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**Platforma kombëtare për mbrojtje
nga diskriminimi për komunitetet
Rom, Ashkali dhe Egjiptian**

PROTECTION AGAINST DISCRIMINATION

**A COMPREHENSIVE OVERVIEW OF THE YEAR-LONG EFFORTS OF THE
NATIONAL PLATFORM FOR PROTECTION FROM DISCRIMINATION
OF EGYPTIAN, ASHKALI, AND ROMA COMMUNITIES
(2022-2023)**



VOICE OF ROMA, ASHKALI
AND EGYPTIANS IN KOSOVO



Terre des hommes
Ndihmë për fëmijët.

June, 2023

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Mission and vision of the National Platform for Protection from Discrimination of Roma, Ashkali and Egyptian communities

The National Platform for protection from discrimination of Roma, Ashkali and Egyptian communities is established by the Government of the Republic of Kosovo to support the values defined in the Constitution of Kosovo.

Committed to fighting and preventing discrimination in all communities in Kosovar society, the National Platform for protection from discrimination uses affirmative measures to ensure equal treatment for all citizens.

Managed by the Office of good governance, human rights, equal opportunities and anti-discrimination, Office of the Prime Minister, Republic of Kosovo, and supported by the Project "Social Justice for Roma, Ashkali and Egyptians" implemented by Terre des hommes Lausanne in Kosovo in partnership with the organization Voice of Roma, Ashkali and Egyptians (VoRAE) and Swiss Church Aid (HEKS/EPER) and financed by the Swiss Cooperation Agency (Swiss Cooperation Agency), the National Platform for protection from discrimination aims to serve the technical working group for protection from discrimination of Roma, Ashkali and Egyptian communities in Kosovo.

The technical working group for protection against discrimination of the Roma, Ashkali, and Egyptian communities in Kosovo was established by decision of the Prime Minister in September 2020 with representatives from all relevant institutions and civil society whose field of action is protection and promotion of the rights of the Roma, Ashkali, and Egyptian communities. This technical group's mandate includes, among other things, addressing complaints of discrimination against the Roma, Ashkali, and Egyptian communities and referring these cases to the appropriate institutions. The National Platform's mission is to act as a bridge between citizens who report cases of discrimination and the technical group/responsible institutions.

The technical working group for protection against discrimination of the Roma, Ashkali and Egyptian communities in Kosovo, under the "Social Justice for Roma, Ashkali and Egyptians" project, in addition to the National Platform for protection from discrimination is also supported by the legal expert and administrator of the platform who facilitates and supports the technical group, and most importantly all those who report cases throughout the process from reporting to the conclusion of the case.

This narrative report provides an overview of the mission, vision and main activities of the National Platform for protection from discrimination during the period from June 2022, when the platform was established, until June 2023.

The National Platform for protection from discrimination operates with a clear mission to receive and address discrimination cases against the Roma, Ashkali, and Egyptian communities. It aims to ensure equal access and facilitate reporting of discrimination incidents for all citizens in Kosovo, with a special focus on the aforementioned communities. The National Platform for protection from discrimination plays a crucial role in raising awareness about relevant legislation and institutional mechanisms for protection against discrimination. Supporting the vision of equal treatment for all Kosovo citizens, regardless of different personal characteristics, the National Platform for protection from discrimination tries to promote a society without discrimination based on gender, age, marital status, language, physical or mental disability, sexual orientation, nationality, political opinion or belief, religion or religious belief, ethnic or social origin, race, property, birth or other status.

The National Platform for protection from discrimination serves as a vital avenue for Roma, Ashkali and Egyptian citizens to report cases of discrimination, regardless of when and where they occur. It aims to promote cooperation between institutions, civil society organizations, media and citizens to effectively fight and prevent discrimination against these communities. In addition to its role as a reporting mechanism, the National Platform for protection from discrimination is a comprehensive information centre, providing updates on cases of discrimination, preventive measures, national and international legislation on protection against discrimination and annual reports. The virtual platform includes a website, database and a user-friendly web application regularly updated with policy materials and practices, including regional and national legislation, operating procedures and guidelines.

