REPUBLIKA E KOSOVËS
Republika Kosovo/ Republic of Kosovo

NDIHMA JURIDIKE | PRAVNA POMOĆ
LEGAL AID

Agjencia për Ndihmë Juridike Falas
Agencija za Besplatnu Pravnu Pomoć
Agency for Free Legal Aid

MAPPING OF COMMUNITY JUSTICE NEEDS

May 2020

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The Mapping of Community Justice Needs 2020

This handover plan will be used by USAID Justice Matters Activity to cover all ongoing tasks related to the implementation of the Mapping of Community Justice Needs 2020, to ensure a smooth handover from USAID Activity Justice Matters to the Free Legal Aid Agency (FLAA).

As discussed, and agreed with Free Legal Aid Agency the mentoring and oversight responsibilities, including scheduling of meetings, implementation on the field, and status update will be handled by Justice Matters Activity. While implementation of activities will be carried out by Free Legal Aid Agency.

Starting in August 2018, Justice Matters started developing the Mapping of Community Justice Needs to analyze and prioritize free legal aid and legal needs to inform the citizens of Kosovo and identify groups, communities most in need of resources, additional information and assistance. The mapping is designed to inform the Justice Matters Activity and other development partner programs on how to support Kosovo citizens and communities in accessing free legal aid and how to prioritize the dissemination of legal information.

The Mapping of Community Justice Needs was last updated in 2019 by USAID Justice Matters Activity in cooperation with the Free Legal Aid Agency, and will be updated in 2020 by the Free Legal Aid Agency supported by Justice Matters Activity of USAID, then is expected to continue to be updated in the coming years by the Free Legal Aid Agency.

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ACRONYMS

ACDC	Advocacy Center for Democratic Culture
CSO	Civil Society Organization
ECMI	European Center for Minority Issues
FGD	Focus Group Discussions
FLAA	Free Legal Aid Agency
HLC	Humanitarian Law Center
KBA	Kosovo Bar Association
KII	Key Informant Interviews
KLI	Kosovo Law Institute
OSCE	Organization for Security and Co-operation in Europe
UNDP	United Nations Development Programme
USAID	U.S. Agency for International Development

A. EXECUTIVE SUMMARY

Despite constitutional guarantees to free legal aid, Kosovo's citizens struggle to connect to legal aid resources and information. Low levels of legal literacy and a lack of effective access to justice are most acute in Kosovo's most vulnerable communities: women, non-majority communities, low-income citizens, and LGBTI. This mapping identifies the most pressing legal aid needs of Kosovo's citizens and the groups most in need of legal aid and legal information.

The Justice Matters Mapping of Community Justice Needs analyzes and prioritizes legal aid and legal information needs of Kosovo's citizens and identifies the groups and communities most in need of additional resources, information, and assistance. The Mapping initially was designed to inform the Justice Matters activity and programming from other development partners on how to support Kosovo's citizens and communities in accessing legal aid and how to prioritize the dissemination of legal information. Conducted annually to verify findings, track patterns and variations over time, and identify shifts in priorities, the Mapping builds on previous donor investments into Kosovo's legal aid and legal empowerment programs including two 2017 studies published by NCSC and the Kosovo Legal Institute (KLI) highlighting resource gaps in providing free legal aid in criminal and administrative cases.

On July 20, 2020, Justice Matters began to organize the handover of the Mapping of Community Justice Needs. Justice Matters continued to work with the FLAA to establish nine defined stages of a handover plan to identify timelines, staffing, and responsibilities. The completed handover plan covered all ongoing tasks related to the implementation of the Mapping of Community Justice Needs, ensuring a smooth handover from Justice Matters to the Free Legal Aid Agency. While the handover plan provides a comprehensive overview of all activities, Justice Matters retained some key responsibilities under this initial plan. Justice Matters agreed to provide mentoring and oversight responsibilities including scheduling of meetings and status updates while the FLAA agreed to organize the implementation of all activities. Under this plan, the 2020 Mapping of Community Justice Needs will be jointly updated by the FLAA and Justice Matters, and subsequent mappings will be implemented solely by the FLAA. The full Handover Plan was completed in September 2020 and can be found in full in Annex 4.

Research was conducted between October 2020 and January 2021[1] by a team of field researchers coordinated by FLAA and was mentored and overseen by Justice Matters team. The research included distribution of questionnaires and key informant interviews to collect information on common legal problems, access to legal information, dispute resolution, and trust in legal and judicial actors. The target groups include Kosovo citizens surveyed from Kosovo's 7 regions: Pristina, Prizren, Gjakova, Peja, Gjilan, Mitrovica, and Ferizaj regions. Through the Community Justice Needs Mapping Initiative, Justice Matters collected a total of 360 questionnaire responses and conducted 8 key informant interviews with justice sector actors and civil society activists involved in legal aid provision and access to legal information to obtain important information from practitioners on their insights and experiences. In addition, 2 focus group discussions were held with grassroot organizations and community leaders and the FLAA legal officers. The survey population included 160 women and 160 men. 207 survey responses came from Kosovo's Albanian majority and 153 responses from non-majority communities.

The 2020 Mapping indicates continuity from 2019 and 2018 results in information habits and dispute resolution strategies of Kosovo citizens and dispute resolution strategies, although increase was recorded dispute prevalence (97% up form 91%, in 2019 and 85% in 2018). Levels in likelihood of action decreased to 62% (down from 68% in 2019 and 63% in 2018), and slight decrease in achievement

[1] The data collection was initially scheduled to take place in August 2020. The Covid-19 pandemic affected data collection on the field considering that the interviews are conducted in person. Hence the timeline was largely determined by the Covid-19 restriction measures undertaken by the Government of Kosovo.

of justice outcomes (48% from 52% in 2019). Common legal problems have changed both in terms of perception, with an increase in perceived seriousness of domestic violence and property/social welfare disputes, and in experience, with a containment of social welfare disputes among all the communities and containment of domestic violence among the LGBTI community. Perceived severity of disputes decreased between 2018 and 2019, which, along with the containment of social welfare dispute and decrease in abandonment rates, may indicate greater resilience among communities. Significant shifts were recorded in the reasons given by justice seekers who experienced a legal problem and did not take action, with loss of faith in the ability to obtain remedies (disbelief that it would make a difference, disbelief in a fair outcome) rising significantly compared to lack of information and lack of money, except among Roma and Ashkali communities. Awareness levels decreased, but trust indicators trended upward, suggesting opportunities to offset the loss of faith with increased information connecting citizens to providers. This is further reinforced by the high satisfaction levels expressed by justice seeks who accessed services provided by the FLAA.

Findings of the surveys and interviews identify priority areas for legal aid services in administrative (social welfare) disputes, domestic violence, and labor and property disputes. Access to legal information among women and the Ashkali and Roma communities was also identified as a priority area. Finally, disillusionment of justice seekers from vulnerable groups and communities exacerbates gaps in access to quality legal representation and legal information among Kosovo's most vulnerable groups and communities. Based upon these findings, recommendations focus on expanding access to quality legal information, increasing access to legal aid services, improving the quality of legal representation received through legal aid providers, and increasing the trust in Kosovo's legal aid and justice sector institutions. Recommendations to address the needs of underserved groups and communities are:

- Engage both traditional media and CSO networks to tailor legal information campaigns with target constituencies to improve access to quality legal information.
- Expand the reach and citizen awareness of the FLAA and expand legal aid services provided through CSOs and university legal clinics to improve access to free legal aid services.
- Improve the quality of free legal aid services provided to Kosovo's citizens and underserved groups and communities.
- Address the disillusionment of justice seekers which is resulting in high rates of abandonment of disputes and lack of action to advance towards a resolution by increasing the trust in legal actors and institutions and increasing the satisfaction with services and information.

B. BACKGROUND AND CONTEXT

General

As of December 2018, the population of Kosovo was 1.8 million[2], with women representing approximately half of the population and a majority (55.6%) of citizens under the age of 30. Estimated from the Organization for Security and Cooperation in Europe (OSCE) and the European Center for Minority Issues (ECMI) the ethnic composition is 87% Albanians, 8% Serbs, and the remaining 5% of the population is made up of other communities, including Turkish, Bosniak, Gorani, Roma, Ashkali, Egyptian, Croat, and Montenegrin communities.[3] Unemployment is high (31%), especially among youth (57%), and trending upward compared to 2017[4]. Women were not economically-active in significantly higher percentages than their male counterparts. In 2018, only 12% of women were employed, compared to 45% of men.[5] The Kosovo Statistics Agency reports than men earn on average 5.9% more than women. Certain ethnic communities are also disproportionately affected. The unemployment rate among the Roma community stands at 60%, with an estimated income of 119 euros a month.[6] Similarly, unemployment rates within the Ashkali and Egyptian communities stand at 60% and 80%, compared to approximately 38% among Serb, Turkish, and Bosniak communities. In addition to high unemployment, Roma, Ashkali, and Egyptian communities were disproportionately affected by school dropout and early marriage, further limiting their economic opportunities. [7]

The Constitution guarantees the right to free legal assistance for those without sufficient financial means if such assistance is necessary to ensure effective access to justice. Under the Law on Free Legal Aid (2012)[8], all citizens and residents of Kosovo are eligible for free legal aid provided they meet certain financial and legal criteria. According to UNDP, in 2017, 3,288 people benefited from legal aid services, out of whom 13% were from minority groups and 49% were women.[9] In 2018 the number increased to 4,924 and in 2020 the number increased to 5778 cases according to FLAA records showing 71% increase of utilization of the Agency's services since 2017. Access to justice is particularly low among the most socio-economically disadvantaged ethnic communities with Roma and Ashkali communities typically showing low levels of legal literacy or legal action. According to Humanitarian Law Center Kosovo (HLC Kosovo), the number of cases involving a member of a non-majority ethnic community increases year by year. This mainly relates to non-contentious litigation procedures and inheritance matters, the most common cases in municipal courts. The numbers of criminal cases involving a member of a non-majority community are relatively constant, and, with slight variations, it remains the same every year.[10] Despite the efforts of civil society organizations to provide information about free legal aid to marginalized groups, lack of information remains a major issue within non-majority communities. Non-majority ethnic communities are also affected by institutional and societal barriers that include poor or lack of translation services in proceedings before the courts, limited numbers of non-Albanian staff, inconsistency between Kosovo-Albanian and Serbian versions of legislation, and the lack of a functional judiciary in northern Kosovo,

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[2] Kosovo Agency of Statistics, 'Evaluation of Population 2018', Available in Albanian at: http://ask.rks-gov.net/media/4892/vler%C3%ABsimi-i-popullsis%C3%AB-2018.pdf.

[3] European Center for Minority Issues, 'Communities in Kosovo: A guidebook for professionals working with communities in Kosovo', Available at: http://www.ecmikosovo.org/uploads/ECMIKosovoDec2013GuidebookforProfessionalsENG.pdf. Official ethnic data is incomplete due to the boycott of the 2011 census by Serb-majority populations in North Kosovo.

[4] In 2017, unemployment was recorded at 29% overall and 54% among youth.

[5] GAP Institute, 'Employment and representation of women in Kosovo', Available in Albanian at: https://www.institutigap.org/documents/27857_Raporti%20statistikor%20per%20punesimin%20e%20grave.pdf

[6] UNDP, 'Kosovo Human Development Report 2012: Private sector and employment'. – As terms for comparison in the framework of Kosovo, consider: average monthly salary per person in Kosovo in general is 260€, the lowest in the region after Albania; unemployment among Albanians is rated 47.02%.

[7] Koha Ditore, September 29, 2019 (page 3)

[8] Law No. 04/L-017 on Free Legal Aid, Available at: https://gzk.rks-gov.net/ActDetail.aspx?ActID=2803.

[9] UNDP, Achievements Report 2017, available at: http://www.ks.undp.org/content/dam/kosovo/docs/ResearchAndPublications/UNDP-AchievementsReport2017-ENG-INTERACTIVE.pdf.

[10] Humanitarian Law Center Kosovo, 'Assessment of Minorities' Access to Justice in Kosovo Report 2010', available at: http://www.hlc-kosovo.org/wp-content/uploads/2018/07/Izvestaj_pristup_pravdi_stampa-eng.pdf.

despite considerable progress made in the Basic Court of Mitrovica.[11]

Trust and Satisfaction

Despite making notable progress, judicial institutions in Kosovo continue to show a lack of efficiency in solving cases, with low accountability by court officials and limited political intervention. According to the Kosovo Judicial Council, in December 2020 there were 176,052 civil and criminal cases waiting for judicial review and have been transferred in 2021[12]. Corruption in public institutions is considered endemic. A small proportion of corruption cases that were investigated and charged led to convictions[13]. NGOs and international organizations alleged numerous failures by the judicial system to prosecute corruption, noting that very few cases brought against senior officials resulted in indictments. Sentencing of high-level officials convicted of corruption was often lenient. The Kosovo Law Institute reported that two high-profile officials were convicted of corruption during the year by the basic courts but then acquitted by the appeals court. In four other cases, the appeals court overturned the conviction verdicts of lower courts against senior public officials accused of corruption and remitted the cases for retrial. NGOs reported indictments often failed because prosecutors filed incorrect charges or made procedural errors[14]. The public perception of endemic corruption is compounded by the lack of access to public documents. While Kosovo has a law on access to public documents, CSOs and the media still struggle to secure access to this information. The right of access to public information remains on hold until the Information and Privacy Agency starts its work[15]. These factors affect citizen trust in their judicial institutions and their ability to provide effective remedies.

