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GENDER EQUALITY RELATED CORRUPTION RISKS AND VULNERABILITIES IN CIVIL SERVICE IN KOSOVO



2014



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Gender Equality Related Corruption Risks and Vulnerabilities in Civil Service in Kosovo

Survey:
**Gender Equality Related Corruption Risks and
Vulnerabilities in Civil Service in Kosovo**

FINDINGS AND RECOMMENDATIONS

UNITED NATIONS DEVELOPMENT PROGRAMME

November 2014

The research and writing of the report was a collaborative effort of UNDP Regional Centre for Europe and the CIS based in Istanbul and UNDP *Support to Anti-Corruption Efforts in Kosovo* (SAEK) project team based in Pristina. The report was developed in the framework of UNDP *Global Anti-Corruption Initiative* (GAIN).

References to Kosovo in this report (including its cover page) shall be understood to be in the context of Security Council Resolution 1244 (1999).

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EXECUTIVE SUMMARY

Good governance is predicated on principles of transparency, equity, strengthened accountability, integrity and participation. The civil service, as the administrative arm of institutions is tasked with upholding, and where possible leading on these principles. As an employer, civil services are bound by codes of conduct, policies, laws and regulations which promote a transparent and fair working environment with good working conditions for men and women. If the civil service fails to provide such a working environment, a lack of accountability and corrupt practices, such as nepotism, bribery, favouritism, extortion (including sexual extortion), theft and abuse of discretionary powers may become endemic. While a lack of transparency and entrenched corruption in the civil service often translate into a lack of services from institutions, impacts are also felt directly by civil service employees. A lack of transparency and corrupt practices within the civil service alters whether or not recruitment, promotion, remuneration and redundancy policies are adhered to and whether accountability and disciplinary measures are followed. These corrupt practices cost taxpayers money and have the potential to diminish the professional profile of the civil service and trust in the civil service as a whole.

Corruption is as much about power as it is about money. Given the hierarchical structure of the civil service, women are often absent from decision making roles and large numbers of women occupy the lower rungs of the civil service. Without power women are less likely to have opportunities to engage in corruption, yet they are vulnerable to the risks associated with a lack of transparency and corrupt practices at work. Negative impacts including being underpaid, sexually exploited, overlooked for promotion or unfairly dismissed, disproportionately affect more women than men.

Implementing fair employment practices and strong accountability measures within the civil service minimises the temptation for corruption and maximises the incentives for ethical behaviour. In other words, cleaner management will lead to cleaner operations, and in this case better service delivery and institutional programs. Gender equality and women's empowerment are drivers of development progress. Specifically, shaping and building resilient, representative, responsive and democratic public administration institutions based on gender equality and respect for human rights are central to UNDP's mandate to promote gender-responsive and equally inclusive governance institutions.

Survey Addressing Gender Equality Related Corruption Risks and Vulnerabilities in Civil Service in Kosovo (2014) supports work already conducted by UNDP Regional Center in Istanbul in partnership with UNDP Country Offices in Europe & Central Asia, respectively Albania, Ukraine, and Kyrgyzstan. The development of the methodology has been supported by Council of Europe's Group of States against Corruption (GRECO). In the light of this joint collaboration, UNDP SAEK Project has conducted a survey to assess gender equality related corruption risks and vulnerabilities in civil service in Kosovo in order to devise strategies to address the underlying governance and anti-corruption bottlenecks.

¹Hall, D. (2012) Corruption and Public Services

1. INTRODUCTION

The project Support to Anti-Corruption Efforts in Kosovo (SAEK) aims to have a positive impact on reducing the level of corruption in Kosovo by strengthening monitoring and oversight mechanisms of institutions to perform in an efficient, transparent, accountable, and gender sensitive manner. The project works to ensure greater transparency and accountability of those institutions responsible for delivering public services and create the necessary requirements for more participatory governance at the local level.

UNDP has adopted a human rights based approach to this anti-corruption project as well as a systemic capacity development focus addressing the policy dimensions, organizational systems and individual level of skills and knowledge. SAEK complements the commitment made at the institutional level to fight corruption by working closely with a wide range of stakeholders from the public sector and building on the strategic alliances UNDP has already established with various Kosovo authorities, international actors and civil society organizations (CSOs).

Gender equality and women's empowerment are drivers of development progress. Specifically, shaping and building resilient, representative, responsive and democratic public administration institutions based on gender equality and respect for human rights are central to UNDP's mandate to promote gender-responsive and equally inclusive governance institutions.

To address the above mentioned issues, UNDP has developed a survey methodology to assist Kosovo to ensure transparent and accountable operations within the civil service. The survey provides an assessment of gender equality related corruption risks and vulnerabilities in civil service in Kosovo in order with a purpose to devise strategies that address the underlying governance and anti-corruption bottlenecks.

The main objective of the survey is to provide a comprehensive overview on the corruption risks and vulnerabilities in civil service in Kosovo and how they affect both women and men. By utilizing participatory diagnosis, the survey reflects on the experiences, needs and perceptions of Kosovo civil service employees on corruption risk and vulnerabilities within the civil service processes of recruitment and promotion (including the different impacts of a lack of transparency and corruption on the recruitment and career development of both women and men civil service employees).

To achieve this objective, a hybrid of quantitative and qualitative methodology was developed, including: review of existing literature; quantitative interviews with representatives of civil society at the local and national level, and; in-depth interviews and focus group discussions with key stakeholders.

The first part of the report provides a background to the UNDP SAEK Project, with a focus on the rationale of this research project. Second part provides information on the research methodology used to address the objectives of this study. Whereas, the rest of the report

focuses on the results and provides an in-depth analysis of the key issues that emerged during the research phase; in addition, provides comparisons between local level and central level respondents. Lastly, the report presents the conclusions derived from the analysis and recommendations for future action.

Key Findings

Central Level

- More than 85% of respondents at the central level are of the opinion that the following practices within the workplace are corrupt:
 - paying or receiving a payment for awarding contracts or positions
 - paying or receiving payment for a promotion or permanent job within the civil service
 - failure to declare conflict of interest when recruiting staff or awarding contracts
 - paying or receiving rewards for keeping silent about workplace issues
 - performing or receiving sexual favours in exchange for promotion or money
- According to 73% of respondents, “nepotism, favouritism and patronage” as a form of corruption is present in the civil service in Kosovo, while 62% of respondents believe “bribery” is present as well.
- When asked to rate the prevalence of corruption in the civil service in Kosovo, the average rating was 3.1, with 1 “not prevalent” and 5 “very prevalent”.
- The perception that men are more prone to corruption was prevalent during qualitative interviews, and that women are more honest and less corrupt.
- The perception was that corruption affects both genders equally.
- 10% of respondents at central level claimed to have witnessed corruption in their current workplace. Out of those who witnessed corruption, only 37% said they have reported it.
- In regard to workplace policies, a significant 60% of respondents at the central level stated that “retrenchment policies” have not been made available to them, and another 58% said that “redundancy policies” are not available to them.
- The majority of the central level civil servants interviewed stated that the information provided in the policies and regulations is easy to understand, accurate, relevant to their situation and, was also provided in timely fashion.
- In general, the majority of respondents are of the opinion that women and men enjoy the same working conditions.

Local Level

- The majority of local level respondents believe that the following practices within a workplace are corrupt:
 - paying or receiving a payment for awarding contracts or positions
 - paying or receiving payment for a promotion or permanent job within the civil service
 - failure to declare conflict of interest when recruiting staff or awarding contracts
 - paying or receiving rewards for keeping silent about workplace issues
 - performing or receiving sexual favours in exchange for promotion or money.

- “Nepotism, favouritism and patronage” is considered by 71% of respondents to be a form of corruption that exists across the entire civil service in Kosovo.
- With 1 being “not prevalent” and 5 being “very prevalent”, 2.72 is the average rating from local level respondents when asked to rate how prevalent do they believe corruption is in the civil service in Kosovo.
- The majority of respondents from qualitative interviews believed that even though corruption does exist, it was not widespread.
- 13% of interviewees at the local level claimed to have witnessed corruption in their current workplace. Only 22% of them have reported the corruption cases they had witnessed.
- The general perception is that corruption affects both genders equally.
- Respondents at the local level are generally satisfied with the information provided in workplace policies and regulations made available to them.
- Similarly to the central level findings, the majority of local level respondents stated that the information provided in the policies and regulations is easy to understand, accurate, relevant to their situation, and provided in timely fashion.
- A vast majority of respondents are of the opinion that men and women enjoy the same working conditions within the civil service.

1.1. Purpose and Aim of the Report

The purpose of this report is three-fold:

- First, through an analysis of quantitative and qualitative data, important conclusions are reached regarding corruption at the central and local level;
- Second, it distinguishes the perception of civil servants regarding the levels of corruption, and fighting corruption from a gender perspective;
- And third, it identifies the effect that corruption has on both women and men, by using the findings of the report to analyse the trends in transparency and employment in various targeted institutions.

Finally, the aim of the report is to provide a comprehensive and in-depth research on the barriers that corruption imposes on gender equality.

2. RESEARCH METHODOLOGY

The research methodology of this survey is based on both quantitative and qualitative data collection techniques. The targets of this survey were civil servants at both central and local level.

The following details the methodology used to implement the survey:

- Desk review of the existing regulatory or institutional framework for promoting transparency and accountability within the surveyed institution;
- In depth interviews with representatives of relevant stakeholders, respectively 120 respondents from central and local institutions level in Kosovo;
- 800 quantitative face – to – face interviews were conducted, of which 450 with representatives of institutions at central level, and 350 with representatives of local authorities;
- Two focus group discussions were organized separately with women and men respondents from different level of authority within civil service.

In- depth interviews		Quantitative interviews		Focus Groups	
Local institutions	Central institutions	Local institutions	Central institutions	1 Session with Men only	1 Session with Women only
55	65	450	350	9 participants	12 participants

On the **Desk Review**, the following actions were conducted:

Initially a review of existing documents was conducted i.e. documents, reports, studies, strategies, legislation, and other relevant documents that are relevant to the gender equality related corruption risks and vulnerabilities in civil service in Kosovo, for promoting transparency and accountability within the surveyed institution. Desk Research team gathered and analyzed all available documents (secondary data) that were directly related to project objectives.

On the **Research using Interviewing Technique** the following phases were performed:

Phase 1- Preparatory phase

Finalization of questionnaires: While developing both quantitative and qualitative questionnaires and then using interviewers to administer it, attention was paid to several points: using simple language that would be easily understood by the respondents, and we didn't use leading questions that would strongly suggest a particular response. Once the survey questions were developed, a particular attention was paid to order them logically in the questionnaire.

After the questionnaires were designed, a pilot test was conducted. The quantitative questionnaire was tested with a sample of 12 respondents, at the municipality of Pristina and Obiliq/ć, respectively 8 officials were interviewed at the municipality of Pristina, and 4 officials were interviewed at the municipality of Obiliq/ć. On the other hand, in regard to the qualitative questionnaire, a sample of 8 questionnaires was tested at the municipality of

Pristina and Ministry of Culture Youth and Sports (MCYS). Based on the feedback from pilot interviews, questionnaires were checked once again for errors, and were then finalized for training.

Recruitment of survey team: The team was carefully selected with preference given to experienced interviewers. The selected field work team comprised 18 fieldworkers, three field supervisors, four data processing and entry personnel and one coordinator. The fieldwork supervisors allowed for supervision in all the regions being surveyed. Once the sampling frame was defined, project staff delegated responsibilities to enumerator supervisors for each municipality.

Training of survey team: One-day training was conducted for each, the Albanian and Serbian interviewers. The purpose of this training was to ensure that: i) enumerators fully understand the survey questions, ii) enumerators are familiar with the methodology of sampling and interviewing, and iii) enumerators are effective interviewers and can administer the interviews easily, accurately, consistently, and naturally.

Phase 2 - Data Collection

Fieldwork: Field work was carried out from 1st to 22th September 2014.

Quality Checks: This was an integral part of fieldwork. Quality check comprised of:

- The field supervisors were responsible for carrying out the first quality control by screening each questionnaire submitted. The control was conducted for matching the proposed sample with the one interviewed by enumerators.
- The second level of quality control was carried out by data entry personnel inputting the data in the electronic database.
- The field supervisors carried out the back checking procedure during the field work and after the questionnaires were delivered at the office. For this survey the authenticated data rate is nearly 30 per cent of the total number of interviews. Respondents were thanked for their cooperation and re-asked certain sections of the questionnaire for verification, and some demographic information. This back-checking procedure was done in the field (revisiting the respondents) and by contacting them through phone. During the field visits, many businesses in different settlements throughout Kosovo were visited (both Serbian and Albanian settlements).

Phase 3 - Data entry, tabulation, and analysis

The data entry and analysis for quantitative part of the study was realized in SPSS program and tables were generated as per the analysis plan that was finalized in consultation with the gender equality expert engaged for the development of this survey.

- Data validation (cleaning) is an important part of any process that involves large volumes of data. Our experienced data validation professionals ensured that the data did not contain any unwanted codes, errors, inconsistencies, or missing data
- Cross-tabulations were generated to reveal association between data based on a number of variables: position held, gender, ethnicity, education level, income, and level of institution (central or local).

The following phases were conducted for **Focus Group Sessions**:

Phase 1: Preparation phase:

Focus Group Guide Preparation:

The data collected through the qualitative and quantitative interviews, was analyzed and reviewed. Information extracted from this data was used to compile a guide to further investigate trends and occurrences among a select number of representatives from various institutions in focus group discussions. Specifically, the topics of discussion were “*Promotion Policies in Civil Service*”, “*Information on Accountability and Transparency*” and “*Corruption in Civil Service*”. The focus group guide was then reviewed and approved by the UNDP team.

Recruitment Process:

Respondents for focus groups were selected based on the following criteria:

A. Participants represented different institutions (ministries, municipalities, and agencies/independent institutions):

- Kosovo Landfill Management Company
- Central Election Commission
- Independent Commission for Mines and Minerals
- Independent Media Commission
- Independent Oversight Board for the Civil Service of Kosovo
- Kosovo Judicial Council
- Ombudsperson Institution
- National Agency for Personal Data Protection
- Agency for Free Legal Aid
- Civil Aviation Authority
- Anti-Corruption Agency
- Kosovo Property Agency
- Kosovo Assembly
- Prime Minister’s Office
- Office of the President
- University of Pristina “Hasan Prishtina”
- Water and Wastewater Regulatory Office
- Office of the Auditor General
- Statistical Office of Kosovo
- Water Task Force
- Prosecutorial Council
- Municipal officials and directors, etc.

B. Respondents holding various job positions (manager, head of departments, officials and ordinary civil servants)

The purpose of this form of selection has been to extract relevant information to the report. In addition, diversity of the institutional representatives ensured variety of perspectives to issues that the report addresses.

Phase 2: Conducting Focus groups:

The focus group sessions were organized in Prishtina on October 2014. Focus groups were separated in two sessions. These focus group sessions were structured in a gender-specific manner in order to encourage more discussion from the women participants. Each focus group session was led by a moderator of the same gender as that of the participants. This ensured that the participants were comfortable during the discussion and expressed their opinions freely. Dual moderator type of focus group was used during these sessions. One moderator ensured the session progresses smoothly, while the other ensured that all topics are covered and assisted in taking notes in order to make the whole process of data processing more consistent.

Phase 3: Data entry, tabulation, and analysis:

Data analysis for this part of the research was inductive. The variables were identified through reviewing of the data. The following were the analyzing steps: (1) search - becoming familiar with the data and identifying main themes, (2) describe - examining the data in depth to provide detailed descriptions of the setting, participants, activities, etc. (3) classify - categorize and code data by physically grouping data into themes, (4) integrate and interpret - synthesize the organized data into general conclusions or understandings. Data analysed from focus groups were then conjoined/attached to data analysed from desk reviewing of relevant documents, in-depth interviews and quantitative survey.

2.1. Profile of Respondents

Out of 800 quantitative interviews, 50.2% of them were carried out with women respondents, whereas 49.8% were conducted with men respondents. As mentioned previously, 450 interviews were administrated with employees of central institutions, and the other 350 interviews were carried out with employees of local institutions.

In terms of ethnicity, the vast majority of the respondents were of Albanian nationality (91.4%), followed by respondents of Serb nationality (6.8%), whereas the other 2% of the respondents were members of other minorities (Egyptians, Bosnians, Turks, and Croats). The following graph details the positions of the interviewed civil service employees at both the local and the national level.

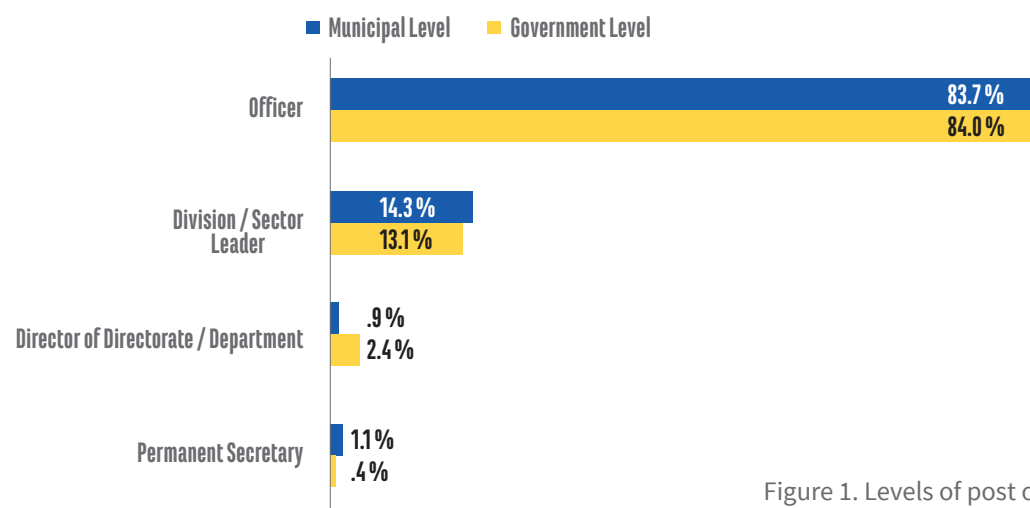


Figure 1. Levels of post of the respondents

3. KEY PRESUMPTIONS

Several econometric contributions claimed that there is indeed a link between higher representation of women in institutions and lower levels of corruption. An influential study of 150 countries in Europe, Africa and Asia by the World Bank, for example, came to the conclusion that women are more trust-worthy and less prone to corruption, a finding later corroborated by additional research from the World Bank .

Some scholars have suggested that women and men relate to corruption differently due to differences in risk-taking behaviour. It is hypothesized that women's particular role in society, which entrusts them with the care of children and elders in the family, makes them more averse to risk. Therefore, in professional settings they are less likely to engage in corruption for fear of being caught and losing their jobs. Laboratory corruption experiments confirmed this hypothesis, finding that women tend to react more strongly to the risk of detection.

Gender influences how effectively corruption is measured and evaluated. Sexual extortion and exploitation is excluded from international legal instruments tackling corruption, such as the United Nations Convention against Corruption (UNCAC). The UNDP has flagged this as a significant obstacle in measuring corruption. Another presumption is that Kosovo has been noted in many international and national reports for its need to fight corruption.

In general, Kosovo continues to face major challenges when it comes to strengthening of its rule of law including effective fight against corruption followed by weak implementation of laws. This often may also affect the position of women and their ability to fight corruption as lack of trust in institutions may affect their willingness to voice out, report or fight corruption. Therefore, the methodology of research has also foreseen organising of two separate focus groups with only men and only women participants, in order to offer the opportunity for interactive and open discussions for every participant.

Discriminatory practices against women in Kosovo are present at all levels reflected also in the level of representation of women in Kosovo civil service. Among Kosovo's 70,326 public employees, there are 38% women and 62% men. Women comprise only 9.5% of high decision making positions such as Secretary Generals and Chief Executive, and 23.2% are in

² David Dollar et al, Are Women Really the Fairer Sex? Corruption and Women in Government, World Bank Working Paper Series No. 4 (1999); Swamy et al, Gender and Corruption, IRIS Centre Working Paper No. 232 (1999).

³ Waly Wane, Informal Payments and Moonlighting in Tajikistan's Health Sector, World Bank Policy Research Working Paper Series, No. 4555 (2008).

⁴ UNCAC UNODC available at https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf.

⁵ UNDP presentation, November 2008, "Gender and Corruption in Development Cooperation: What do we know from UNDP Gender and Corruption.

⁶ EU Progress Report for Kosovo 2013, pg 12 available at http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/ks_rapport_2013.pdf

⁷ See 'Country gender profile- An analysis of gender differences at all levels in all Kosovo,' pg.13, Ulf Farnsveden, Ariana Qosaj-Mustafa and Nicole Farnsworth for Swedish Embassy, UN Kosovo Team in Kosovo and Agency for Gender Equality, available at http://www.swedenabroad.com/ImageVaultFiles/id_20757/cf_2/Orgut_Kosovo_Gender_Profile_FINAL_2014-05-08.PDF

some other mid-level decision-making positions. This situation may influence their willingness to report or become part of structures that might actively fight corruption.

4. KEY CONCEPTS

Gender is a social construction as opposed to a biological one. It refers to social differences between men and women. These differences have been acquired; they are changeable over time and have wide variations both within and between cultures.

Gender mainstreaming entails that both men's and women's wishes, needs, and experiences are considered and integrated in all development policies, strategies and interventions at all levels and at all stages by the actors normally involved therein.

The study does not operate with a specific definition of corruption, but instead worked with different forms of corruption. Some of the most common types of corruption in accordance to Kosovo legislation, such as the Kosovo Criminal Code which includes a separate chapter on officials' corruption and criminal offences against official duties, are:

- Bribery is giving by any person or accepting by an official person, directly or indirectly, any undue gift or advantage, for himself, herself or for another person, or who accepts an offer or promise of such gift or advantage (e.g. sexual favours, rewards in kind) so that the official person acts or refrains from acting in accordance with his or her official duties. Accepting or giving of bribery can be a small amount paid to jump the queue for being issued a driving license. In that case it is referred to as petty corruption or it can be a large amount that a company pays a civil servant or politician in exchange for a big contract on public work disregarding procurement procedures. In that case it will be referred to as grand corruption. Bribery is widely criminalised in international conventions.
- Extortion is when somebody in position of power with the intent to obtain an unlawful material benefit for himself, herself or another person, (it can be money, in-kind, sexual favours) uses force or serious threat to compel another person to do or abstain from doing an act to the detriment of his or her property or another person's property.
- Also fraud in office, is an act when an official person who, with the intent to obtain unlawful material benefit for himself, herself or another person, by presenting a false statement of an account or in any other way deceives an authorized person into making an unlawful disbursement. Theft is also a common category of petty corruption. It is theft when public servants steal supplies ranging from heavy

⁸ See page 16 of 'Country gender profile- An analysis of gender differences at all levels in all Kosovo,' available at http://www.swedenabroad.com/ImageVaultFiles/id_20757/cf_2/Orgut_Kosovo_Gender_Profile_FINAL_2014-05-08.PDF

⁹ See Article 428, Chapter XXXIV Official Corruption and Criminal Offences Against Official Duties, Criminal Code of Kosovo, at <http://www.assembly-kosova.org/common/docs/ligjet/Criminal%20Code.pdf>.

