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**Republika Kosova-Republic of Kosovo**
***Qeveria-Vlada-Government***
***Ministria e Tregtisë dhe Industrisë***
***Ministarstvo Trgovine i Industrije-Ministry of Trade and Industry***

# CONSUMER PROTECTION PROGRAMME 2021 – 2025

**PRISHTINA**
**2020**

# CONTENT

# INTRODUCTION

## Vision, purpose and consumer protection policies

### Vision

***Consumers that are empowered, safe and have trust in fair, safe and competitive market, where they can actively participate, exercising their rights and power of well-informed choice.***

### Purpose and policies

The Consumer Protection Programme is an important, consumer centred document, which has the Law on Consumer Protection as it reference.

This Program aims to empower the consumer for an active role in the market, exercising his/her rights and power of well-informed choice in purchasing goods and services.

Properly designed and implemented consumer protection policies allow them to make well-informed choices, positively affecting creation of fair competition and sustainable growth. The program aims to empower consumers and play an active role in the market, which requires strengthening consumer confidence in the purchase of goods and services.

This Program aims to effectively and transparently regulate services, in accordance with good European practices, which ensure that service providers provide quality, sustainable and affordable services throughout Kosovo, taking into account the preservation of the environment and protection of public health.

The Consumer Protection Programme has cross-cutting strategies as a priority, strengthening consumers in the Republic of Kosovo, protecting economic interests of consumers on issues of safety, choice, quality, price, diversity, availability, etc., provide consumers with modern supervision and market transparency, as well as effectively protect consumers from risks and threats that they cannot address and resolve individually.

Empowering consumers is not simply a right, but rather it has to do with creating a general environment that enables them to exercise and benefit from these rights, which means creating a system they can rely on and which guarantees security of goods and services, but also effective protection of their economic interests, when these are put at risk.

The Program also aims to ensure the free circulation of safe products on the market with the same technical requirements as European ones, which is the basis for any consumer policy and one of the fundamental freedoms set out in the EU Treaty as well as one of the measures envisaged in this Program.

This Program will pay special attention to these, as on the one hand, globalization of the production chain makes it more difficult to identify unsafe products, while on the other hand, economic crises can lead to consumers and businesses focusing on lower prices, with the risk that security aspects lose relevance, thus increasing the space for fake and unsafe products. Therefore, the design and effective implementation of a strong legal framework should be considered, because it increases consumer confidence in the market, which also leads to increased purchases, which is ultimately the engine of economic recovery.

Drafting and implementing policies for creating a general legal and institutional environment, which guarantees consumers with protection of health, safety and economic interests, improving education, information and awareness, supporting effective implementation of their rights, in order to empower consumers and increase their confidence in making purchases of goods and services in the market, hence making the market work to their benefit.

The Consumer Protection Programme 2021-2025 has a specific importance for the Government pf Kosovo, because through it, the MTI aims to advance consumer protection, in relation with the public health, environment and market. The Programme contains strategic goals, objectives, in the field of consumer protection.

This Programme interlocks in itself the priorities and adequate measures as well, which in the certain phases of its implementation should be undertaken by the Kosovo society with the main goal to deepen further and advance the achievements, thus of the successes in the plan of implementing legal and constitutional obligations.

In order for a country such as Kosovo to achieve readiness of being part of the common market of the European Union, it has to establish mechanisms which will prove the consumers trust in the internal market through clear rules and law implementation.

In the light of Stabilization Association Agreement between Kosovo and European Union one of the main responsibilities to be fulfilled during this process is the compliance of Kosovo’s legislation with that of the EU (*acquis communautaire*)

The Government of the Republic of Kosovo should ensure continuous and effective cooperation with the Consumer Protection Council, through its involvement in training activities, in the consultation process for drafting national policies / strategies, legal initiatives, exchange of information, mutual participation in relevant activities, etc.

# Chapter I
# GENERAL NOTICE

It is known that according to the provisions of the Law on Consumer Protection, consumer is any natural person who buys and uses goods or services to fulfil their needs, for purposes that have no connection with commercial activity, or the reselling of such commodities.