The users of the National Platform for protection from discrimination can directly report cases of discrimination, either in relation to their experiences or incidents they have witnessed, even if they are not directly involved. Confidentiality has priority and anonymity can be maintained as requested. All reported cases are thoroughly reviewed by professional staff and adequately referred to relevant institutions, in accordance with the current Law on Protection from Discrimination.

In its inaugural year of operation (2022-2023), the National Platform for protection from discrimination of Roma, Ashkali and Egyptian communities has made significant strides to promote equal treatment and combating discrimination. By providing an accessible reporting mechanism and serving as an information centre, the platform strengthens collaboration between various stakeholders and empowers marginalized communities to defend their rights. The National Platform for protection from discrimination remains committed to its mission and vision, working towards a society where there is no place for discrimination, and all Kosovo citizens enjoy equal opportunities and dignity.



General information on cases reported in the National Platform for Protection from Discrimination of Roma, Ashkali and Egyptian communities

This report provides an overview of the work performed by the National Platform for protection from discrimination of Roma, Ashkali and Egyptian communities, during the period 2022-2023. This report describes cases received and processed by the National Platform for protection from discrimination, guaranteeing the confidentiality and anonymity of parties involved to protect their interests.

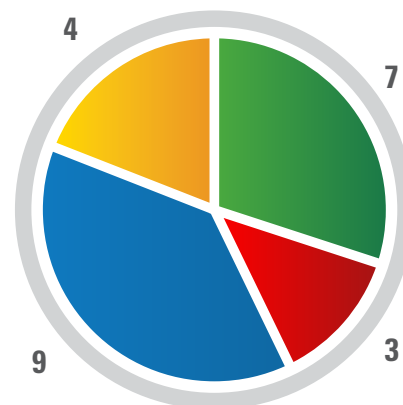
Since the establishment of the National Platform for protection from discrimination of Roma, Ashkali and Egyptian communities, in June 2022 and until now (June 2023) the Platform has had:



Platforma kombëtare për mbrojtje nga diskriminimi për komunitetet Rom, Ashkali dhe Egjiptian



At the time of reporting, the National Platform for protection from discrimination received and addressed a total of 23 cases. The classification of discrimination cases based on ethnicity highlights a significant representation of different communities. The Roma community accounts for 7 of the reported cases, highlighting challenges faced in terms of discrimination. The Ashkali community also experiences discrimination, where 3 of the cases come from their community members. The Egyptian community, with 9 reported cases, also faces a significant burden of discriminations.



● Roma community ● Egyptian community
● Ashkali community ● Other

Figure 1. Classification of cases by ethnic belonging

¹ Nga këto 23 raste të trajtuara, 16 janë të regjistruara në Platformën Kombëtare për Mbrojtjen nga Diskriminimi për Komunitetet Rom, Ashkali dhe Egjiptian, kurse 7 prej tyre janë trajtuar nga Platforma Kombëtare, pasi që janë raportuar më herët se të themelohet e njëjta.

By reviewing the employment status of those who reported discrimination, it is evident that both employed and unemployed individuals are affected. Out of the total number of cases, 10 reports were made by individuals employed at that time, emphasizing that discrimination can also occur in the work environment. Also, 7 cases were reported by individuals who were not employed, showing that discrimination can affect access to employment opportunities. Additionally, 6 cases did not declare their employment status, suggesting the complexity of discrimination in different employment situations.