The satisfaction level of citizens with the judiciary increased but remains low, According to Public Pulse satisfaction with the courts has slightly decreased from 24.8% to 23%, while satisfaction level with the Office of the Prosecutor has slightly increased from 22.3% in April 2020 to 23% in December 2020. Both institutions show a steady increase in satisfaction compared to November 2019 (13.6% and 14.2% respectively) and May 2019 (18.7% and 16.4% respectively). The satisfaction levels with the Prosecutor's Office and central institutions are the lowest when compared to all other institutions, especially with non-majority communities, where dissatisfaction rates are significantly higher. This suggests that loss of trust in the rule of law and governance has influenced the overall satisfaction levels with all other institutions.[16]

This dissatisfaction also extends to individuals working within the court system such as lawyers. A survey conducted by JSSP and D+ revealed that lawyers are displeased with the often-long process to settle cases. Civil cases can take twelve to twenty-four months to complete and criminal cases can last from six to twelve months largely because of delays and procedural errors by the courts. In addition, 13% of the lawyers who responded to this survey said that they have been asked for a bribe by a judge, court employee, or an intermediary of the court employee acting on behalf of another. However, the same report suggests that the lawyers also contribute to the public dissatisfaction, mainly through adjuring court hearings and ex parte communication practices. The combination of public dissatisfaction and dissatisfaction from within the legal system creates an atmosphere that

[11] Group for Legal and Political Studies, Going South? Integration of Serb Judges and Prosecutors from the north into the Kosovar Justice System https://www.legalpoliticalstudies.org/wp-content/uploads/2018/11/FINAL-REPORT-Integration.pdf

12 Kosovo Judicial Council, Available in Albanian, Courts Statistical Report for 2020, at: https://www.gjyqesori-rks.org/wp-content/uploads/reports/23323_KGJK_Raporti_vjetor_statistikor_per_vitin_2010_mbi_punen_gjykatave_Shq.pdf.

[13] Department of State, Kosovo 2020 Human Rights Report, available at: https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/kosovo/.

[14] Ibid.

15 European Commission, Progress report 2012, available at: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/kosovo_report_2020.pdf.

16 UNDP, Public Pulse XIX, December 2020, available at: https://www.ks.undp.org/content/kosovo/en/home/library/democratic_governance/public-pulse-brief-xix.html.

continually erodes trust in judicial institutions across the country.[17]

Impact of Covid-19

Starting from March 2020, the nationwide lockdown in Kosovo has shown the effectiveness in stopping the community transmission of COVID-19, however, it also produced adverse impacts on the economy and inhabitants. A cross-sectional study using a web-based approach was conducted in the second week of April 2020 by Public Pulse III project to provide and an overview of a number of indicators measured through Public Pulse polls which explore perceptions of citizens regarding democratic processes, socio-economic conditions, and security in Kosovo. The study also examined the influence of the national social distancing on the quality of life and economic well-being of Kosovo citizens under COVID-19 pandemic. A total of 65.9% of respondents declared that COVID-19 has had a negative impact on their economic wellbeing, 40.7% declared it negatively affected their physical health, and 59% declared that it has had a negative effect on their mental health[18]. The study was conducted at an early stage of the COVID-19 pandemic, hence, the pandemic has and still is in a significant way impacting wellbeing of Kosovo communities.

Challenges to Legal Aid System

In 2017, a study conducted by NCSC with KLI pointed to insufficient funding as one of the key challenges to legal representation for citizens in both criminal and administrative law disputes.[19] Out of 667 defendants in the cases monitored by KLI, 457 (68.51%) did not have legal representation. The KLI report documented lawyer representation in criminal hearings and tracked whether hearings were held as scheduled or adjourned. High rates of adjournments (205 out of 524 hearings monitored) and unrepresented defendants (457 out of 667 defendants in 524 hearings were unrepresented) were recorded in criminal hearings. For those criminal defendants who had representation, one-fifth (32) were represented by an ex-officio lawyer. This analysis further confirms chronic legal representation gaps undermining the principle of equality of arms and violating the rights of defendants in criminal cases. Another report conducted by NCSC and KLI confirmed challenges and deficiencies identified via monitoring and flagged additional issues of concern in the conduct of hearings in administrative disputes, including the lack of proper legal representation.[20]

17 "Quality of Services Provided by Kosovo Basic Courts: As Evaluated by Lawyers" http://www.dplus-ks.org/wp-content/uploads/2018/08/Report-2-2018-07-18-Report-on-Survey-with-Lawyers-ENG_format-brand.pdf

18 UNDP, Public Pulse XVIII, April 2020, available at: file:///Users/ermirahmetaj/Desktop/MEL%202021/Idicator%208/PublicPulse18ENG.pdf.

19 Kosovo Law Institute, Legal Aid in Criminal cases and application of European Court of Human Rights Standards in Kosovo Courts, available at: file:///C:/Users/Botek/Downloads/FLA-final-report_Eng_KLI.pdf.

20 Kosovo Law Institute, Effective Legal Remedies in Administrative Justice, available at: file:///C:/Users/Botek/Downloads/3.-Final-Admin-Report_English-Version.pdf.

C. METHODOLOGY

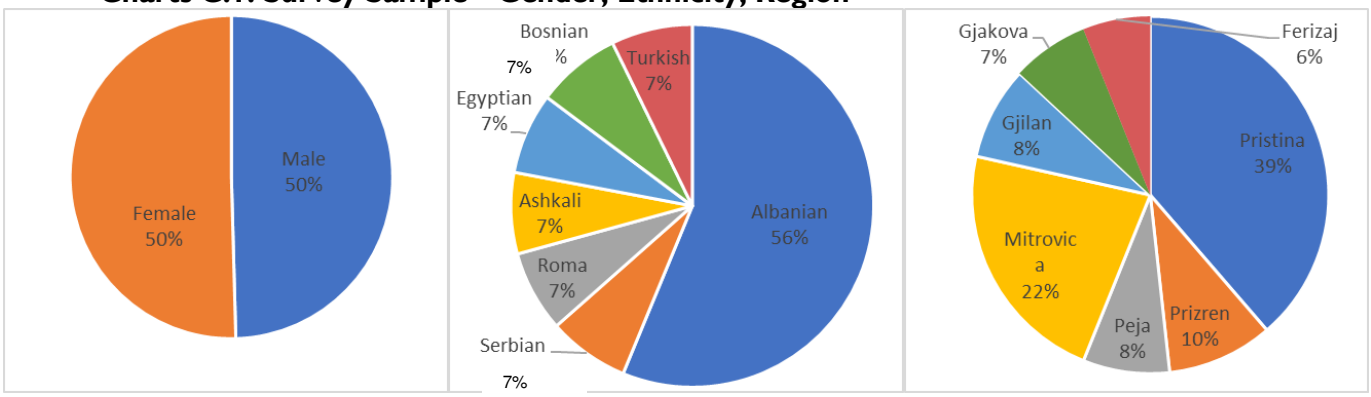
The methodology of the Mapping of Community Justice Needs incorporated a mixed methods approach, using both quantitative and qualitative research. A survey was conducted to collect data on perceptions and experiences of legal disputes, access to legal information, and dispute resolution strategies. Binary questions were used to determine legal problems faced, legal information sought, or legal action taken. Multiple choice questions with fixed options and one open-ended option were used to identify perceptions and experience of legal disputes, access to legal information, and dispute resolution strategies. Questions using a psychometric five-point Likert scale were also used to measure the levels of satisfaction or knowledge of respondents. After an initial test in August 2018, the survey questionnaire was adjusted in consultation with the FLAA in November 2018 for the second iteration of the mapping. Revisions to the survey questionnaire were based on actual experience of user needs and intended to provide further detail regarding legal problems, dispute resolution strategies, and awareness, trust, use, and satisfaction patterns. In September 2020 for the second iteration of the mapping two questions related to impact of Covid-19 pandemic in access to legal information and dispute resolution strategies. The complete survey questionnaire is included in English as **Annex 1**.

Qualitative research tools, including key informant interviews (KIIs), supplemented the data collected through the questionnaire. The KIIs were conducted using pre-determined questions and guidelines. During October 2020 – January 2021, FLAA assisted by the Justice Matters Team conducted a total of 8 KIIs with representatives of CSOs providing legal aid services. In addition, Focus Group Discussions (FGD) were conducted in December with FLAA legal aid officers and grassroot organizations and community leaders to validate key findings and to further analyze trends, similarities, and differences across sub-groups and over time. A complete list of interviews and FGD conducted is included in **Annex 2**.

Survey Sample

The survey was administered in all of Kosovo's seven regions—Pristina, Peja, Gjakova, Prizren, Gjilan, Ferizaj, and Mitrovica—to ensure broad geographic coverage and up from five regions in the 2018 survey. Regional selection was based on the location of Free Legal Aid Offices and universities hosting live legal clinics. A total of 360 responses were received. Respondents included 180 women and 180 men and 207 members of the Albanian ethnic majority community and 153 members of six ethnic minority communities—Serb, Ashkali, Egyptian, Roma, Bosniak, and Turk. ***Charts C.1*** below provide an overview of the survey breakdown by gender, ethnicity, and region.

Charts C.1: Survey Sample—Gender, Ethnicity, Region



Respondents from the majority Albanian community were randomly selected through street interviews in the municipalities targeted for the survey. The random street selection provided a diverse sample in terms of income levels, with 29% reporting a household income less than 200 Euros (down from 32% in the 2018 survey) and 33% between 200 and 400 Euros. Ethnic minorities were targeted

in the areas where they live as identified in the mapping of communities done by ECMI.[21] The enumerators traveled to pre-identified minority community areas and selected respondents randomly by targeting every third house or on the streets. Men and women were targeted in similar proportions for both majority and minority communities. In addition, two sub-groups were specifically targeted based on special needs (disability) and sexual orientation. For these two sub-groups, sampling was done by referral from specialized CSOs providing services to these vulnerable sub-groups.

Research Limitations

Survey sampling is not statistically representative of Kosovo's population across ethnicity and regions. Ethnic minorities were specifically targeted in communities where they live, and the small sampling of individual communities does not allow for regional comparisons or disaggregation by gender, socioeconomic status, or other non-ethnic parameters within the sample. Justice seekers with special needs and the LGBTI community were specifically targeted through CSOs, which may have skewed upward the percentage of respondents who had experienced legal disputes, sought information, or taken action to resolve them. The random selection of respondents from the majority community was conducted on the street in target municipalities. While the survey sample was representative in terms of gender and socio-economic distribution, only a few older (over 60) respondents participated, resulting in underrepresentation of this age group in the survey sample. The survey seeks to disaggregate finding by gender, socio-economic status, age, ethnicity, among other identifying factors, however respondents fall into multiple disaggregated categories. This mapping does not address how these various identifiers interact or address findings of sub-groups within these larger identity groups (for example, the mapping looks at Roma, women, and low-income justice seekers independently but not low-income, Roma women). Additionally, surveys largely sought information on respondents' perceptions which may have skewed data and feedback related to well publicized events/trends. Specifically, responses related to theft and domestic violence legal disputes may have been skewed by increased media reporting and CSO mobilization on the topics.

Despite these limitations, the survey responses provide a valuable snapshot of patterns of legal disputes and strategies for access to information and dispute resolution as perceived and experienced across Kosovo's communities and vulnerable sub-groups. These patterns, and the conclusions that can be drawn from them, were confirmed and validated through the key informant interviews. As such, the mapping provides a sound basis to prioritize assistance to increase legal literacy and ability to pursue justice outcomes for Kosovo's communities and vulnerable sub-groups.

[21] ECMI mapping available at http://www.ecmikosovo.org/en/Community-Profiles.

D. FINDINGS

This section provides an overview of findings on the justice needs of Kosovo citizens and communities based on responses and key informant interviews.

1. Common Legal Problems

Respondents were asked to identify the most serious legal problems from a menu of twelve fixed and one open-ended option. The five most serious problems were identified as disputes related to domestic violence (44%), property (36%), social welfare (33%), robbery (30%), and bodily injury (30%). While these five problems were consistently identified as the most serious across communities and vulnerable sub-groups surveyed, marked increases in the perception of seriousness of domestic violence were recorded among some of the most vulnerable categories, especially women and the disabled and LGBTI communities. Notable differences, however, were identified in the determination of the most serious problem, with three main categories: income-related disputes (including social welfare and pension), physical violence (including domestic violence and bodily injury), and property & theft. ***Table D.1.1*** illustrates these differences.