¹⁰ UNCAC, UNODC available at https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf.

¹¹ Article 340, Kosovo Criminal Code at <http://www.assembly-kosova.org/common/docs/ligjet/Criminal%20Code.pdf>.

¹² Article 426 of the Kosovo Criminal Code at <http://www.assembly-kosova.org/common/docs/ligjet/Criminal%20Code.pdf>.

equipment to stationery. Other criminal offences such as conflict of interest, misappropriation in office, unauthorised use of property, are also defined in the Kosovo Criminal Code.

- One type of wide corruption is also acknowledged as favouritism, including clientelism and nepotism. It can be manifested in state capture scenarios that are often associated with high-level political corruption and how elites unduly influence the rules of the game, shape the institutions, the policies and regulations and the laws for their own private benefit.
- Harassment at a workplace is also banned by Kosovo laws including harassment of sexual nature i.e. the Kosovo Anti-Discrimination Law that also guarantees the conditions for equal treatment and promotion at work. However, sexual harassment for purpose of promotions at work is not specifically defined. Also the Kosovo Law on Gender Equality offers the definition of sexual harassment however does not specifically define sexual harassment for purpose of promotions at work. Furthermore, the Kosovo Law on Gender Equality also foresees affirmative measures to increase the promotion and participation of women at all levels of institutions including of civil servants. This participation should not be lower than 40%.

¹³ Articles 424 and 425 of the Kosovo Criminal Code at <http://www.assembly-kosova.org/common/docs/ligjet/Criminal%20Code.pdf>

¹⁴ See Articles 3 (c) and 4 (a) of The Anti-Discrimination Law, Nr. 2004/3 available at http://www.assembly-kosova.org/common/docs/ligjet/2004_3_en.pdf

¹⁵ See Article 2.8 of the Kosovo Law on Gender Equality, Nr. 2004/2, available at http://www.kuvendikosoves.org/common/docs/ligjet/2004_2_en.pdf

¹⁶ See definition of unequal participation in Article 2.12 of the Kosovo Law on Gender Equality.

5. RESULTS: CENTRAL LEVEL

5.1. Gender equality policies, regulations and implementation

The majority of both men and women during the qualitative interviews claimed to be aware of policies that promote gender equality in the institutions they work. Moreover, many have stated that apart from these policies, there are also Gender Equality officers in all central institutions. According to focus group participants, the role of these officials is to monitor the decisions that are taken by the authorities in their institutions and make sure that they are in line with gender equality requirements.

Also, regarding the existence of policies that adequately address gender-specific issues such as maternity protection there were no exemptions from the overall positive perception of implementation of the relevant law, as the majority of the respondents agreed that: *‘The maternity leave is regulated by the labour law. Women, when pregnant, are paid 100% of their wage for 6 months from institutions, 3 months with 70% of their wage from the Ministry of Labour and Social Welfare (MLSW) and the mother can have three months without any payment. If the mother returns to its job place after six months, she can have two free additional hours, and she can choose the time to have those hours whenever is convenient for her.’* However, in women focus group discussions two respondents claimed that women’s maternity leaves or pregnancies can sometimes be an obstacle to promote or hire women into the civil service. The majority disagreed with this statement.

On the question of what is your department currently doing to promote integrity, accountability, transparency and anti-corruption among men and women civil servants, the answers from qualitative interviews were basically the same by all respondents and ranged from relying on of existing laws (Law on Civil Service L-149 and the Code of Ethics), to the fact that respective institutions do not have the mandate to enact policies in this respect. Only few departments answered positively, stating to have taken proactive approaches towards promoting integrity, accountability and anti-corruption among men and women civil servants, through debates, during staff meetings, through recommendations and other similar measures.

Regarding the knowledge of civil servants on the existence of mechanisms used for implementation of the gender equality policies within the organization, around 62% of the respondents are aware of existence of the Law on gender equality, Code of Ethics and, in some cases, the Law against Discrimination.

The other 28% were not aware of any laws regulating this area, but they said they respect gender equality nevertheless.

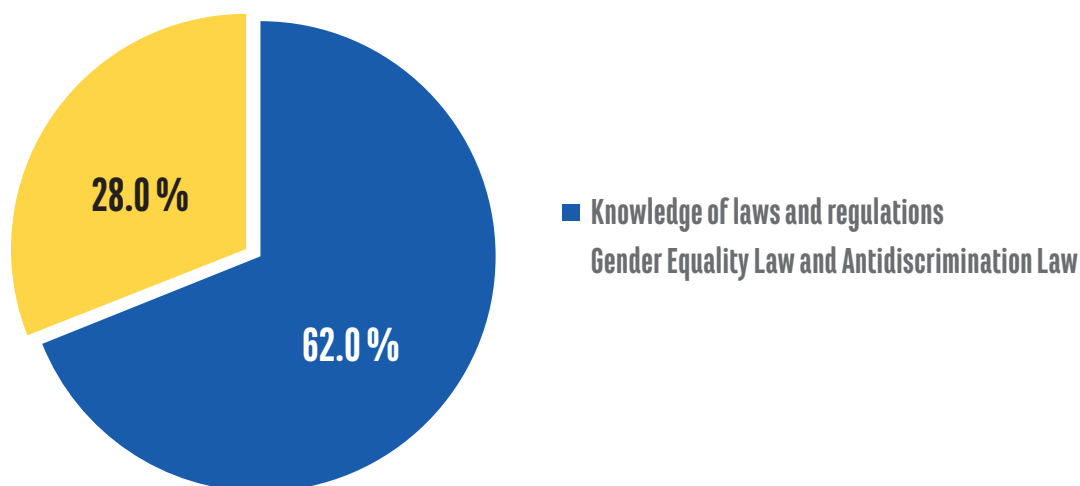


Figure 2. Knowledge of civil servants on existence of mechanisms used for implementation of the gender equality policies - Central Level

Furthermore, in focus group discussions several men respondents stated that even though there is knowledge on laws, secondary legislation is less available, poorly disseminated and overall less known about. This often affects the use of tools to effectively tackle discrimination cases. Majority of the women and male respondents in the focus groups agreed that disciplinary committees are the main mechanisms used by civil servants when it comes to discrimination cases, as they guarantee privacy of the case. However, most of them stated that, they are often not aware of the outcomes of the cases.

Positive responses were received regarding the professional training opportunities identified as equally accessible to women and men. The vast majority of respondents in both the quantitative and the qualitative study supported this belief

“Gender equality is becoming more of a reality year by year. In order to make this happen, we need to continue to support women - especially by investing in their education”

A man respondent from in-depth interviews

Moreover, the results from the survey show that the requirement of the Law on Civil Service to have at least 40% of one gender being represented in institutions is widely being implemented.

However, in the women focus groups, the majority of women respondents disagreed that they have equal training opportunities, stating that men are the ones that most often have knowledge on the ongoing trainings, and are often the ones participating in them.

While almost 100% of the interviewed employees stated that the working hours policies take into account the employees family related responsibilities of women, they also said

that there are no specific policies to attract women to apply to certain positions. During the focus group discussion, few men respondents stated that even though there seems to exist knowledge of laws, secondary legislation is less available, poorly disseminated and knowledgeable.

5.2. Corruption

When asked to rate how prevalent do they believe corruption is in the civil service in Kosovo, the average rating was 3.1, where 1 was “not prevalent” and 5 was “very prevalent”.

The quantitative study results showed that there are certain perceptions of present corruption in various forms on central level. More than 85% of respondents at the central level were of the opinion that the following practices within the workplace are corrupt:

- paying or receiving a payment for awarding contracts or positions
- paying or receiving payment for a promotion or permanent job within the civil service
- not declaring a conflict of interest when recruiting staff or awarding contracts
- paying or receiving rewards for keeping silent about workplace issues
- performing or receiving sexual favours in exchange for promotion or money;

On the other hand, only half of central level interviewed employees believed that flirting with a colleague (49.8%), and accepting gifts or hospitality from a civil servant(51.3%) are considered form of corruption.

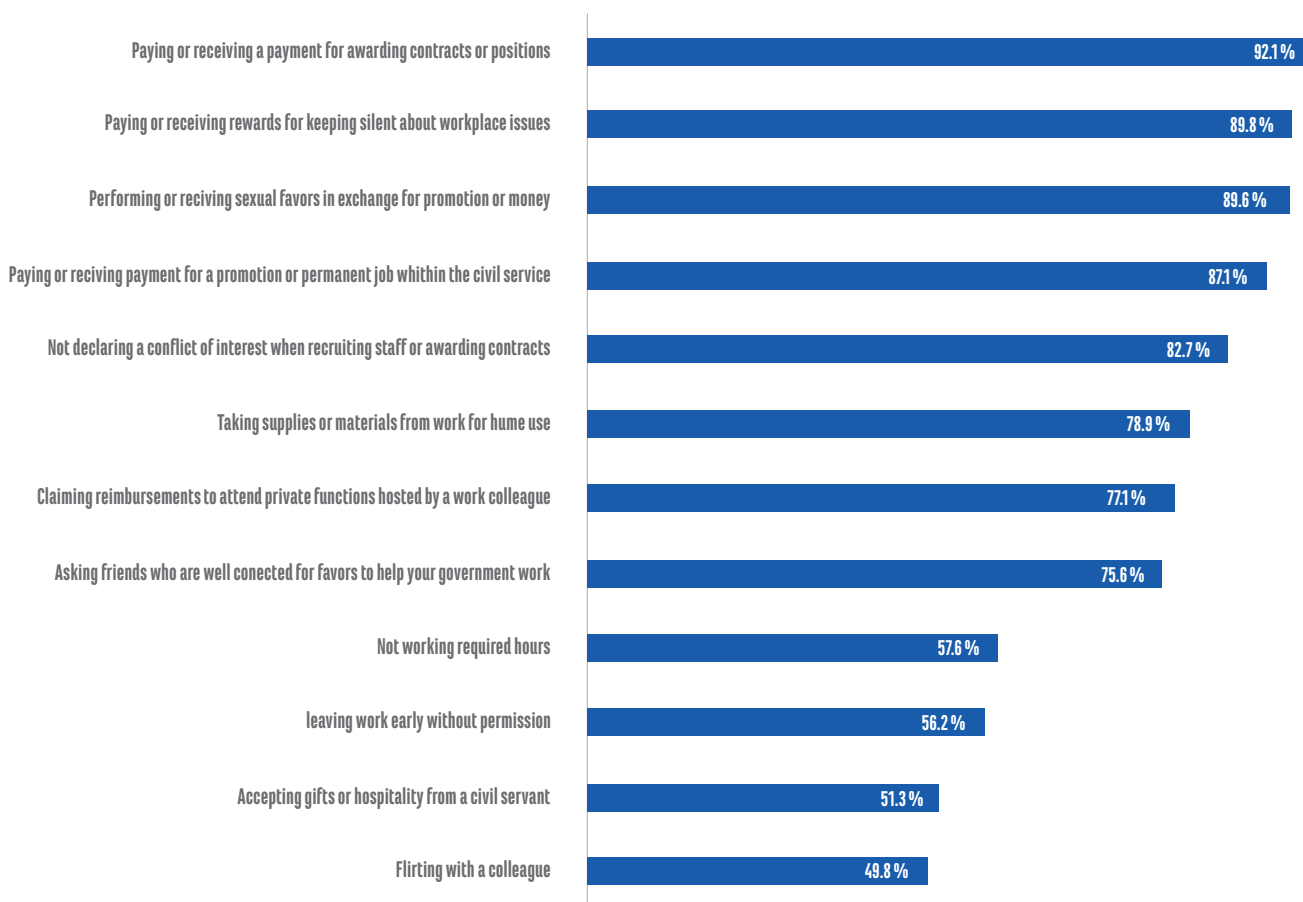


Figure 3. Practices within workplace that are perceived as corrupt – Central Level

No major differences could be observed in this regard between men and women respondents, as can be seen in the graph below.

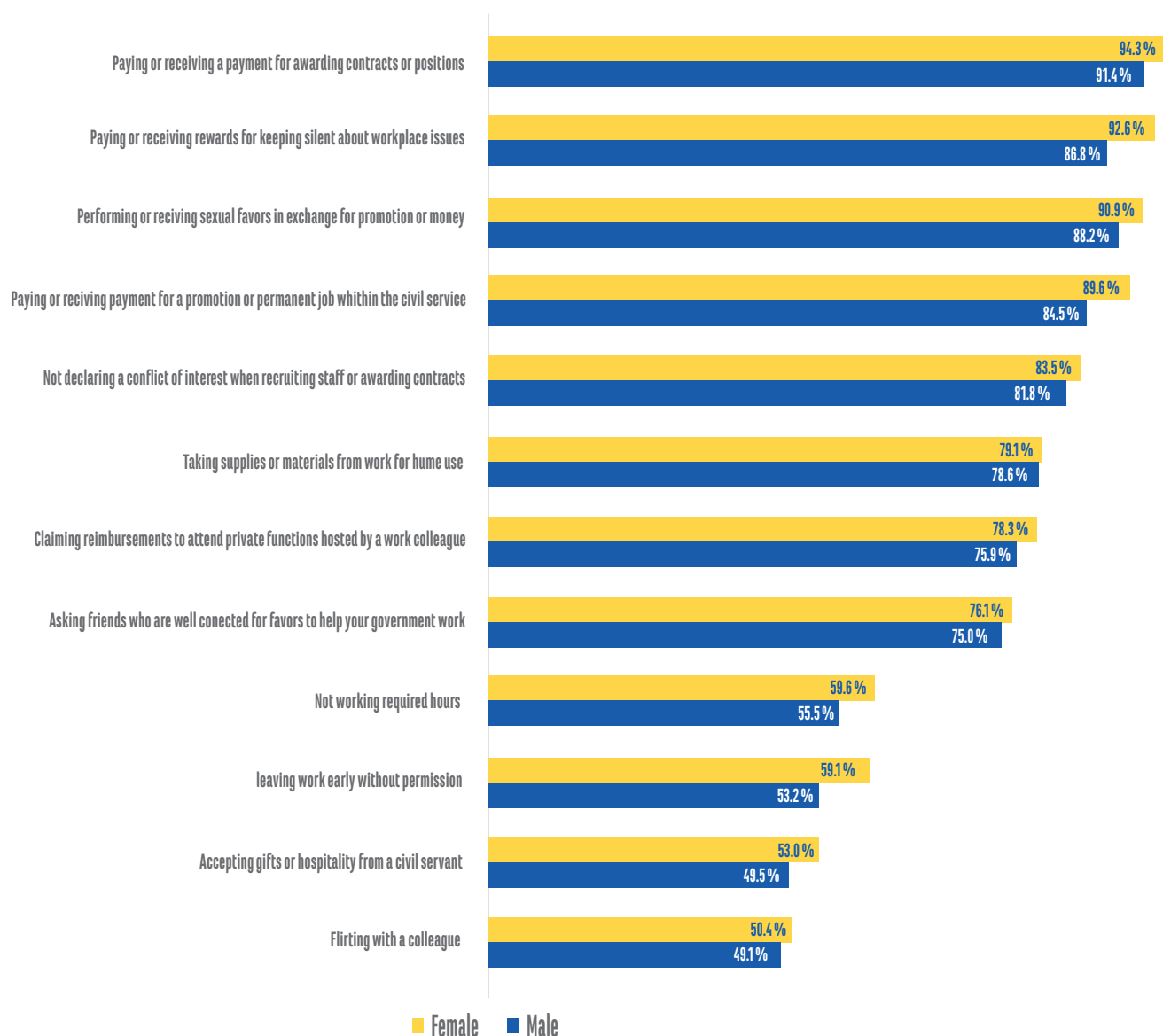


Figure 4. Practices within workplace that are perceived as corrupt – Gender disaggregated

Similar results were obtained when inquiring which forms of corruption are prevalent across the entire civil service in Kosovo. Namely, according to 73% of respondents, “nepotism, favouritism and patronage” are forms of corruption present across the entire civil service. Following “nepotism, favouritism and patronage” are “embezzlement, theft” (68%) and “bribery” (62%) considered as prevalent form of corruption. The graph below shows the detailed results from central level interviews for six forms of corruption.

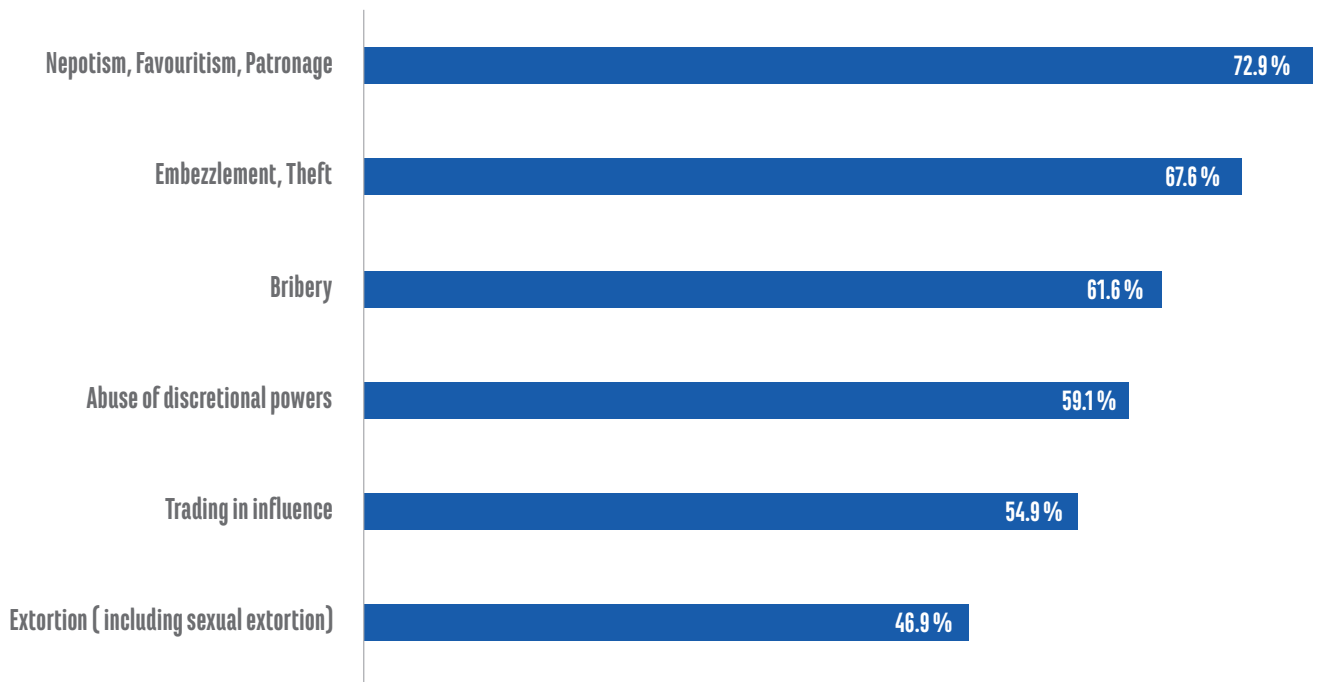


Figure 5. Prevalent Forms of Corruption within Civil Service- Central Level

Meanwhile, no substantial differences in the opinions of men and women respondents could be seen regarding prevalent forms of corruption within the civil service in Kosovo.

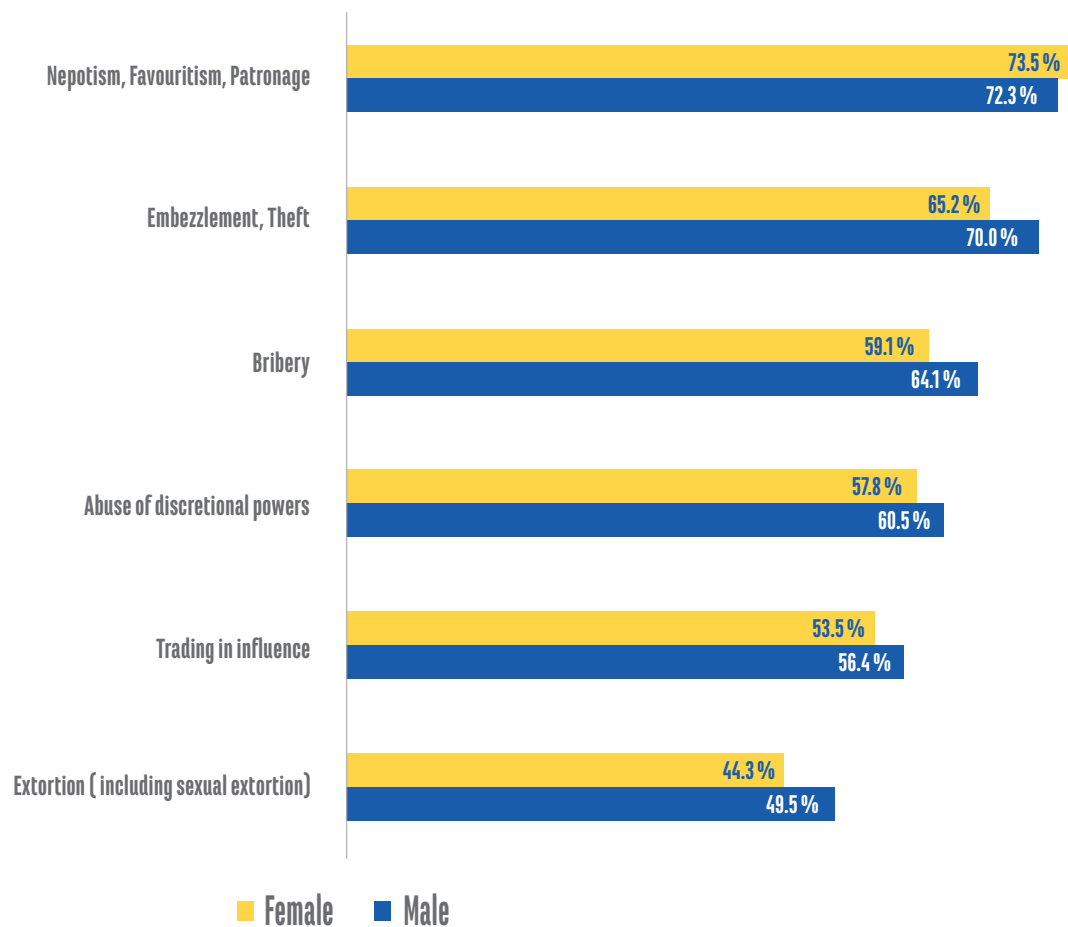


Figure 6. Prevalent Forms of Corruption within Civil Service- Gender disaggregated

During the focus group discussions, men respondents believed that nepotism, favouritism and patronage is a present form of corruption in civil service. However, women respondents did not voice their opinion on the matter, only saying that they would report it if they witnessed it. Nonetheless, participants of both genders agreed that such occurrences could be very demotivating for the staff that works hard to advance in their careers.