Consumer protection, for each country or organized society, is not only an important and special ponderous field and issue but also a relevant and permanent influential component in processes and courses of intensive economic and social development. Therefore, the engagement of competent factors in advancing the consumer position and rights means not only expiate of lawful and institutional constraint but civilized and human as well.

Consumer protection, thus, is dealing with creating a safe environment or social guarantee that all the products and articles that they wish to purchase regarding their personal and their family's exclusive needs are qualitative and safe.

Consumer protection means fair, complete and comprehensive, and adequate protection of consumer rights in the field of education, information and other fields and protection from different causes, influences, fraudulent activities, substances and complicated factors, which in the daily life of the consumer have the potential to endanger consumers life, health, environment and family.

The level of development of the consumer rights basically is a result of a certain level and in definite circumstances and environment of the overall economic and social development of the country, which means it's a characteristic of developed and democratic countries.

## 1.1. Background on basic consumer rights

When it comes to commercial products of the manufacturer, namely in relation to the faulty/damaged products or fraudulent reclamation, in the mid twentieth century, namely the sixties are known as the commencement of concrete steps on the process of consumer protection.

The whole process commenced on 15 March 1962, when former President of the United States, John F. Kennedy, presented the speech in one of the meetings of the Congress of the United States, where for the first time (by a politician of such level) were edified the consumer basic rights (basis of the later laws towards the Consumer Rights) in relation to the four basic pillars: the right on safety; the right to be informed; The right to choose; and the right to be heard.

Subsequently, the United Nations, through the Consumer Protection Guidelines, decided to extend these basic rights, by adding four additional pillars (right to fulfilment of basic needs, the right to compensation, the right to education, and the right to a healthy environment), which thereafter or as a result, International Consumer (NGO-International Federation), as the only independent global authority for consumer right, decided to adopt these rights as an act or basic statute towards the consumer right, and simultaneously mark the 15 March (in honour) as the International Consumer Rights Day.

Consumer protection is an extremely dynamic area in the European Union, which often predisposes new measures; therefore this is sufficient reason to act jointly with all national authorities (governmental and non-governmental organizations) in the domain of Consumer Protection.

The history on Consumer Protection begins with the signing of the Treaty by the representative states for establishing the European Union in Rome in 1957, where as a result, by the end of 1973, was adopted the European Charter for informing and protecting consumers, respectively their rights of: protection from life risks; protection of health and property during the receipt of market products/services; legal protection and state support; information and education; accession in associations for the purpose of protecting their interests; representation in decision-making bodies dealing with the rights and interests of consumers.

Within these principles, until now the European Community has managed to establish a substantial legislation on Consumer Protection, always in compliance with development trends, circumstances, needs, demands and interests of consumers, as well as readiness and compliance for progress by EU Member States.

These very years, i.e. in the seventies of the last century, are known for making tangible progress, where among other things, the policy for Consumer Protection was formalized as a European Union policy. The Amsterdam Treaty (1979) continuously sets the foundation of basic Consumer Protection rights as an integral part of EU member states policy.

In an overall positive and creative situation, particularly in EU countries, Consumer Protection shall be advanced and developed in the international plan as well. Based on this, and the spirit of the Resolution no.39/248, the United Nations General Assembly on 09.04.1985 approved the Directive on Consumer Protection, which provides governments with frameworks and opportunities for drafting and implementing relevant policies and legislations for consumer protection.

### 1.2. Consumer rights and obligations

Consumer rights may be restricted in exceptional cases, in order to protect the general interest and safety of the state, living environment and human health, but not in a way that puts consumers in an unequal position. Within this concept, the basic principles on which consumer protection policies are built and implemented in the European Union, fundamental consumer rights, gradually and over time, have reached extensions across many platforms, such as:

1. The right to protect the life, health, environment and economic interests of the consumer;
2. The right to consumer information and education;
3. The right to represent their interests;
4. The right to organize in consumer associations to protect their interests;
5. The right to complain;
6. The right to legal protection;
7. The right to compensation, in certain cases also for compensation;
8. The right to use public services;
9. The right to receive services in a language understandable to the consumer

In the context of these rights, explanations are given below of what each means:

1. ***The right of economic interests*** – consists of "the freedom of choice" and "the right to fulfilment of basic needs". Thus, initially, the "the freedom of choice" between product offerings mean`s that the consumer must be offered or have a variety of options offered by different companies, from which he can choose. In this regard, the Government should take many steps to ensure availability of a healthy and open environment for competition, through legislation.