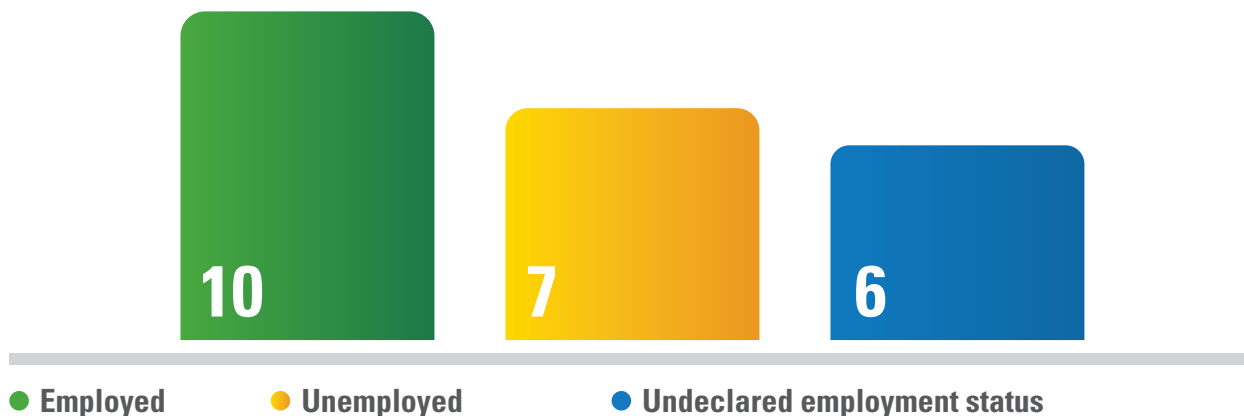


Figure 2. Classification of cases by employment status

When analysing the education level of those reporting the cases, it becomes clear that discrimination affects individuals with different educational backgrounds. From the reported cases, three (3) people had primary education and four (4) had secondary education, illustrating that discrimination is not exclusive to a specific level of education. It is worth noting that a significant proportion, exactly nine (9) cases, included individuals with university education. Additionally, seven (7) cases did not disclose their educational level.

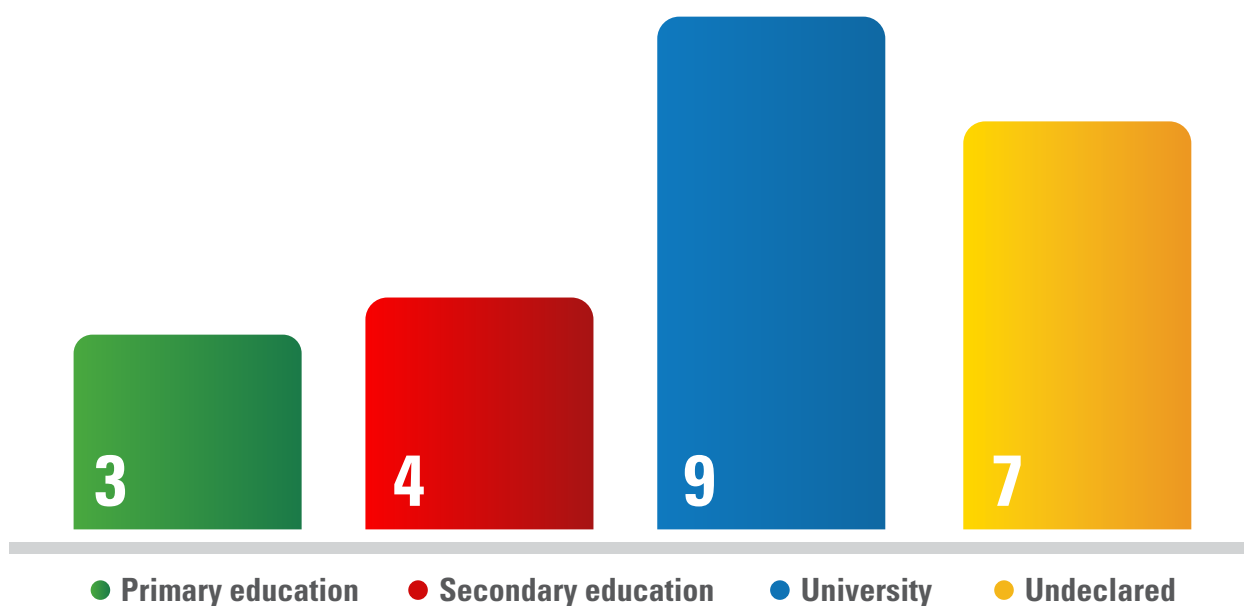


Figure 3. Classification of cases according to educational level of case reporters

These demographic classifications provide valuable insights into the varying nature of discrimination cases, highlighting the importance of addressing discrimination between different ethnicities, employment statuses and education levels.

Data in various cases category provide insight into the existing status and nature of reported incidents. First, there are cases that are pending action, which indicates that they are in the process of being addressed and resolved. These cases require further investigation, analysis and engagement with parties or institutions involved. There are ten (10) cases that have been reported to the National Platform for protection from discrimination and are currently awaiting consideration by relevant institutions. The National Platform for protection from discrimination continues to closely monitor these cases to ensure appropriate follow-up and resolution.