“I’ve worked for 10 years in public institutions and people think if you work there, you automatically qualify or are involved in corruption affairs. For example, we deal with pension funds and if we delay pensions for just a minute, people will immediately think that we are doing something unfair”

- A men focus group participant

On the question of reporting corruption, only 10% of central level respondents claimed to have witnessed corruption in their current workplace. Of those who witnessed corruption, only 37% said they reported it, which indicates a very low reporting rate on central level.

Gender-wise, there were no differences in terms of percentages of those who witnessed corruption, but there are slight differences in terms of the type of corruption they witnessed. Specifically, a larger percentage of men respondents claimed to have witnessed trading in influence (52.4%), in comparison to women respondents (34.8%).

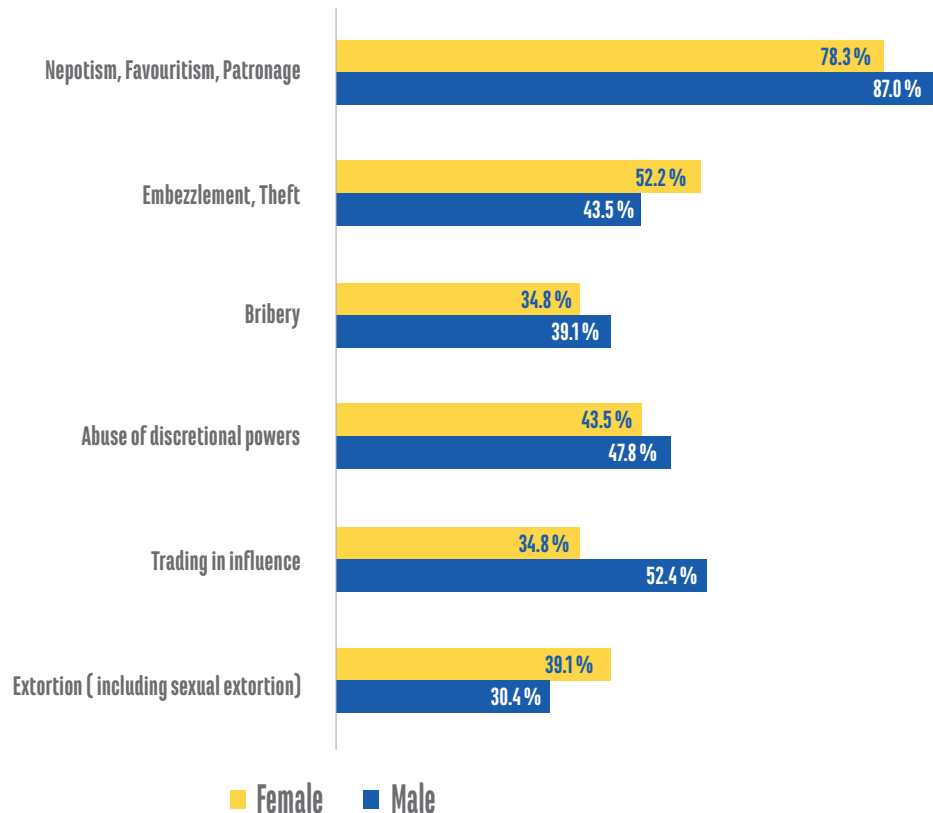


Figure 7. The type of corruption witnessed- Gender disaggregated

Women focus group participants were surprised that there is a lack of willingness to report corruption. Other participants were of the opinion that this is due to the lack of trust in the rule of law institutions, lack of evidence or fear of retaliation. The majority of men were of the same opinion, stating that little protection is offered to persons who witness or report corruption. To increase the rate of reporting, some participants proposed financial awards for those who report corruption as stimulation; while others said that stronger witness protection is required for that rate to increase.

Moreover, the majority of the women and men respondents in the focus groups agreed that when corruption cases are reported there are adequate remedies offered, i.e. the disciplinary committees. However, some civil servants were not familiar with procedures to be followed when referring to corruption cases as criminal offences, as required by the Criminal Code.. Few men respondents stated that there is overall lack of trust in the judicial system, therefore this also has affected the low level of reporting within the civil service.

It should be noted that women participants in the focus group discussion were reluctant to share their opinion regarding corruption in civil service. Many of them claimed that they weren't sure if there is corruption in civil service, and that no one should claim there is corruption unless they have evidence to support their claims. On the other hand, men respondents were of the opinion that corruption is not very prevalent in civil service, stating that it is more of a perception shaped throughout the years.

They also claimed that men are more inclined to corruptive deeds, due to leadership positions and audacity. According to some of them, women have a perception that corruption is more prevalent because most of the leadership positions are held by men.

Regarding tackling corruption, when analysing the data from qualitative interviews it can be observed that out of 55 total respondents who answered the question, 25 of them believed that the role is equal for both genders. Only 6 respondents believed that men are braver and more prone in actively fighting corruption, whereas nine believed that women are more honest than men, and that men are more prone to enter corruptive actions. While men are more likely than women to believe that men are braver and therefore more prone to corruption, women are more likely than men to believe that men are more prone to corruption as women are more honest.

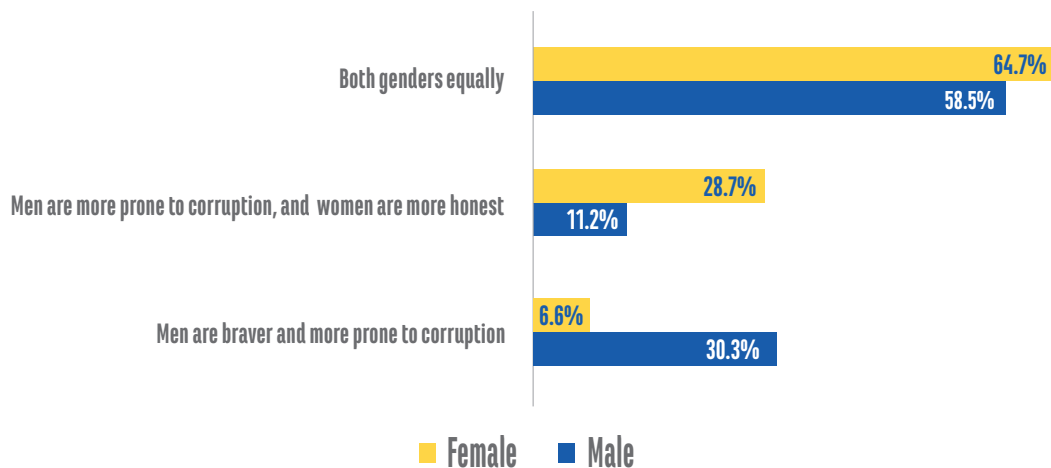


Figure 8. Role of gender in tackling corruption - Central Level

Only 4% of the respondents said they were asked to participate in corrupt practices in their workplace. If this result is disaggregated by gender, it can be observed that 6% of men respondents, and 2% of women respondents were asked to participate in corrupt practices. The majority of them were asked to participate in nepotism, favouritism or patronage, followed by abuse of discretionary powers, and bribery.

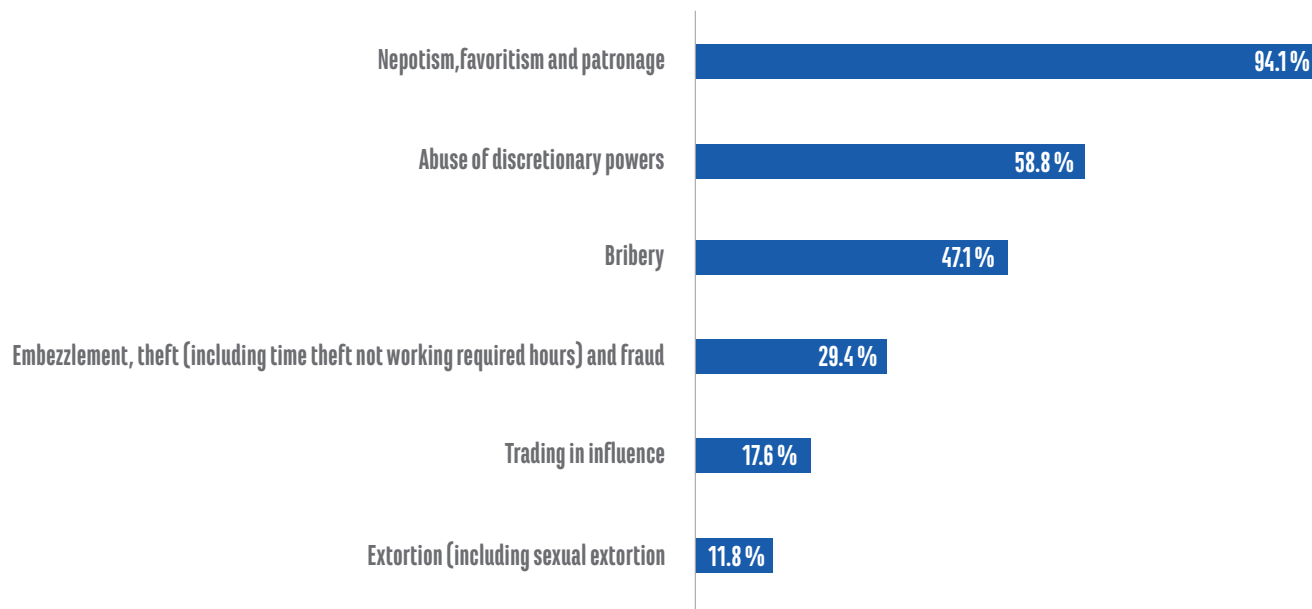


Figure 9. Forms asked to participate in corrupt practices in their workplace - Central Level

On the question of whether the same opportunities exist in the civil service for both men and women regarding tackling of corruption and lack of transparency, the majority of the respondents, or around 80% of them believed that they are the same for both genders, and that it only depends on the willingness of the person. Around 20% believed that men have more opportunities to fight corruption because they hold more leadership positions in the civil service when it comes to central level.

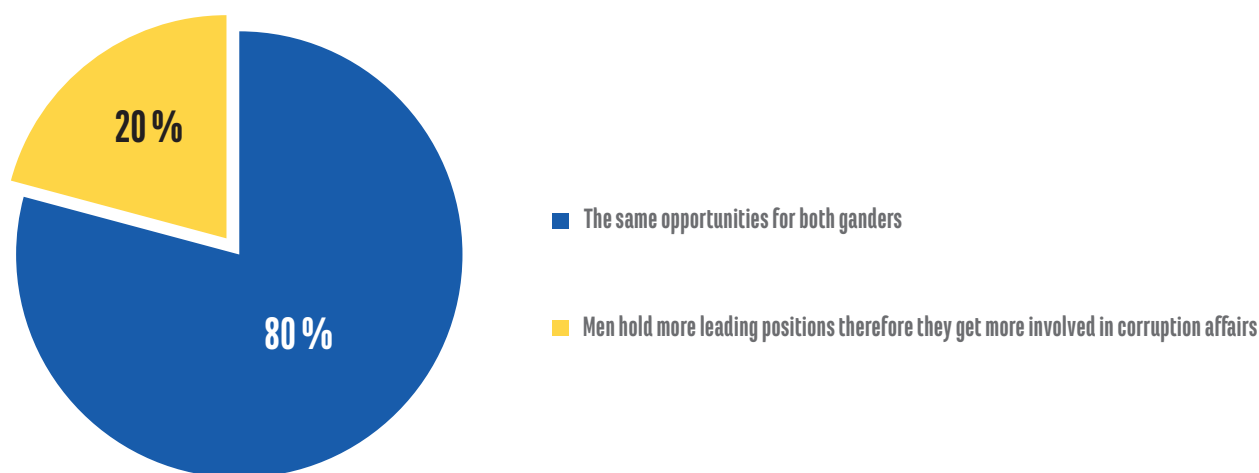


Figure 10. Opportunities for Corruption and Lack of Transparency - Central Level

According to the results, men are more likely to believe that the same opportunities exist for both genders for corruptive affairs.

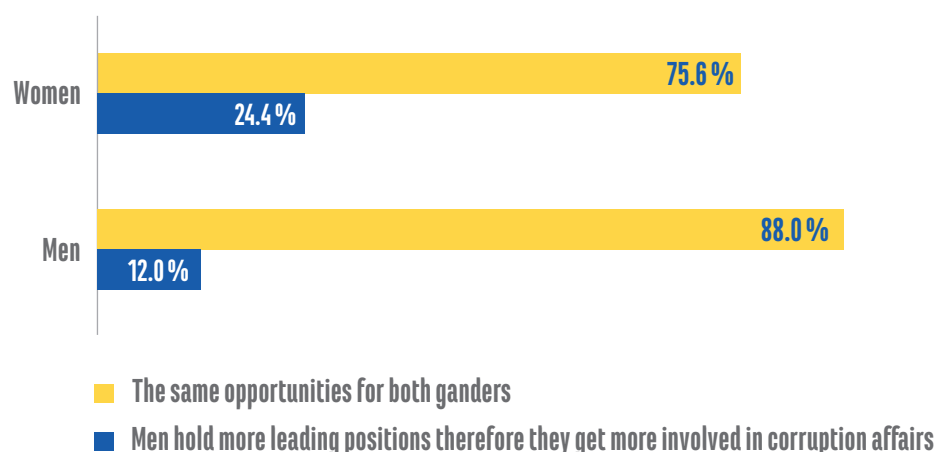


Figure 11. Opportunities for Corruption and Lack of Transparency – Gender disaggregated

Interestingly, the vast majority of employees in the Kosovo civil service believed that corruption or lack of transparency in civil service management in the past was handled according to the existing laws and that there was no difference in handling it between genders.

As to how does the civil service encourage men and women to speak out against corruption or a lack of transparency in management, the majority of quantitative study respondents stated that information is available on laws and policies relating to corruption, accountability and good governance equally for men and women, and that gender equality considerations are included in all workplace policies. The answers to this particular questions can be seen in detail in the graph below.



Figure 12. How does the civil service encourage men and women to speak out against corruption or a lack of transparency in management - Central Level

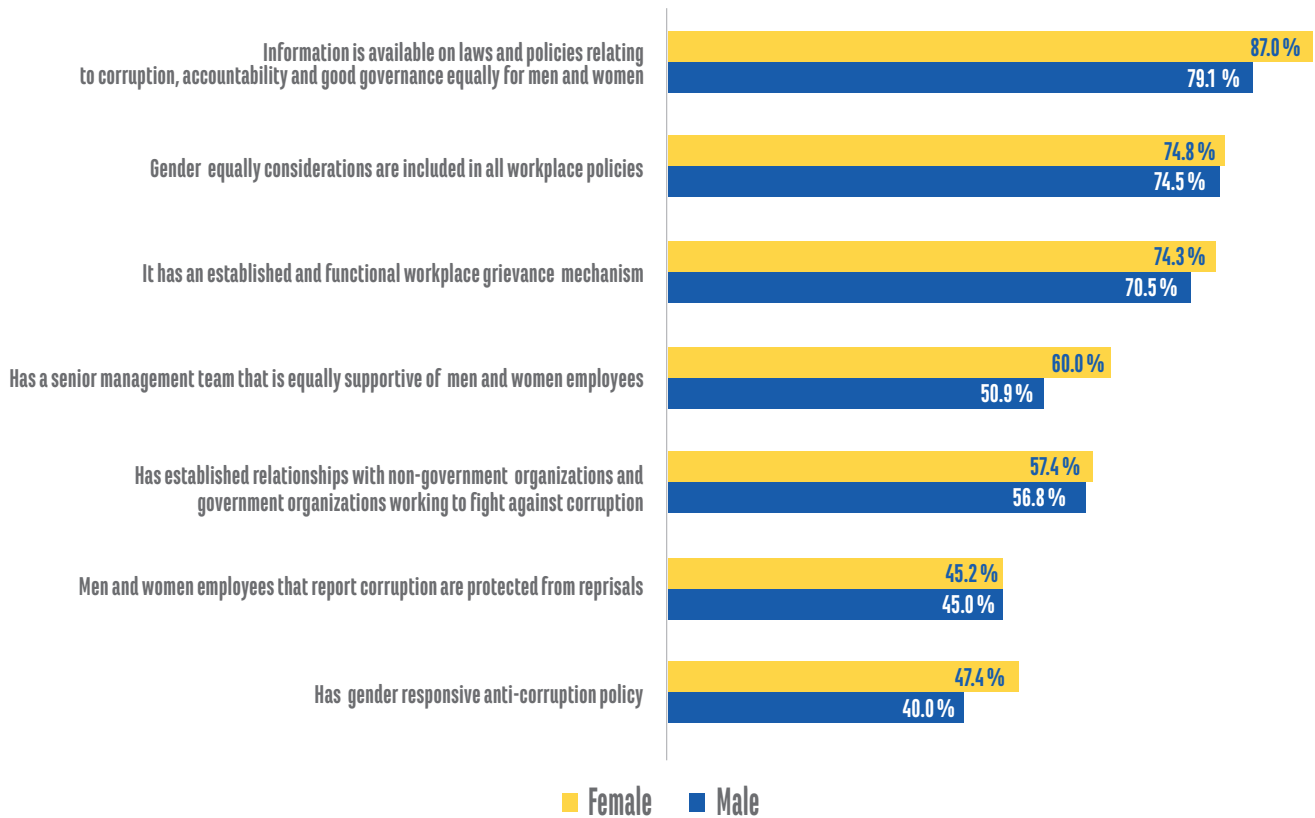


Figure 13. How does the civil service encourage men and women to speak out against corruption or a lack of transparency in management – Gender disaggregated

On the subject of who benefits from corruption and lack of transparency, whether it is the same for men and women, the answers from qualitative interviews showed that the majority are of the belief that that no one benefits from corruption or that corruption affects both genders equally. Namely, around 75%, supported that premise, and only 25% believed that men benefit more from corruption, because they are more involved in corruption and have more decision-making positions within the workplace.

The results from qualitative data showed a similar rationale in the case of who is more affected by corruption men or women, i.e. 30% of institutional employees responded that men are more affected by corruption either due to the fact that they are more involved in corruption or because they are more in position to be affected by corruption.

The remaining 70% believed that both genders are similarly affected, and that the society as a whole is affected by corruption, not being a gender-determined problem.

“Men are more affected from corruption, because they are not afraid to take risks.”

A women respondent from in-depth interviews

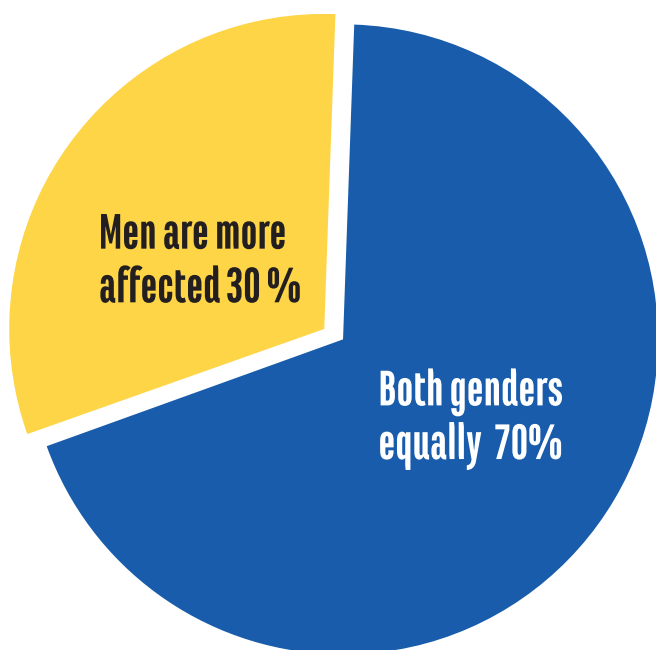


Figure 14. Affected by corruption, men or women? - Central Level

The results from the qualitative disaggregated data on gender basis show that women are more likely to believe that men are more affected by corruption.

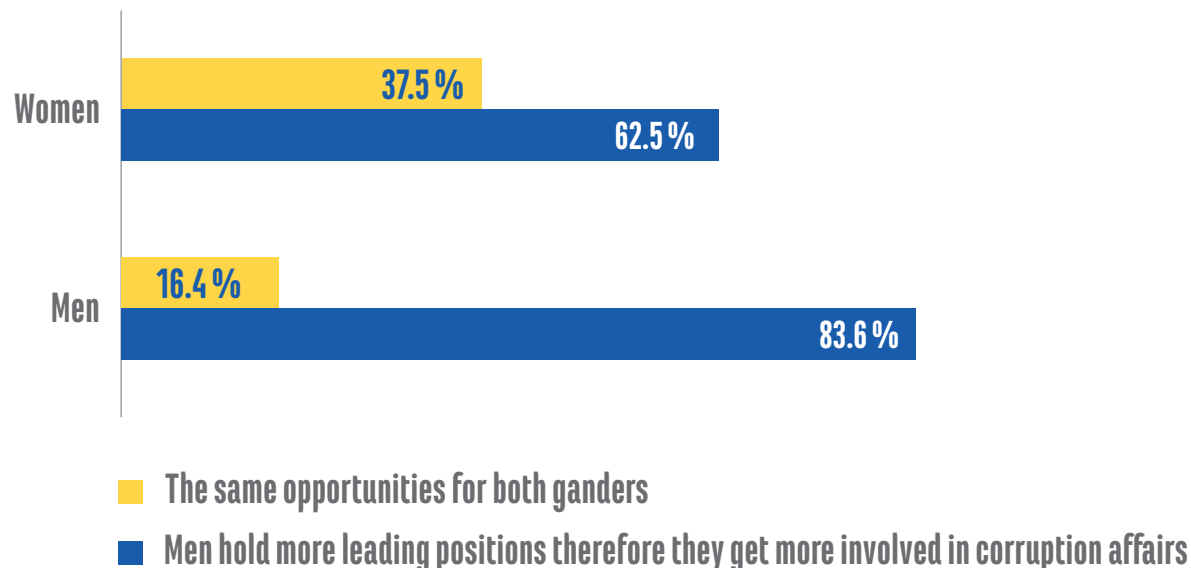


Figure 15. Affected by corruption, men or women? – Gender disaggregated

Finally, the majority of the respondents believe that persons who report corruption are protected either by law or anonymity. Especially, women respondents are more aware that in each institution there is an official responsible for dealing with corruption. However, the majority still agrees that there is no institutional support for people that report corruption.