2. ***The right to fulfilment of basic needs*** was only achieved in 1985, when the United Nations, through a special guideline, has expanded rights thereby establishing a total of eight instructions towards consumer basic rights. In this case the consumer right towards economic interests initially provides the fulfilment of consumer basic needs. In summary, this right requires people to have access on basic/essential goods and services, adequate food, clothing, shelter, health care, education, public services, water and sanitation.

3. ***Consumer Right to safe products*** – For the purpose of formalization of this right, the main contribution at that time was manifested by the Federal Government of the United States, respectively Commission on Consumer Food Safety, which is an organization with jurisdiction over thousands of commercial products, with competences that enables setting of performance standards and requires product testing and warning labels. The EU has issued rules to help consumers, and ensure that the purchased products are safe. The safety of goods is based on a principle that should encompass the entire chain, i.e. "foodstuff chain", in order to guarantee safety. EU food security laws, *inter alia* foresee procedures on: how farmers should produce food; how food is processed; what colours or additives might be used on them; and how to sell food as a market ready product.

4. ***Consumer Right to Safe Products*** – includes the right to a sound environment, which entails the possibility of choosing to live and work in a non-threatening environment to welfare, now and in future generations. However, it is worth mentioning that the awareness of society in relation to the promptness, weight and other negative effects towards the environmental degradation cannot be considered to have advanced sufficiently in the time of drafting the agreements to guarantee the addressing of ecological concerns.

5. ***The Right to complain***– This represents the consumers' possibility to express their claims and concerns about the products and services so that the matter is treated with efficiency and responsibility, in a positive way. At the same time, they must be prepared to deal with parties who have provided products or services to consumers in violation of applicable law. The consumer also requires the right to complain through national non-governmental organizations, whose agenda envisages the protection of consumer rights and interests.

   Every consumer who claims that his rights have been violated by manufacturers, traders or other service providers has the right to file a complaint. This right represents the opportunity for consumers to express their dissatisfaction and concerns about products and services, in such a way that the issue is handled efficiently and responsibly, in a positive way. At the same time, they must be prepared to deal with parties who have provided products or services to consumers in violation of applicable law.

6. ***The Consumer Right to Compensation and practical approach*** – The right to rectification represents the possibility of the consumer to make legal claims and receive fair review/settlements, including compensation for distortion of supply, low quality goods and/or non-satisfactory services.

7. ***Consumer right for information, education/training and awareness*** – Consumer information is not just a relevant modality and a component with influence in the field of consumer awareness and education but also a basic right, which, *inter alia*, the state is obliged by the Constitution and laws to ensure and make available to them. Informing consumer is not only to their benefit but rather to the benefit of the entire society. Fair and continuous information, among other things creates a much higher level of trust towards manufacturers and service providers, i.e. the market, and also towards the state and consumer society.

   There is a clear distinction between consumer education and consumer information. While education addresses the process of attaining knowledge and abilities to understand and manage consuming resources to an adequate level and manner and undertake corresponding steps, information on the other hand deals with data on particular products that affect the decision whether or not to purchase and consume a particular product. Consumer education has a key and critical role in consumer effective usage of information, as a relevant component of protection. The relevant sources of consumer information are the primary, current and necessary information from the media; different forms of professional, resource-based or even syndicate organizing; professional literature; contacts with institutions, civil society, advisories; seminars, symposiums, conferences, roundtables and tribunes. On the other hand, consumer education should be included from the preschool institutions to university and post-university studies. Civic education, with a special module/curriculum on consumer rights and care should be provided in schools of primary and secondary education. The main subjects of this component are: Basic concepts of consumer consumption, consumer and consumer protection policies; role of the Government and other competent institutions in consumer protection; consumer rights as human rights; the role and importance of social and moral awareness towards protection and performance of consumer rights according to Kosovo legislation, etc.

