ICEDA
Increasing Civic Engagement in the Digital Agenda

KOSOVO DIGITAL AGENDA OBSERVATORY

Country Report and Roadmap 2020

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Introduction

The online connection between people now is part of their daily life, meaning that Internet services are no longer just for entertainment but are a fundamental part of society. Moreover, the willingness of citizens to conduct work or to conduct payments or service in traditional forms has decreased. Now with the widespread use of technology and the adoption of the digital tools and applications it is allowing citizens and other parties for more direct and faster participation elements that eventually would decrease the time for receiving an information or a service.

The Digital Agenda for the Western Balkans is a key pillar of the European Commission's Western Balkans Strategy published in February 2018. It covers a wide range of areas from broadband infrastructure, public sector modernization and the digitalization of industry to digital skills and cybersecurity, and a roadmap for lowering roaming charges. Most media, civil society organizations (CSOs) and Governments in the region are do not have the resources or the capacities to cover the issues of e-government and digital rights, denying the citizens opportunities to learn about the current tendencies. Digital Agenda aims to ensure that the citizens of the region can fully reap the benefits of the digital transformation. The commitment to the Digital Agenda will ensure that citizens have the skills to match the demands of the new economy and will help modernize public administrations, strengthen cybersecurity, increase connectivity, and improve the business climate.

However, the Digital Agenda of the European Union for the Western Balkans it's not very present as a topic within CSO and Media. Around 80% of the respondents from the media and CSO are not familiar with the topic itself, same much do not cover the topics in relation with the Digital Agenda of the Western Balkans. The most common topic they are familiar are for the roaming tariffs rather than for digital market and e-government.

This research is part of the Digital Agenda Observatory and is implemented in 5 Western Balkan countries as part of the project Increasing Civic Engagement in the Digital Agenda – ICEDA co-funded by the European Union and implemented by Metamorphosis Foundation (North Macedonia) as the leading partner, e-Governance Academy (Estonia), CRTA – Center for Research, Transparency, and Accountability (Serbia), NGO 35mm (Montenegro), Open Data Kosovo (Kosovo) and Lëvizja Mjaft (Albania). The issues addressed by the reports are specifically related to the chapters relevant to the Digital Agenda in particular Chapter 10 – Information Society and Media from the EU's acquis, with a goal to reinvigorate the issues of the Western Balkans Digital Agenda on the EU agenda.

Research methodology

The quantitative data extracted and analyzed derives from the desktop study and information requests to the relevant information holders, including the collection of the secondary data by reviewing the strategy and policy documents, concept papers and international project reports. Descriptive data analysis method was used to answer the research questions i.e. the indicators of the current efforts of the Digital Agenda implementation by the government, civil society and media, and it is summarized in Chapter 1.

To understand the attitude, motivation and experience of stakeholders related to the Digital Agenda issues, qualitative research methods by collecting the primary data using interviews, online survey and semi-structured focus group discussion with different stakeholders (institutionalized and non-institutionalized civil society representatives (CSOs and civic activists), representatives of state authorities, journalists and representatives of media) were conducted about their views of the state of DA and needs for improvement. The results of these research projects are presented in all the chapters of the report.

In Kosovo, through our activities we received 35 responses on our online survey (12 from representatives of state authorities, 10 from the media and 13 from the civil society representatives), we conducted 4 interviews with state authorities, 1 media representative and 3 civil society representatives, and organized a focus group with state authority representative.

The research methodology was designed by the e-Governance Academy (eGA). eGA is a non-profit think tank and consultancy organization from Estonia that creates and transfers knowledge and best practices and empowers central and local government decision in the area of digital transformation: e-governance, e-democracy and national cyber security.

1

Access to Internet

Access to Internet

The widespread of Internet in Kosovo serves as a starting point for more digitalization of the services from public institutions. Agency of Statistics of Kosovo for 2019, states that the internet penetration in Kosovo is 93% (one of the highest in Europe), while the same results reflect also in the representative sample conducted by Kosovo Association of Information and Communication Technology (STIKK) that revealed that 96% of Kosovo households are connected to the Internet. There was an immense expansion of the Internet in Kosovo after 2007, whereas only within one single year there was a doubling of the number of households connected to the Internet (20% in 2007 and 46% in 2008). The expansion of the Internet in Kosovo continued steadily, to reach almost all households in Kosovo by 2019[1].