Table D.1.1 – Most Serious Dispute(s) by Community

	Communities reporting dispute as most serious
Income-related Disputes (Social Welfare, Pension)	Low-income (under 200) (social welfare 51%) Roma (56% social welfare), Bosniak (social welfare 36%), Serb (24% social welfare) communities Disabled (social welfare 51%, pension 76%)
Physical Violence	LGBTI (domestic violence, 74%; bodily injury, 44%) Disabled (bodily injury 68%) Women (domestic violence, 52%) Low-income (under 200 Euros) (domestic violence, 36%) Domestic violence also highest among Egyptian (64%), Albanian (51%) and Serb (48%) acommunities
Property & Theft	Serb (theft, 40%), Albanian (property,41%), Bosniak (property, 36%) and Ashkali (theft (32%) communities

In the last four years, the five most commonly experienced legal disputes were identified as disputes related to social welfare (16), property (16%), labor (13%), pension disputes (11%), public services (10%), and other disputes (21%). The focus group with FLAA legal officers, confirmed these disputes as the most common legal problems experienced by legal aid beneficiaries, especially disputes related to social benefits provided by the Government of Kosovo to remedy the impact of Covid-19.[22]. These results show a correlation between direct experience with legal disputes and perception of the most serious legal problems, except regarding domestic violence which is perceived as the most serious by 44% of respondents but was experienced as a legal problem by only 3.75%. This difference may be explained by the low level of reporting of domestic violence, meaning individuals who experience domestic violence do not seek legal remedies. Key informant interviews once again confirm that domestic violence as a common legal problem among women, especially among the Roma, Ashkali, and Egyptian communities[23]. Survey results indicate higher levels of experience of domestic violence among the LGBTI (19%) community, compared to other communities.

Overall, 47% of respondents reported their dispute as having significantly or severely affected their lives. The level of seriousness was perceived as higher by individuals who experienced disputes related to social welfare (80%) and pension (76%), social welfare (57%). Social welfare disputes were experienced at higher rates among Roma (56%), Ashkali (29%), and Egyptian (28%) communities, low-income (under 200 Euros) respondents (38%) and women (18%). These communities also experienced

[22] Focus Group held with FLAA legal officers, held in December 14, 2020.

[23] Key Informant Interview with Ms. Nora Shehu Bunjaku, NGO Femrat Aktive të Gjakoves, November 10, 2020 and Key Informant Interview with Mr. Arben Osmani, European Centre for Minority Issues Kosovo, November 23, 2020.

their dispute more severely than other communities. By contrast, pension disputes were more prevalent among the disabled community (89%), domestic violence and labor issues among the LGBTI community (19% & 19%). These differences are illustrated in ***Table D.1.2*** below.

Table D.1.2 – Patterns of Legal Disputes by Selected Vulnerable Sub-Groups

	Women	Low-income	Disabled	Roma	Serb	LGBTI
Most frequent legal dispute (first)	Social welfare 18%	Social welfare 38%	Pension 89%	Social welfare 56%	Social welfare 24%	Domestic Violence 19%
Most frequent legal dispute (second)	Property dispute15%	Pension disputes 15%	Property dispute17%	Public services 12%	Property dispute 12%	Labor Issues 19%
Seriousness of legal disputes	High/Severe 40%	High/Severe 65%	High/Severe 76%	High/Severe 80%	High/Severe 48%	High/Severe 17%

Respondents were also asked to identify the type of legal assistance most frequently needed. The majority (66%) selected legal advice, followed by legal information (27%), assistance to draft complaints (26%), and legal representation (20%), representing a similar need for advice and information compared to 2019. These types of assistance and their frequency correlates with answers provided by key informants when asked to describe the type of legal assistance they provide and that their perceived most often needed or requested.[24]

2. Access to Information

Almost two-thirds of the respondents (62%) who experienced a legal problem took some form of action to address their problem. Action included seeking legal assistance as well as consulting professionals and other sources for legal information or advice. While most respondents went to the police (30%), a lawyer (23%), FLAA (22%) or a court (28%) to obtain both information and assistance, some relied on sources outside the justice community. These included family and friends (21%), CSOs (4%), online sources (1%), and mass media (1.12%).

Respondents who did not take action reported they were impacted by their lack of believe that it will make a difference of the lack of believe on a fair outcome. Overall, 56% of respondents who did not take action were impacted by their lack of believe it will make a difference and 21% did not believe on a fair outcome. Among the communities and vulnerable sub-groups surveyed, members of the Ashkali (67%) and Egyptian (25%) communities and low-income (under 200 Euros) respondents (36%). were most likely to have lacked access to information. However, the lack of believe it would not make a difference was the most chosen reasons for not taking action for most of the communities, such as women (55%), LGBTI (73%), low-income (under 200 Euros) respondents (50%), Roma (54%), Egyptian (88%) and Bosniak (58%%) communities. Based on key informant interviews, these communities and sub-groups were also identified as among the most disadvantaged when seeking access to justice and legal information[25].

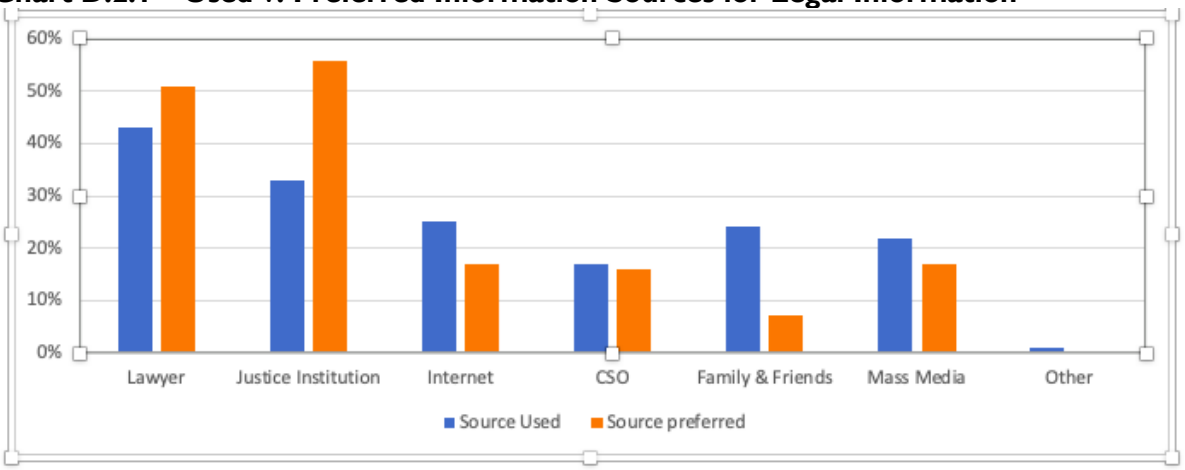
Respondents were asked to express their usual and preferred legal information sources. Lawyer were cited as the usual source of information (43%). The other three main sources of legal information cited were justice institutions (33%), (including courts and the FLAA), family and friends (24%), and the Internet (24%). The three main preferred sources to obtain information were Justice institutions (56%), lawyers (51%) and internet, TV Radio and Newspapers (17% each) Data collected on preferred legal information sources indicates that citizens would prefer to decrease reliance on family and friends (-64%) or the CSOs (-15%) and instead to have access to more information from justice institutions (+71%). ***Chart D.2.1*** below contrasts used and preferred information sources. When asked what their preferred sources of information would be for information on legal remedies, respondents mentioned

[24] Key Informant Interview, Ms. Vesa Batalli, Voice of Roma, Ashkali and Egyptians – November 11, 2020 and Key Informant Interview with Ms. Rrona Berisha, Legal Advisor, GIZ, November 12, 2020.

[25] Key Informant Interview, Naim Osmani, Executive Director, Civil Rights Program Kosovo – November 12, 2010.

Justice institutions (56%) or lawyers (51%). All sub-groups surveyed, expressed a preference for obtaining legal information from legal professionals or justice institutions as their first choice and, in most cases, their first and second choice. LGBTI respondents (44%), and the Bosniak (46%) community also expressed high levels of preference for CSOs.

Chart D.2.1 – Used v. Preferred Information Sources for Legal Information



When asked to rank the frequency of use of four mass media sources—TV, Radio, Newspapers, and Internet— respondents noted that they often or always rely on the Internet (71%) and on TV (56%) while they rarely or never rely on newspapers (76%) or radio (75%).

3. Dispute Resolution

More than two-thirds of respondents (62%) who experienced a legal problem took some form of action to seek resolution of their dispute. Roma (46%) and Turk (51%) communities were less likely to take action. Significant increase of the likelihood to take action was identified within LGBTI and minority communities, women, low income (under 200 Euros) and disabled individuals. Individuals from the Serb (72) %) and Ashkali (71%) communities expressed a higher likelihood of action, but the highest level were identified among the disabled community (100%), and LGBTI community 57% showing a shift from 2018 and 2019. The focus group discussion with FLAA legal officers noted that there is a strong correlation between increase of the likelihood to take action and the dispute resolution strategies, especially among some of the more vulnerable communities.[26] In this regard minority communities, low income and disabled individuals have reported to reaching out to FLAA to seek action for their legal problem.

To resolve their disputes, most respondents contacted law enforcement (police, 30%), consulted a lawyer (23%), or went to a justice institution (court, 29%). In addition, 22% of respondents went to the FLAA (compared to 3% in 2018 and 10% in 2019).

While 47% of respondents rate their dispute as having had a significant (very high) or severe impact on their life, the level of seriousness did not affect dispute resolution strategies as much as factors of vulnerability and the type of dispute experienced. Dispute resolution strategies chosen by vulnerable groups varied, in part due to differences in the most frequent dispute experienced by these groups. Individuals from the Roma and Ashkali communities, low-income (under 200 Euros) and disabled respondents went to the FLAA, polce and courts in higher percentages. Conversely, the Serb community placed more emphasis on going to a lawyer (39%) and the courts (22%). While women and LGBTI community went to police and relied on family and friend. ***Table D.3.2*** below provides an overview of dispute resolution strategies of these groups.

[26] Focus Group held with FLAA legal officers, held in December 14, 2020.

Table D.3.1 – Dispute Resolution Strategies of Selected Vulnerable Sub-Groups

	Women	Low-income	Disabled	Roma	Serb	LGBTI
Likelihood of action	64%	62%	100%	48%	72%	57%
Main Action (first)	Police 33%	FLAA 49%	FLAA 35%	FLAA 36%	Lawyer 39%	Police 62%
Main action (second)	Family & Friends 24%	Police 25%	Court 12%	Police 27%	Court 22%	Family & Friends (31%)
Most frequent legal dispute	Social Welfare 15%	Social welfare 38%	Pension 20%	Social welfare 24%	Social welfare 24%	Domestic Violence 74%

Respondents were asked to rate their level of satisfaction with the legal assistance, information, and advice received. Slightly more than half (65%) expressed satisfaction, with the highest levels of satisfaction recorded among respondents who sought assistance from the FLAA (97%).

Respondents were given the opportunity to choose up to three out of six fixed options to explain the reasons for their decision to take action to resolve their legal dispute. Two out of three (67%) respondents noted that their actions were aimed at "realizing or exercising their right", indicating that most justice seekers first and foremost act with the intention to protect their rights. Actions taken were also motivated by recovery of property or money (31%), improvement to relationships (19%), punishment (18%), or intangible benefits such as an apology (10%).

Of the respondents who took action to resolve their legal dispute, half (48%) had achieved some level of resolution, with 26% reporting full resolution and 22% partial resolution. By contrast, 32% reported the dispute as ongoing and 20% reported that they had not or were no longer taking action to resolve their dispute.

Respondents who did not take action to resolve their legal dispute were asked to select their main reason for not taking action from among eight fixed choices and one open-ended option. Only 30% of respondents who did not take action provided their reasons. The main reasons cited by respondents were disbelief that action would make a difference.

All sub-groups rated disbelief that action would make a difference as the primary reason for not taking action. Similarities in responses were also identified among the sub-groups surveyed concerning second-ranked reasons. Women, low income, Roma and Serb respondents did not know where to seek for help. These challenges can be remedied with increased access to free legal aid services and to legal information. It is interesting that the lack of money does not appear to be one of the reasons for not taking action.