8. ***Consumer right to be heard and associate/lobby***– The consumer's interest to be heard and associate is a society-wide interest, with a multidimensional positive effect, extent, and weight in terms of the country's best interest. This right reflects in the consumer awareness but also in its partnership with the state. The Consumer does not have only to buy and spend, and remain indifferent and a bystander of the circumstances, events and developing processes. He should remain active, contributory and co-operative in protecting his position.

9. ***Other rights***– This entails rights in relation to technological or contemporary developments, which must be respected as a current right, as: The right to the freedom of choice, knowledge and cultural diversity; the right of "technical neutrality" principle (that protects consumer rights in digital environment); the right in profit from technological innovations (new technologies); the right of interoperability regarding contents of the technical device (CDs, etc.); the right for protection of privacy and the right not to be incriminated.

10. ***Consumer obligations and responsibilities*** – The consumer is not free of obligations and responsibilities regarding this field. Consumers are required to be continuously attentive about products he or she consumes and purchases for his family and himself and must follow developments in the market economy. In reference to this, consumers is required to be aware, informed, educated and attentive in order not to fall victim of abuse, risk of health or other forms of possible misuses from the market.

Consumer protection is also defined in EU laws and best practices, reflected in the ten consumer protection principles. With regard to consumer protection, these principles reflect the fundamentals, which then translate into EU legal acts, which effectively protect every citizen of the Member States as a consumer, no matter where he/she operates, works or is located. The basic principles of EU consumer protection, include:

1. **Buy what you want, where you want**: … unless forbidden by law (e.g. purchase of fire-arms, drugs etc.); EU laws grant consumers rights to purchase without having to worry about paying customs duty or additional VAT when you return home.

2. ***If it doesn't work, send it back:*** Under EU law, if a product bought does not conform to the agreement you made with the seller at the time of purchase, the product can be sent back and repaired or replaced. Alternatively, one can ask for a price reduction, or a complete refund of money. This applies for up to two years after delivery of the product. And for the first six months after delivery, the burden of proof is on the seller – not the consumer – to prove that the product sold conformed with the contract of sale.

3. ***High safety standards for food and consumer goods:*** The EU has laws to help ensure consumers that products bought are safe. The food safety is based on the entire chain, "food chain" in order to guarantee the safety. (How food is produced, processed, what

kind of colours or additives can be added and how it would be ready for market). The EU's safety laws on other consumer goods (toys, cosmetics, electrical equipment etc.) envisage special rules as well.

4. ***Know what you are eating**:* Full details regarding ingredients used in producing food should be written on the label along with other details as: colouring, preservatives, sweeteners and other chemical additives used. If an ingredient is one to which some consumers may be allergic it must be marked on the label even if the quantities used are very small. EU laws also enable consumers to know whether the food is modified genetically or when it contains genetically modified ingredients.

5. ***Contracts should be fair to consumers**:* EU laws prohibit certain kinds of unfavourable terms of contracts for consumers.

6. ***Sometimes consumers can change their mind**:* The EU law protects consumers also from any kind of abusive doorstep sale as well purchase through internet. There is a general principle that such a contract may be annulled in fourteen working days, with some exception such as insurance contracts or low cost purchases.

7. ***Making it easier to compare prices**:* EU law requires supermarkets to give consumers the "unit price" of products.

8. ***Consumers should not be misled**:* Advertising that misleads or deceives consumers is prohibited under EU law. Loan and credit card companies must, under EU law, give full details in writing of any credit agreement consumers enter into, including information on how much interest is to be payed, how long the agreement will last and how can it be cancelled).

9. ***Protection while you are on holiday:*** According to the EU laws, package tour operators must have arrangements in place to get you home in case they go bankrupt while you're on holiday. They must also offer you compensation if your holiday does not correspond to what they promised in their brochure.

10. ***Effective redress for cross-border disputes**:* Consumers must have the right to seek out the best deals anywhere in Europe. European Consumer Centres Network is EU-wide networks that promotes the consumer confidence by advising citizens on their rights as consumers in the EU and help them to solve eventual disputes.