By the Data reported in the Kosovo Agency of Statistics, Access to the internet at home by age group by age group for 2019 [2], is more visible in the age group 25–54 years old. In regard to the use of the Internet by gender with access to Internet at home by sex and year is higher for men (55.8%) than for women (38.7%)[3] According to the STIKK, the usage of internet among all age groups is more than 95%, (15–55 years old) while for the 55+, the usage of the internet is around 74%. In sense of areas Urban the usage is 94% and Rural in rural areas 91%.

Part of this expansion of internet penetration in Kosovo is also as a result of the implementation of the Kosovo Digital Economy Project (hereinafter "KODE Project"). With this project The Government of Kosovo (GoK) has received an International Development Association (IDA) credit in the amount of €20,700,000 (US $ 25 million equivalent) from the World Bank to implement the project from 2019 until 2023.[4]

The KODE Project works in two main activities (1) expanding access of Kosovars to high-speed and better-quality digital infrastructure and (2) support Kosovars to take advantage of regional and global Digital Economy opportunities, especially for income generation, usage of services, and learning, thus triggering the growth of a Digital Economy in Kosovo. Moreover within its first component for Digital Inclusion (a) it has financed the expansion of digital connectivity through the co-financing of deployment of high speed broadband connectivity in areas that have been identified as not connected or underserved and (b) improved of the enabling environment for wireless broadband services, through the deployment of the National Spectrum Monitoring System (NSMS) and provision of technical assistance and capacity building activities for Agency for Electronic Communication and Ministry of Economic Development to strengthen the enabling policy, legal, and regulatory environment

Broadband internet is mostly with cable modem, however now more than 30% are using optic fibber.

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1   https://stikk.org/wp-content/uploads/2019/11/STIKK_IK_Report_Internet_Penetration_V3-final-1.pdf
2   https://askdata.rks-gov.net/PXWeb/pxweb/en/askdata/askdata__TIK/TIK1point2.px/table/tableViewLayout1/?rxid=d8e4fe58-9c8d-4f07-b45d-9ca6e0f855aeA
3   https://askdata.rks-gov.net/PXWeb/pxweb/sq/askdata/askdata__TIK/TIK1point3.px/table/tableViewLayout1/?rxid=d8e4fe58-9c8d-4f07-b45d-9ca6e0f855ae
4   https://kodeproject.org/en/project-framework/

	Number/percentage/ description	Source of information	Comments
Name of the country	Kosovo		
Population	1.739.825	Kosovo Agency of Statistics	https://bit.ly/3c5ZqL9
Internet penetration	93%	Kosovo Agency of Statistics	https://bit.ly/35xlY3H
	96%	Kosovo Association of Information Communication and Technology	https://bit.ly/2WrfWic
Country e-readiness rankings	No data available		
International structures/ institutions supporting the development of DA	World Bank – KODE Project (waiting responses from donors no information online)	World Bank	https://projects. worldbank.org/en/ projects-operations/ project-detail/ P164188?lang=en

Compared to other countries in the region as they are part of the research Kosovo is not part of international studies which do e-rankings. [5]

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5   https://publicadministration.un.org/egovkb/Portals/egovkb/Documents/un/2020–Survey/2020%20UN%20 E-Government%20Survey%20(Full%20Report).pdf

2

Strategic development

Strategic development

Strategies

Kosovo in 2013 Adopted the its own Digital Agenda – Namely "Kosova Digital Agenda 2013–2020"

[6] aiming to define the priorities, objectives and tasks of ICT development in order to maximize the social and economic advantages provided by those technologies, primarily the Internet as a very important instrument for economic and social activities, the use of which allows one to provide or receive services, work, access entertainment, communicate and freely express opinions.

Even that the Digital Agenda of European Union for Western Balkans got adopted in 2018, the Kosovo Digital Agenda Strategy is in line with the Digital Agenda of EU. Considering the new changes in the digital sphere it needs to be updated with the newest trends which would reflect also the Digital Agenda of European Union in line with cooperation with the Western Balkan States. Another important document which has been developed is the IT Strategy of Kosovo, [7] aiming to develop the IT sector to contribute to digitalization of services especially for businesses as well as opening new workplaces

In the area of Digital Agenda covering E-governance as the main component, Ministry of Public Administration has adopted the Strategy of the Modernization of Public Administration (2015–2020)[8], which is aiming to create conditions so that administration would be oriented towards meeting the specific needs of citizens and businesses, and work for their interests. Efforts are expected to be made for reducing procedural and administrative barriers, lowering costs and time consumed when receiving administrative services, considering the proper access for disabled persons.