Table D.3.2 – Dispute Resolution Patterns by Selected Vulnerable Sub-Groups

	Women	Low-income	Roma	Serb	LGBTI
Likelihood of action	64%	62%	46%	72%	57%
Reason for not taking action (first)	Would make no difference 55%	Would make no difference 50%	Would make no difference 54%	Would make no difference 14%	Would make no difference 73%
Reason for not taking action (second)	Did not know where to seek for help 29%	Did not know where to seek for help 36%	Did not know where to seek for help 38%	Did not know where to see for help 14%	Lack of time 18%
Likelihood of resolution	46%	38%	29%	52%	65%
Likelihood of abandonment	18%	22%	0%	16%	26%

4. Awareness and Trust

One in three respondents (29%) expressed at least a fair level of knowledge about legal aid. Respondents expressed higher knowledge of concepts over specifics, with 33% aware of the right to legal aid, 32% of the existence of the FLAA, and 21% of the eligibility criteria. All key informants interviewed stressed the need to raise awareness of free legal aid services, through FLAA or other providers, using all means of communication, including, helplines, TV, radio, social media, flyers, street actions, etc. Knowledge levels were consistently lower among low-income (under 200 Euros) respondents, women, and members of the Roma, Ashkali, Egyptian, and Bosniak communities. ***Table D.4.1*** illustrates differences in awareness levels among selected vulnerable sub-groups.[27]

Table D.4.1 – Awareness Levels among Selected Vulnerable Sub-groups

	Women	Low-income	Disabled	Roma	Serb	LGBTI
Right to free legal aid	28%	34%	64%	36%	44%	41%
Free Legal Aid Agency	27%	31%	40%	28%	36%	30%
Criteria for free legal aid	27%	29%	56%	24%	40%	30%

All trust indicators showed an increase compared to 2018 and 2019 results. Together, lawyers and the FLAA represent the most trusted sources of legal services and assistance. Lawyers were identified as the most trusted by 72% of respondents and the FLAA by 42%. Lawyers were the most trusted by communities and vulnerable sub-groups. The FLAA was trusted in the highest proportion by the people with disabilities (64%), Egyptian (60) and Roma (54%) communities, low-income respondents (under 200 Euros, 50%), and women (38%). By contrast, lawyers were cited as the most trusted by the Serb (96%) community, while FLA was listed second with only 4%.

Friends and family ranked fifth with 9% of respondents identifying them as the most trusted source of legal services and assistance, which is lower than in the 2018 results. The importance of personal networks is highlighted throughout the survey as a significant secondary strategy for justice seekers to obtain legal assistance. When faced with a dispute, 21% of respondents reported that they sought to resolve the dispute with help from friends or family. In addition, 24% of respondents reported that they usually obtain legal information from friends and family. While trust in relationship-based networks and reliance on them for information has decreased compared to 2019 (+- 2%) results, actual reliance on them to resolve disputes remained the same compared to 2019. Reliance on relationship-based networks was especially prevalent in the LGBTI (31%), Bosniak (29%) and Ashkali (27%) communities. Decrease trends, but higher than average reliance on family and friends was also recorded among women (24%), low-income (under 200 Euros) respondents (19%), justice seekers with special needs (29%), and members of the Roma (18%) community. 31% of respondents from LGBTI are likely to have attempted to resolve their disputes through their network (compared to 44% of 2019 results). However, they prefer not to continue to rely on those networks, but rather rely on Lawyers (56%) and CSOs (44%). Differences in reliance on friends and family for legal assistance are highlighted in ***Table D.4.2***.

Table D.4.2 – Reliance on Friends/Family Networks among Selected Vulnerable Sub-Groups

	Women	Low-income	Disabled	Bosniak	Ashkali	LGBTI
For legal action or information in dispute	24%	19%	12%	29%	29%	31%

[27] Respondents from the disabled and LGBTI communities were identified through CSOs which provide services, including free legal aid, to these specific communities. This may explain the higher level of awareness among these communities and their higher level of access to legal information. At a minimum, this provides confirmation that CSOs can be effective in increasing access to legal information and legal aid services.

Respondents expressed lower trust in CSOs and similar level of trust to live legal clinics as potential providers of legal assistance compared to 2019 data. Only 16 % of respondents expressed trust or partial trust in CSOs to provide legal assistance. Expressed trust was higher for live legal clinics (64%) with 25% of respondents neither agreeing nor disagreeing. This can be explained by the fact that live legal clinics are still new and citizens lack information about them as providers of legal assistance.[28] Higher than average levels of likelihood of using CSOs were reported among low-income individuals (23%), women 14%), individuals with special needs (28%) and members of the Roma (12%) and Ashkali (8%), Turk (83% & 64%), and Bosniak (71% & 65%) communities. By contrast, women expressed slightly higher likelihood of use of live legal clinics (62%) and men of CSOs (73%). The LGBTI (52%) and Turk (96%), Egyptian (68%) and Bosniak (43%) communities. expressed high likelihood of use of CSOs, but lower than the 2019 data. ***Table D.4.3*** illustrates differences in trust levels among selected vulnerable sub-groups.

Table D.4.3 – Trust Levels among Selected Vulnerable Sub-Groups

	Women	Low-income	Disabled	Egyptian	Serb	LGBTI
Lawyers Most Trusted	71%	53%	72%	60%	92%	67%
FLAA Most Trusted	38%	50%	64%	60%	4%	44%
Trust in CSOs to assist	14%	23%	28%	68%	0%	52%
Trust in live clinics to assist	62%	68%	72%	76%	32%	63%

Respondents were asked whether they had previously used FLAA services. A total of 12% of respondents reported prior use. 98% of FLAA users expressed satisfaction with the services received. Satisfaction levels were recorded at 100% among key vulnerable sub-groups: women, low-income (under 200 Euros), and all ethnic minorities.

5. Regional Patterns

Survey results document differences in legal disputes, dispute resolution strategies, justice outcomes, and awareness and trust across regions. These differences provide insight to customize strategies that are adapted the specific needs of justice seekers in each region. Legal disputes experienced did not varied widely across regions with income-related disputes (labor, social welfare, pension) experienced more frequently in all regions. Respondents in Prizren and Ferizaj were less likely to have sought resolution of their disputes than the survey average, and they recorded the highest resolution levels. By contrast, respondents in Gjakova Prishtina were more likely to have sought solution for their dispute and they also had a higher resolution level. Respondents in all regions except Peja relied on police as their first or second dispute resolution strategy. Respondents in Pristina, Gjilan, and Mitrovica also relied on lawyers and/or courts while those in Peja, Gjakova and Ferizaj relied on family and friends. Among those who did not seek resolution, disbelief that it would make a difference ranked highly across regions. In Prizren, respondents were also affected by lack of money while those in Prishtina, Gjakova, Mitrovica and Peja, lacked information on where to seek assistance. Trust in the FLAA was higher than average in Gjakova, Prizren, Mitrovica and Ferizaj and respondents in Pristina, Gjilan, and Peja also had high levels of trust in lawyers.

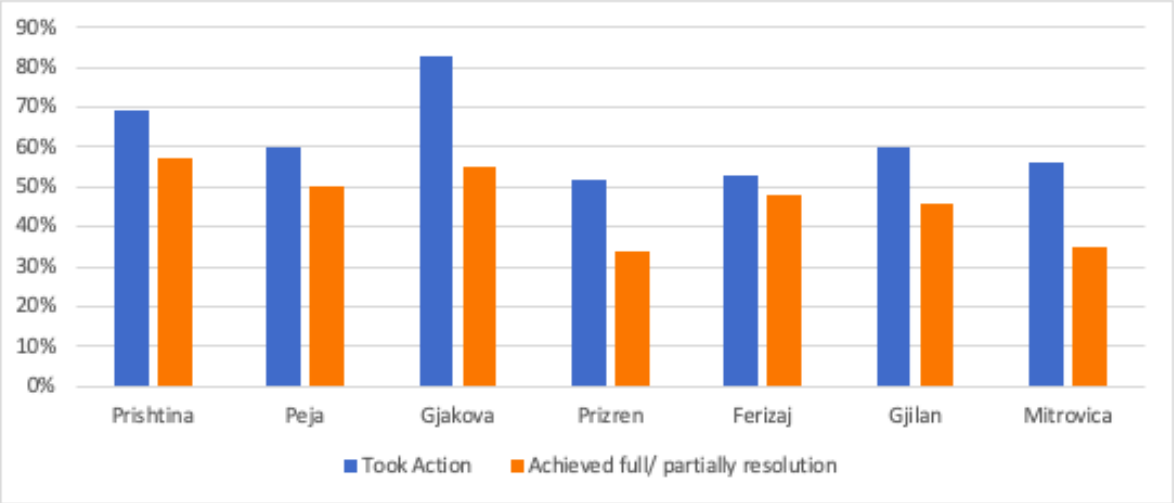
Experience of Legal Problems—The experience of legal problems varied by region with three main models emerging. In all regions, respondents were most affected by income-related disputes, with notable variations between labor disputes and social welfare disputes: Peja (property 26%, social

[28] When administering the survey, the following information was given to respondents on live legal clinics prior to recording their answer on their level of trust in their ability to obtain legal assistance from these clinics: "Live legal clinics have been set up at several universities. Through these clinics, law students can work with lawyers to take pro bono cases."

welfare 22%), Gjilan (pension, 20%, labor 15%), Peja (social welfare, 31%), Gjakova (property, 30%, social welfare, 17%), Ferizaj (social welfare 29%, public service 19%). In Pristina, respondents experienced pension disputes (13%) at a higher level than any other region. Pristina respondents also experienced social welfare, (13%), property disputes (11%) and labor issues (13%) among the most common legal problems. In Mitrovica, respondents were more significantly affected by property disputes (18%), followed by labor issues (16%). In Prizren, respondents experienced disputes related to social welfare (30%) twice the survey average (13%), followed by property dispute (24%).

Dispute Resolution Strategies—Respondents in Gjakova (83%), Prishtina (69%), Peja (60%), and Gjilan (60%) reported having taken action in levels similar to the survey average. Respondents in Prizren (52%) and Ferizaj (53%) were less likely to have taken action. The highest rates of full resolution were recorded in Prishtina (57%) Gjakova (55%) and Peja, which corelates with their higher likelihood of taking action. Respondents in Prizren (34%) and Ferizaj (26%) were the least likely to have achieved full resolution upon taking action. Regional patterns in dispute resolution are presented in ***Chart D.7.1*** below.

Chart D.5.1 – Likelihood and Outcome of Dispute Resolution by Region



To resolve their disputes, respondents in all regions except Peja ranked law enforcement (police) among the top two most frequent actions. Other actions varied by region, with reliance on lawyers and courts in Pristina, Gjilan, Prizren and Mitrovica and reliance on friends and family in Gjakova and Ferizaj. **Table 5.2** below provides an overview of dispute resolution patterns by region.

Table D.5.2 – Dispute Resolution Patterns by Region

	Main Action		Main Reason for Not Taking Action	
Region	**Most Frequent**	**Most Frequent**	**Most Frequent**	**Second Most Frequent**
Pristina	Police 26%	Lawyer 25%	No difference 52%	No knowledge of where to go 24%
Gjilan	Court 34%	Police 19%	No difference 52%	Fair outcome 52%
Prizren	FLAA 41%	Police 33%	No difference 57%	Lack of money 17%
Peja	Lawyer 47%	Family/Friends 38%	No difference 90%	No fair outcome 30%
Gjakova	Police 47%	Family/Friends 40%	No difference 33%	No knowledge of where to go 33%
Ferizaj	Family/Friends 60%	Police 40%	No difference 56%	No access to information 56%
Mitrovica	Police 47%	Court 42%	No difference 33%	Noknowledge were to go 33%

Awareness and Trust— Results on all awareness and trust indicators varied significantly depending on the region. Prizren, Gjian and Ferizaj respondents expressed higher levels of awareness of legal aid

and higher levels of trust in the FLAA that the survey average. By contrast, low levels of awareness were recorded in Mitrovica (8%) and low levels of trust in Prishtina (31%), Gjilan (32%) and Peja (37%). The level of trust in the FLAA's ability to provide legal information and assistance does not correlate with actual experience of services. In Peja, 11% of respondents had used FLAA services and reported a 100% satisfaction level, yet only 35% reported trust. By contrast, in Mitrovica had used FLAA services and 55% of respondents reported trust. Regional patterns in awareness, trust, and use of legal aid options are presented in ***Table D.5.2*** below. These patterns can inform strategies to improve justice outcomes for justice seekers through information (where awareness and use is low), sharing of success stories (where trust is low and use is high), and access to alternatives offered by CSOs or legal clinics (where trust in these options is high).

Table D.5.3 – Awareness, Trust, and Use of Legal Aid Options by Region

Region	**Awareness of Legal Aid**	**Trust in FLAA**	**Use of FLAA**	**Trust in CSOs**	**Trust in Legal Clinics**
Pristina	28% **Low**	31% **Low**	8% **Low**	79% **High**	59% **Low**
Gjilan	42% **High**	32% **Low**	8% **Low**	85% **High**	82% **High**
Prizren	46% **High**	54% **High**	20% **High**	88% **High**	71% **High**
Peja	15% **Low**	37% **Low**	11% **Low**	77% **High**	52% **Low**
Gjakova	35% **High**	39% **Low**	30% **High**	65% **Low**	69% **Low**
Ferizaj	41% **High**	55% **High**	18% **High**	63% **Low**	64% **Low**
Mitrovica	8% **Low**	55% **High**	4% **Low**	51% **Low**	45% **Low**

E. PROFILES OF JUSTICE SEEKERS

This section identifies vulnerabilities and needs of specific justice seeker groups to determine the most effective strategies to increase legal literacy and legal empowerment.

1. Poor / Low Income

Low-income justice seekers, defined as individuals with a combined household income of 200 Euros or less, have lower education levels, limited access to information, and a lack of awareness of their right to free legal aid, the existence of the FLAA, and the criteria to receive legal aid impeding their ability to resolve their legal disputes. Almost two-thirds (63%) of low-income respondents did not have a high school level education. 38% of the low-income respondents who experienced a legal problem in the past four years had experienced a dispute related to social welfare benefits (24%), pension benefits (15%) or property (13%). When experiencing a legal problem, most (65%) low-income respondents described its impact on their life as high or very high.

