliamentary Speakers Kadri Veseli and Jakup Krasniqi, and former Vetevendosje Caucus Chief Rexhep Selimi on charges of crimes against humanity and war crimes allegedly committed during the Kosovo conflict.

On July 16, the KSC found Pjeter Shala, a member of the former Kosovo Liberation Army, guilty of the war crimes of arbitrary detention, torture, and murder. He was sentenced to 18 years in prison.

On September 10, the KSC Appeals Panel reduced former Kosovo Liberation Army member Salih Mustafa's 2022 sentence for arbitrary detention, torture, and murder for a second time, from 22 to 15 years, including time served. In December 2023, the appeals panel reduced his sentence from 26 to 22 years in prison, including time served.

The Pristina Basic Court convicted perpetrators of war crimes who committed physical abuse, torture, and murder between 1998 and 2000.

Between January 1 and December 2, the Pristina Basic Court convicted four

former members of the Serbian forces of war crimes. The court sentenced Dusko Arsic, an ethnic Serb, to 13 years of imprisonment for the expulsion of ethnic Albanians from their homes, looting, burning property, physical and psychological mistreatment, and killing of ethnic Albanian citizens in 1999. On September 30, the Appellate Court overturned Arsic's conviction and ordered a retrial. Caslav Jolic, an ethnic Serb, received an eight-year prison sentence for abusing civilians, including beating three ethnic Albanian citizens in the Istog/Istok territory in 1998. Muhamet Alidemaj, an ethnic Albanian, received a 15-year prison sentence for participating in a massacre at Izbice. Ekrem Bajrovic, an ethnic Bosniak, was sentenced to 12 years in prison for beatings, torture, and killings of ethnic Albanian civilians in Istog/Istok in 1990.

Section 2. Liberty

a. Freedom of the Press

The constitution and law provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. Nevertheless, freedom of expression was not an absolute right and was limited by law when considered necessary by the government to prevent encouragement or provocation of violence or hostility, including on national, ethnic, or religious grounds.

The law prohibited publicly inciting or spreading hatred, discord, and

intolerance between “national, racial, religious, ethnic, or other groups, or based on sexual orientation, gender identity, and other personal characteristics” in a manner that was deemed likely to disturb public order. Critics and observers contended the law was used to limit freedom of expression.

Kosovan Serb community representatives contended authorities arbitrarily applied the law. On November 26, the Basic Court in Peja ordered a one-month detention for three Montenegrin citizens who were arrested for an alleged hate crime on November 24 for having a license plate holder that read “Kosovo is Serbia” in the Serbian language. The three men were arrested near the Visoki Decani Monastery after a religious celebration.

As of September 17, Kosovo Police reported 19 cases of “incitement of hatred and ethnic division” were under investigation. Such incidences included multiple cases of graffiti targeting ethnic Serb and Albanian communities, flag burnings, the distribution of pro-Serbia pamphlets, vandalism of an Orthodox church, the display of photographs of pro-Serbia paramilitaries and the phrase “no surrender” written in Serbian, damage to a mosque, and distribution of leaflets suggesting how to attack police.

Physical Attacks, Imprisonment, and Pressure

The Association of Journalists in Kosovo (AJK) reported it was targeted with digital smear campaigns several times when it defended journalists and

media. The AJK reported government officials, including the prime minister and ruling political party members, engaged in smear campaigns to undermine public trust in media. The AJK reported the use of photoshopped images in threats to journalists and spreading disinformation to discredit news outlets.

As of September, the AJK reported and condemned 53 instances of government officials, political leaders, judicial staff, business interests, suspected criminals, community groups, demonstrators, or religious groups physically assaulting or verbally threatening journalists, damaging their equipment, or conducting cyberattacks against media outlets.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

Journalists claimed pressure from politicians and organized criminal groups frequently resulted in self-censorship. Some journalists refrained from critical investigative reporting due to fear for their physical safety or job security. Journalists occasionally received offers of financial benefits in exchange for positive reporting or for abandoning an investigation.

According to some editors, government agencies and corporations withdrew advertising from outlets that published critical material.

During a press conference on August 20, the AJK claimed the Law on the Independent Media Commission, adopted on July 11, violated the

independence of the commission, threatened freedom of expression, and undermined the principle of equality between women and men. The ombudsperson asserted the newly enacted law made the commission vulnerable to political interference and threatened the principle of impartiality stipulated by the constitution for independent institutions. Similar concerns were echoed by civil society organizations. The law was under Constitutional Court review as of November 25.