Any documentation for outreach activities in line with E-governance and Digital Agenda have not been found during our desk research and interviews. However, based on the answers received from the government, the KODE project (https://kodeproject.org/) has held some information sessions and workshops on promoting the Kosovo Digital Agenda of 2013–2020.

Legal background

Kosovo has signed the Stabilization and Association Agreement [9] with European Union which intends to harmonize its legislation with that of the European Union and with the aim of eventual EU membership. In this line, Kosovo has adopted National Programme for Implementation of the Stabilization and Association Agreement (NPISAA), whereas Ministry of European Integration of Kosovo within the Department of EU Law within the Ministry of European Integration are key authorities in providing professional and legal support to institutional structures of the Republic of Kosovo, in the field of approximation of domestic legislation with the EU acquis[10].

Kosovo has not taken much steps in developing the Digital Agenda and as such there has not been a research on defining the gaps in the legal framework in the field of Digital Agenda and e-governance, which would contribute to the development of this sector. However, based on the research and interviews with stakeholders, some of the main gaps is the legal framework which would regulate the digital identity, including digital signature and stamp, that would make it much easier to obtain necessary public documents.

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6   http://www.kryeministri-ks.net/repository/docs/Electronic_Communication_Sector_Policy_2013–2020.pdf.
7   https://stikk.org/wp-content/uploads/2018/11/Strategjia_e_Kosoves_per_TI_V01.00_29–06–2016.pdf
8   https://map.rks-gov.net/page.aspx?id=2,31
9   http://data.consilium.europa.eu/doc/document/ST–10728–2015–REV–1/en/pdf
10   http://mei-ks.net/en/legal-framework-for-approximation-

Currently Kosovo has adopted the below laws/regulations which contribute to Digital Agenda:

Law on Information Society Governmental Bodies [11]
Law on Personal Data Protection[12]
Law on Electronic Communication[13]
Regulation on electronic Databases[14]

Administrative capacities

There has not been an appointment of a specific institution which is responsible for the Digital Agenda, however two ministries currently run specific parts for the implementation of the Digital Agenda and E-government, which are are Ministry of Economy and Environment and Ministry for Internal Affairs and Public Administration – Agency for Information and Society. However, there is not a concrete body which directly deals with digital agenda, most of the responsibilities that derive from DA of EU are spread among different channels and institutions.

Ministry of Economic and Environment is in charge mostly on the promotion and coordination of the usage of technology in the government aiming to contribute to the digitization of the services from the government. The department of ICT with the KODE Project[15], works on proposing, compiling and providing for the implementation of information technology sector policies/strategic documents and support direct the usage of technology for economic development. Within the ministry and the Strategy of the Digital Agenda for Kosovo, a steering committee group composed by governmental officials and representative of the IT industry association and chambers of Commerce, however lacks integration of CSO in the group.

On the other hand, Ministry Internal Affairs and Public Administration has direct responsibility in the implementation of e-governance, whereas this responsibility is passed at the Agency of Information and Systems[16]. Within the E-governance department the Agency has developed all necessary guidelines[17] which public institutions need to comply before developing any kind of digital solutions which will be hosted in the governmental servers. Moreover, Agency for Information Society has built the State Data Center (SDC, which is used as a state "electronic repository" for the accumulation, administration, dissemination, and storage of electronic data.

Moreover, the Agency of Information Systems, has been established by the Law on Information Society Governmental bodies to support the development of information technology, promote the investment in the field of information society, the development of training systems in information technology and shall do the coordination, management and supervision of processes and mechanisms of electronic governance. The Agency, in order to manage the IT resources has created the IT departments/divisions among all public institutions in local and central level which will enable direct communication and collaboration with IT departments.

Based on our research, the institutions lack on staff which can be translated in either qualified staff or quantitative based on the work being done in each of the institutions. Moreover, there are just a few officials who are engaged in the e-government coming from the civil staff. The message does not seem to be spread among lower level of the public officials.