When faced with a legal problem, more than one in three (38%) low-income justice seekers did not take action. In contrast with 2019 results and similar to 2018 results, money is perceived one of the three main barriers to the ability of low-income justice seekers to access information or take action to seek resolution when faced with a legal problem. Additionally, justice seekers are affected by loss of hope and lack of actionable information. High percentages of low-income justice seekers lack trust that taking action would help their situation (53%, similar with data recorded in 2019 54%, and twice the level, 26%, recorded in 2018) and lack awareness of where to go for legal assistance (36%, similar to 32 in 2019 and 37% in 2018). The main reasons for not taking action to resolve legal problem are presented in ***Table E.1.1***. Most (53%) low-income respondents who took action to resolve their legal disputes expected to achieve the realization of their right. Most respondents (62%), however, did not achieve full resolution and 22% have stopped taking action entirely.

Table E.1.1 – Reasons for not Taking Action (Low-Income)

	Reasons for not taking action
Lack of trust/belief that action would help	53%
Lack of knowledge of where to go for assistance	36%
Lack of money	33%

Low-income justice seekers generally had low levels of awareness of where to seek information, of what actions to take, and of their rights to free legal aid, the existence of the FLAA, and the criteria to receive legal aid. One-third (53%) of low-income respondents noted that they did not take action to resolve their legal dispute because they did not believe the action would help (see ***Table E.1.1***). In addition, one in eight respondents were poorly or very poorly informed of their right to free legal aid (66%) and the existence of the FLAA (69%) and 71% did not know the criteria to receive legal aid. This low awareness level limits their ability to pursue remedies and may contribute to their lack of belief that action would make a difference or result in a fair outcome.

Low-income respondents expressed comparatively high levels of trust in FLAA (50%) and lower than average levels of trust in lawyers (72%). In addition, 64% noted that their preferred source of legal information are justice institutions (e.g., courts, lawyers, FLAA). They expressed higher level than average likelihood of use of CSOs (73%) to obtain legal. Among the 26% of low-income respondents who had relied on the FLAA for assistance, all (100%) expressed satisfaction.

Key findings that may be used to define strategies to address justice needs of low-income individuals:

- Severe negative impact of legal problems experienced.
- Prevalence of administrative disputes related to social welfare and pension benefits.
- Inability to seek information or take action because of lack of knowledge of where to go or what

action to take, compounded by a growing belief that action will make no difference and lack of money.
- Low awareness of right to legal aid, FLAA, and criteria to obtain legal aid contrasted with positive outcomes and high level of satisfaction when accessing these services.
- Needs for assistance with legal advice and information in primarily administrative disputes.

2. Women

Women justice seekers represented 50% of the survey sample. Demographics were consistent with their male counterparts in terms of education and income levels although women respondents were more likely than their male counterparts to be unemployed (53% women respondents). Women justice seekers show low levels of trust in their ability to achieve a remedy, lack of knowledge of where to go for assistance, and lower awareness of legal aid. While 52% of women perceived domestic violence as the most serious dispute (an increase from 2018 and 2019 data), 18% had experienced a dispute related to social welfare, property (15%) or labor issue (13%) in the last four years.

More than half (55%) of women respondents believed that their efforts would not help their situation and more than one in four (29%) did not know where to seek hep and (22%) lacked money to persue legal action. The main reasons for not seeking information or not taking action to resolve legal problems are presented in ***Table E.2.1***.

Table E.2.1 – Reasons for not Taking Action (Women)

	Reasons for not taking action
Lack of trust/belief that action would help	55%
Lack of knowledge of where to go for assistance	29%
Lack of money	22%

Women justice seekers lack knowledge on their rights to free legal aid, the existence of the FLAA, and the criteria to receive legal aid. More than two-thirds (72%) of women were poorly or very poorly informed of their right to free legal aid and 59% of the existence of the FLAA. Only 27% were aware of the criteria to receive legal aid. Two-thirds (64%) of women respondents who took action to resolve their legal disputes expected to achieve the realization of their right.

Women respondents expressed comparatively higher levels of trust in lawyers (71%) and the likelihood that CSOs or live legal clinics could assist them in obtaining legal assistance—73% and 62%. Combined with previously highlighted lack of trust that action could lead to resolution of their legal disputes (see ***Table E.2.1***), these findings indicate that women justice seekers lack confidence in their ability to obtain meaningful remedies through the justice system. These low levels of trust are compounded by low levels of awareness of their right to free legal aid, the existence of the FLAA, and the criteria to receive legal aid (as noted above) and the lack of money, limiting their ability to pursue and achieve legal remedies. Only 13% of women also reported use of FLAA services, but expressed low levels of satisfaction (96%). The facilitation of experience sharing by women who have used FLAA services and obtained resolutions would contribute to both increasing awareness and encouraging trust among other women justice-seekers. Women justice seekers rely on lawyers 46% and justice institutions (34%).

Key findings that may be used to define strategies to address justice needs of special needs individuals:
- Severe negative impact of legal problems experienced.
- Women experienced a broad range of income-related disputes (social welfare benefits, pension, labor). However, most serious disputes are perceived to be domestic violence, which may indicate underreporting.
- Lack of awareness of where to go for assistance and of free legal aid right, services, and criteria. This lack of awareness is compounded by lack of money and a high level of mistrust in their ability

to obtain resolution, which can result in disenfranchisement although lower levels of legal action taken and abandonment of legal action once initiated are similar to those of their male counterparts.
- Lower level of use of online resources to obtain information and higher-level reliance on lawyers and justice institutions.
- Lower levels of trust in the FLAA, CSOs, and live legal clinics to obtain legal assistance.
- Needs for assistance with legal advice and legal information.

3. Disability

Justice seekers with special needs, defined as individuals with a disability and have lower income levels. They rely more significantly than other justice-seekers on media information sources, limiting their ability to find necessary information to advance resolution of their legal disputes and requiring more direct contact with legal aid providers. 48% of the disabled respondents had a high school degree or university degree (4%) and 44% had not finished high school. 92% had a household income below 400 Euros. Like low-income justice seekers, a third (30%) of the low-income respondents who experienced a legal problem in the past four years had experienced a dispute related to pension (89%) or property dispute (17%). When experiencing a legal problem, all special needs respondents described its impact on their life as to have severy or very much affected their life (76%).

When faced with a legal problem, all (100%) of the special needs justice seekers took action. Disbelief that action would make a difference was identified as a key barrier by 75% of respondents, significantly higher than the survey average. The main reasons for not taking action to resolve legal problems are presented in ***Table E.3.1***. Most (78%) special needs respondents who took action to resolve their legal disputes expected to achieve the realization of their right. Most respondents (53%) went to FLAA to seek resolution, 35% went to court and with 29% relying on family and friends.

Table E.3.1 – Reasons for not Taking Action (Disabled)

	Reasons for not taking action
Lack of trust/belief that action would help	78%
Lack of knowledge of where to go for assistance	22%
Lack of money	25%

Legal information strategies used by justice seekers with special needs rely heavily on FLAA (53%) and justice institutions (35%). Reliance on the internet and on family and friends decreased from 50% each in 2018, 20% each in 2019 to 12% in 2020. Expressed preferences on where to obtain legal information and expressed trust in the broad range of providers of legal assistance are consistent with these patterns.

Justice seekers with special needs have a comparatively high level of awareness of their right to free legal aid (64%) and of the existence of the FLAA (44%), although their knowledge of the eligibility criteria for free legal aid was (26%. Respondents expressed trust in lawyers (72%) and less trust in CSOs (28%). However, their level of trust in the Free Legal Aid Agency (64%) has increased. Most also expressed a likelihood of use of CSOs (80%) or live legal clinics (72%) to obtain legal assistance if these options were provided to them. Most disputes experienced by justice seekers with special needs are administrative services and benefits (pension, public service, social welfare) and their assistance needs are primarily related to complaint drafting (40%) and legal advice (76%) rather than representation.

Key findings that may be used to define strategies to address justice needs of special needs individuals:
- Negative impact of legal problems experienced, ranging from moderate to high/very high.
- Prevalence of administrative disputes related to social welfare benefits, pension, or public services.
- Reliance on FLAA and justice institutions to obtain information and resolve their legal problems.

- High level of trust in the FLAA and CSOs to obtain legal assistance.
- Needs for assistance with complaint drafting and legal advice in primarily administrative disputes.

4. LGBTI

LGBTI justice seekers have higher education, income, and employment levels. They rely significantly on relationship-based networks (friends and family) and CSOs for legal assistance, both in general and when experiencing a dispute. Most LGBTI respondents had a high school degree (30%) or university degree (63%). 67% were employed and two-thirds (60%) had a household income higher than 400 Euros. 57% % of LGBTI respondents had taken action to resolve their dispute. By contrast with other communities, 19% of the LGBTI respondents who experienced a legal problem in the past four years had experienced domestic violence. Other problems included disputes related to labor (19%), and public service (15%). When experiencing a legal problem, all LGBTI respondents described its impact on their life as to very high (14%).

57% of LGBTI justice seekers took action. For those individuals who did not take action, the main reasons are presented in ***Table E.4.1***. In addition, 18% of respondents who did not take action noted that they did not do so for fear of retaliation. The majority (59%) of the LGBTI respondents who took action to resolve their legal disputes expected to achieve the realization of their right. Most respondents (62%) went to the police to seek resolution. Respondents and reaching out to family and friends for resolution in similar numbers (31%).

Table E.4.1 – Reasons for not Taking Action (LGBTI)

	Reasons for not taking action
Lack of trust/belief that action would help	73%
Lack of time	18%
Fear of retaliation	18%

Legal information strategies used by LGBTI justice seekers rely heavily on family and friends (31%) and CSOs (52%). They reported a high reliance on lawyers (56%) and CSOs (44%) as a source of legal information. Trust levels also pointed to significant reliance on CSOs with 92% of respondents reporting CSOs as their most trusted provider of legal assistance and 633% reporting a high likelihood of use of CSOs (80%).

LGBTI justice seekers have a comparatively high level of awareness of their right to free legal aid (63%) and of the existence of the FLAA (41%), although their knowledge of the eligibility criteria for free legal aid was closer to the survey average (30% compared to 27% in 2019 and 21% in 2018). Their level of trust in the FLAA was higher with 44% of respondents expressing trust. The assistance needs were primarily for legal advice (96%).

Key findings that may be used to define strategies to address justice needs of special needs individuals:
- Impact of legal problems experienced ranges from moderate to server.
- Prevalence of disputes related to domestic violence and labor issues.
- Low likelihood of taking action to resolve legal disputes with strategies heavily focused on seeking assistance from friends and CSOs.[29]
- Reliance on the police for legal action with higher-than-average resolution of the legal problem.
- High level of trust in CSOs and FLAAto obtains legal assistance.
- Higher level of knowledge of right to legal aid and FLAA, but no experience of use of services.
- Needs for assistance with legal advice

[29] Friends and family were listed as a single option in the survey questionnaire. In the context of the LGBTI community, "friends and family" responses should be understood as "friends" only considering that members of the LGBTI community tend to not open about their sexual orientation with their family.

5. Ethnic Minorities

Ethnic minorities comprise approximately 7% to 10% of Kosovo's population. Their location is spread around the country, except for a large number of Serbs who are concentrated in the northern part of the territory, forming an ethnic majority. Ethnic minorities share the legal concerns and access to justice challenges as Albanians although clear differences are notable among members of the Turk, Bosniak and Roma communities. The Turk, Bosniak and Egyptian community shows a lower likelihood of seeking information and taking action (except for Bisniak community). The Roma respondents were less likely to have achieved resolution, with only 29% of reporting their problem as partially or fully resolved. By contrast, Ashkali community, based on the survey, is actively taking action. This may be a result of better access to legal aid services through FLAA, which by comparison, is the highest among all. ***Table E.5.1*** provides an overview of legal dispute patterns across ethnicity.

Table E.5.1 – Patterns of Legal Disputes by Selected Ethnic Sub-Groups

	Albanian	**Serb**	**Turk**	**Bosniak**	**Roma**	**Ashkali**	**Egyptian**
Most frequent legal dispute	Labor 16%	Social Welfare 24%	Inharitance (29%)	Property 29%	Social welfare 56%	Social welfare 29%	Social Welfare 28%
Seriousness of legal disputes	High/Severe 43%	High/Severe 48%	Moderate 38%	High/Severe 53%	High/Severe 80%	High/Severe 62%	High/Severe 26%
Main source of information	Lawyers 50%	Lawyers 64%	Lawyer 52%	CSOs 39%	CSOs 40%	Justice Institutions 52%	Lawyer 32%
Likelihood of action	64%	72%	48%	61%	46%	71%	58%
Main Action (first)	Court 31%	Lawyer 39%	Court 70%	Lawyer 35%	FLAA 36%	FLAA 53%	Police 64%
Main action (second)	Police 29%	Court 28%	Police 50%	Friends and family 29%	Police 27%	Friends and Family 27%	Lawyer 36
Likelihood of resolution	47%	52%	62%	50%	29%	57%	48%
Satisfaction level	68%	72%	40%	82%	54%	60%	45%

Serb Community—Despite the absence of official figures on the Serb population in Kosovo[30], OSCE estimates that around 146,128 Serbs live in Kosovo[31], half of whom are concentrated in the northern part of the territory, north of the Ibar river. Serb respondents to the survey have higher income than the survey average, with three-fourth reporting household income between 400 and 1,000 Euros (68%). Almost half of respondents (48%) identified domestic violence as the most serious legal dispute, followed by bodily injury (48%). Experiences of legal disputes partially tracked with perception disputes social welfare disputes being the most common legal problem experienced in the last four years (24%), followed by property disputes (12%).