Secondly, there are cases that have been successfully addressed, indicating that appropriate measures have been taken to address reported discrimination. These cases have been subjected to a thorough review, legal analysis and subsequent actions by the National Platform for protection from discrimination or relevant institutions. Three (3) cases have been successfully addressed by the National Platform for protection from discrimination, showing competence and appropriate actions. These cases are considered resolved and closed.

Additionally, there is a specific category that includes cases with no available information. These cases are characterized by a lack of substantive detail or insufficient reporting, making it difficult to assess and address reported discrimination incidents. The lack of information can hinder the ability to investigate and take appropriate action. In this context, eight (8) cases were reported in the National Platform for protection from discrimination; however, the information provided is insufficient to proceed with further action. Efforts have been made to gather additional details, but without sufficient data, these cases remain unsolved.

It is essential to gather sufficient information and evidence to effectively deal with these cases and to ensure that all reported incidents receive necessary attention and are resolved. Further efforts should be made to encourage individuals to provide comprehensive information when reporting discrimination, allowing for a more thorough examination and response to these cases.



Finally, there are unprocessed cases, awaiting evidence, which may refer to newly reported or unprocessed cases that have not yet undergone initial analysis or assessment. These cases require further examination to determine the nature, validity and possible actions that need to be taken. Two (2) cases were considered as impossible to be handled by the National Platform for protection from discrimination due to the lack of necessary information provided by the reporting party. These cases shall remain recorded as reported incidents.

Throughout the report, the National Platform for protection from discrimination emphasizes the importance of maintaining confidentiality and anonymity of parties involved. This engagement ensures protection of individuals and avoids any possible influence on handling of cases by relevant authorities. Categorization of cases provides a comprehensive view of different stages and types of discrimination incidents addressed by the National Platform for protection from discrimination. It highlights continuing efforts to address pending cases, successful resolution of some cases, the visibility of certain incidents, and the need for ongoing assessment and handling of new or unprocessed cases.

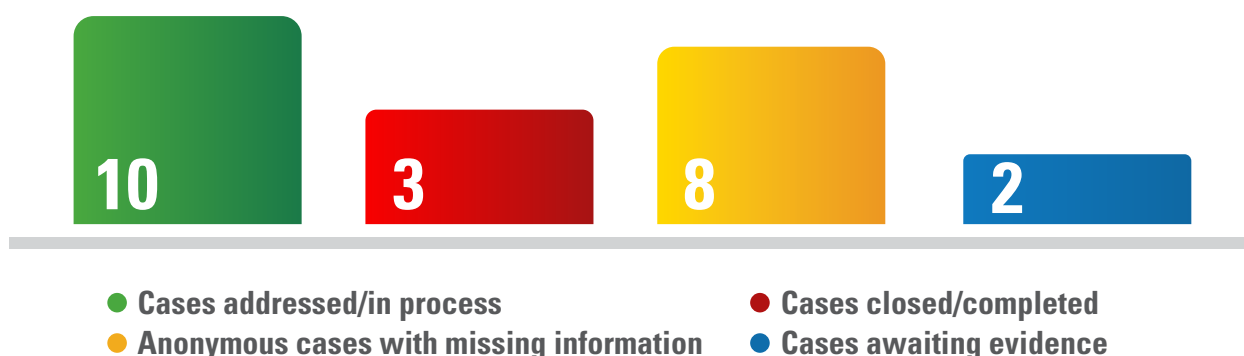


Figure 4. All reported cases in the national platform, divided by categories

The cases reported in the national anti-discrimination platform for the Roma, Ashkali and Egyptian communities have been addressed by citizens in different municipalities of the Republic of Kosovo. The largest number of cases reported are from citizens in the municipality of Prishtina and Fushe Kosova. The following table presents cases addressed based on geographical distribution:

Table 1. Cases addressed by geographic distribution

MUNICIPALITY	NUMBER OF CASES
Ferizaj	1
Fushë Kosovë	4
Gjakovë	3
Klinë	1
Obiliq	1
Pejë	1
Prishtinë	5
Prizren	1
Not defined	6
TOTAL	23