## Chapter II

### 2. 2021-2025 PROGRAM PRINCIPLES AND ORIENTATIONS

The fundamental principles, on which consumer protection policies are built and implemented in the European Union, are cornerstone of the Consumer Protection Programme 2021-2025. The European Union, as an advanced regional organization, particularly as a free market and among the largest markets in the world, having seriously considered the economic development dynamics inside and outside its structure, has paid utmost attention to consumer protection.

In this regard, this organization has established and proclaimed special principles, which though different legal acts, including therein the tens of directives, ensure advancement of the level and quality of European consumer protection. However, it should be emphasized here that the Kosovo institutions should adopt these principles, while necessary provisions of the European Union directives should be incorporated within our laws so that by satisfying the necessary criteria and achieving contemporary, humane and democratic standards, we as a country can become a member of the European Union as soon as possible.

First, this is for the good and benefit of our citizens, but also because of our serious and continuous goals and endeavours toward European and Euro-Atlantic integration. The principles and orientations of the 2021-2025 Program, in accordance with the fundamental principles and orientations on which consumer protection policies are built and implemented in the European Union, are as follows:

1. ***Principle of priority****:* means undisputed consumer right. Their needs, demands and interests must be treated with priority by the policy enforcing authorities, as we are dealing with the most vital issues of the population.

2. ***Principle of cooperation, coordination, responsibility and accountability****:* means the permanent and multidimensional involvement, commitment, cooperation and sensuality of all factors and subjects that deal with consumer issue.

3. ***Principle of efficient and effective supervision****:* means the continuous quality, professional and institutional control.

4. ***Principle of inclusiveness:*** means the commitment, coordination and cooperation of all legal competent factors and actors, including those motivated, willing and interested to participate in active and contributory way in advancing the field of consumer protection. These subjects are: central and local institutional bodies, business community and associations or those of civil society dealing with consumer protection etc.

5. ***Principle of prevention:*** This principle is implemented by competent bodies for consumer protection policies enforcing through general and special preventive measures. The concerned principles intents to prevent, through legal ways and efficient and

permanent measures, the risk against the health and life of the consumers. The control of goods and services should be organized and planned properly and in a timely manner in order to prevent risks against the life, health and welfare of the consumer, maintain a fair, equilibrated and prosperous market, and also to protect the nature and maintain a clean environment, which is guaranteed under the Constitution.

### 2.1. Consumer protection policy in Kosovo

In addition to the European Union's basic consumer protection principles, this program is also based on the constitutional and legal basis; the state's obligations; obligations and responsibilities of producers, traders and other service providers; as well as civil society activities in consumer protection.

The state and institutions of Kosovo are obliged by the Constitution and laws to ensure the full implementation of consumer rights. In this context, consumer protection also represents a constitutional category, in the sense that the Constitution of the Republic of Kosovo, with the provisions of paragraphs 3 and 7 of Article 119, precisely and explicitly guarantees consumer protection.

All policies mentioned in this program, in one form or level burden and oblige other ministries, agencies, bodies and institutions to fully implement the legal provisions, which are related to consumer protection.

It is a continuous imperative, duty and responsibility of Kosovo institutions to do more in changing the state of play and acceleration of a more qualitative and substantial development of the consumer protection in the future. These efforts and activities should be carried out continuously, in a multi-dimensional and coordinated way with all interested, competent participants and factors, to undertake advancing measures in full compliance with the priorities submitted below and with dynamics of this Programme.

The state and its competent institutions are also obliged to protect manufacturers, traders and service providers, where this institutional duty of state bodies and authorities is more related to entities which with their products, good behaviour and quality of services provided correctly fulfil legal obligations, both to the state and to consumers. Thus, manufacturers, traders and service providers, in addition to institutional structures, have and should have the attention, care, respect and responsibility to consumers.

The role, activities and importance of various civil society entities in the field of consumer protection is special and of particular importance. Currently, the voice of consumer associations in Kosovo is not at the level that the citizens would like for it to be. This means that the associations in Kosovo have not been properly structured or organized so far. However, as the law on consumer protection allows for the expansion of consumer protection associations network, it will be necessary for the civil society to be helped with various projects and other forms in the future through this Programme, respectively those who will implement it in the field, in order to be more organized to function more actively in the field of consumer protection.