11   https://gzk.rks-gov.net/ActDetail.aspx?ActID=8669
12   https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=18616
13   https://gzk.rks-gov.net/ActDetail.aspx?ActID=2851
14   https://map.rks-gov.net/desk/inc/media/A8F0DD98-A830-44A6-A7E3-65EE6C297ACE.pdf
15   https://mzhe-ks.net/en/department-of-post-telecommunications-and-information-and-communication-tech-nology#.XrE0PRMzZQI
16   https://map.rks-gov.net/page.aspx?id=2,34
17   https://map.rks-gov.net/page.aspx?id=1,123

3

E-Services and Digital literacy of Citizens

E-Services and Digital literacy of Citizens

Kosovo has its state portal [18] which gives a general overview and information about public institutions in Kosovo, however there is not a functioning E-services platform available which would connect the services or give an overview of the services offered by the government therefore they are only available in respective websites of the institutions which are providing the services. This spread does not give citizens a clear picture of the services offered to them, and it is one of the reasons the usage remains low. However, there is no data available which has measured the level of the digital literacy among citizens. Based on the research the services which do well-function are very used among citizens and businesses. Also, taking into consideration the high level of Internet penetration the usage could be grown if more e-services are offered and function well.

The e-services are mostly provided in the websites of the institutions[19] and are easy visible. Most of the institutions have created video contents and manuals on how to use the platforms and how to access them. The video content and manuals have been promoted via social media channels, TV broadcasting and YouTube channels. One of the biggest recent campaigns in the promotion of the E-services was by the ministry of Finance to promote the Property Tax Payments online, whereas this service is fully available online from 2018.[20]

What it is lacked from the institutions is providing Technical Support to citizens on how to use the platforms. Even that they provide a space for complaints, it takes time to receive an answer which makes the usage of the e-services very low. Moreover, some of the services, are not well coordinated with the Banks. Citizens when conduct payments online sometimes need to go to the institutions to verify the payment, which is not consistent with the aim of e-services.

There is no data available how much the e-services are being used by citizens on monthly of yearly bases which we can find online. However, Business services such as Online Tax Payments are fully being used directly from the businesses. The only data which can be is about transactions or exchange of data between systems within the Interoperability Platform from the Agency for Information and System while providing services to citizens or businesses:

· Municipal Intranet system has 2,096,411 communications
· The Business Register has 104,133 communications
· The Food and Veterinary system has 94,351 communications
· The social welfare system has 83,109 communications
· The Health Information System has 220,232 communications
· The electronic student management system has 33,485 communications
· Property Registry System 27,086 communications
· The pharmaceutical stock system has 20,638 communications.

The current problem with this can be addressed that the Digital Identity and Digital Signature have not been introduced yet in practice. The methods used for identification in public sector e-services are with the unique personal identification number whereas you can open accounts with username (usually emails) and password to access these accounts.

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18   https://www.rks-gov.net/EN
19   https://prishtinaonline.com/uploads/si_te_paguaj.pdf ; https://rbk.rks-gov.net/manuali-online.pdf ;
        https://www.youtube.com/watch?v=yZezaoKdi4E ; https://www.youtube.com/watch?v=5lMu8zvaaZY&feature=emb_title
20   https://www.youtube.com/watch?v=374knYXaR4I

All public institutions which have been interviewed during the research phase, see the digitalization as one of the most important initiatives they need, as to overpass time-consuming work especially for citizens obtaining public documents, certificates and which can be easily replaced with electronic communication.

Below you can find the List of available E-services in Kosovo: [*the list can be exhaustive*]

Name of e-service	Service provider	URL	Short description
Information about the Urban Plan in your Area	Municipality of Prishtina	https://docs.google.com/forms/d/e/1FAlpQLScJCAoujq3w-GKSKKpFGEUNDFBWInRA_4bULE-8Enhvk42zGw/viewform?c=0&w=1	Apply your information about your cadastral part, and how does the urban planning allows there
Payment of Waste Management	Municipality of Prishtina	https://prishtina.smm-ks.com/public/	Paying online waste management bills
Cultural Grants Application	Municipality of Prishtina	https://krs.prishtinaonline.com/	Citizens, artist, NGO, initiatives to apply for grants available from the municipality
Online Chat	Municipality of Prishtina	https://prishtinaonline.com/	On real time you can receive information for Municipality information issues
E-Kiosk	Municipality of Prishtina, and other municipalities	https://www.prishtinaonline.com/lajmet/1483/e-kiosku-i-ri-me-sherbime-te-reja	A machine opened 24/7 to receive birth certificates, and other personal documents from the municipality.
Property Tax Payment	Ministry of Finance	https://tatimineprone-rks.org/fatura/	Paying quarterly property tax bills.
Online Tax Services	Tax Administraion of Kosovo	http://www.atk-ks.org/en/services/	Declare and pay all type of taxes. Moreover, Verify taxes, purchase and sell accounting books, debts etc.
eKESCO	KESCO (Kosovo Energy Supply Company"	https://fatura.kesco-energy.com/auth/login	An app available also in Andoid and iOS. e-KESCO allows you to view all your transactions, all your invoices, your current balance and also provides you the calculator of energy consumption.