5.3. Recruitment, employee management

Regarding workplace policies on central level, more than half of the respondents (60% at the central level) stated that “retrenchment policies” have not been made available to them, and another 58% said that “redundancy policies” were not available to them.

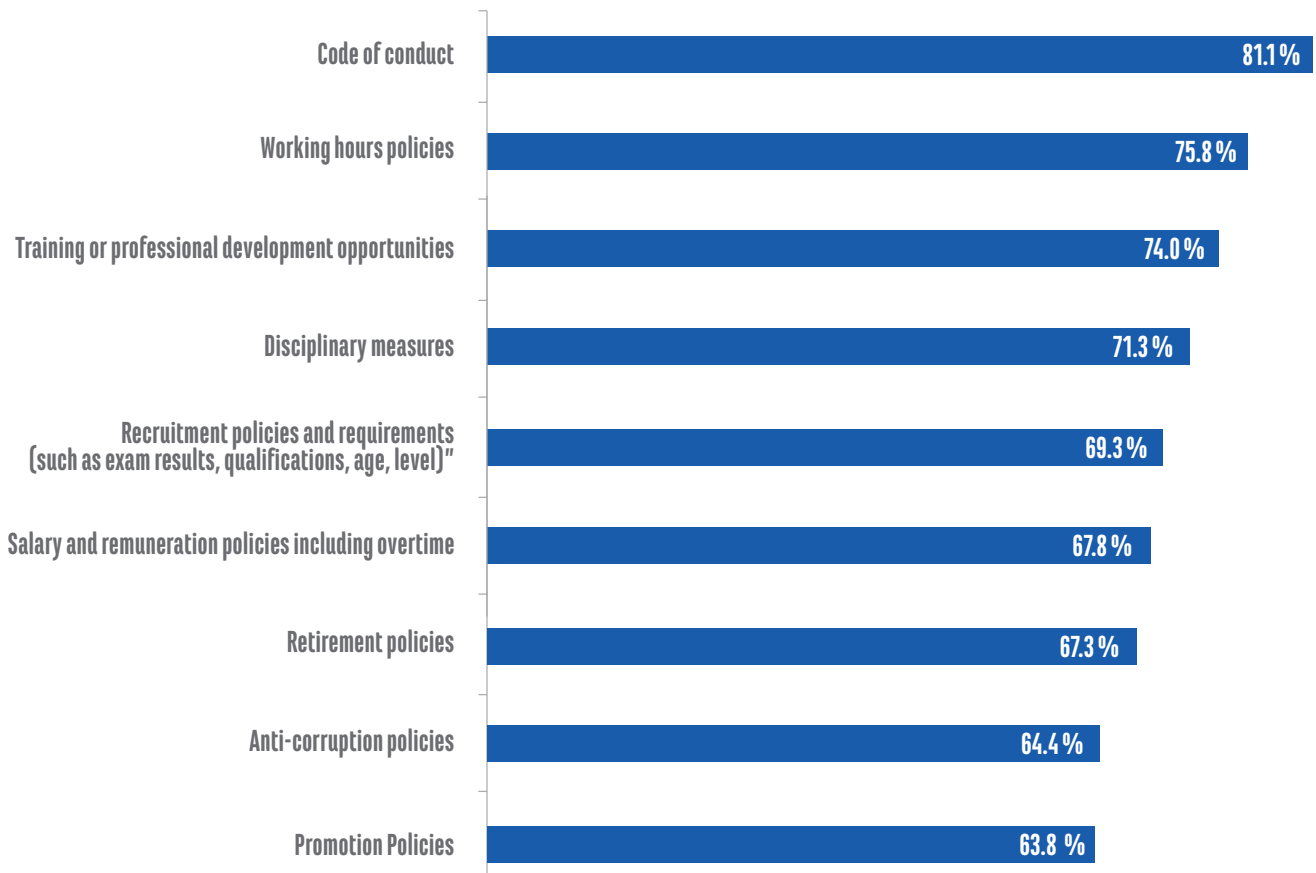


Figure 16. Workplace policies relating to employment been made available to staff- Central Level

In terms of gender variations - no major difference were spotted in this regard.

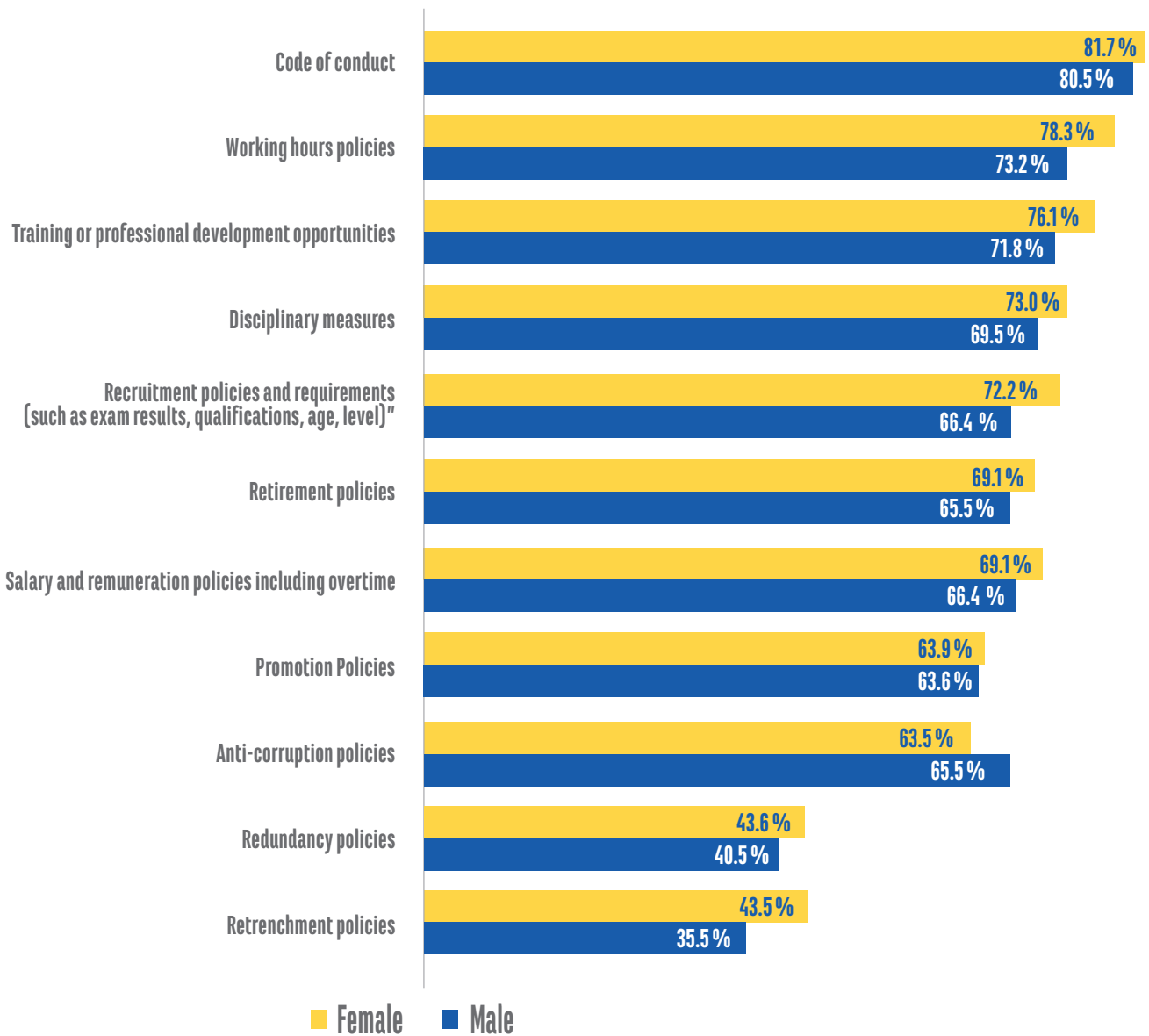


Figure 17. Have workplace policies relating to your employment been made available to you? (% of “Yes”) – Gender disaggregated

Interestingly, regarding the gender differences in connection to treatment at the work place, the majority of respondents are of the opinion that women and men enjoy the same working conditions within the civil service. Namely, 87% stated that the work conditions of both men and women are equal.

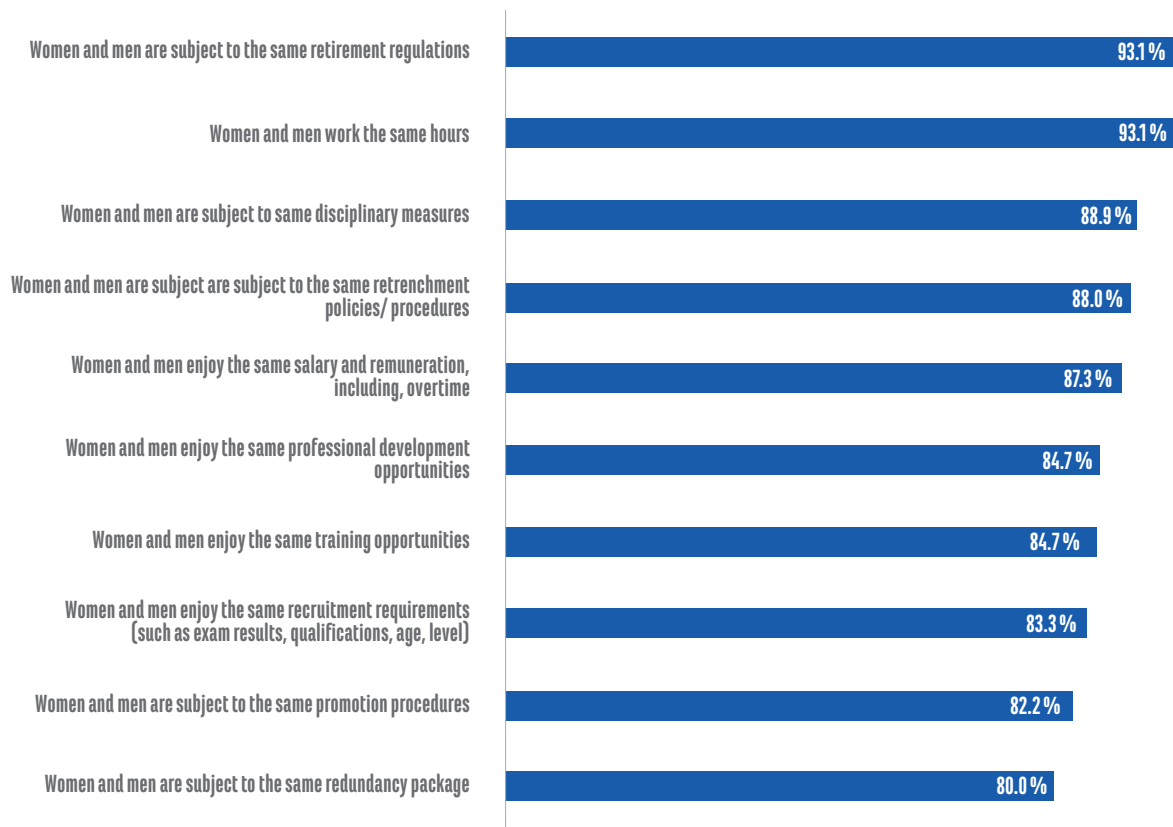


Figure 18. Working conditions within civil service for women and men – Central Level

Both women and men respondents answered similarly in regard to working conditions for men and women. The graph below shows the detailed percentage.

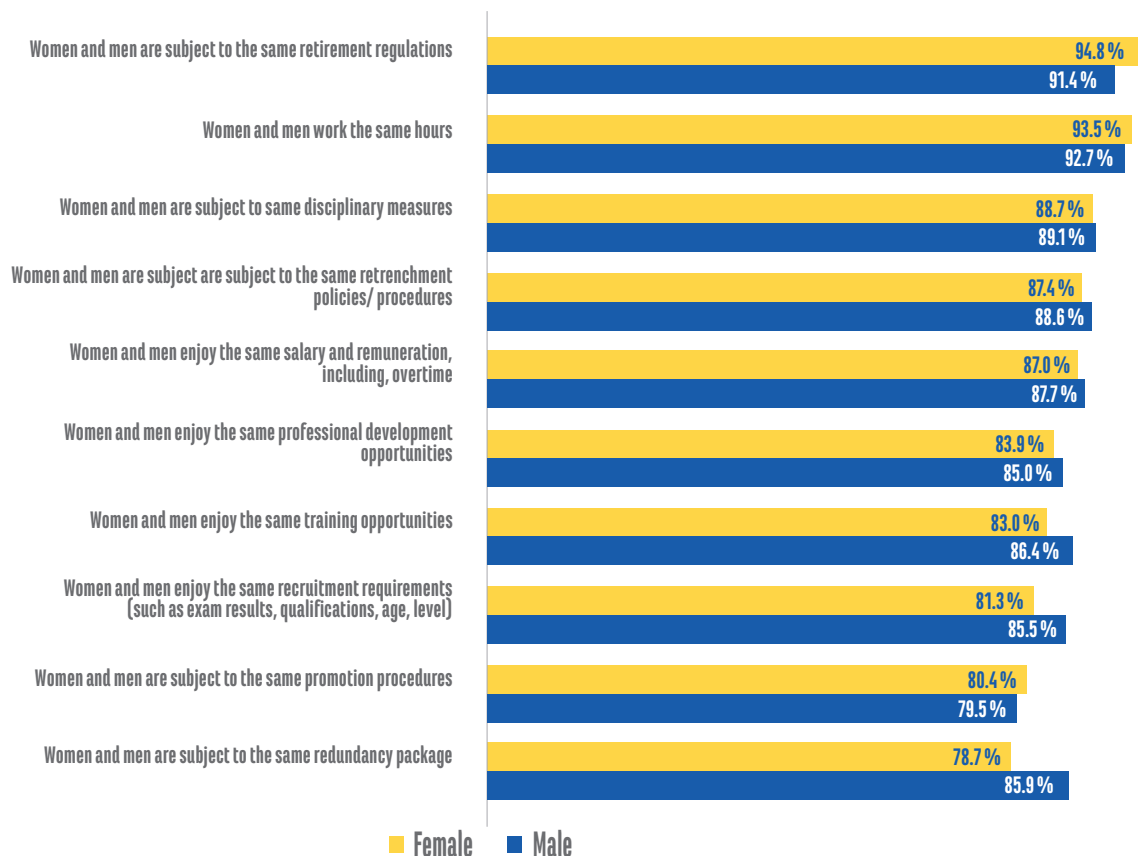


Figure 19. Working conditions within civil service for women and men – Gender disaggregated

On other specific questions such as: whether men and women are subject to the same re-trenchment policies procedures, same redundancy packages, same salary and remunerations, same working hours and similar, the majority of answers were in the high 80 and above percentage. In these cases there was a very positive stream in upholding of laws regarding gender equality at various levels of employment.

According to the respondents from qualitative interviews, in the recent year there have been no positions filled through direct appointments, with the exception of few cases of occasional appointments of experts, pointing out to full implementation of the Law on Civil Servants. Additionally, it was the opinion of the majority of focus group participants that the current leaders in their institutions advanced to the top management positions through proper job announcements and promotions, although few reported cases of political affiliation were stated. Nonetheless, they did not think this is gender biased, and both men and women can potentially be appointed based on their political beliefs and affiliations. In the women focus group some respondents stated that men are better positioned and have better connections with political parties.

Moreover, the results from the qualitative interviews show that, according to the vast majority of the central level employees, there hasn't been any gender related discrimination in terms of appointment. However, some respondents have stated that no additional incentives were offered to women in order to encourage them to apply.

“I do not believe there is discrimination. This process depends from the employee's success and qualification”

A woman respondent from in-depth interviews

In regard to current promotion policies that promote equally women and men at the workplace, almost all respondents from qualitative interviews agreed that the policies are in place at the respective institutions and they are in accordance with equal treatment in promoting women and men. Moreover, all respondents stated that salaries for men and women with similar qualifications and experience were equal based on the Law on Civil Servants.

The majority of the interviewed central level servants stated that the information provided in the policies and regulations is easy to understand, accurate, relevant to their situation and, was also provided in timely fashion. No differences in this regard could be spotted between men and women employees.

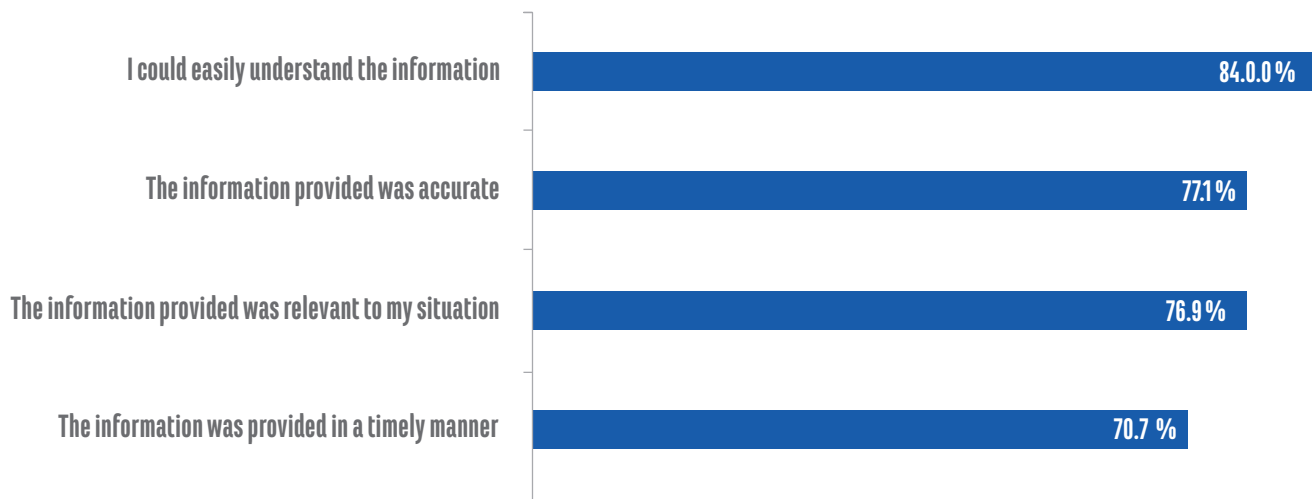


Figure 20. How would you describe the information provided in the policies and regulations? – Central Level

No significant differences in opinions of men and women employees on the information provided in the policies and regulations could be spotted.

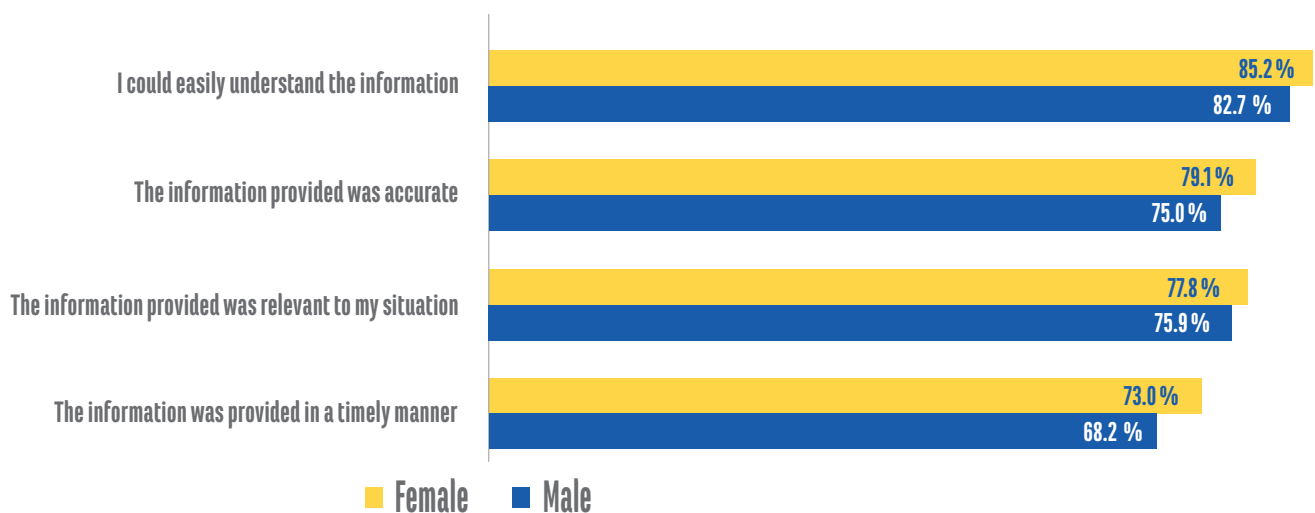


Figure 21. How would you describe the information provided in the policies and regulations? – Gender disaggregated

Interestingly, having in mind the previous positive numbers regarding gender equality, on the question of whether women were promoted in positions at the same rate as men in recent years, a high 31% of respondents from qualitative interviews believed that this has not been the case.

Most of the explanations were consistent with the opinion that this occurs ‘because men are more qualified than women’. In this regard, the men that participated in the survey were of the opinion that there are not enough women in decision-making positions.

In this regard, some of the men respondents in the focus group discussion felt that there is progress, but it was not universal and in some institutions there are still very few women in leadership positions. On the other hand, women focus group participants stated that the situation has largely improved over the last six years, claiming that the raised awareness by women on the importance of getting proper education, attending trainings heavily contributed towards women getting more leadership positions. One of them said that while in 2008 there was only one woman in the position of a director in her institution, now there are seven of them.

According to 18% of the respondents from the quantitative survey, discretionary powers exist within the public administration whereby management can grant additional pay or benefits to certain employees. Asked if the criteria for granting additional pay and benefits are made available to all staff, 56% of them said that they are.

5.4. Transparency – Access to information and laws

Regarding the process of communication of information on policies and laws with staff, the vast majority of the respondents that participated in the qualitative study stated that there is regular informing of staff through regular meetings, e-mails, public announcement boards, and institutional circulars and even Facebook profile.

Most of the respondents said that the information available to everyone who needs the information, with exceptions of cases where the information was available to the manager or higher level positions such as the coordinator/director due to full internet access. The total of the respondent stated that the information was provided timely, it was relevant and easy to understand.

6. RESULTS: LOCAL LEVEL

6.1. Gender equality policies, regulations and implementation

The respondents at the local level are generally satisfied with the information provided in workplace policies and regulations made available to them. With regard to workplace policies, 61% of interviewed respondents at the local level during the quantitative survey stated that “retrenchment policies” have not been made available to them, and another 58% said that “redundancy policies” are not available to them.

Similarly to central level civil servants, on the question of what is your department currently doing to promote integrity, accountability, transparency and anti-corruption among men and women civil servants, the answers were basically the same during the qualitative interviews at the local level. They ranged from relying on existing laws, Code of Ethics, regular meetings of the human resources and personnel, regular debates and discussions on the matter, officers that deal with corruption, to the fact that nothing has been done in this regard. A number of departments answered positively, in respect to having taken proactive approaches towards promoting integrity, accountability and anti-corruption among men and women civil servants, through discussions, staff meetings, recommendations and similar measures with the aim of promoting gender equality.