There were attempts to inhibit freedom of expression, including for members of the press, in northern Kosovo.

In December 2023, a court sentenced three individuals to two years' imprisonment each for assaulting the owner of news portal *Metro* after the outlet posted a video allegedly mocking the grand mufti of Kosovo and a prominent imam. On September 25, the Appellate Court decreased the sentence to one year and six months for each defendant.

b. Worker Rights

Freedom of Association and Collective Bargaining

The law provided for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibited antiunion discrimination and the violation of labor rights due to an individual's union activities. The law required reinstatement of workers

fired for union activity, including in essential services. The law applied equally to all individuals working in the public and private sectors, including documented migrants and domestic servants.

The law required trade union organizations to have at least 10 voluntary union members to register with the Ministry of Labor and Social Welfare. The law stipulated valid reasons for strikes and required a seven-day advance notification to the governing body or employer. Under the law, designated workers of “services of vital importance” faced added restrictions and had to provide “minimum work process and production” during a strike.

The government did not effectively enforce laws protecting freedom of association, collective bargaining, and the right to strike for workers. According to the Association of Independent Labor Unions in Kosovo (BSPK), resources, inspections, and remediation were inadequate. Penalties for violations of freedom of association, collective bargaining, and the right to strike were less than those for analogous violations such as civil rights violations and were rarely applied against violators. Administrative and judicial procedures were circuitous and subject to lengthy delays or appeals.

Employers did not always respect the right of worker organizations to bargain collectively, particularly in the private sector. In addition, employers did not always respect the rights of worker organizations and unions to network with unions outside their organization, particularly in the private

sector. The BSPK reported many private-sector employers essentially ignored labor laws. The BSPK reported difficulty establishing new independent unions due to employer interference in workers' associations and unions, particularly in the banking, construction, and hotel sectors. Representatives from these sectors anonymously told the BSPK some employers used intimidation to prevent the establishment of unions.

Public-sector employers engaged in antiunion retaliation. The government did not investigate these acts or hold perpetrators accountable. The Ombudsperson Institution found the Civil Aviation Authority violated the right of employees to associate in unions and refused to address the recommendations of the institution and the Kosovo Assembly Committee for Human Rights, Gender Equality, Missing Persons, and Petitions. The labor inspectorate, which was not fully functional due to budgetary and staffing shortfalls, reported receiving no formal complaints of discrimination against employees who tried to join unions.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

The law provided for a minimum wage for all sectors. The government minimum wage was higher than the official estimate for the poverty income level.

The law provided for a standard 40-hour work week, required rest periods, limited the number of regular hours worked to 12 per day, limited overtime to eight hours per week and 40 hours per month, required payment of a premium for overtime work, and prohibited excessive compulsory overtime. The law provided for 20 days of paid leave per year for employees and 12 months of partially paid maternity leave. Observers reported alleged violations of wage, hour, or overtime laws were common in the informal economy and the private sector, including the construction, mining, and textile sectors.

Occupational Safety and Health

Occupational safety and health (OSH) standards were generally appropriate for the main industries in the country. The government did not proactively identify unsafe conditions and only responded to workers' OSH complaints. The responsibility for identifying unsafe workplaces lay with individual employers, while the changes that would secure safe work conditions were the responsibility of OSH experts rather than workers.

Most workers could remove themselves from situations that endangered their health or safety without jeopardy to their employment although this was not the case in the construction industry.

Alleged violations of OSH standards were reported in the construction sector due to workers often performing their jobs on dangerous heights and using materials without proper safety gear.

Wage, Hour, and OSH Enforcement

The Labor Inspectorate was responsible for enforcing labor standards, including those pertaining to wage, overtime, and OSH laws. The government did not effectively enforce the law, and penalties were less than those for similar violations such as fraud or negligence. Penalties were rarely applied against violators. Inspectors had the authority to make unannounced inspections and initiate sanctions, but the number of inspectors was insufficient to enforce compliance and deter violations in both the formal and informal sectors. Labor inspections related to harassment remained poor to nonexistent.

According to the BSPK, employers failed to abide by regulations that provided equal standards of protection to public and private sector workers. Agency of Statistics data indicated that as of the fourth quarter of 2023, 71 percent of employees worked between 40-48 hours weekly, 9.2 percent worked between 49-59 hours weekly, and 7.8 percent worked more than 60

hours. Anecdotal evidence suggested overtime was rarely compensated. The Kosovo Women's Network noted systematic pay disparities resulted in women earning less than men for comparable work.