Name of e-service	Service provider	URL	Short description
Integrated Water Billing	Regional Water Company	http://kartela.kru-prishtina.com/	Payments of all invoices of water
CSO Center	Ministry for Internal Affairs and Public Administration	https://ojq.rks-gov.net/Login2.aspx	Here you can apply online registration and management of your organization. Send online reports, register employees etc.
Online Application for Drivers Licence	Ministry for Internal Affairs and Public Administration	https://patentshoferonline.rks-gov.net/LogIn2.aspx?l=z7TlIUJRIdU=	This helps you online to apply for drivers licence and renew your licence.
System for registration of businesses	Agency for Business Registery	https://rbk.rks-gov.net/	With this platform you can register a new business and manage it online without a need to go to the institution. You can also receive by mail after all the registration document.
Students Mangement System	Public University of Prishtina	https://notimi.uni-pr.edu/	Is used to pay semesters online, register for classes, grading and other students services.
Pension Management System	Trusti	https://online.trusti.org/	Find the balance summary of your pension savings, download reports and others. You can select dates you wish to see transactions for, and you can also view further details of categories of transactions during selected dates.

Based on our findings of the research the most common e-service used from citizens and businesses is the platform of the Tax Administration of Kosovo, as it does not offer offline service . Most of the E-services which are working are well functioning and usable from the citizens.

4

Transparency and access to public sector information

Transparency and access to public sector information

Transparency and access to public information is regulated by the Law on access to public information[21] which has been adopted in 2019, and has introduced Open Data Chapter as an integral part of the law, which before was only as a verdict from the government to publish information in Open Data Format.

With this law all institutions are obligated to have at least one person responsible for communication with citizens and for media and a person in charge for the publication of datasets. The documents which are considered opened by default need to be published in a proactive approach by the institutions on their official website. While the data sets need to be published regularly in the official governmental Open Data portal.[22]

According to the Freedom on Information Law, the institutions need to respond to all requests within 7 Days, when the request has been accepted. Moreover, in case the request will be delayed the institutions need to inform and request for the deadline to be extended. In case of refusal to respond to the request due to reasons such as national security, or the case is classified as secret, the institutions need to issue a verdict in this regard. However, CSO and Media based on the research say that the deadlines usually are not respected, and the access to specific documents is very hard to be obtained. The number of data published is even lower, except the Open Data portal, there are three other public institutions which provide information in open data format, which are Agency of Statistics of Kosovo[23], Kosovo Cadastral Agency [24] and Municipality of Prishtina [25]. These four portals give information's about environment, education, health, employment, social protection, transport. However, the publication of information in real time is still missing, which would make the information more reliable and presented in timely matter.

Important document for implementation of the Open Data is the Open Data Readiness Assessment [26].
The report has given a clear view on the state of implementation and measurements needed to be taken by the government. The ODRA report has also identified needs for data interoperability and ensuring digitalization for providing real time data.

The official body which overviews the implementation of the Law on Access to Public Documents is the Commissioner for Information and Privacy which has been introduced in 2019. This body is still not officially been formed due to continued snap elections in Kosovo, and a nonfunctional and political issues raised in Parliament which is responsible to choose the Commissioner. The commissioner is set to work within the Agency of Information and Data privacy[27]. Before the introduction of the Commissioner, the Office of Ombudsperson[28] has overviewed the implementation of the law and continues to do so until the fully functioning of the Commissioner for Information and Privacy.

During the research and questionnaires sent to the public institutions its that most of them (around 60%) replied in line with the timeframe as set in the law, however the other part a need for reminders out of the deadline seemed necessary. This is an issue that the information is not all publicly available in the website of the institution and a request for access to documents seemed necessary. This is also time consuming for both parties in the process, therefore a pro-active approach of publications is necessary.