Based on all relevant indicators and surveys, observations and findings, respectively several years of experience of field inspectorates, electronic and print media, as well as the citizens themselves and civil society in general, consumer protection requires increased activities and commitment.

### 2.2. Legal basis for consumer protection in Kosovo

In the past, in terms of consumer protection, Kosovo has a modest experience. The legal activity of Kosovo's institutions and international ones on drafting norms and regulation of consumer protection matter, began gradually only after 1999.
Otherwise, this very important area for every citizen of Kosovo is currently regulated by more than 30 laws (including other bylaws). The legal acts that regulate this matter will be elaborated in more detail in the following extension of this program.

Regulation of the legal field on Consumer protection in Kosovo has commenced in 2004, respectively under the interim administration of UNMIK, through Law 2004/17 on Consumer Protection, based on:

1. Regulation No. 2001/ 9 dated May 15, 2001 of Constitutional Framework on Interim Self-Governance in Kosovo (Chapter 5.1 (d), 5.7, 9.1, 9.3.3, 11.2),
2. Regulation No. 1999/ 1 dated July 25, 1999 on the Authority of Interim Administration Mission in Kosovo of United Nations supplemented by UNMIK Regulation No.1999/24 dated December 12, 1999 on the law applicable in Kosovo aiming at consumer protection and free market in Kosovo.

The amendment and supplementation of the Law 2004/17, was done in 2009 (03/L -131), at the time when Consumer Protection was still an office/part of department of trade at the Ministry of Trade and Industry. The main purpose of this amendment was establishment of the Council for Consumer Protection.

With the further amendments of the Law 2004/07, through the Law No. 04/L – 121 during 2012, as it is known were envisaged a series of amendments, particularly regarding duties of sellers, manufacturers and suppliers, respectively the current law includes new concrete fields besides the consumer right such as: sale through action, price discount, sale at open markets and defective goods, public services, payments, contracts, financial services, advertisements, unfair conditions, trade practises, online purchase, informing and education, settlement of disputes and collective protection.

If we review the state of consumer protection in terms of legislative infrastructure, taking into account all dimensions in comparison with the relatively short time and considerably difficult circumstances of transition and consolidation, we would realize that the infrastructure should serve as a good base for further advancement of state of protection of constitutional and legal rights of Kosovo citizens, respectively consumers, through the current law in force 06 / L-034 approved in 2018.

The current applicable law (06 / L-034) further regulates this area along with the two main pillars, such as harmonization with current EU legislation, as well as national laws related to consumer protection, especially with that of the Market Inspectorate, respectively in relation to the handling of complaints. Other important amendments envisaged by the Law 06 / L-034 are related to Council of Consumer Protection as follows: increase the number of members of the Council on Consumer Protection from the different fields of public institutions, independent experts and civil society; the council meetings to be held every three months, while the reporting of the Council is done on an annual basis.

Harmonization with the EU's current legislation, inter alia, has had as a main priority all (current) directives which regulate the field of consumer protection in the EU in terms of trade relations, on which the current Law on Consumer Protection is relies, such as:

1. 97/7/EC on the protection of consumers in respect of distance contracts;
2. 98/6/EC on consumer protection in the indication of the prices of products offered to consumers;
3. 98/27/EC on injunctions for the protection of consumer interests;
4. 1999/44/EC on certain aspects of the sale of consumer goods and associated guarantees;
5. 2002/65/EC concerning the distance marketing of consumer financial services;
6. 2005/29/EC concerning unfair business-to-consumer commercial practices in the internal market;
7. 2006/114/EC concerning misleading and comparative advertising;
8. 2008/48/EC on credit agreements for consumers;
9. 1999/34/EC, on approximation of laws, regulations and administrative provisions of member states concerning liability for defective products;
10. 2011/83-EU 'Directive on Consumer Rights.