There were no reliable official statistics on the informal economy, but a 2022 EU-commissioned report estimated the informal sector and black market comprised 32 percent of GDP. Workers in the informal sector were not covered by all wage, hour, and OSH laws. The BSPK reported lack of enforcement by the judiciary, especially in the informal sector, citing resource and capacity limitations within the labor inspectorate. The Ombudsperson Institution characterized the informal sector as the greatest violator of workers' rights, with lack of workplace protections often resulting in fatalities, lack of work contracts, and refusal of employers to pay wages and respect working hours.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of government authorities.

As of November 26, the government's Missing Persons Commission listed 1,607 persons who disappeared during the 1998-99 conflict and the political violence that followed. By law, the government's database did not include

the ethnicity of missing persons unless voluntarily reported by their families. The commission estimated approximately 70 percent of the missing persons were ethnic Albanians and 30 percent were Serbs, Roma, Ashkali, Balkan-Egyptians, Bosniaks, Goranis, Montenegrins, or others.

Prolonged Detention without Charges

The constitution and law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government, the EU Rule of Law Mission (EULEX), and NATO-led Kosovo Force (KFOR) generally observed these requirements. EULEX and KFOR personnel were not subject to the country's legal system but rather to their missions' and their countries' disciplinary measures. There were no reports the government conducted arbitrary arrest or detention.

The law stipulated police could arrest suspects only upon an order based on evidence and issued by a judge or prosecutor; exceptions were allowed when a crime was in progress. Within six hours of an arrest, prosecutors were required to provide the arrested person with a written statement describing the alleged offenses and the legal basis for the charges. Authorities were obligated to bring arrested persons before a judge within 48 hours and were compelled to provide detainees prompt access to a lawyer of their choice or one provided by the state. There was a functioning bail system.

Suspects had the right to refuse to answer questions, except those concerning their identity, at all stages of an investigation. Suspects had the right to the free assistance of an attorney (after demonstrating financial need) and interpretation, as well as medical and psychological treatment. Suspects were allowed to have a family member notified of their arrest and could, at all stages of the process, communicate with their legal representation.

Following an initial ruling, a court could hold individuals in pretrial detention for up to 30 days from the date of their arrest and could extend pretrial detention for up to 18 months. After an indictment, and until the conclusion of trial proceedings, only a trial judge or a trial panel could terminate detention. The law allowed a judge to order house arrest, confiscate travel documents, and use bail or other alternatives to pretrial detention.

Lengthy pretrial detention, averaging six months both before and during judicial proceedings, remained a problem. The law required expediting of cases in which the defendant was in detention; however, there were no time limits on detention on remand after an indictment had been filed. Pretrial judges periodically assessed the necessity and proportionality of continuing detention. Observers noted lengthy pretrial detention was partly due to judicial inefficiency.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/international-religious-freedom-reports/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and laws prohibited such practices, but the laws were inconsistently implemented. There were credible reports government officials employed such practices. The National Preventive Mechanism against Torture (NPMaT), which operated under the Ombudsperson Institution in Kosovo, was responsible for reviewing and investigating allegations of mistreatment by correctional service personnel. As of August 26, the NPMaT investigated six complaints of mistreatment by correctional service personnel alleging excessive use of force or the refusal to provide medical assistance.

The Police Inspectorate of Kosovo (PIK) was responsible for reviewing and investigating accusations of police criminal actions, and for inspecting police processes for compliance. Complaints against police primarily alleged mistreatment, excessive use of force, abuse of official duty, bribery, bodily injury, threatening behavior, and domestic violence.

Kosovan Serb community representatives, including civil society and political groups, noted concerns with police conduct during the year, particularly in the four northern municipalities. On October 30 two police officers were suspended following allegations of misconduct and excessive use of force against a Kosovan Serb in the North Mitrovica/e police station. The individual, whom police arrested on October 26 for allegedly damaging property, reported he was physically and verbally harassed while in custody. As of November 25, the PIK investigation into the case was pending.

b. Protection of Children

Child Labor

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

Child Marriage

The law allowed persons to marry at age 18, or age 16 with parental consent. Authorities did not effectively enforce the law. Although there

were no official data on early and forced child marriages, it was a common practice, including within the Roma, Ashkali, Balkan-Egyptian, Bosniak, and Gorani communities.

c. Protection to Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Provision of First Asylum

The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees.

d. Acts of Antisemitism and Antisemitic Incitement

According to local estimates, between 50 and 100 Jewish persons lived in small Jewish communities in Prizren and Pristina, although exact numbers were unavailable. There were no reports of antisemitic incidents.