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21   https://gzk.rks-gov.net/ActDetail.aspx?ActID=20505
22   https://opendata.rks-gov.net/en/
23   https://askdata.rks-gov.net/PXWeb/pxweb/en/askdata/.
24   http://213.163.122.122:8080/geonetwork/kca/eng/catalog.search#/home
25   https://opendata.prishtinaonline.com/
26   https://map.rks-gov.net/desk/inc/media/7402A1E1–6B67–4A7A–9FF0–3540A3E54D30.pdf
27   http://www.amdp-rks.org/
28   https://www.oik-rks.org/en/

5

Citizens Participation

Citizens Participation

Public institutions in Kosovo are aiming to promote more citizens participation in decision making processes via public discussion hearings as well engage them in the public life. Public hearings are mostly been implemented in Municipalities which is guaranteed within the Law on Local Self-government[29] which obligates municipalities to hold at least two public discussions with citizens in one calendar year. However, the level of citizens engagement is very low, usually local CSO which work on these communities participate in these public hearing.

Furthermore, in central level the Government has adopted the Regulation for Minimal Standards of Public Consultation[30]. The regulation has obligated the Office of Prime minister/Office for good governance to adopt and coordinate the E-consultation platform[31]. The platform and the regulation have obligated all ministries that all their regulations, Administrative Instructions, strategies and laws to be published in the platform for public discussion in a time-frame of 14 days minimum. This gives the opportunity to citizens, CSO and businesses to comment on respective documents as prescribed in the Minimal Standards for Public Consultation.

The promotion of the e-consultation platform has been mostly been done to increase CSO engagement. Moreover, the Office of the Prime minster also has developed the Strategy for cooperation with civil society [32]. The strategy has introduced the Council – a body made of CSO and the Governments in order to cooperate and contribute in enabling civil society environment and increase cooperation between public instructions and CSOs. Even that CSO represent group of citizens, still direct citizens engagement remains low still low.

Other E-participation platforms which are currently being used are Digital Platforms for Public Participation[33] adopted in five municipalities in Kosovo: Prishtina, Kamenica, Gjakova, Juniku and Prizren. The platform is aiming to enable residents to share ideas about their neighborhoods, discuss, and vote on plans they have for improving their city; Enable municipal employees to join the discussions, introduce official opinion or policy, and start collaborating productively with city's residents; Enable the municipal institutions to review submissions by residents, provide their comprehensive response on popular ideas, and engage residents in the policy-making and executing process.

Institutions need to bear in mind that E-participation and e-consultation do not need Regulations. They serve to switching the traditional meetings and suggestions coming from citizens online. The e-participation is the term referring to ICT-supported participation in processes involving government and citizens. Processes may concern administration, service delivery, decision making and policy making.

What is currently missing in Citizens participation and engagement in Kosovo which would directly increase the usage is the adoption of E-Petition with the Assembly of Kosovo. The E-petitions which is signed online through a form on a website. Citizens which sign online petition add their details such as name and email address. In order to develop the e-petitioning we need to adopt the law on e-petitioning which would deal also with data privacy and other issues. The e-petitioning will increase the number of individuals and others initiate petitioning without the need to gather signatures in the "street".

Based on the findings CSO, Media and Citizens are not very engaged in the topics in relation with the Digital Agenda (around 85%). Because of the political situation in Kosovo, they cover mostly the topics in relation to corruption, social issues, political parties and international relations. As the NGO-s are more focused there, businesses are more focused in the policy making in this regard, and the problem here is that they are not very keen for transparency and community impact.

29   https://gzk.rks-gov.net/ActDetail.aspx?ActID=2530
30   https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=15036
31   https://konsultimet.rks-gov.net/index.php
32   https://zqm.rks-gov.net/assets/cms/uploads/files/Strategjia%20ne%20tri%20gjuhe.pdf
33   https://www.platformadigjitale.com/#

6

Data Privacy

Data Privacy

Data Privacy in Kosovo is currently regulated by the Law on Personal Data Protection[34] , the Agency which overviews the law, is the Agency for Information and Data privacy . The law guarantees the right of citizens to have access to data that is processed and/or controlled by any controlling entity (public institution or business organization of the private sector), obliging the latter to provide information within one month regarding the data it processes for the data subject (citizen), the purpose of data processing of the data subject, then to show the eventual recipients of that data, and especially the place where that data can be transferred outside the Kosovo, which must be done after the authorization received from the Information and Privacy Agency.