The National Platform for protection from discrimination allows for cases to be reported directly by the parties who have been discriminated, but also from third parties, taking into account the fact that reporting is an obligation for every citizen of the Republic of Kosovo. The chart below categorizes cases based on entities responsible for reporting:

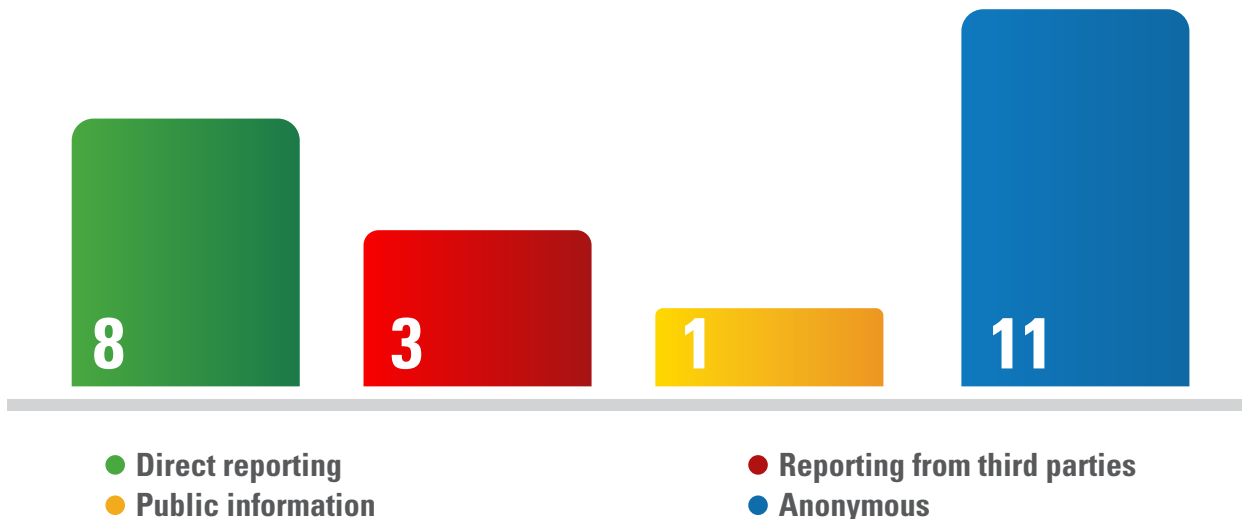


Figure 5. Categorization of cases by entities that compiled the report

The table below categorizes cases based on the country or institution where discrimination occurred or is believed to have occurred. From the 23 cases reported under the National Platform for protection from discrimination of Roma, Ashkali and Egyptian communities, discrimination or alleged discrimination cases have been identified in various institutions. This includes public and private institutions, legal entities and individuals.

Table 2. Institutions, legal entities, natural persons where discrimination has occurred or is alleged to have occurred

Institution/legal or natural persons where discrimination has occurred or is alleged to have occurred	Number of cases
Business/Company	5
Healthcare institutions	2
Municipalities	2
MIA	1
MoH	1
Natural Person	3
Police	1
Government	1
University	1
Unidentified	6
TOTAL	23

The National Platform for protection from discrimination of Roma, Ashkali and Egyptian communities is actively engaged in addressing reported cases of discrimination. With pending action on certain cases and successful resolution of others, the National Platform for protection from discrimination remains committed to its mission to promote equal treatment and combat discrimination within these communities. Moving forward, the National Platform for protection from discrimination will continue its efforts to protect the rights and wellbeing of all individuals affected by discrimination, promoting a society where every Kosovo citizen can live free of prejudice.

Cases handled and addressed to the competent institutions by the National Platform for Protection from Discrimination of Roma, Ashkali and Egyptian communities, for the year 2022-2023

During the one-year period of operation of the National Platform for protection from discrimination, several cases were reported, analysed, handled and then referred to relevant institutions. The National Platform for protection from discrimination of Roma, Ashkali and Egyptian communities remains actively engaged in monitoring these cases until they are resolved.