Through the Law on Obligational relationships (Ministry of Justice), as well as the Law on Tourism and Touristic Services (Ministry of Trade and Industry), are covered two other EU Directives which regulate the field of consumer protection in terms of trade relations (contract and guarantee), namely:

1. Directive on liability for defective products – 85/374/ECC
2. Directive on Package Travel (travel, vacation and tours)– 90/314/ECC

Furthermore, the quality infrastructure related to consumer protection in Kosovo consists of a series of laws which are directly or indirectly related to the implementation of Law no. 06 / L-034 (2012) on Consumer Protection, such as:

1. Law on Technical Requirements for Products and Conformity Assessment;
2. Law on Standardization;
3. Law on Metrology;
4. Law on Internal Trade;
5. Law on External Trade;
6. Law on General Product Safety;
7. Law on Tourism;
8. Law on Market Inspectorate;

9. Law on Health Inspectorate;
10. Law on Sanitary Inspectorate;
11. Law on Inspection of Education;
12. Law on Construction Product Inspectorate;
13. Law on Inspectorate of Environment;
14. Law on Food;
15. Law on Tax Administration and Procedures;
16. Law on Safety and Health at Work;
17. Law on Prevention and Fighting Against Infectious Diseases;
18. Law on Environment Protection;
19. Law on Central Bank of Kosovo
20. Law on Independent Media Commission;
21. Law on Tobacco Control;
22. Law on Integrated Prevention Pollution Control;
23. Law on Municipalities in the Republic of Kosovo
24. Law on Road Transport;
25. Law on Civil Aviation;
26. Law on Energy Regulator;
27. Law on Electronic Communications;
28. Law on Water and Waste Regulatory;
29. Law on Arbitration etc.

### *Alternative Dispute Resolution (ADR)*

When dealing with the current legislative infrastructure in Kosovo, we should mention the fact that a lot of work has been done to address the full implementation of the consumer rights. But, it is worth mentioning that in Kosovo there is still no developed and complete system known as “Alternative Dispute Resolution’’ in relation to Consumer Protection, which would be in accordance with existing recommendations of the European Commission.

The ADR offers a faster and cheaper alternative to the judicial system, in cases where disputes cannot be resolved directly between the consumer and the business, or through administrative procedure (competent inspectorates). The availability of ADR is considered to further strengthen consumer confidence and protection.

The ADR undertakes to resolve disputes without undergoing court procedures, such as through arbitration, mediation or negotiation. ADR procedures are usually less costly and faster. They are increasingly being used in disputes that would otherwise result in litigation, including personal injury disputes.

One of the main reasons that parties may prefer ADR proceedings is because, unlike contentious cases in the Courts, ADR procedures are often more cooperative and enable the parties to understand each other's positions. The ADR also enables parties to come up with more creative solutions, which the court may not have the legal opportunity to decide.

The aim is to achieve a higher level of consumer protection through the ADR, and thus contribute to the proper functioning of the internal market, ensuring that consumers may, on a voluntary basis, file complaints, against traders, with entities that provide independence, impartiality, alternative, transparent, and effective, prompt and fair procedures for resolving disputes. This concept is without prejudice to national legislation making it mandatory to participate in such proceedings, provided that such legislation does not prevent the parties from exercising their rights of access to the judicial system.

Despite the fact that so far, Alternative Dispute Resolution between consumers and traders has never been practiced in Kosovo, the mediation process has a longer tradition in Kosovo, as it has been practiced throughout history in custom law. The main difference is in the role of mediator, who has traditionally had authority over the parties, so the parties have acted according to the mediators.

Unlike the traditional one, modern mediation is focused on regulating the future between the parties, and not the past, which can only be treated at the level that serves to regulate the future. Thus, modern mediation in Kosovo is regulated by Law No. 03/L-057 on Mediation, which sets the basic boundaries of mediation procedures in Kosovo. The main guidelines of the Law define mediation as the official mechanism for alternative dispute resolution in Kosovo, where at the same time determines the body at state level that is responsible for monitoring the development and regulation of the proper functioning of mediation (Mediation Committee).