The data controller must also share with the requesting party (data subject) the data about the employees who have access to that data, then for the terms of their storage, the security measures that it undertakes to provide them. those from unauthorized access. In addition, the controlling entity is obliged to share with the citizen (subject of personal data) the contact details of the official for the protection of personal data employed within the institution or private company. This right of citizens can be exercised by making a written request or other means to the institution (company) that processes the personal data of the citizen.

However, there is no clear information on if citizens can access this information in real-time, knowing on who has accessed their data and with whom it has been shared unless they send a request for information. Another problem identified is that there is missing the Law on Data bases on which would clearly state the ownership of the data, who is allowed to administer these data, how it will compel and be administered with other data etc.

Based on the survey conducted by ODK, citizens have concerned on who is currently is owning their data, if they have been shared to third parties. Mostly this because, a large number of them have received advisements messages on their phones without prior approval to receive any kind of messages.

On the other hand, Citizens are not very aware on the importance of data privacy and which are their rights and how they should protect their information. On the other hand state institutions did not spread much information in regards to the issue of data privacy. More than 50% of responders in our questionnaires did not know who is in charge on over-viewing the data privacy issues, and what it constitutes a personal data and cannot be shared to third parties without prior approval.

Nevertheless, the number of CSO and Media covering the topic of data privacy still remains low.

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34   https://gzk.rks-gov.net/ActDetail.aspx?ActID=18616

7

Cyber Security

Cyber Security

Responsible Governmental Body for Cyber Security is the Agency of Information and Society, within its Directorate of Operation and Security. [35] the Directorate is engaged in drafting p olicies a nd standards related to the information technology system of the Republic of Kosovo, including the National Data Center and ICT security.

In line with its responsibilities the Agency has developed the National Cyber Security Strategy and Action Plan 2016 – 2019[36]. The National Cyber Security Strategy is designed based on assessments and analysis of law enforcement agencies, government and local and international organizations, global trends and practices and policies of the European Union. In this context, the strategy is in harmony with the instructions of European Union Agency for Cyber Security ENISA [37] and strategies of the member states of the EU.

There is currently no Data for the State of Cyber Security in Kosovo in comparison with other states.

However based on the research Cyber-security Capacity Assessment of the Republic of Kosovo conducted in 2015 by Oxford Martin School, found out that Kosovo misses a National Strategy, infrastructure and crisis management and defense which put a lot of vulnerability. The new assessment with the same methodology conducted in 2020 found that Kosovo has undertaken critical steps in building cybersecurity capacity, most notably it has adopted its first National Cybersecurity Strategy (NCS). The 2019 CMM report showed that the NCS has given impetus to an ambitious legislative reform, including the overhaul of cybercrime legislation, the development of a comprehensive umbrella law on cybersecurity, and the creation of a legal basis for the identification of critical national infrastructure.

The researchers concluded that it is crucial to maintain this momentum to enable the full enforcement of these legislative initiatives. Equal importance needs to be assigned to ensuring that established structures such as KOS-CERT have the resources and support available to fulfill their responsibilities. This last point extends to other institutions such as the Ministry of Economy and Environment, and the Ministry of Education, Science and Technology that need additional support to mitigate the talent retention problem in Kosovo and the shortage of skilled professionals in ICT and cybersecurity.

35   https://map.rks-gov.net/page.aspx?id=2,121
36   http://www.kryeministri-ks.net/repository/docs
National_Cyber_Security_Strategy_and_Action_Plan_2016–2019_per_publikim_1202.pdf
37   https://www.enisa.europa.eu/
38   https://gcscc.web.ox.ac.uk/

8

International Cooperation and Digital Maturity

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Kosovo is not a member of Open Government Partnership as it failed to become a member in 2015, because of political reasons. Nevertheless, Kosovo has adopted ICT related tools which currently being developed.

Compared to other countries of the region Kosovo has not been part of the E-Government Research conducted by UNDP which gives an overview on usage of digital tools for governemnt.

On the other hand Kosovo has recieved support via:

- World Bank currently Supports – the KODE Project,

- EU Office in Kosovo currently supports the government via the program on Public Administration Reform. Moreover, on-going projects in support to ICT development are taking place.