Regarding the knowledge of the civil servants on existence of mechanisms used for implementation of the gender equality policies and within the organization, around 94% of the respondents from qualitative interviews were aware of existence of the Law on gender equality, Code of Ethics, Labour Law, Law on Civil Servants and in some cases the law against discrimination. Within those, some stated that their municipalities have gender equality officers or even particular divisions in some cases. The other six% were not aware of laws or regulations.

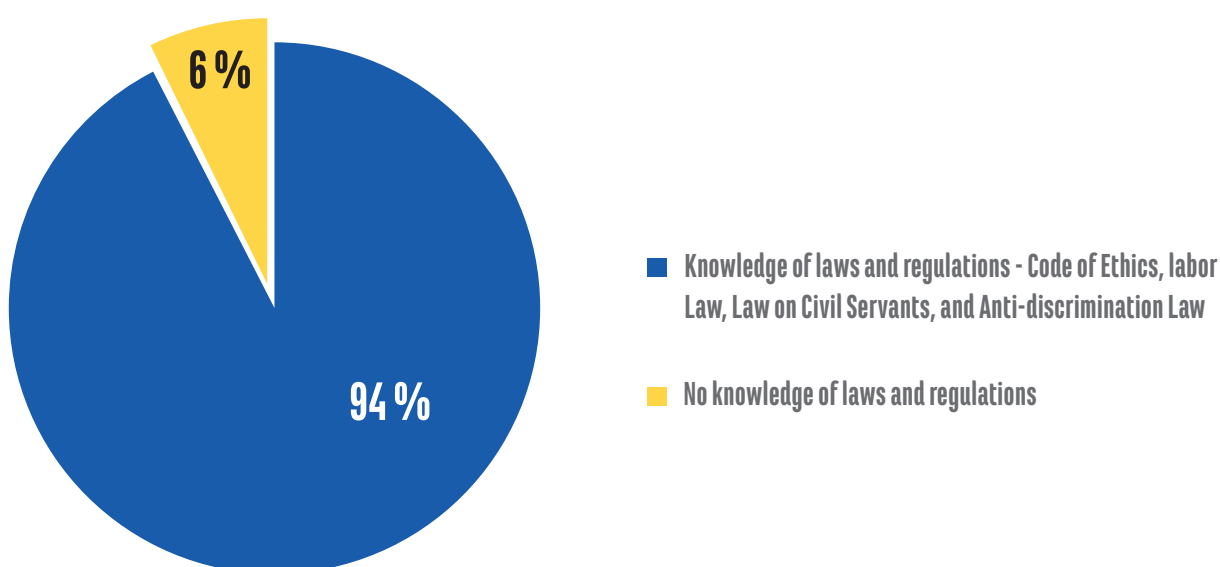


Figure 22. Knowledge of the civil servants on existence of mechanisms used for implementation of the gender equality policies - Local Level

6.2. Corruption

When asked to rate how prevalent do they believe corruption is in the local level civil service in Kosovo with 1 being “not prevalent” and 5 being “very prevalent”, the average rating from local level respondents was 2.72.

Men focus group participants were of the opinion that corruption is not very prevalent in civil service, stating that it is more of a perception shaped throughout the years. They also claimed that men are more inclined to corruptive deeds, due to leadership positions and audacity. According to some of them, women have a perception that corruption is more prevalent because men hold most of the leadership positions. On the other hand, women participants were not willing to share much information regarding corruption, claiming that they did not have not witnessed such occurrences.

The quantitative also showed that there are certain perceptions of present corruption in various forms on local level. More than 85% of respondents at the local level were of the opinion that the following practices within the workplace are corrupt:

- paying or receiving a payment for awarding contracts or positions
- paying or receiving payment for a promotion or permanent job within the civil service
- not declaring a conflict of interest when recruiting staff or awarding contracts
- paying or receiving rewards for keeping silent about workplace issues
- performing or receiving sexual favours in exchange for promotion or money

However, less than half of central level interviewed employees believed that flirting with a colleague (39%), and leaving work early without permission (48%) are corrupt. The detailed results are shown on the graph below.

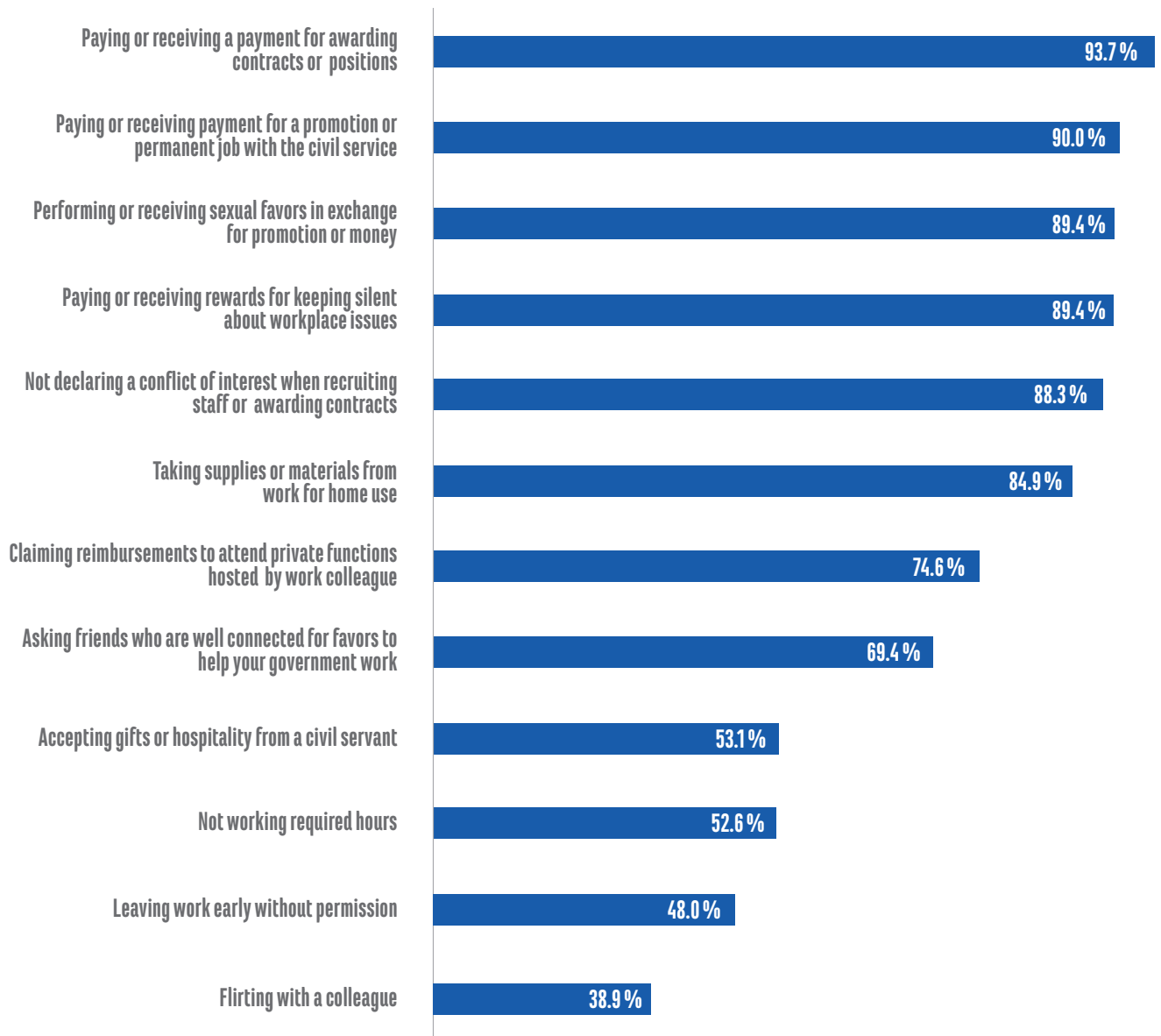


Figure 23. Practices within workplace that are perceived as corrupt – Local Level

No significant variances in opinions between men and respondents could be found in regard to practices within workplace that are perceived as corrupt.

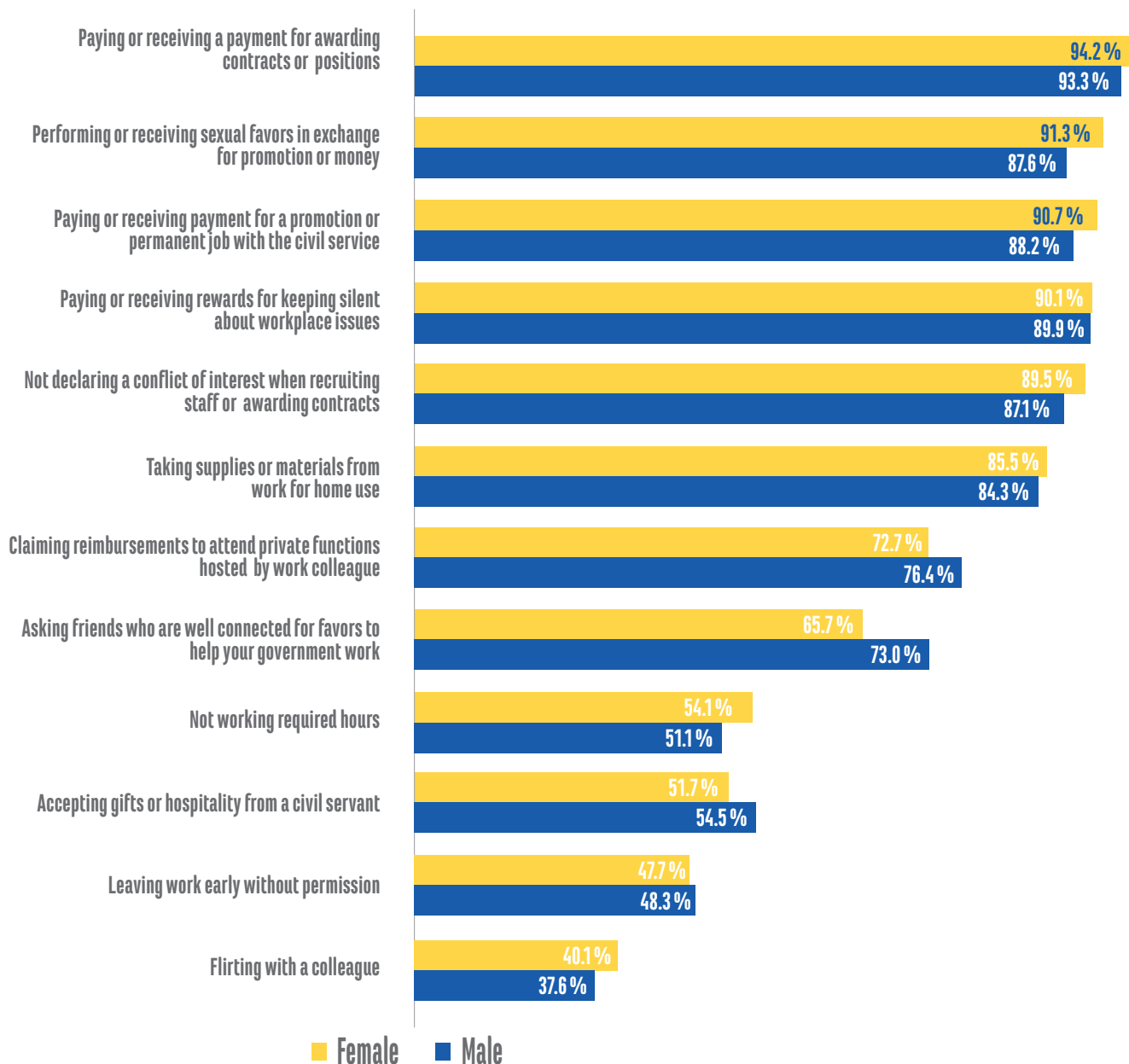


Figure 24. Practices within workplace that are perceived as corrupt – Gender disaggregated

“Nepotism, favouritism and patronage” is considered by 71% of local level respondents to be a form of corruption that exists across the entire civil service in Kosovo.

The results were obtained when inquiring which forms of corruption are prevalent on local level in Kosovo. Beside “nepotism, favouritism and patronage”, 59% of respondents believe “bribery” and also “embezzlement, theft” are present as well, followed by “abuse of discretionary powers”, “trading in influence”, and “extortion”.

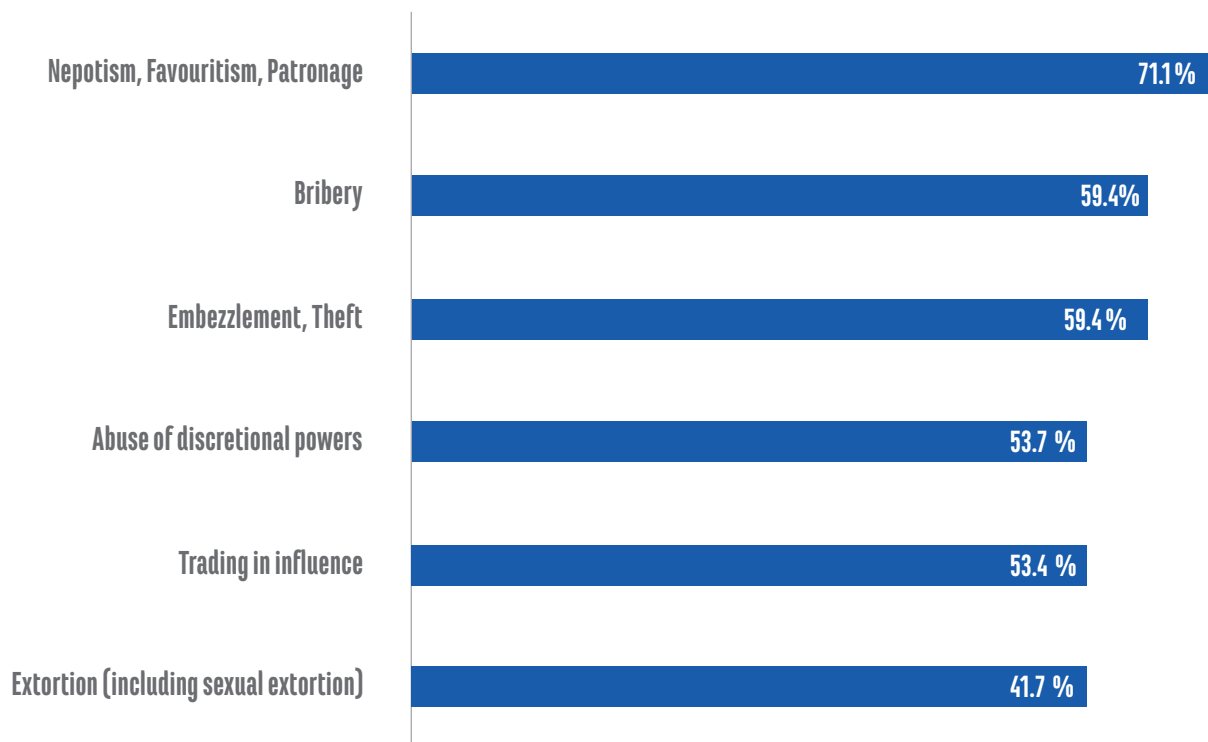


Figure 25. Prevalent Forms of Corruption within Civil Service - Local Level

Gender-wise, no differences could be observed between men and women employees at local institutions in regard to their opinions on prevalent forms of corruption within the civil service.

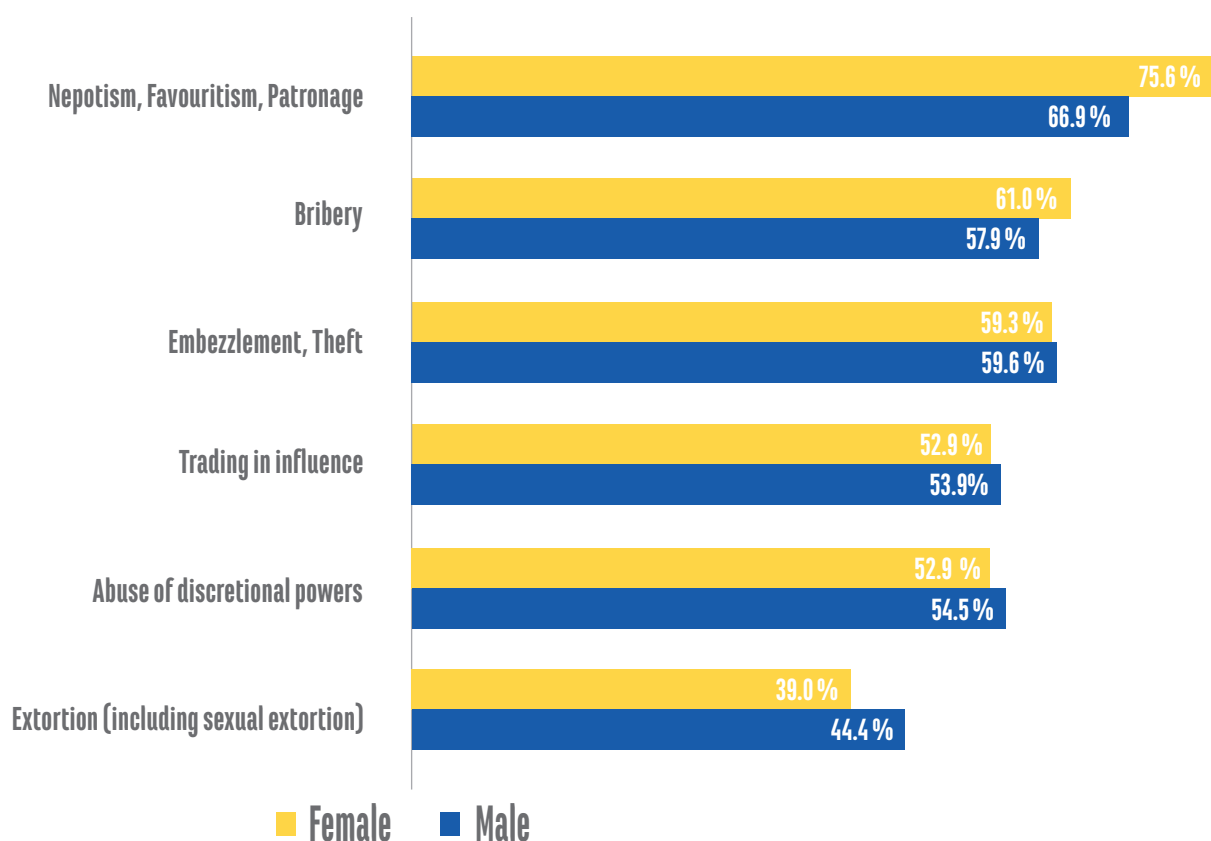


Figure 26. Prevalent Forms of Corruption within Civil Service – Gender disaggregated

While men respondents during the qualitative interviews stated their belief that nepotism, favouritism and patronage is a present form of corruption in civil service, women respondents did not voice their opinion on the matter, only saying that they would report if they witnessed it. Questions on the extent may other forms of corruption such as nepotism and favouritism affect their promotion or hiring within civil service were not addressed by women respondents. For comparison, the level of representation of women at local level administration is not more than 15.26% at the civil service levels. Nonetheless, participants of both genders agreed that such occurrences could be very demotivating for the staff that works hard to advance in their careers.

On the question of reporting corruption, 13% of interviewed representatives at the local level claimed to have witnessed corruption in their current workplace and only 22% of them reported the corruption they witnessed. Around 15% of men respondents said they witnessed corruption, compared to 11% of women respondents that claimed the same. The most common form of corruption witnessed was “nepotism, favouritism and patronage”, followed by “bribery”. No major differences were found in this regard between men and women respondents, except that a higher percentage of men that witnessed corruption have witnessed trading in influence, in comparison to women.

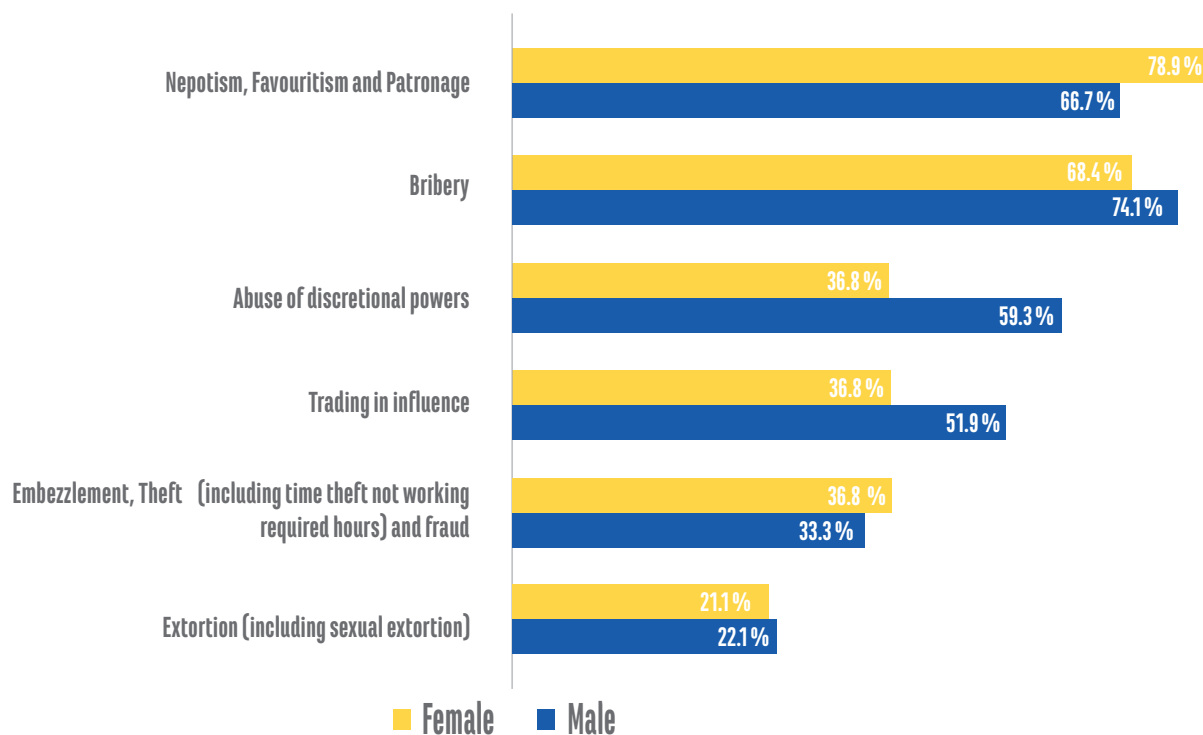


Figure 27. Forms of corruption witnessed – Gender disaggregated

Whereas some women focus group participants were surprised that some people are hesitant in reporting corruption, others were of the opinion that it is because of lack of trust in the institutions that deal with such occurrences, lack of evidence or fear of retaliation that people don't report it. The majority of men were of the same opinion, stating that little protection is offered to witnesses of corruption. To increase the rate of reporting, some respondents proposed financial awards for those who report corruption as

¹⁷See pg. 26 of the See 'Country gender profile- An analysis of gender differences at all levels in all Kosovo,' Ulf Farnsveden, Ariana Qosaj-Mustafa and Nicole Farnsworth for Swedish Embassy, UN Kosovo Team in Kosovo and Agency for Gender Equality, available at http://www.swedenabroad.com/ImageVaultFiles/id_20757/cf_2/Orgut_Kosovo_Gender_Profile_FINAL_2014-05-08.PDF

stimulation; while others said that stronger witness protection is required for that rate to increase. For women focus group respondents also the fact that women are not present at high decision making levels may be the reason for women neither witnessing nor reporting of corruption offences.