Handling cases of discrimination involves cooperation between various institutions to ensure effective solutions and justice. The Ombudsperson Institution has taken three (3) cases, showing its commitment in addressing cases of discrimination and protecting the rights of affected individuals. The Ministry of Internal Affairs has also been involved in three (3) cases, showing its role in addressing discrimination issues within its jurisdiction.

Moreover, the judicial system and the prosecution have played an important role in handling discrimination cases, with four (4) cases under their jurisdiction. These institutions bear the responsibility to ensure the follow-up of legal processes, the conduct of investigations and the prosecution of individuals or entities involved in discriminatory acts.

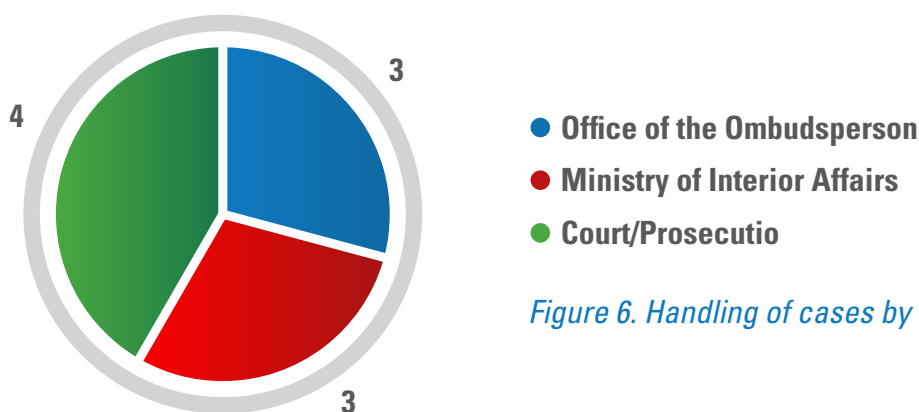


Figure 6. Handling of cases by institutions

Based on the information provided, the typology of ten (10) cases is presented below:

1. The case of collective discrimination against the Roma community from Obiliq:

Type: Collective discrimination

Description: The case involves the Roma community from Obiliq, who are experiencing discrimination regarding access to housing and other forms of property. The National Platform for protection from discrimination has prepared a special report and forwarded it to the Ombudsperson. Currently, the Ombudsperson is handling the case, which is also being monitored by the National Platform for protection from discrimination.

2. The case of discrimination by the Kosovo Police against a member of the Roma community:

Type: Individual discrimination

Description: A member of the Roma community claims that they have been discriminated against by the Kosovo Police. The National Platform for protection from discrimination has conducted an investigation and established the grounds for discrimination. The case is now being examined by the competent Basic Court, based on the relevant Articles of the Law on the Protection from Discrimination.

3. The case of discrimination against a woman from the Roma community:

Type: Individual discrimination

Description: A woman from the Roma community is facing discrimination on multiple grounds, including discrimination based on criminal offences. The National Platform for protection from discrimination has made a special report emphasizing discrimination. The case is currently being examined by the competent courts and is being monitored by the National Platform for protection from discrimination.

4. Cases of denial of citizenship because of non-fulfilment of legal conditions:

Type: Discrimination was alleged but it was found to be a non-discrimination case

Description: Three citizens from the Roma, Ashkali and Egyptian communities claim that their citizenship applications were rejected due to discrimination. The National Platform for protection from discrimination investigated these cases and received a response from the Ministry of Internal Affairs, stating that the denial was not discriminatory, but it was decided so because of non-fulfilment of legal requirements by the applicants. The cases are considered closed.

5. The case of persistent discrimination by a natural person, affecting access to property:

Type: Individual discrimination

Description: A citizen, who is a member of Roma, Ashkali and Egyptian communities, is involved in an on-going case involving a criminal investigation. The National Platform for protection from discrimination is in contact with the affected party to prevent further discrimination. Discrimination in this case is attributed to a natural person and concerns the obstruction of access to property. The National Platform for protection from discrimination will continue to monitor and handle this case, as the discrimination may be on-going.

6. The case of hate speech and collective discrimination promoted through social media:

Type: Collective discrimination and hate speech

Description: A citizen of the Republic of Kosovo has engaged in hate speech through social media, targeting RAE communities. The National Platform for protection from discrimination has handled this case as criminal discrimination. They have initiated necessary procedures and filed criminal charges with the competent institutions.