Members of the Serb community expressed higher levels of action (72%) when faced with a legal dispute and higher levels of satisfaction (72%) with the outcome. Their main information sources were lawyers (64%) and institutions (24%). For those who took action, 29% consulted a lawyer and 28% went to the court. Half of respondents (52%) reported to having had their problems partially or fully resolved. Respondents were split regarding their awareness of their rights to legal aid, with the majority responding poorly informed when asked about the right to free legal aid (56%) and the Free Legal Aid Agency (56%). Generally, trust in the ability of CSOs to provide legal assistance was high at 60%, but lower than the survey average for live legal clinics (32%). The most frequent legal needs are representation (28%) and legal advice (24%) and assistance to draft complaints (24%).

[30] The absence of official figures is due to the boycott of the 2011 census by Serb community members in North Kosovo.
[31] See ECMI/OSCE, available at http://www.ecmikosovo.org/uploads/Serbcommunity1.pdf.

Roma Community—The Roma community are amongst the poorest, most marginalized ethnic minorities in Kosovo, with little or no access to justice. 56% of Roma respondents do not have a high school level education. More than two-thirds (80%) reported a household income below 200 Euros, and 72% are unemployed. Their economic situation is a big factor influencing them to initiate or abandon legal action, with 23% of Roma respondents identifying lack of money as an obstacle for not seeking information, and 54% having low trust that their action would make any difference. Roma respondents who experienced a legal problem in the past four years had experienced a dispute related to social welfare benefits (56%). Other problems included disputes related to disputes related to inheritance (12%) and public services (12%). When experiencing a legal problem, the majority of Roma respondents (80%) described the problem as having severely affected their life or livelihood.

46% of Roma respondents took action when faced with a legal problem, and 29% had partially or fully resolved their disputes. When asked what legal information sources were used, almost 40% used CSOs and 40% turned to justice institutions. 68% of respondents would prefer to go to justice institutions as their main source for legal information. Roma respondents have low levels of information about the right to legal aid 56% and about the FLAA 56%, and high levels of trust in CSOs (76%) and live legal clinics (68%). The most frequent legal needs are legal advice 56%) and assistance to draft complaints.

Turkish Community— 75% of respondents reported at least a high school education (39%), with 36% having finished university, and average household income levels were reported between 200 and 400 Euros (36%) or between 400 and 1,000 Euros (36%). Respondents from the Turkish Community identified domestic violence (39%) followed by property disputes 39% and bodily injury 36% as the most serious legal problems. Experience of legal disputes significantly diverged from perception, with 29% having experienced disputes related to property issues 29% followed by disputes related to public services 18% and labor issues 14%. Turkish community respondents experienced disputes severely, with 53% reporting a high or severe impact on their life or livelihood.

61% of Turkish respondents took action when faced with a legal problem, and most respondents relied on lawyers or family and friends for dispute resolution and expressed satisfaction levels (82%) significantly higher than the survey average. Their main information sources were CSOs (39%) and 32% went to a lawyer. Respondents who did not take action when confronted with a legal problem reported to not believed that it would not make a difference (58%) and did not know where to have access to information (33%). In addition, almost three-fourths of respondents described their problem as solved partially and fully 58%. Levels of trust in lawyers 54%) and in the ability of CSOs (96%) and live legal clinics (61%) to provide legal assistance is consistent with other ethnic groups. The most frequent legal need is legal advice (54%).

Bosniak Community—75% of Bosniak respondents have a high school or university degree and reported low socio-economic conditions (29% under 200 Euros; 29% between 200 and 400 Euros). The most serious problems identified by half of respondents (39%) are property are domestic violence, property disputes and bodily injury each at36%. Disputes experienced in the last four years were property disputes at 29%, followed by public services (18%) and social welfare disputes (14%).

61% of Bosniak community respondents expressed likelihood of taking action when faced with a legal problem and half of respondents (50%) resolved their dispute partially or in full. When taking actions, Bosniak community respondents had gone to the lawyer 35% or (29%) asked for help from family and friends reporting high satisfaction (82%) with the assistance provided. Bosniak community members prefer to obtain information from CSOs (39%) ad lawyers (32). Respondents expressed low awareness about the right to legal aid (50% poorly informed) and the FLAA (54% poorly informed). High trust in lawyers at 54% while trust in the ability of CSOs (96%) and live legal clinics (61%) to provide legal assistance were higher. The most frequent legal needs are legal advice (54%) and legal information (29%).

Ashkali Community—The Ashkali community shares a similar socioeconomic profile and experience of legal disputes with the Roma and Egyptian communities. 88% of respondents did not finish high school. 80% of respondents reported a household income below 200 Euros, and 92% are unemployed. Their economic situation is a big factor influencing them to initiate or abandon legal action, with 50% of Ashkali respondents identifying lack of money as an obstacle for not seeking information, and 67% having low trust that their action would make any difference. Respondents identified social welfare disputes (52%) and theft (32%) as the most serious legal disputes followed by property disputes (28%). Social welfare (29%), divorce (17%) and property disputes (13%) were the most common problem experienced. 57% of respondents expressed that the effect of the problem was severe or very negative.

71% of respondents form Ashkali community respondents took action, with 53% either going to the FLAA or seeking help from friends and family (27%). Respondents expressed a high level ofTrust in lawyers (48%) and in the ability of CSOs (56%) and live legal clinics (48%) to provide legal assistance is relatively low compared to other ethnic communities. The most frequent legal need is legal advice (52%).

Egyptian Community—The Egyptian community has higher levels of education and income than the Roma and Ashkali community survey average, with 40% of respondents with a high school or university education, 52% reporting a household income level under 200 Euros, and 60% unemployed. Domestic violence was identified as the most serious legal problem (64%) and the most common problem experienced were social welfare (28%). Property disputes were also listed among the most common legal problems (20%). 26% reported that the legal problem affected their life or livelihood significantly or severely.

Egyptian community respondents expressed a lower-than-average likelihood of taking action (58%) when faced with a legal problem, low satisfaction levels (45%) and low-resolution rates (48% partial or full resolution). Egyptian community members relied primarily on lawyers (32%) for legal information. For dispute resolution, Egyptian respondents who had taken action reported having gone to the police (64%). Egyptian community respondents were hindered in their efforts to resolve their disputes by low levels of beleife it would make a difference (88%) and expressed low levels of awareness about their right to legal aid (72% poorly informed) and about the FLAA (72% poorly informed). Egyptian community members expressed high trust in lawyers (60%) tied up with FLAA (60%). The most frequent legal need is legal advice (88%).

Albanian Community—Albanians, the largest ethnic group in Kosovo, share similar obstacles in accessing justice faced by non-majority communities. According to the survey, almost half (40%) of respondents reported to have only high school education and one-third (32%) a university degree. In terms of income, the highest proportion of respondents (35%) earns between 400 and 1,000 Euros per month, which is consistent with the average salary in Kosovo, with 35% reporting income between 200 and 400 Euros. Domestic violence is perceived as one of the most serious legal problems based on respondents (51%). Property disputes (41%) and theft (33%) were also perceived as serious problems. When asked about legal problems experienced in the last four years, 16% responded with to be labor disputes, followed by property disputes (15%) and pensions disputes (14%). 43% of Albanian community respondents reported their dispute had affected them significantly or severely.

Albanian community respondents took action at the same rate as the survey average (64%), with the highest number going to the court (31%), (29%) went to the police or to FLAA (27%), and their satisfaction levels (68%) also tracked with the survey average. Respondents expressed disbelief in a difference made as the main reason for not taking any action (57%). Although low, levels of awareness of the right to legal aid (48%) and the FLAA (52%) were higher than among most other communities. Respondents also expressed high trust levels in lawyers (77%) and in the ability of CSOs (75%) and live legal clinics (68%) to provide legal assistance. The most frequent legal needs were legal advice (74%) and assistance to draft complaints (27%).

Key findings that may be used to define strategies to address justice needs of special needs individuals:

- The most frequent legal needs (advice, information, assistance with complaint draft) can be effectively met by FLAA, CSOs, and live legal clinics, especially for communities experiencing a high prevalence of social welfare, public service, or accident-related disputes.
- Lack of disbelieve that legal action would make any difference impacts members of all communities, who may require targeted exposure to peers who have successfully resolved disputes through the system.
- Serb, Roma, Ashkali, and Egyptian communities are particularly poorly informed about free legal aid services & where to go for legal information & assistance.

F. 2018-2019 TRENDS

Perceived and Experienced Legal Problems

Survey results indicate an evolution in perception of seriousness of legal problems with domestic violence and property increasing by 110% and 140% respectively. Social welfare disputes also increased by 83% and from fifth place in 2019 has moved to third place in 2020. The changes may be attributed to increased awareness of these legal problems as a result of information campaigns that have raised attention to them, and especially to domestic violence. Respondents in 2020 reported similar experienced legal problems to those in 2019, except for social welfare disputes moving from the fifth place to second (from 18% to 33%) which appeared as a growing phenomenon. Similar correlations between perceived and experienced disputes were recorded in 2018, 2019 and 2020 Disputes experienced by Kosovars align with those perceived as most serious, except for domestic violence. This difference may be explained by the low level of reporting of domestic violence, meaning individuals who experience domestic violence do not seek legal remedies. While experience of social welfare disputes remains a significant legal problem among sub-groups with the lowest socio-economic indicators—Roma 56%, Ashkali 29%, Egyptian 28%. ***Table F.1*** below provides a comparison of common legal problems as reported in 2018,2019 and 2020.

Table F.1 – Legal Disputes Perceived and Experienced (2018-2020)

Dispute	Perceived		
	2018	**2019**	**2020**
First	Social Welfare 21%	Domestic Violence 32%	Domestic violence 44%
Second	Domestic Violence 20%	Property 27%	Property 36%
Third	Labor 17%	Accidents 20%	Social welfare 33%
Fourth	Crime 16%	Bodily Injury 19%	Theft 30%
Fifth	Property 15%	Social Welfare 18%	Bodily Injury 30%

Dispute	Experienced		
	2018	**2019**	**2020**
First	Social Welfare 26%	Property 18%	Property 16%
Second	Labor 23%	Labor 14%	Social welfare 16%
Third	Accidents 20%	Theft 14%	Labor 13%
Fourth	Public Services 16%	Accidents 13%	Pension disputes 11%
Fifth	Property 16%	Social Welfare 12%	Public services 10%

Impact, and Assistance Needs

The impact of legal problems on lives and livelihood, however, decreased with 47% of respondents reporting a significant or severe impact in 2020, compared to 59% in 2018 and 48% in 2019. While more people are experiencing disputes, the disruptive effect of an unresolved dispute on their lives and livelihood appears to be decreasing. Assistance needs remained consistent with most respondents in need of legal advice (45% in 2018, 61% in 2019 and 66% in 2020) and one-fourth in need of assistance to draft complaints (26% in 2018, 2019 and 2020). The demand for legal advice increased from 61% in 2019 to 66% in 2020 and the need for legal information remains approximately the same from 28% in 2019 to 27% in 2020.

Access to Information

Information habits of Kosovars are consistent. Lawyers were cited as the usual and preferred legal information source by most respondents, 43% and 51% respectively. Lawyers were not included in 2018. Consistent with 2018 and 2019, data collected in 2020 on preferred legal information sources indicates that citizens would prefer to increase reliance on justice institutions (56% of respondents). Also consistent with 2018 results, CSOs were reported as a preferred source of legal information by 16% of respondents (16% in 2018 and 15% in 2019). Internet penetration increased from 21% of respondents relying often on internet for information in 2019 to 25% in 2020. At the same time,

regular reliance on TV decreased from 57% in 2018 and 48% in 2019 to 22% and the proportion of respondents reporting non-reliance (rarely or never) on newspapers and radio increased. The internet and, to a lesser extent, TV, are further reinforced as the main media vehicles for mass dissemination of information.