Regarding tackling corruption, transparency and difference between genders the qualitative data showed that the majority of them believed that the roles are equal for both genders, whereas only three respondents believed that men are braver and therefore more able to do so.

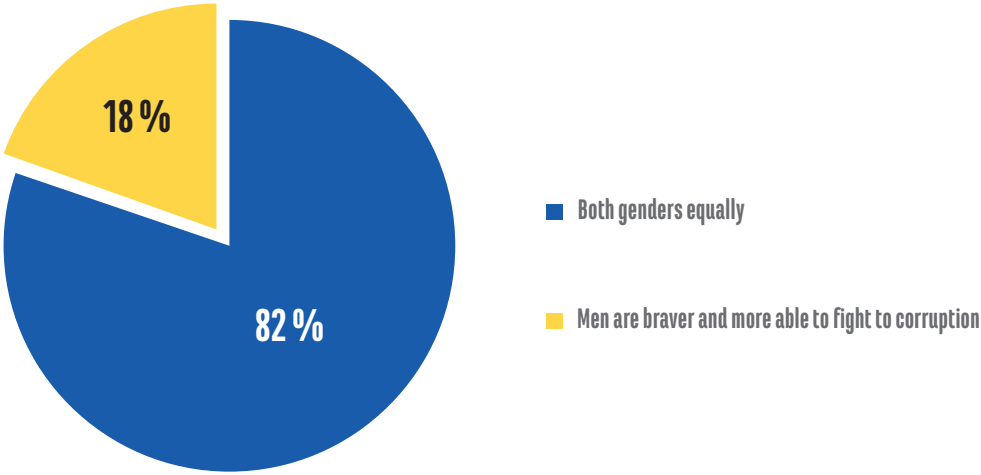


Figure 28. Role of gender in tackling corruption – Local Level

Men respondents are more likely to think that “men are braver and more able to fight corruption”, when compared to women.

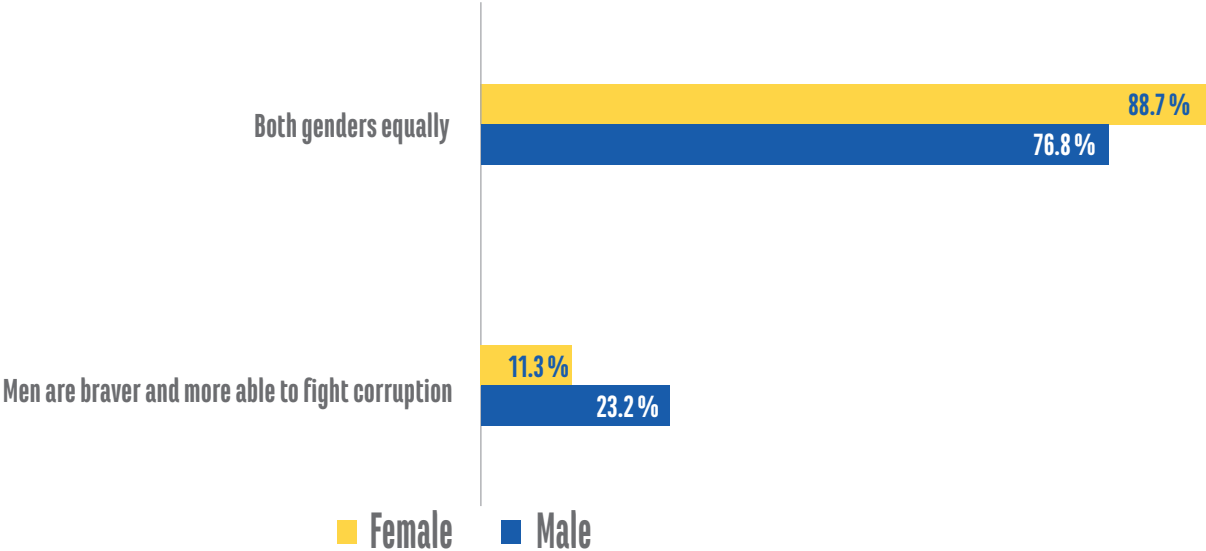


Figure 29. Role of gender in tackling corruption – Gender disaggregated

When asked whether the same opportunities exist in the civil service for both men and women regarding tackling corruption and lack of transparency, around 60% believed that they are the same for both sexes, and that the opportunity depends whether the person wants to fight corruption or not.

On the other hand, around 40% believed that men have more opportunities to fight corruption because they hold more leadership positions in the civil service; however men’s exposure to high-level positions makes them more prone to corruption.

As one man respondent stated: *‘I think it’s because men feel superior to women and believe that such actions are acceptable and courageous. Women are more risk-averse...’*¹⁸ The rest of the respondents believed that there is no corruption or that there are very few opportunities for corruption.

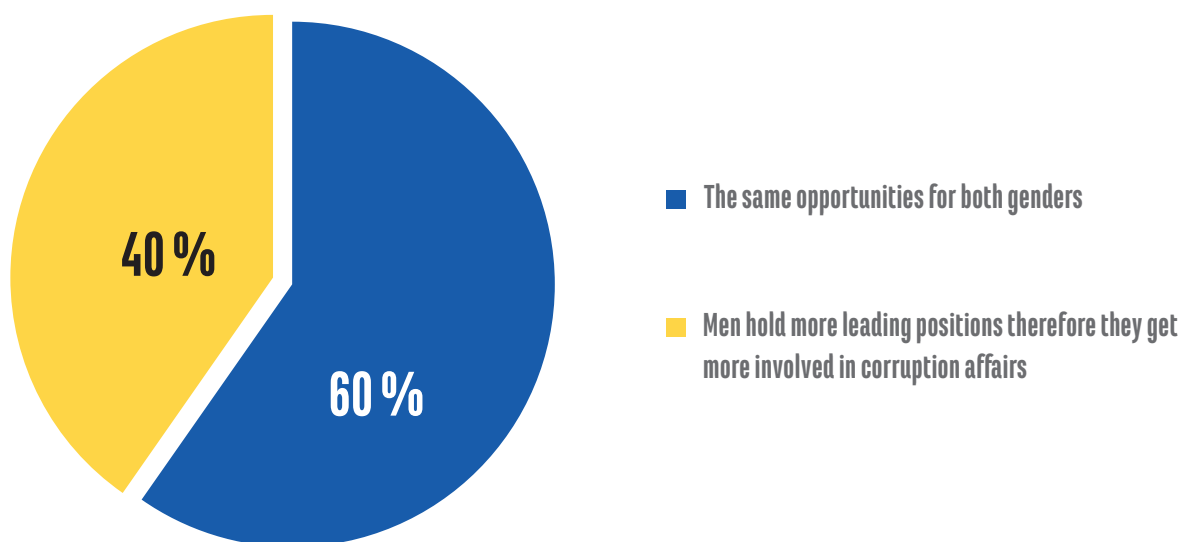


Figure 30. Opportunities for Corruption and Lack of Transparency - Local Level

Disaggregated by gender, the results show that a higher percentage of men, 75%, believe that the same opportunities exist for both genders, compared to women with 46%.

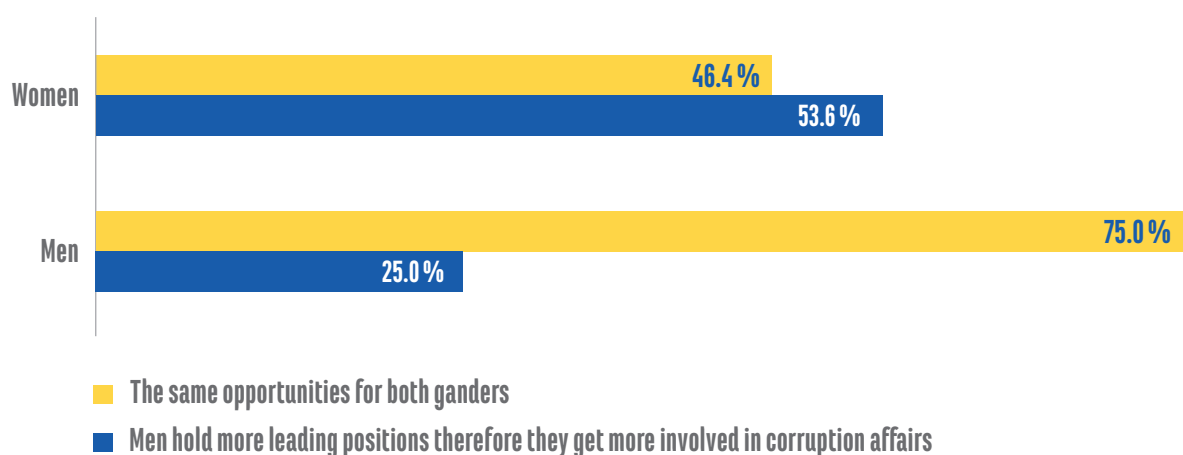


Figure 31. Opportunities for Corruption and Lack of Transparency – Gender disaggregated

"Information is available on laws and policies relating to corruption, accountability and good governance equally for men and women" and "gender equality considerations are included in all workplace policies" are the two most mentioned answers by respondents from quantitative study when asked on how does the civil service encourage men and women to speak out against corruption or a lack of transparency in management.

¹⁸Focus group discussion, men respondent 30.09.2014.



Figure 32. How does the civil service encourage men and women to speak out against corruption or a lack of transparency in management - Local Level

No substantial differences could be observed regarding this matter between men and women respondents, as can be seen in the following chart.

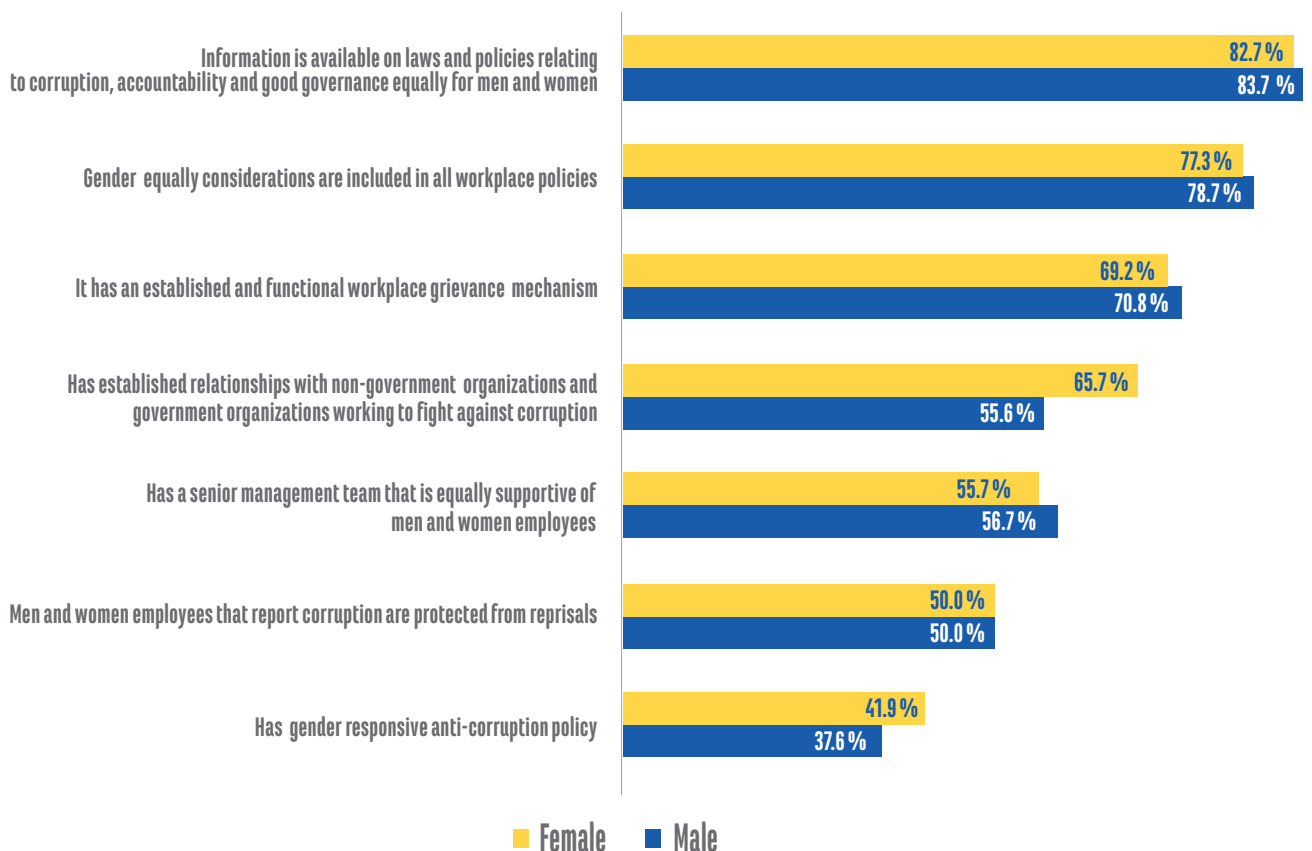


Figure 33. How does the civil service encourage men and women to speak out against corruption or a lack of transparency in management – Gender disaggregated

11% of the respondents claimed they were asked to participate in corrupt practices in their current workplace. Gender-wise, 16% of men said they were asked to participate in corrupt practices, compared to only six% of women that stated they have been asked the same. Of those, the majority of them were asked to participate in bribery, followed by abuse of discretionary powers, and trading in influence.

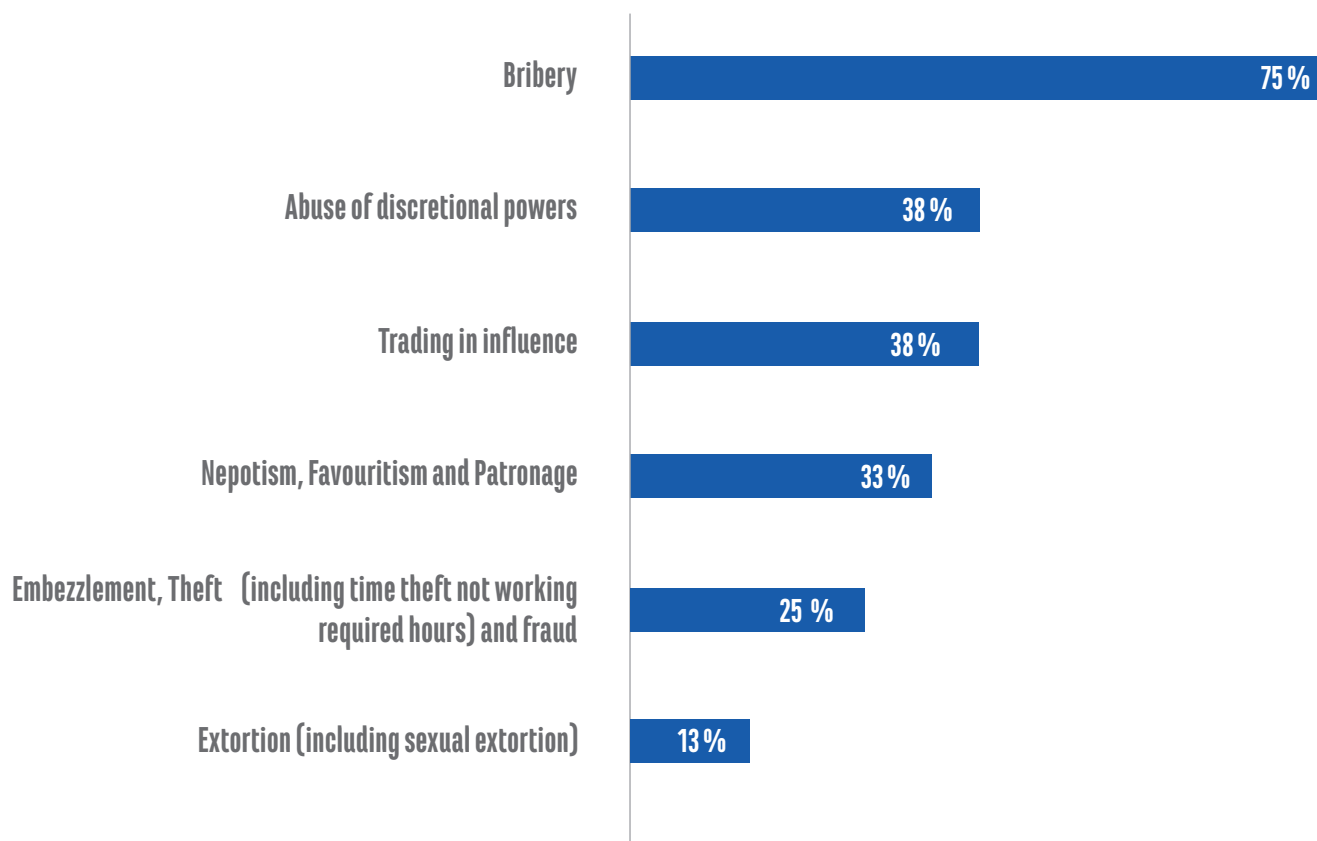


Figure 34. Describe the type of corruption you were asked to participate in - Local Level

A higher percentage of women respondents that were asked to participate in corruption were asked to participate in “nepotism, favouritism and patronage” (46%), compared to men respondents (27%). The detailed gender disaggregated percentages are shown on the graph below.

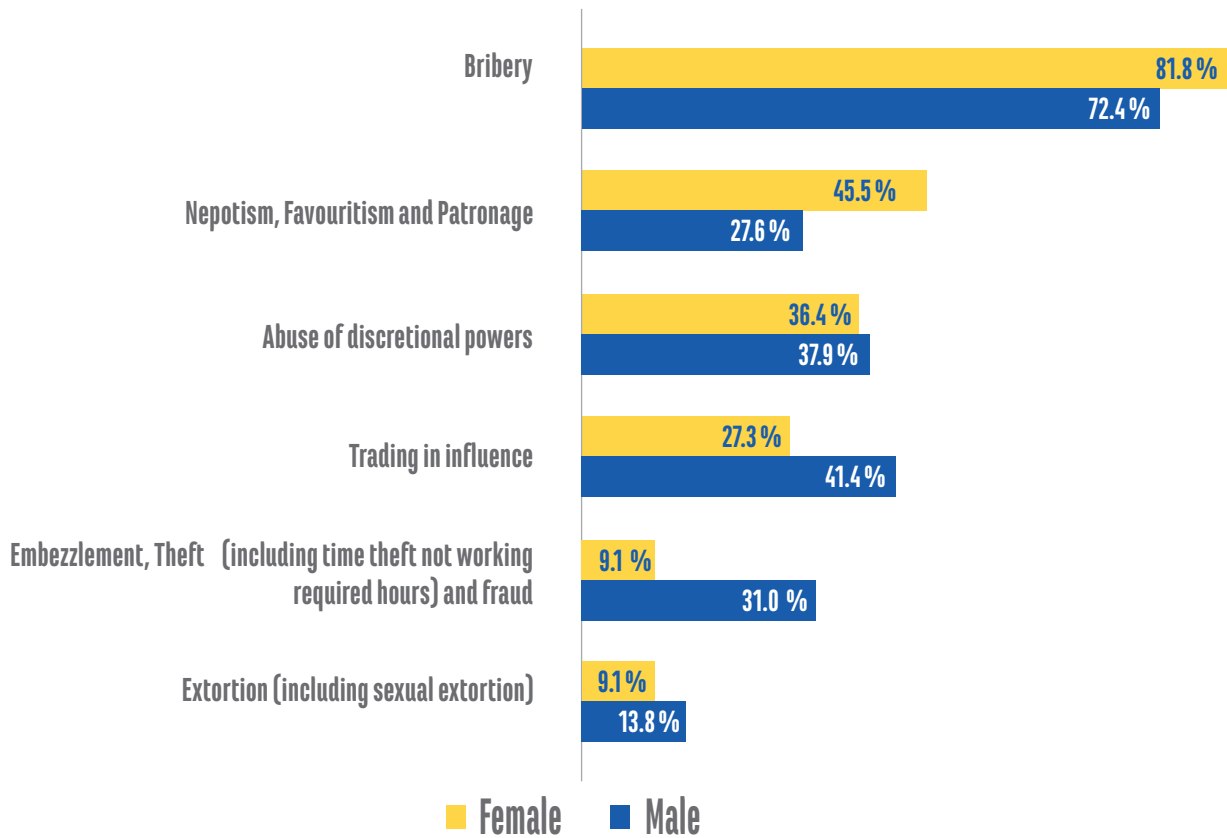


Figure 35. Describe the type of corruption you were asked to participate in – Gender disaggregated

As to who benefits from corruption and a lack of transparency, whether is it the same for men and women, the answers showed that the prevalent belief is that no one benefits from corruption, or that corruption affects both genders equally, with around 70%. The other 30% believed that men benefit more from corruption, mostly from reasons that they are more involved in corruption and have more access to decision making position within the work place, as seen in the graph below.