7. The case of discrimination in higher education:

Type: Individual discrimination

Description: A citizen from the Roma, Ashkali and Egyptian communities has faced discrimination related to higher education. The National Platform for protection from discrimination of Roma, Ashkali and Egyptian communities is actively monitoring the case and forwards it to all relevant institutions responsible for handling discrimination cases.

8. The case of continuous employment discrimination by the Ministry of Health:

Type: Individual discrimination

Description: A citizen from the Egyptian community has reported continuous employment discrimination by the Ministry of Health. The National Platform for protection from discrimination analysed and handled the case to address the accusations of discrimination.



Cases reported anonymously and handled and completed by the National Platform for protection from discrimination, for the year 2022-2023

1. The case of discriminatory language used in a reality show:

Type: Hate speech and media discrimination

Description: An anonymous report was made to the National Platform for protection from discrimination regarding discriminatory language used against Roma, Ashkali, Egyptian communities in a reality show. The language specifically referred to them as “Gypsies” (Alb. Magjup). The National Platform for protection from discrimination took action by handling the case and highlighting consequences caused by the discriminatory video. The production company responded by removing the video and the case is now considered closed.

2. The case of discrimination reported against the Municipality of Klina:

Type: Alleged discrimination by a public institution

Description: An anonymous report of discrimination was made against the Municipality of Klina and was reported to the National Platform for protection from discrimination. The National Platform for protection from discrimination has addressed the case and received a response from the Municipality of Klina. No details are given about the discrimination and epilogue of the case, but it is mentioned that the case is considered closed.

3. The case of anonymous reporting of discrimination against a passenger transport company:

Type: Alleged discrimination by a private company

Description: An anonymous discrimination report was made against a passenger transport company and was reported to the National Platform for protection from discrimination. Although it is not known which is the discriminated party, the National Platform for protection from discrimination has handled this case. The competent ministry for infrastructure has responded to the National Platform for protection from discrimination regarding the case. The details of the response and epilogue are not given, but it is mentioned that the case is considered closed.

Cases that could not be addressed by the National Platform for protection from discrimination of Roma, Ashkali and Egyptian communities due to lack of information and anonymous reporting, for the year 2022-2023

In this category there are a total of eight (8) cases reported to the National Platform for protection from discrimination. These cases fall into the anonymous category, where either no information is given or only a single sentence or word is mentioned. Due to the anonymous nature of these reports and the lack of substantive information, the National Platform for protection from discrimination staff have not been able to handle these cases. The main reasons for not handling these cases are twofold: firstly, the identity of the discriminated entity remains unknown due to the anonymity of the reports, and secondly, there is a lack of information in these anonymous reports.

1. The anonymous case reported in Peja:

Type: Unknown discrimination

Description: An anonymous report was made in Peja, which gave only one word without any additional information. Due to the lack of details, the National Platform for protection from discrimination has not been able to address the case.

2. The anonymous case reported in Fushe Kosova where "racism" is mentioned:

Type: Alleged racism

Description: An anonymous report was made in Fushe Kosova, where the word "racism" was mentioned without any further information. The National Platform for protection from discrimination was unable to address the case due to lack of details.

3. The anonymous case of discrimination reported in Peja:

Type: Unknown discrimination

Description: Another case of discrimination has been reported anonymously in Peja, without any information other than one word. The National Platform for protection from discrimination could not address the case due to lack of details.

4. The anonymous reported case of discrimination in a private business in Fushe Kosova:

Type: Unknown discrimination in a private business

Description: A case of discrimination was reported as it happened in a private business in Fushe Kosova, with only one sentence given and no additional information. The National Platform for protection from discrimination was unable to handle the case due to lack of details.

5. The anonymous case of discrimination addressed to the Prime Minister of Kosovo:

Type: Unknown discrimination addressed to the Prime Minister

Description: An anonymous person has written an open letter to the Prime Minister of Kosovo regarding discrimination. However, the case could not be handled due to lack of information, anonymity and the reporting method.

6. The anonymous case of discrimination against the Government of Kosovo:

Type: Alleged discrimination by Government

Description: An anonymous report claimed that the Government of Kosovo denies the existence of Egyptians in Kosovo. The case lacks essential information and the person remains anonymous.