Dispute Resolution Strategies and Expectations

Dispute resolution strategies did not significantly change between 2018, 2019 and 2020 although the rate of action decreased slightly, from 63% in 2018 and 2019 to 62% in 2020. Justice seekers who sought to resolve their legal problem reported priority actions as going to the police (33% in 2018, 36% in 2019, 30% in 2020), going to a lawyer (24% in 2018, 27% in 2019, 23%), or going to a court (23% in 2018 and 2019, 28% in 2020). A decreased proportion of respondents reported reliance on relationship-based networks (family and friends, 14% in 2018, 23% in 2019, 21% in 2020). Increase on respondents reported to going to the FLAA has been noted in 2020 (3% in 2018, 10% in 2019, 22% in 2020). Justice seeker expectations when taking action were also consistent between 2018, 2019 and 2020, with the majority of justice seekers seeking "realization or exercise of their right" (67% in 2018, 68% in 2019, 67% in 2020). Other anticipated justice outcomes were also consistent and varied in importance depending of the type of dispute: improvement of relationship (26% in 2018, 21% in 2019, 19%) and punishment (19% in 2018, 21% in 2019, 18% in 2020).

Barriers to Action

Significant shifts were recorded in the reasons given by justice seekers who experienced a legal problem and did not take action. Respondents who did not take action provided their reasons by selecting up to three options in a list of seven pre-identified options plus one open option, with 70% providing their reasons in 2018, 80% in 2019 and only 31% in 2020. An analysis of changes indicates a loss of faith in the ability of the justice system to provide any form of resolution and to provide a fair outcome. This perception may have been affected by the general politico-social climate in 2019 and 2020, marked by governmental instability and anticipated elections that saw a change in majority, and the Covid-19 pandemic situation, supported by the two focus groups. While lack of money decreased significantly as a reason for not taking action (49% in 2018, 14% in 2019, 18% in 2020), it remains a significant factor among sub-groups with the lowest socio-economic indicators. Shifts in barriers to action are presented in ***Table F.2*** below.

Table F.2 – Barriers to Action (2018-2020)

	2018	2019	2020	Variation
Lack of money	49%	14%	18%	Decrease (-)
Lack of information	30%	26%	18%	Decrease (--)
Makes no difference	29%	49%	56%	Increase (++)
No fair outcome	9%	26%	21%	Increase (+)
Failure to obtain information	4%	7%	5%	Increase (+)
Fear of retaliation	4%	10%	7%	Increase (+)
Lack of time	3%	6%	10%	Increase (++)

Dispute Resolution Experience

Satisfaction with assistance received was consistent with 48% expressing satisfaction, compared to 53% in 2019 and 56% in 2018. Satisfaction levels varied widely depending on the action taken, with 98% of those who sought assistance from the FLAA expressing satisfaction. Justice seekers reported better outcomes in 2020 than in2019 and 2018, with 57% achieving full or partial resolution in 2029 compared to 52% in 2019 and 34% in 2018. Respondents from the majority community, men, and those with higher income levels achieved resolution at higher levels than respondents from more vulnerable sub-groups. This suggests while lower socio-economic groups and vulnerable sub-groups have access to less effective dispute resolution strategies (e.g., a higher income enables the hire of a lawyer earlier and with a better performance) their resilience is increasing, and they are sustaining

their legal dispute longer[32].

Awareness and Use of FLAA

The level of awareness of the right to legal aid and the FLAA decreased between 2018 and 2020, with 43% reporting awareness of the FLAA in 2018 down to 32% in 2019 and down to 29% in 2020. Additional awareness-related questions were asked in 2019 and 2020, refining the analysis of actual awareness. Accordingly, in 2019 38% of respondents expressed awareness of the right to legal aid, 32% of the FLAA, and 21% of the criteria for legal aid. In 2020 33% of respondents expressed awareness of the right to legal aid, 29% of the FLAA, and 91% of the criteria for legal aid. All awareness indicators were systematically lower among vulnerable sub-groups surveyed. The 2019 and 2020 survey introduced questions about direct experience of FLAA services, providing a valuable counterpoint with awareness and perception. Results show that 8% of respondents had used FLAA services in 2019 and showed 82% satisfaction with the services received. In 2020 the number of users increased (12%) together with satisfaction levels (98%).

Trust in Legal Assistance Providers

All trust indicators showed an increase compared to 2018 and 2019 results. Together, lawyers and the FLAA represent the most trusted sources of legal services and assistance. Lawyers were identified as the most trusted by 72% (59% in 2019, 53% in 2018) and the FLAA by 42% (26% in 2019, 23% in 2018). Trust in relationship-based networks remained low 9% (family and friends, 14% in 2018, 16% in 2019). While expressed trust in the ability of CSOs 76% (77% in 2018, 71% in 2019) and of live legal clinics (61% in 2018 and 2019) decreased or remain constant (63%), the absence of trust decreased in both cases, indicating that citizens are increasingly open to these alternatives as providers of legal assistance.

[32] Focus Group held with FLAA legal officers, held in December 14, 2020.

G. CONCLUSIONS

Common Legal Problems

The 2020 Mapping largely confirms many of the findings from previous mapping exercises including the prevalence of income-related disputes (social welfare, property, pension) across all communities, especially among the Roma community and low-income individuals. The only exception noticed is the domestic violence continuing to be prevailing among LGBTI community. In addition, Roma community, disabled and low-income individuals were also severely affected by the disputes they experienced. There were however notable changes in legal problems and needs identified through surveys compared to last year, most notably the increased perceptions on the severity of domestic violence. As opposed to most other legal issues that showed positive correlation between frequency and perception of severity, domestic violence was identified as the most serious legal dispute/issue by 44% of respondents (it was the most serious dispute identified by LGBTI). despite only 4% of respondents reporting experiencing domestic violence related disputes. Additionally, respondents reported increased social welfare disputes related disputes, particularly among Roma, disabled and low-income communities. The 2019 Mapping also identified an increased need for legal advice over 2018 and 2019 responses, reinforcing the potential role of CSOs and legal clinics in assisting justice seekers to resolve their legal disputes.

Legal Information Strategies

Respondents still identified lawyers and justice sector institutions as their most trusted source for legal information, however preference for information from CSOs notably increased from 2019 and is the same with 2018 data. Overall, 56% of respondents wanted more legal information from formal justice institutions and lawyers over friends/family and informal relationship-based information networks. Access to information still appears to play a key role in dispute resolution, evidenced by respondents who did not take any action to resolve their legal dispute. While the figure decreased from 2018, 18% still stated that they did not seek any remedy because they did not know where to find information. Lack of knowledge on where to access legal information was particularly prevalent in the Serb and Egyptian communities (over 50%) highlighting the need for legal information campaigns targeting these communities. The 2020 mapping confirmed 2018 and 2019 finding regarding the prevalence of internet-based information sources compared to other mass media sources for young people. The divergent use and reliance on different forms of mass media underscores the importance of tailoring legal information strategies that speak to their core constituencies through their preferred mediums while providing basic information applicable to all groups through a variety of media outlets.

Dispute Resolution Strategies

Overall, 62% of respondents who experienced a legal problem sought resolution of the dispute. Contrasting with the 2018 and 2019 findings, the Roma and Turkish communities were the most likely to not to seek resolution for their legal disputes whereas LGBTI community, Serb and Ashkali citizens were more likely to seek resolution. A notable change in the 2019 shows the disabled community as a group less likely to seek resolution. Much like their preferences for legal information, respondents largely consulted formal justice institutions (police, courts, etc.) or lawyers to resolve their legal disputes especially in cases of property, theft, and accidents. In total, 22% of respondents reported going to the FLAA to resolve their legal dispute, an increase from 11% who reported doing so in 2019 and 18% increase from 2018 data. Accompanying the increase in utilization, the FLAA also received the highest satisfaction scores from respondents (98%). The increased use of the FLAA and high levels of satisfaction with the FLAA indicate that the agency should continue to increase its role in legal dispute resolution.

2020 data show high rates of lack of belief that action would not make a difference in resolving their dispute among all communities, who was cited as the primary reason (56%) for respondents not to take action to seek resolution Addressing key deficits in legal aid service delivery (improving satisfaction with dispute resolution and expanding availability of services available from trusted service providers including the FLAA) and availability of quality legal information is crucial to addressing

widespread disillusionment and repairing trust in the justice system especially among vulnerable groups and communities.

Perception of Lawyers

Overall, all trust indicators showed an increase from 2018 results. Lawyers and the FLAA represent the most trusted sources of legal information and services for more than 72% and 42% of respondents respectively. However, with the presence of a lawyer only required in representation of criminal cases, increased levels of trust in CSOs and legal clinics as potential sources for legal services indicates opportunities to expand the availability of legal services delivered through trusted sources. Interestingly, while the disabled community reports high levels of awareness to the right to legal aid and right to a lawyer, and the data shows that they rely on FLAA (53%) to take action to resolve legal disputes indicating higher trust or comfort in using FLAA and traditional justice institutions to seek redress.

Knowledge of Legal Aid

General knowledge on the right to free legal aid remained higher than knowledge of specifics including the existence of the FLAA and the criteria for free legal aid in 2020. Overall, 33% of respondents were aware of the right to free legal aid whereas only 29% reported awareness of the FLAA and only 29% were aware of the criteria for free legal aid. Vulnerable groups and communities, especially low-income justice seekers and the Egyptian community, reported lower awareness levels than their counterparts. Only 16% of respondents from the Roma community reported awareness of the FLAA and only 8% expressed knowledge on the criteria for free legal aid highlighting the need for increased FLAA outreach within the community. Overall, only 12% of respondents reported utilizing the services of the FLAA, however 98% of those users reported satisfaction with services. The low-income, disabled, and Roma communities as well as low-income justice seekers were the most likely to utilize FLAA services and resources.

Vulnerabilities and Needs for Legal Assistance

Analysis of survey responses indicates that the most vulnerable groups remain low-income justice seekers, women, and members of the Roma, Ashkali, and Egyptian communities. The Roma, Ashkali, and Egyptian communities continue to report low levels of awareness of available legal aid resources, low trust in institutions, and lack of access to legal information. Low-income justice seekers are still less likely to achieve full resolution of legal disputes due to awareness gaps, disillusionment in the ability to achieve resolution, and cost concerns. The LGBTI community are more susceptible to domestic violence the increased need for legal information and advice (as opposed to representation) across sub-groups indicates barriers to initiating actions to seek resolution. While trust indicators are increasing for justice institutions and lawyers, low awareness of the right to legal aid and the existence of the FLAA hinders the ability of legal aid providers, CSOs, and legal clinics to reach target constituencies with legal information, services, and resources.

H. RECOMMENDATIONS

The following are recommendations that may guide programming to address specific legal literacy and legal aid needs of Kosovo's citizens and vulnerable communities.

Increased access to legal information in communities

Information on legal aid services, eligibility for legal aid, and the location of FLAA offices, despite efforts made, it has yet not effectively reached the communities most in need of legal information. 36% of low-income individuals, 38% of Roma, and 29% of women respondents faced challenges in seeking legal information or advice in trying to resolve their legal dispute. Although all justice seekers rely on TV and the internet to some extent, the information sources and strategies of justice seekers vary depending on age, income, gender, and ethnicity. Traditional information sources including FLAA, justice institutions and lawyers were commonly cited as the most trusted, but CSOs and family/friend networks also play important roles in disseminating information for certain types of disputes and within certain vulnerable communities like the LGBTI, Bosniak and Ashkali communities. As a result, an effective legal information campaign must rely on multiple approaches implemented simultaneously. These include:

- Disseminating information on Free Legal Aid services in TV, Radio and social media designed specifically for communities that most frequently use these types of information resources including young people, LGBTI, and Serb Communities.
- Publicizing the existing online platforms ("Afer teje" app, LGBTI online platform, "My Right" platform), which can be an effective vehicle for legal literacy, especially in communities where there is no FLAA office or CSOs providing legal aid services.
- Organizing community gatherings by CSOs for communities that do not use traditional information resources, particularly women and low-income citizens.
- Facilitating peer-to-peer information sharing about Free Legal Aid Services and success stories among low-income community, women and Roma community.
- Conducting information sessions in schools to target younger age groups who can share information with their families.
- Leveraging relationship-based networks by encouraging information sharing with family and friends, reaching a broader population and amplifying the reach of information, especially for LGBTI, Bosniak and Ashkali communities that most utilize relationship-based networks for information.
- Engage lawyers in public awareness campaigns to ensure that justice seekers know that lawyers can help in all variations of disputes, especially for women justice seekers.

Increasing access to free legal aid services

Sub-groups displaying vulnerabilities and special needs are disproportionately impacted by barriers to access to justice and free legal aid services, despite being the primary target beneficiaries of these services especially low-income, women, Ashkali, and Roma communities. Given the trust and willingness from low-income individuals to receive legal assistance from CSOs (75%) and live legal clinics (73%), expanding the availability of services provided through CSOs and legal clinics can be used to address legal service gaps within low-income communities. Lawyers were the second most contacted service provider type for dispute resolution (23%), indicating there is a greater role for lawyers to play through pro-bono engagement in legal cases. Additionally, FLAA were the third most contacted service provider. Specific strategies should be implemented to target these sub-groups directly in their communities, mitigating barriers related to cost and lack of knowledge of where to go for services. These include:

- Expanding the reach of the FLAA in places where they do not have an office through both community visits by Free Legal Aid staff and remote access tools using phone or internet.
- Expanding the reach of CSOs and Live Legal Clinics in areas where the prevalence of administrative and civil legal disputes has been identified, especially where the FLAA is not present.