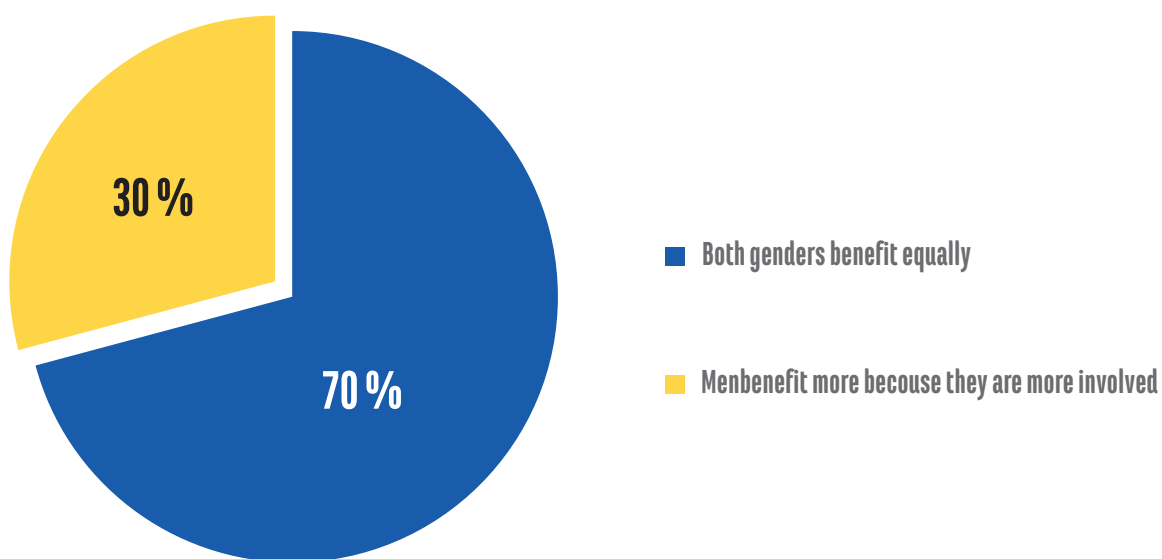


Figure 36. Benefiting from corruption and lack of transparency for men and women – Local Level

The results also show that there are no major differences in this regard between the two genders, with a slightly higher percentage of women believing that men benefit more from corruption because they are more involved.

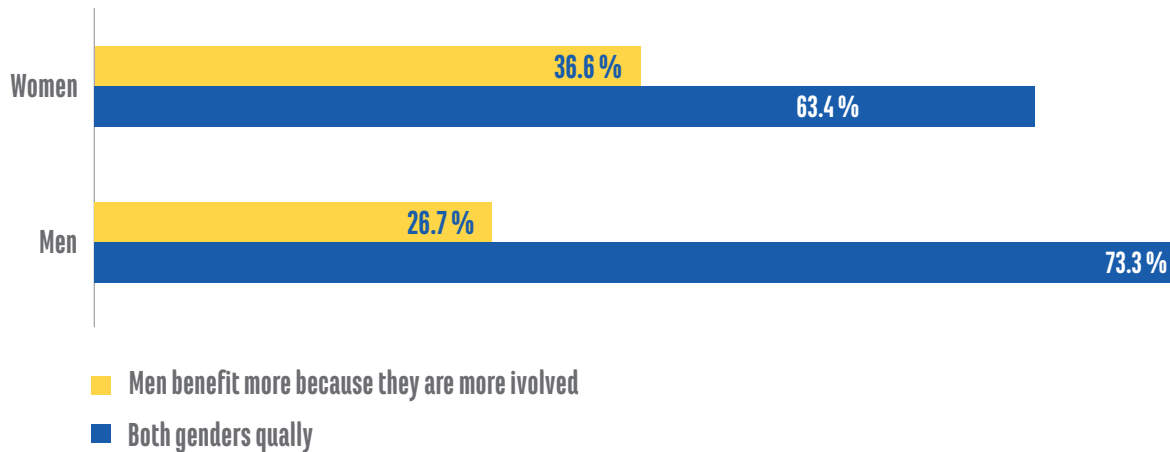


Figure 37. Benefiting from corruption and lack of transparency for men and women – Gender disaggregated

The data showed similar pattern in the case of who is more affected by corruption men or women, i.e. 30% employees responded that men are more affected by corruption either due to the fact that they are more involved into corruption or that they are more in position to be affected by corruption.

Around 70% of the respondents believed that both genders are similarly affected, and that the society as a whole is affected by corruption, not being a gender determined problem.

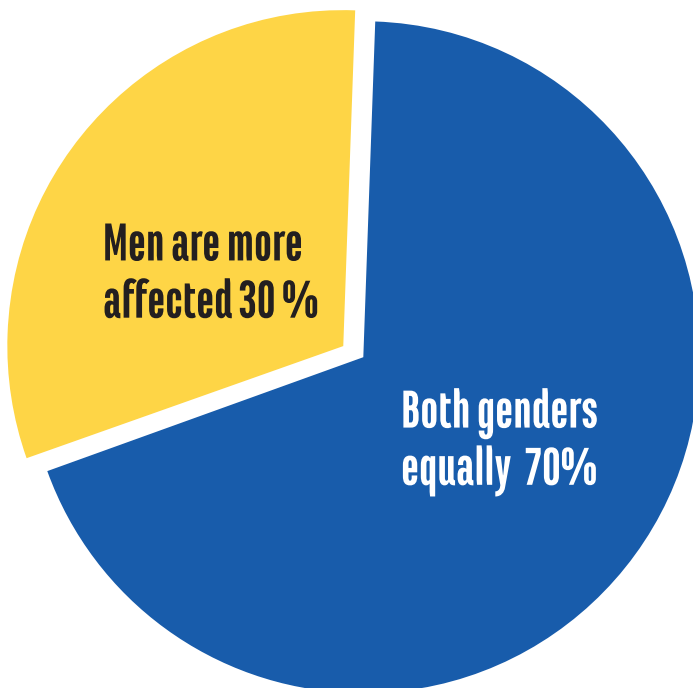


Figure 38. Affected by corruption, men or women? - Local Level

6.3. Recruitment, employee management

A vast majority of respondents are of the opinion that men and women enjoy the same working conditions within the civil service. In regard to gender differences in connection to treatment at the workplace, the majority of respondents are of the opinion that women and men enjoy the same working conditions within the civil service. The respondents were asked whether men and women on local level are subject to the same retrenchment policies procedures, same redundancy packages, same salary and remunerations, same working hours and similar, and a positive stream of upholding of laws regarding gender equality in various level of employment can be observed from the answers as shown in the graph below.

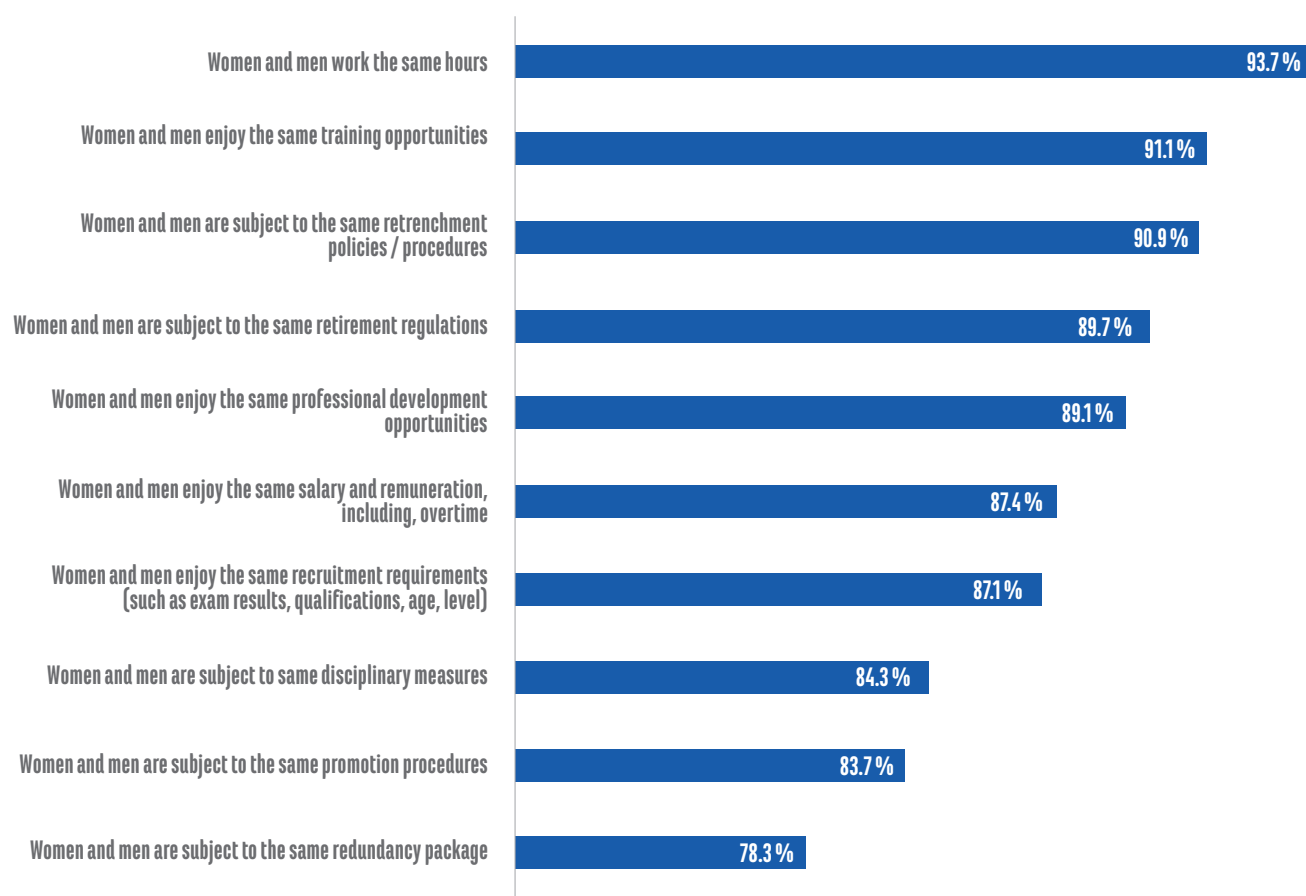


Figure 39. Working conditions within civil service for women and men – Local Level

There were no differences encountered between men and women local level employees that were interviewed in regard to working conditions within the civil service.

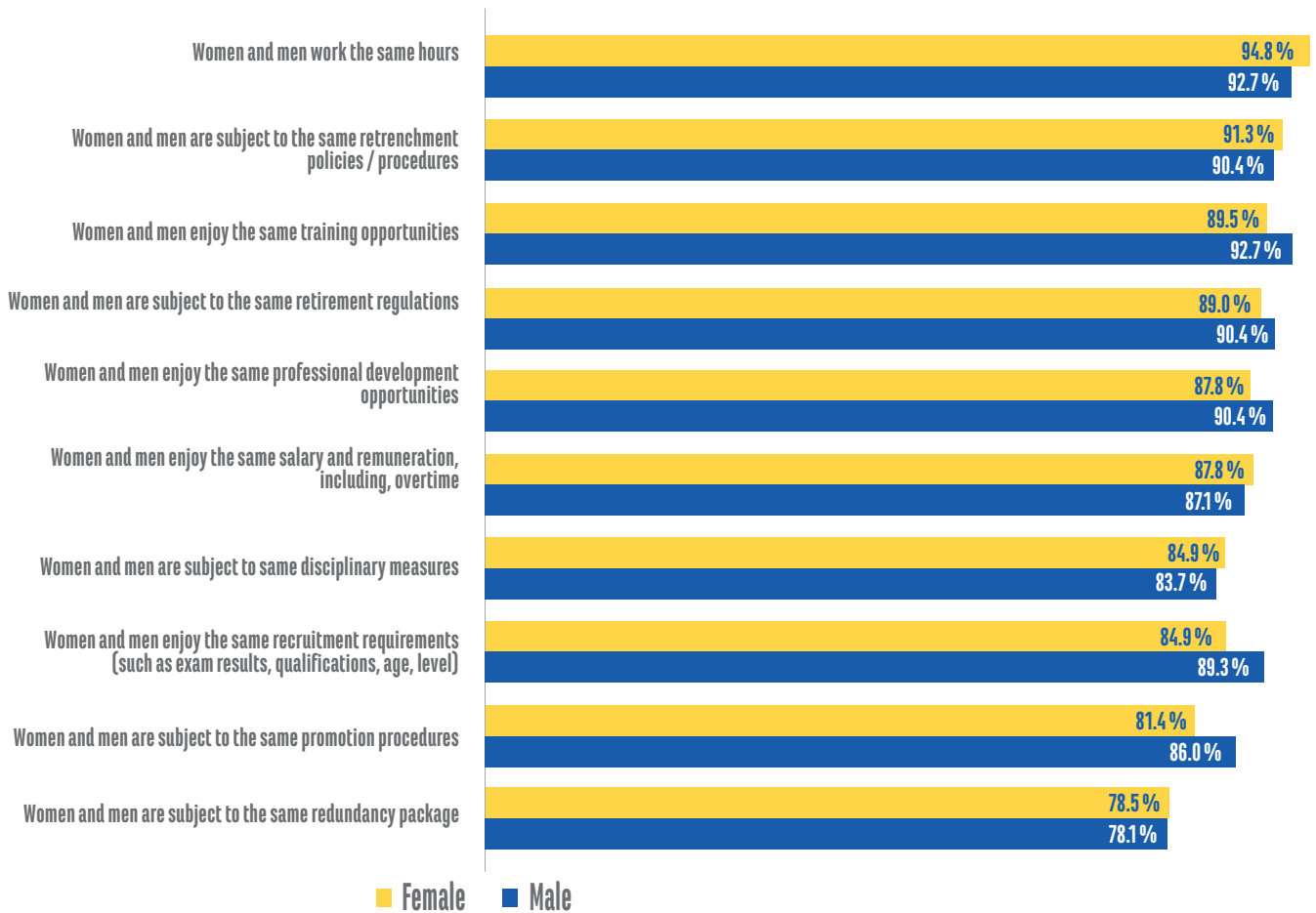


Figure 40. Working conditions within civil service for women and men – Gender disaggregated

In relation to current promotion policies that promote equally women and men, almost all respondents during the qualitative interviews agreed that the policies in place at the respective institutions are in accordance with equal treatment for promoting women and men.

The majority of both men and women claimed to be aware of policies that promote gender equality in the institutions they work in. Moreover, many stated that apart from these policies, there are also gender equality officers in all local institutions. The role of this official, according to focus group participants, is to monitor the decisions taken by the authorities in their institution and make sure that they are in line with gender equality requirements.

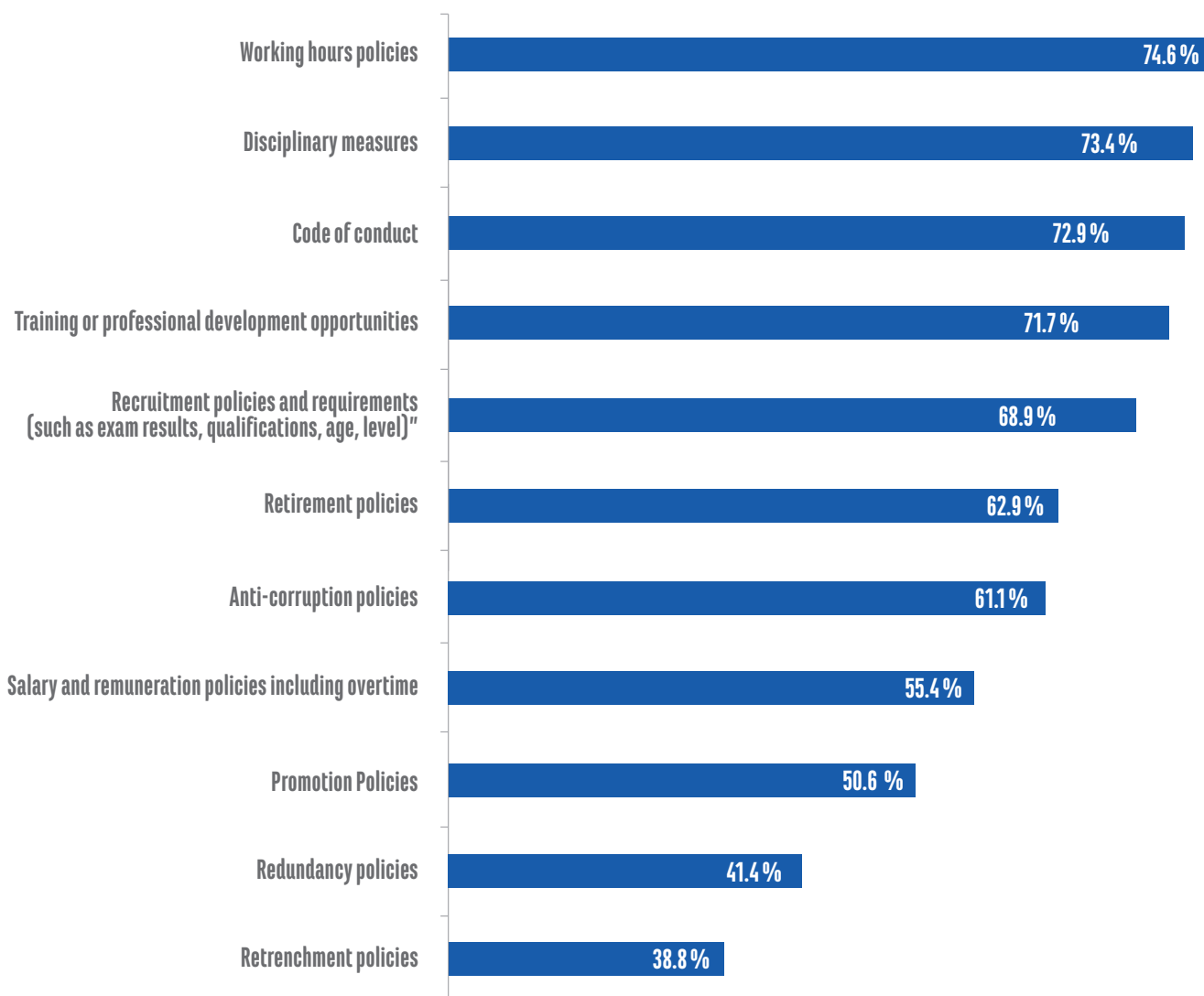


Figure 41. Workplace policies relating to employment made available to employees – Local Level

The responses from men and women respondents did not vary on the issues of the availability of workplace policies related to employment, as detailed on the graph below.

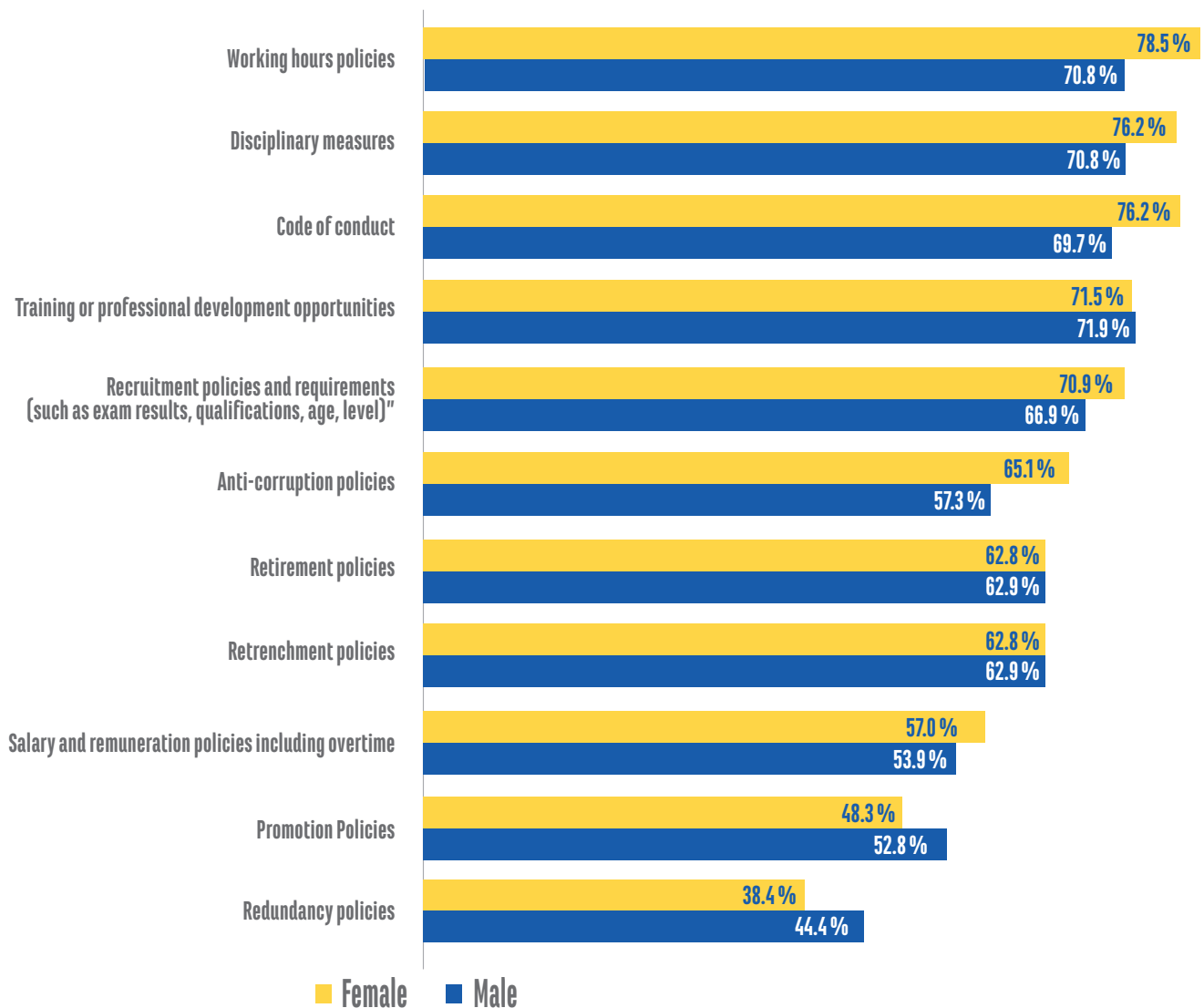


Figure 42. Workplace policies relating to employment made available to employees – Gender disaggregated

Regarding the existence of policies that adequately address gender-specific issues, such as maternity protection, there were no exemptions from the overall positive perception of implementation of the relevant law; almost all respondents from qualitative interviews were aware of the Labour Law that regulates these issues. To what extent pregnancy and maternity leaves may affect women’s promotion at work or might denigrate them from positions they have occupied before going to maternity leave, the perception of women respondents seems to prevail that no such discrimination exists.

However, in focus group discussions only few women respondents disagreed stating that sometimes there may be hesitance for women that are pregnant to get further promotions. Positive responses were received regarding the professional training opportunities being equally accessible to women and men, with 100% of the respondents were in opinion that there was absolute equality in treatment of both men and women regarding this issue.

One respondent stated: ‘From the series of workshops organized in the municipality, I may infer that there was a clear gender equality concerning participation of both men and women.’ Moreover, almost all respondents were positive that women and men are treat-

ed equally regarding remuneration policies that are also well regulated by the law on the Kosovo Civil Service. Furthermore, almost 100% of the employees stated that the working hours policies take into account the employees family related responsibilities of women. However, similarly to central level respondents, they stated that there are no specific policies to attract women to apply to certain positions.

Regarding appointment of civil servants in Kosovo on local level, according to 95% of the respondents from qualitative interviews, in the recent years there have been no positions filled through direct appointment, whereas only five% stated that there have been such cases.