7. The anonymous case of discrimination reported as it happened in a bar in Gjakova:

Type: Unknown discrimination in a bar

Description: An anonymous person has reported a case of discrimination as it happened in the a bar in Gjakova. No information was provided, and the affected party did not leave any contact details or provide further explanation for the discrimination.

8. The anonymous case of discrimination in a health institution in Fushe Kosova:

Type: Alleged discrimination in a health institution

Description: A person claims to have experienced discrimination in a health institution in Fushe Kosova. However, the person who reported the case remains anonymous and the National Platform for protection from discrimination has not been able to handle the case due to the lack of information and basic evidence.

Cases not addressed due to lack of information and cooperation of the parties who submitted them, for the year 2022-2023

1. The case of discrimination reported by a member of the Roma, Ashkali and Egyptian communities (Case 1):

Type: Unfounded allegation of discrimination

Description: A member of the Roma, Ashkali and Egyptian community reported a case of discrimination to the National Platform for protection from discrimination, providing some details on how the incident occurred. The National Platform team handled the case and met with the party to discuss the matter. However, despite the discussions, the party failed to provide concrete evidence of discrimination or to identify the entities responsible for it. The case remains unsolved due to a lack of supporting evidence.

2. Case of discrimination reported by the same member of the Roma, Ashkali and Egyptian communities (Case 2):

Type: Unfounded allegation of discrimination

Description: The same individual from the Roma, Ashkali and Egyptian communities reported another case of discrimination to the National Platform for protection from discrimination. This case differs from the previous one in its nature. Again, the National Platform team engaged with the party and discussed the case, but the party failed to provide concrete evidence or identify the entities involved in the alleged discrimination. The case remains unsolved due to a lack of supporting evidence.

It is important to note that despite the efforts of the National Platform for protection from discrimination to address these cases, the lack of concrete evidence and information provided by the reporting party has hindered the progress of the investigations. Without sufficient evidence, it becomes challenging for the National Platform for protection from discrimination to further follow these cases and identify the entities responsible for the alleged discrimination.

Conclusion

The National Platform for protection from discrimination of Roma, Ashkali and Egyptian communities has successfully handled 23 cases of discrimination within the first year of operation. These cases involved various forms of discrimination, individual and collective, in accordance with the existing law on protection from discrimination.

The Platform, managed by the a Office of good governance, human rights, equal opportunities and anti-discrimination, Office of the Prime Minister, Republic of Kosovo and supported by the consortium consisting of Terre des hommes Lausanne in Kosovo in partnership with the organization Voice of Roma, Ashkali and Egyptians (VoRAE) and Swiss Church Aid (HEKS/EPER), consists of a professional team dedicated to handling these cases. Each reported case was thoroughly analysed and contacts were established with the relevant institutions involved in discrimination. After legal analysis, the cases are usually forwarded to the relevant institutions for further action.

The ability of National Platform for protection from discrimination to address 23 cases within a short period is considered a notable achievement. It represents an important step forward in combating discrimination on ethnic grounds, in accordance with the mandate of the Office of good governance, human rights, equal opportunities and anti-discrimination, Office of the Prime Minister, Republic of Kosovo. However, one challenge faced while operating the platform was anonymous reporting of cases, which hampered efforts to encourage parties to reveal their identities. It is essential to address this challenge in the future by finding ways to promote open reporting and identity disclosure, as guaranteed by the National Platform for protection from discrimination and existing laws.

Another challenge is the need for parties reporting discrimination to provide sufficient information to facilitate resolution of cases. The Office of good governance, human rights, equal opportunities and anti-discrimination, Office of the Prime Minister, Republic of Kosovo, and the National Platform for protection from discrimination will work towards overcoming this challenge to improve the effectiveness of their efforts.

It is essential to emphasize that handling cases of discrimination through the National Platform for protection from discrimination and directing them to the relevant institutions follows an investigative procedure that requires some time. This should not discourage members of the Roma, Ashkali and Egyptian communities from reporting cases. Instead, the National Platform for protection from discrimination should be seen as an additional mechanism that supports these communities in their fight against discrimination.

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