- Activating networks of CSOs to deliver legal aid services to communities most in need, particularly women, low-income, LGBTI, Roma, and Ashkali communities.
- Providing web-based resource information.
- Increase pro bono engagement of lawyers to provide additional options for justice seekers, especially for Serb community and women who reported highest levels of trust in lawyers.

Improving the quality of legal aid services

Sub-groups displaying vulnerability are impacted by prejudice or perceived prejudice and negligence of legal aid providers. Low levels of trust in the FLAA among women (38%), Serb community (4%), and respondents belonging to LGBTI community display a lack of trust and perception that the free legal aid system is not responsive to the needs of vulnerable communities. Additionally, the level of trust in and preference for engaging with CSOs regarding legal disputes highlights a need for ensuring high standards of quality for CSO legal service providers. Specific training modules on case intake and client interviews should be designed to reduced bias or perceived biased of legal aid providers when dealing with certain vulnerable communities. Additionally, uniform quality standards and complaint procedures should be established to ensure professionalism in service delivery and ensure that parties can have an address for their concerns. These include:

- Providing training to ensure that cases are not being "overlooked' by free legal aid providers.
- Providing sensitization training to ensure free legal aid services are delivered fairly and impartially and prevent bias to certain communities.
- Establish quality standards for legal aid providers and ensure implementation of those standards.
- Establish complaint procedure and enable citizens to address their concerns for non-professional service delivery.

Increase citizen trust in judicial institutions and reduce procedural cost for legal aid beneficiaries

The findings show that 38% of respondents who did not seek legal action reported a belief that legal action would not be helpful to them in attaining a resolution to their legal dispute. Key informant interviews highlighted extended delays in legal actions as a reason for abandoning legal action among vulnerable communities, especially among women and the Serb community. The impact of procedural costs is highlighted in the abandonment of legal actions of low-income and unemployed respondents. Interventions should take place in order for free legal aid cases to be treated with priority by the courts and procedural costs to be reduced:

- Working with judicial institutions to ensure poor and vulnerable litigants (especially women and minority communities) are properly informed of their right to free legal aid if they appear in court unrepresented.
- Working with judicial institutions to expedite cases in which one of the parties is a legal aid recipient based on the understanding that costs related to repeated visits and the duration of cases is a factor in justice seeker decisions to abandon action.
- Working with judicial institutions to thoroughly look at the procedure laws and grant fee reduction to free legal aid beneficiaries.

ANNEX 1 – SURVEY QUESTIONNAIRE

Mapping of Community Justice Needs

Questionnaire

Thank you for agreeing to participate in the assessment that the U.S. Agency for International Development (USAID) is implementing in Kosovo within the Justice Matters Activity, whose aim is to improve access to justice for all, including vulnerable and marginalized groups, by strengthening systems and services for free legal aid and providing information on free legal aid. Your answers to this questionnaire are confidential and will be analyzed as collection data. Of course, your participation in this conversation is entirely voluntary.

Age: _____ **Ethnicity:** _____ **Sexual Orientation:** _____

Gender: _____

Employment status: _____

Special needs: _____

Region: _____

1) Level of education

1. Less than high schools
2. High school
3. University Degree
4. Masters or post graduate degree

2) Household Income:

1. Under 200 Euros
2. Between 200 and 400 Euros
3. Between 400 and 1000 Euros
4. Above 1000 Euros

3) On your opinion, which is the most serious legal problem one can have?

1. Civil Issues
   a) Property dispute
   b) Inheritance
   c) Divorce
   d) Child custody
   e) Labor issue
2. Administrative issues
   a) Pensions
   b) Social welfare
3. Criminal issues
   a) Theft
   b) Domestic violence
4. Minor offences
   a) Accidents

b) Public Services
5. Other (please specify): _____

4) What are the legal problems that you have faced in the last four years?

1. Civil Issues
   f) Property dispute
   g) Inheritance
   h) Divorce
   i) Child custody
   j) Labor issue
2. Administrative issues
   c) Pensions
   d) Social welfare
3. Criminal issues
   c) Theft
   d) Domestic violence
4. Minor offences
   c) Accidents
   d) Public Services
5. Other (please specify): _____

5) Have you taken any form of action when faced with a legal problem?

1. Yes
2. No *(continue at question 8)*

6. If yes, please specify what type of action (choose up to three options):

1. I asked for help from friends and family
2. I went to the police
3. I went to the court
4. I went to ask for mediation at community/religious leader
5. I consulted/hired a lawyer
6. Other (please specify): _____

7. How satisfied were you with information and advice received?

1. Very satisfied
2. Satisfied
3. Neither satisfied or dissatisfied
4. Dissatisfied
5. Very dissatisfied

8. If not, why did you not take action to solve your legal problem?

1. Did not believe it would help me
2. Did not have time
3. Did not know where to look for advice
4. Did not have enough money
5. Tried to obtain advice but was not able to obtain it
6. There are no institutions/organizations that provide free legal aid in my community

9. What did you expect to achieve (Please choose up to three options)?

1. Improve relationship
2. Punishing someone from wrongdoing
3. Recovering property
4. Receiving apology
5. Realizing/exercising rights
6. Recovering money

10. How did the problem affect your life?

1. Hardly affected me negatively
2. Just a little bit
3. Moderately
4. Very much so
5. The negative affect was severe

11. Has your legal problem been resolved?

1. Yes, completely
2. Yes, partially
3. No, the problem is still ongoing
4. No, I am no longer taking any action

12. Where can you usually get hold of information about remedies?

1. Lawyer
2. Other people (family and friends)
3. Civil Society Organizations
4. Institutions/ Court/ Free Legal Aid agency
5. Internet
6. Tv, radio, newspapers
7. Other, please specify: _____

13. Where would you prefer to get information about remedies?

1. Lawyer
2. Other people (family and friends)
3. Civil Society Organizations
4. Institutions/ Court/ Free Legal Aid agency
5. Internet
6. Tv, radio, newspapers
7. Other (please specify): _____

14. **How often do you use the following sources of information?**

1. TV	Never	Rarely	sometimes	Very often	Always

2.	**Radio**	Never	Rarely	sometimes	Very often	Always
3.	**Newspapers**	Never	Rarely	sometimes	Very often	Always
4.	**Internet**	Never	Rarely	sometimes	Very often	Always

15. How much are you informed on the right to free legal aid?

1. Very good
2. Good
3. Fair
4. Poor
5. Very poor

16. How much are you informed about the Free Legal Aid Agency?

1. Very good
2. Good
3. Fair
4. Poor
5. Very poor

17. Do you know what criteria you need to meet to qualify for Free Legal Aid?

18. Have you ever been a beneficiary of the Free Legal Aid Agency?

1. **Yes**
2. **No *(continue to question 20)***

19. If so, how satisfied are you with the services of the Free Legal Aid Agency?

1. **Very good**
2. **Good**
3. **Fair**
4. **Poor**
5. **Very Poor**

20. Who do you trust most to obtain legal services/assistance?

1. Lawyer
2. Friends and family
3. Online sources
4. Free Legal Aid Agency
5. Civil Society Organization
6. Online and media sources
7. Police
8. Other (*please specify*) _____

21. What type of legal assistance in most frequently needed?

1. Legal Advice
2. Assistance to draft complaints
3. Obtain Legal Information
4. Representation
5. Other *(please specify)*: _____

22. Would you trust Civil Society Organizations to obtain legal assistance?

1. Agree
2. Disagree
3. Agree
4. Undecided
5. Disagree

23. Would you trust Live Legal Clinics to obtain legal assistance (Live legal clinics have been set up at several universities. Through these clinics, law students can work with lawyers to take pro bono cases)**?**

1. Agree
2. Disagree
3. Agree
4. Undecided
5. Disagree

24. Suggestions on how to improve legal assistance and legal information

_____
_____
_____
_____
_____

ANNEX 2 – KEY INFORMANT INTERVIEWS AND FOCUS GROUP DISCUSSIONS

Key Informant Interviews

1. Nora Bunjaku, Executive Director, Femrat Aktive të Gjakoves – November 10, 2020.
2. Vilson Haxholli, Project Assistant, Youth Initiative for Human Rights, November 10, 2020.
3. Valbona Salihu, Executive Director, Lawyer's Association NORMA – November 10, 2020.
4. Vesa Batalli, Voice of Roma, Ashkali and Egyptians – November 11, 2020.
5. Rrona Berisha, Junior Legal Advisor, GIZ – November,12 2020.
6. Naim Osmani, Executive Director Civil Rights Program Kosovo – CRP/K – November 12, 2020.
7. Arber Nuhiu, Executive Director, Center for Social Groups Developments – November 13, 2020.
8. Arben Osmani, European Centre for Minorty Issues Kosovo - November 23, 2020.

Focus Group Discussions

I. Focus group with FLAA Legal Officers
   1. Anita Kalanderi – Director of Legal Department at FLAA
   2. Faton Jashari – Legal Officer, FLAA regional office in Prishtina
   3. Yllka Bajrami Llalloshi – Legal Officer, FLAA regional office in Prishtina
   4. Zenel Hasanaj – Legal Officer, FLAA regional office in Peja
   5. Hajrije Kutllovci - Legal Officer, FLAA regional office in Mitrovica
   6. Sadulla Salihu - Legal Officer, FLAA regional office in Gjilan
   7. Sylejman Sylejmni - Legal Officer, FLAA regional office in Ferizaj
   8. Nora Dobruna - Legal Officer, FLAA regional office in Gjakova
   9. Pranvera Zeqiraj - Legal Officer, FLAA mobile office in Deçan and Istog
   10. Veton Halili - Legal Officer, FLAA mobile office in Suhareka and Dragash
   11. Ivana Stojanovic - Legal Officer, FLAA mobile office in Graçanica
   12. Dragana Stevic - Legal Officer, FLAA mobile office in North Mitrovica
   13. Donika Nura - Legal Officer, FLAA mobile office in Skenderaj
   14. Mirsije Ajvazaj - Legal Officer, FLAA mobile office in Kamenica
   15. Agron Kastrati - Legal Officer, FLAA mobile office in Malisheva
   16. Arlinda Stublla - Legal Officer, FLAA mobile office in Fushë Kosova andDrenas

II. Focus group with randomly selected citizens belonging to the communities targeted with the Mapping of Community Justice Needs survey.

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Annex 4 - Handover Plan

The Mapping of Community Justice Needs 2020

This handover plan will be used by USAID Justice Matters Activity to cover all ongoing tasks related to the implementation of the Mapping of Community Justice Needs 2020, to ensure a smooth handover from USAID Activity Justice Matters to the Free Legal Aid Agency (FLAA).

As discussed, and agreed with Free Legal Aid Agency the mentoring and oversight responsibilities, including scheduling of meetings, implementation on the field, and status update will be handled by Justice Matters Activity. While implementation of activities will be carried out by Free Legal Aid Agency.

Starting in August 2018, Justice Matters started developing the Mapping of Community Justice Needs to analyze and prioritize free legal aid and legal needs to inform the citizens of Kosovo and identify groups, communities most in need of resources, additional information and assistance. The mapping is designed to inform the Justice Matters Activity and other development partner programs on how to support Kosovo citizens and communities in accessing free legal aid and how to prioritize the dissemination of legal information.

The Mapping of Community Justice Needs was last updated in 2019 by USAID Justice Matters Activity in cooperation with the Free Legal Aid Agency, and will be updated in 2020 by the Free Legal Aid Agency supported by Justice Matters Activity of USAID, then is expected to continue to be updated in the coming years by the Free Legal Aid Agency.

IMPLEMENTATION TABLE

Stages	Time period	The person in charge	Division of responsibilities	Status update
1. **Questionnaire updated**	29 - 30 September 2020	FLAA in cooperation with Justice Matters	Implementation carried out by FLAA. Mentoring and oversight done by Justice Matters	
2. **Determining the sample**	29 - 30 September 2020	FLAA in cooperation with Justice Matters	Implementation carried out by FLAA. Mentoring and oversight done by Justice Matters	
3. **Meeting with interns - Training to complete the questionnaire**	5 - 9 October 2020	FLAA in cooperation with Justice Matters	Implementation carried out by FLAA. Mentoring and oversight done by Justice Matters	
3. **Conducting field interviews**	12 - 23 October 2020	Interns	Implementation carried out by FLAA. Mentoring and oversight done by Justice Matters	
4. **Focus groups with relevant actors**	26 October 2020 – 30 October 2020	FLAA in cooperation with Justice Matters	Implementation carried out by FLAA. Mentoring and oversight done by Justice Matters	
5. **Set the data in SurveyMonkey**	2 November 2020 – 6 November2020	FLAA in cooperation with Justice Matters	Implementation carried out by FLAA. Mentoring and oversight done by Justice Matters	
6. **Data analysis and compilation of the report**	During November	FLAA in cooperation with Justice Matters	Justice Matters in cooperation with FLAA	
7. **Discussion of preliminary findings**	At the begging of December	FLAA in cooperation with Justice Matters	Implementation carried out by FLAA. Mentoring and oversight done by Justice Matters	
8. **Finalization of the report**	During December	FLAA in cooperation with Justice Matters	Justice Matters in cooperation with FLAA	