“I think the education aspect has a major impact on job promotion. For example if you have only a bachelor degree, but during the period you’re working, you also finish your master or PHD studies, than you will be promoted. Apart from education, the performance in work and recommendation of the leader are also very important.”

A women focus group participant

It was the opinion of the majority of focus group participants that the current leaders in their institutions advanced to the top positions through job announcements and promotions, although there were cases of political interferences and political affiliation appointments. Nonetheless, they don’t think this is gender biased, and it is their belief that both men and women can potentially be appointed based on their political beliefs and affiliations. However, participants did not seem to acknowledge the fact that women are less represented within political parties at local levels¹⁹.

“Maternity leave should be extended and the 70% salary that women benefit when they are on maternity leave (after three months) should be changed to 100% for the whole year of maternity leave.”

A women respondent from in-depth interviews

Moreover, according to the vast majority of the respondents, 98% are of opinion that there hasn’t been any gender related discrimination in terms of appointment. However, some respondents have stated that no additional incentives were offered to women to apply.

Conversely, on the question of whether women were promoted in positions at the same rate as men in recent years, during the qualitative interviews 38% stated that this has not been the case, 62% believe that the promotions have been equal in recent years.

Most of the explanations were consistent with the opinion that women are not promoted in positions at the same rate as men: ‘because men are more qualified than women, ‘because of the environment we live in women are not willing to engage in full in public life and in leadership position’, or ‘because women are not willing due to home obligations’.

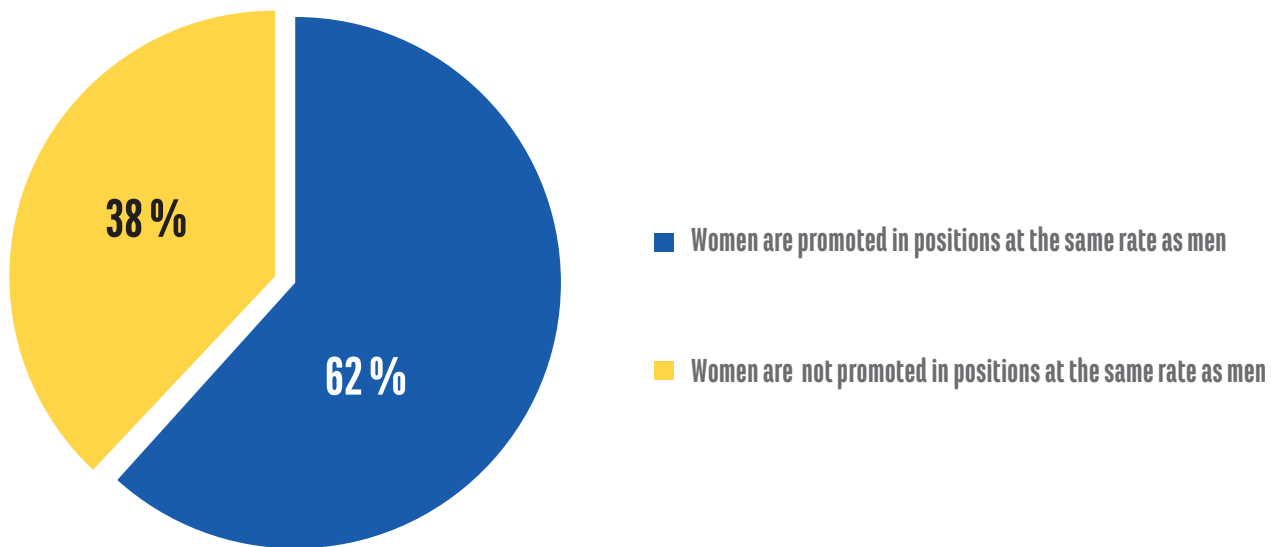


Figure 43. Women promoted in positions at the same rate as men – Local Level

According to the focus group men participants were of the opinion that there are not enough women in decision-making positions. Although some of the men respondents felt that there is progress in this regard, it is not universal and there are still very few women in leadership positions. Women were of the opinion that things have changed for the better, but there is still work left to do in this regard.

27% of the local level respondents from the quantitative survey stated that discretionary powers exist within the public administration whereby management can grant additional pay or benefits to certain employees. When asked if the criteria for granting additional pay and benefits are made available to all staff, more than half of them (51%) said they are.

¹⁹Supra note at 6.

6.4. Transparency – Access to information and laws

Regarding the process of communication of information on policies and laws with staff, the vast majority of local level employees interviewed in the qualitative phase of the research stated that there is regular informing of staff through regular meetings, e-mails, public announcement boards, institutional circulars, and even Facebook page.

Most of the respondents said that the information is available to everyone who needs the information, with few exceptions of cases in which the information was available to the manager or to the coordinator/director only. The respondents further stated that the information was provided timely, it was relevant and easy to understand. Both women and men respondents felt similarly regarding this matter, as can be seen in the graph below.

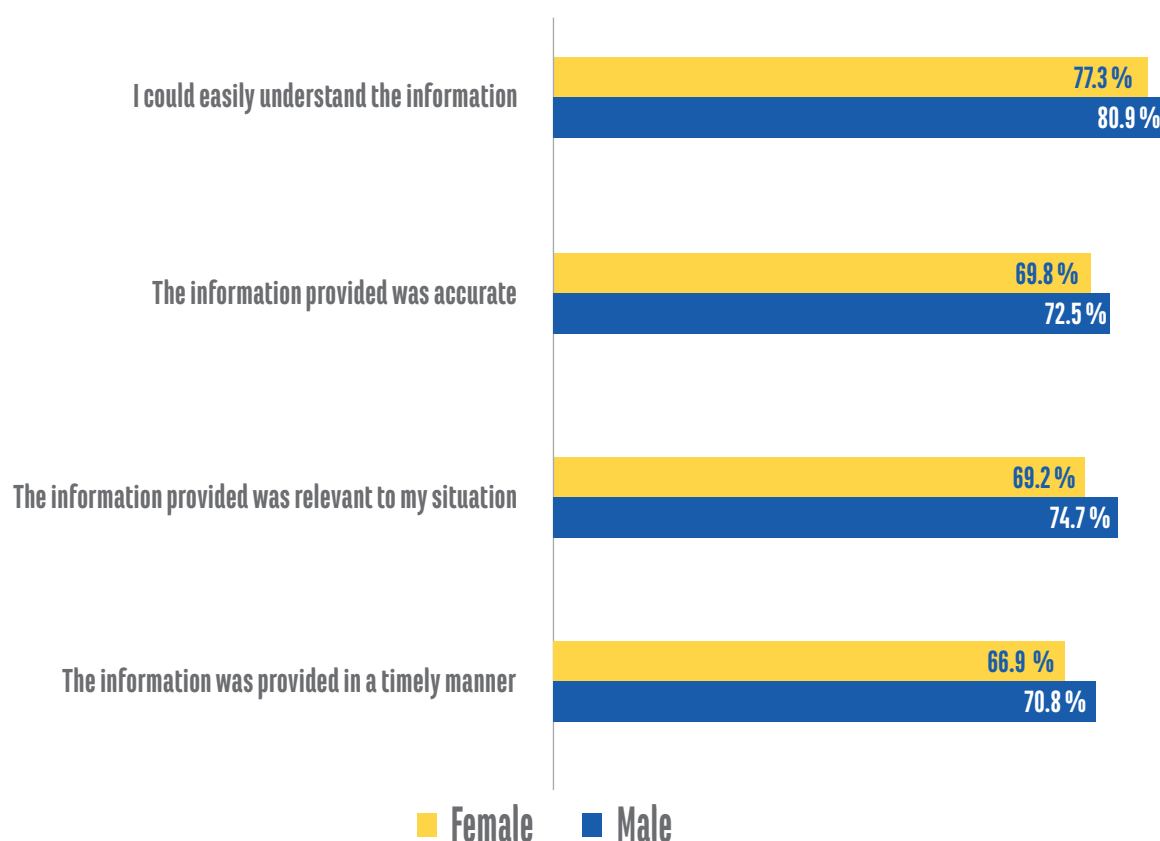


Figure 44. Women promoted in positions at the same rate as men in recent years – Gender disaggregated

7. CORRUPTION AND GENDER: COMPARATIVE ANALYSIS BETWEEN CENTRAL AND LOCAL LEVEL

In order to identify any significant differences between perceptions of civil servants on local and central level regarding corruption and gender, one must compare the quantitative and qualitative data. Therefore in the following text a comparison between data will be compared in the areas where the most similarities and discrepancies in opinion were detected through the previous analysis.

A small difference exists in between local and central level perceptions on their rating how prevalent corruption is in Kosovo with central level rating was 3.1, whereas local level rating was 2.72, with 1 being “not prevalent” and 5 being “very prevalent”.

Almost similar levels of corruption forms have been reported when analysing of quantitative data at both local and central levels. The most prevalent forms in line of occurrence are: ‘nepotism, favouritism or patronage’ and ‘bribery’ were seen as high form of corruption.

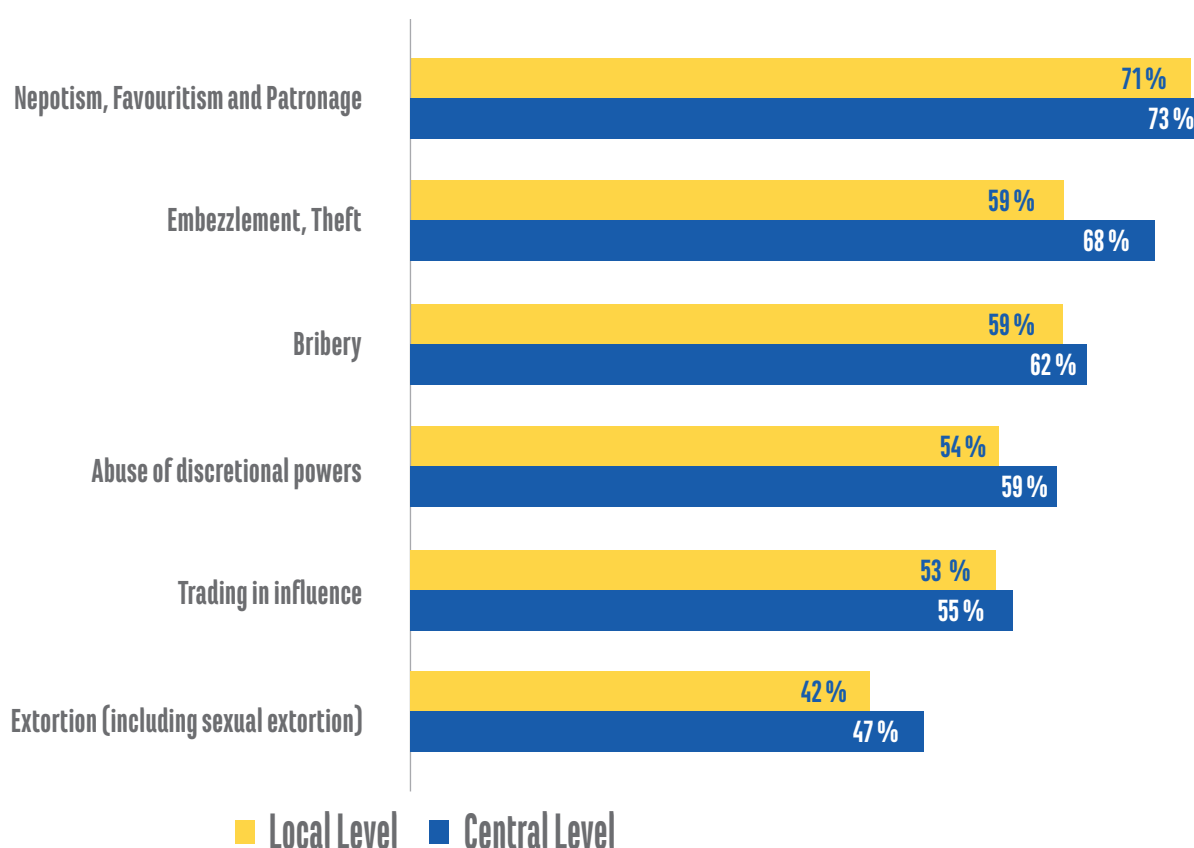


Figure 45. Central Level – Local Level Comparison: Prevalent forms of corruption in the Kosovo Civil Service

Similarities in answers in between local and central level exist collected from quantitative data in reference to the questions of equal treatment of men and women with the majority of answers above 80% at both local and central level. In these cases there was a showing of a very positive stream in upholding of laws regarding gender equality at various levels of employment.

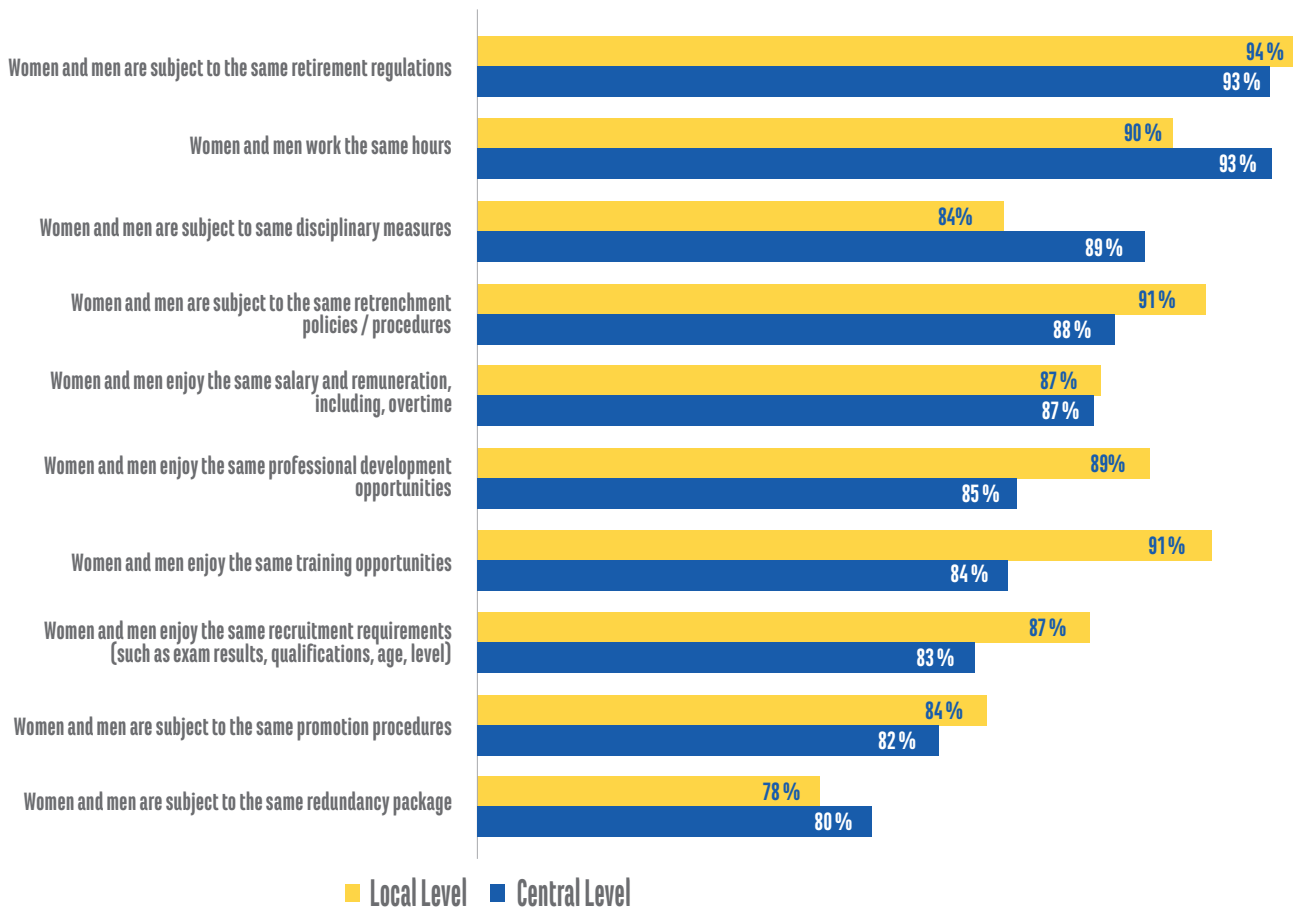


Figure 46. Central Level – Local Level Comparison: Gender Equality in the Kosovo Civil Service

Regarding tackling corruption, transparency and difference between genders, qualitative data showed that out of 55 central level respondents, 25 believed that the roles are equal for both genders, with only six of them believing at central levels that men are braver and more prone in actively fighting corruption, whilst nine respondents believed that women are more honest than men and therefore could fight corruption. With a slight difference, out of 66 local level respondents, the majority of them or 34 respondents believed that the roles are equal for both genders where only nine believed that men are braver.

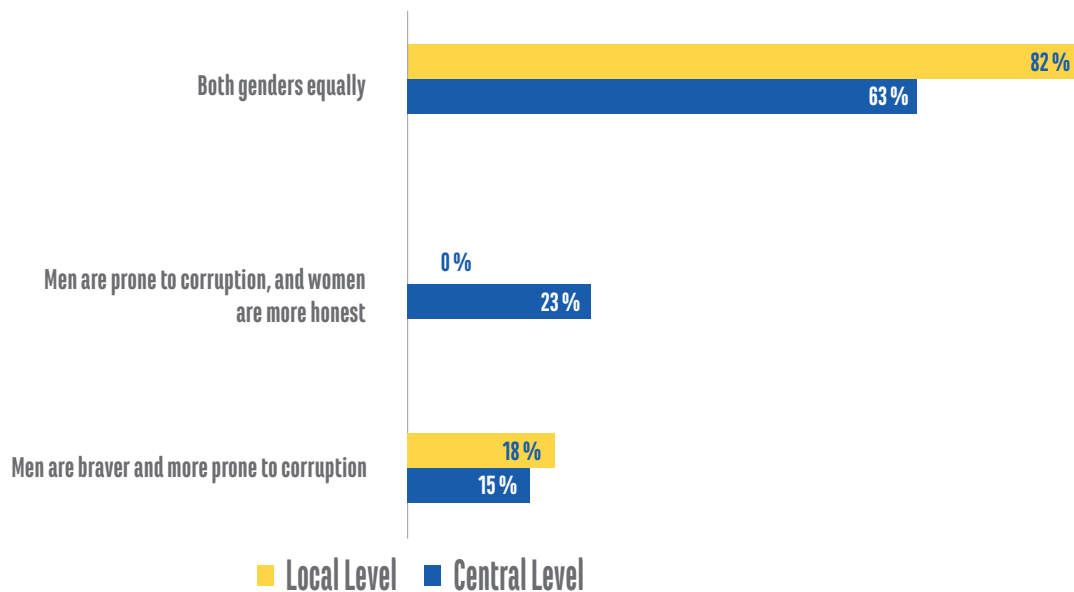


Figure 47. Central Level – Local Level Comparison: Roles in tackling corruption

Other similarities have also been noted in regard to current promotion policies that promote equally women and men at the work place, where almost all the respondents agreed that the policies in place at the respective institutions are in accordance with equal treatment in promoting women and men. There seems to exist a general agreement that men in comparison to women have more promotion opportunities. Furthermore, this perception is also followed by the fact that men are exposed more to corruption and benefit more from corruption, as they hold more decision making positions in comparison to women.

A significant percentage of local level respondents claimed that men are more 'braver' than women to fight corruption. On the other hand, such divisions are not noted by the respondents on the central level, where women are also seen as models to fight corruption, equally as men.

Another discrepancy has been noted between focus groups, opposite to the presumption that when dividing women and men, women would speak out more freely. Opposite to the presumption noted for the methodological approach of the study, men were more vocal in providing answers to corruption and gender discrimination rather than women.

In ending, not many differences prevail in between local and central level perceptions amongst civil servants in relation to corruption, gender and actions on part of those institutions directed to tackling corruption in improving transparency and gender discrimination.

8. CONCLUSION

This analysis has provided diverse and interesting data on the civil servants' perceptions of implications of corruption in gender equality at both central and local levels. Overall, the level of understanding of respondents on how corruption affects recruitment in civil service is high. In addition, understanding of relevant policies, laws and mechanisms is at a satisfactory level, however, the implementation seems to lag behind. A number of trainings on gender equality laws and policies were organized with the aim to support civil servants in acquiring sufficient knowledge. Even though the dissemination of secondary laws and policies is poor, the guidance received from legal offices at central level seems to be sufficient. More than half of respondents considered nepotism, favouritism and patronage as the most prevalent form of corruption in Kosovo. Interestingly, the work conditions in central and local level institutions were rated as being equal for both women and men. In addition, findings show that reporting of corruption cases is very low on both levels. It is worth noting that on the local level the majority of respondents believe that corruption is not prevalent, even though it exists.

The general perception is that corruption affects both genders equally. However, women were more reluctant than men to voice out their concerns in relation to reporting corruption. The perception that men are more prone to corruption was more prevalent, as was the perception that women are more honest and less corrupt. The higher representation of men in leadership positions was identified as one of the main reasons for men being more prone

and exposed to corruption, whilst women were observed as more risk-averse and therefore more reserved than men to enter into corruption deals. Even though a positive trend in managing corruption by the managerial structures was acknowledged, an overall need to support individuals that are willing to report corruption was observed. Overall, low reporting of corruption is related to lack of trust in the judicial system.

There seems to be a general agreement that both women and men attend trainings equally. Nonetheless, few women respondents disagree by stating that men are more exposed to training; therefore attend trainings more often than women. Regarding maternity protection, there was a general agreement that the Kosovo Law on Labour is fully implemented. Even if promotional policies are equally shared to all civil servants including men and women,

Although, there is a general perception that everyone is equally treated when it comes to promotion in the civil service, political affiliations and connections often seem to interfere in promotions and in recruitment practices. In addition, there is a perception that men are more exposed to corruption because they hold more decision-making positions compared to women. The vast majority of respondents confirmed ease of access to information at the workplace. Information is provided in timely fashion, and was available to everyone upon demand, excluding sensitive information that is available to the higher level positions only.

9. RECOMMENDATIONS

9.1. General recommendations

- Kosovo Anti-Discrimination Law and the Kosovo Law on Gender Equality that are currently under revision should specifically define as offense soliciting sexual favours for promotion at work and prescribe specific sanctions.
- Kosovo institutions should ensure fully transparent recruitment and promotion procedures adhering to existing rules and regulations in place. Complaint mechanisms should be available and should be easily accessible.
- Promulgation of newly enacted laws and secondary legislation should be followed by issuing written instructions on implementation by respective legal departments.
- Gender based stereotypes and prejudices should be mitigated by organising and delivering awareness campaigns on the role of women and men in the public. Additional mechanisms should be foreseen to encourage women to report corruption and also guarantee anonymity.

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