- GIZ Kosovo, within the Good Financial Governance is working closely with the Ministry of Finance to ensure fiscal transparency via tech tools within Transparency Portal. [38]

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[38]   https://ptmf.rks-gov.net/

9

Roadmap for Digital Agenda advancement

Roadmap for Digital Agenda advancement

Strategic, legal and administrative developments

- Update the of existing strategy on Digital Agenda of Kosovo with the Digital agenda of EU with a viable Action plan.

- A more in-depth research on the digitalization process in Kosovo as well as a need assessment which will tackle issues which the institutions are facing.

- Identify and include more CSO working in the digitalization issues rather than just businesses. This will ensure that more transparency to be in the process.

- Kosovo needs to start preparing for a membership in the Open Government Partnership mechanism. The membership in OGP will foster and strengthen the cooperation between the state administration and civil society actors. Digital agenda related topics should be introduced on a larger scale to the OGP Action plan.

- Even without the OGP membership – Kosovo need to adopt a portal for all services and include them in their work

- All institutions need to be aware more about the digital agenda of European Union for Western Balkans.

- Public Institutions need to develop more innovative approaches for citizen engagement

- Legal developments need to start for the electronic ID.

- Adoption of the new Law on Electronic Communication and to be in line with all international recommendations especially with data protection and data privacy.

- Adoption of the Law of Management Electronic Databases which would exactly point the owner of the data, the administrator of the data etc. Also, the law should define the compellable with the Law on the Electronic Signature.

- The Government of Kosovo, needs to ensure the well-functioning of the bodies for E-government and put a bigger focus on it.

- Agency of Information and Society need to strictly adopt the regulation for interoperability between different administration systems from the institutions. This would further enable real time exchange of information and documents between state institutions, linking more databases and introducing new e-services that will enable the citizens with automatic collection of data from databases that are managed by various state institutions.

- Institutions need to finalize the usage of the electronic stamp and signature in order to receive official documents online.

- A more focus should be given to raise awareness on data privacy and protection, whereas CSO can play a crucial role.

Digital literacy

- Institutions which are providing solutions or will be engaged in such, need to develop strategies on increasing the usage of the platforms

- Technical support teams/centers need to be functioning in order for citizens which face technical difficulties during the usage of e-services

- Institutions need to start developing more e-government solutions and educate citizens about

them. This as a tool to ensure that citizens will be well-inform and understand the potential of the e-government.

· E-government should be promoted as a tool for empowering citizens to contribute to decision making for their benefit for all diverse communities.

· Educating citizens on how to use e-government services. Organizing sustainable solutions to provide citizens with assistance in using e-government services, with special emphasis on their availability to all.

· Public officials, especially IT and communication departments need to be trained in the digital agenda and e-government, in order to develop their digital skills.

· Institutions need to ensure that e-government solutions are user-friendly, and take into consideration language, disabilities and other details to ensure inclusiveness.

· Public institutions need to engage more journalists and CSO on the promotion of the e-government and digital agenda. This way to build a cooperation on dissemination of the message as well on the promotion for the usage of the services.

· More information should be given on how the government treats personal data, in order to build trust with the citizens.

Cyber Security

· In the past years a lot of cyber-attacks have been confirmed from the public institutions therefore, an improved security of the websites is a necessity. Not all the websites of the institutions are secured and certifications of security are integral part.

· Public institutions need to maintain, secure and update the websites and the platforms in the governmental serves.

· Creation of a bigger team of cyber security specialist which will deal with the security of the e-services which will be provided by the public institutions.

· Cyber Security Specialists, to be focused more on the protection of personal data therefore a close collaboration with the Agency of Data protection is a necessity.

· A new Cyber Security Strategy needs to be adopted and be updated with the new circumstances.

Open Data Kosovo is a nonprofit organization that believes in using civic-tech and digital humanitarianism to open government. This initiative promotes the idea that governance data should be made freely available for everyone to use and republished as they wish, without restrictions from copyright, patents or other mechanism of control.

The programs of ODK include:

- Open Data

- Digital Transformation

- Capacity Building

- Community

Project partners:

·	Metamorphosis Foundation (North Macedonia)	www.metamorphosis.org.mk
·	e-Governance Academy (Estonia)	www.ega.ee
·	CRTA - Center for Research, Transparency and Accountability (Serbia)	www.crta.rs
·	NGO 35mm (Montenegro)	www.nvo35mm.org
·	Levizja Mjaft! (Albania)	www.mjaft.org

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