The formal mediation process in Kosovo is allowed to be conducted only by certified mediators, whose names appear on the official website of the Ministry of Justice. National mediators, through the sub-legal act, are allowed to be trained by international donor organizations such as USAID, UNDP and a group of NGOs present nationwide that are active in the field of mediation. After the training the mediators are certified by the National Mediation Committee.

Practically, mediation within the current legal framework in Kosovo has started since 2011, when specifically through several bylaws that regulate the field and provide a higher support of international organizations, or more specifically when USAID, UNDP and the Berlin Centre for Integrative Mediation funded the opening of mediation centres in seven centres in Kosovo, namely Prishtina, Prizren, Peja, Gjakova, Gjilan, Ferizaj and Mitrovica. At the same time, they provided training with external experts who led to the certification of mediators in Kosovo. USAID supported mediation centres in Peja, Gjilan, and Prizren; UNDP in Prishtina, Ferizaj and Gjilan; While CSSP in Mitrovica.

Mediators receive fees for their activities, which are paid by the parties when they voluntarily refer to mediation, while when cases are referred by courts and prosecutors, mediator fees are covered by these institutions. In addition, in Pristina there is a mediation coordinating body that coordinates the overall work of all regional mediation centres in Kosovo. The cases handled by this structure of the organization are of different natures and are referred by the courts, the prosecution or when the parties go to these centres.

Another active institution in the field of mediation is the NGO ‘Partners-Kosova (Centre for conflict management), with long experience in mediation. Services are related to family mediation, property, businesses, blood feuds or other disputes. The centre provides a small fee for professional dispute mediation. This organization is partially involved in non-official (informal) mediation processes between the parties. Partners Kosova is member of Partners for Democratic Change Network and also is member of South East European Mediation Forum, and had managed to become an Internationally Licensed Mediation Centre in Kosova.

Arbitration, in the context of alternative dispute resolution in Kosovo, is again mainly supported by USAID. Two arbitration institutions within the Chambers of Commerce are supported by USAID: Kosovo Permanent Tribunal of Arbitration (within the Kosovo Chamber of Commerce) and the Arbitration Centre which is operational within the Centre for Alternative Dispute Resolution (within the American Chamber of Commerce).

Both of these institutions deal with commercial matters, when the parties voluntarily refer to them, or through the parties when in contract clauses, they establish arbitration centres as institutions for resolving any possible dispute in the future. No other official arbitration centre is currently known to operate in Kosovo. It should be noted that foreign and international arbitrators also serve within these institution, as well as that these arbitration centres have agreements with various states and international organizations. The parties who use the services of these centres pay certain fees per arbitration hearing, and depend on the monetary assessment of disputes between the parties.

If we are to make an assessment of arbitration in Kosovo, we can see that it has a history of application and that it has evolved over time, while as an institution it was established after 2008. The main reason for this is said to be the low awareness of the parties about the arbitration and the low initiative of the courts to refer a larger number of cases to arbitration, despite the fact that the vast majority of arbitration cases, as evidenced by the Ministry of Justice, are referred by courts and prosecutors. Therefore the level of referrals is considered to be low, given the fact that the Kosovo judicial system and courts are overloaded with cases.

The Ministry of Trade and Industry (Consumer Protection Department) is the body responsible for drafting the legal framework in the field of alternative dispute resolution for Consumers, based on the priorities of the Government of Kosovo, respectively Government-approved Consumer Protection Programme (2016-2020), as well as the purpose of addressing the practical problems that arise, while offering simple, quick and low-cost out-of-court solutions to disputes between consumers and traders.

On 07 September 2020, with protocol number 5974, the Secretary General of MTI established the working group for drafting the initial draft of the Concept Document in the Field of Alternative Dispute Resolution. This concept document is also included in the list of Concept Documents for 2020.

The purpose of this Concept Document was to propose the most adequate option to address the main problem identified by the working group, a problem that creates difficulties in the free functioning of the market and consumer protection. By transposing the Directive 2013/11/EU

(Consumer ADR Directive), as well as Regulation (EU) No. 524/2013 (Regulation on Online Dispute Resolution for Consumer), the ultimate goal is to achieve a higher level of consumer protection, at the same time to contribute to the proper functioning of the internal market, ensuring that consumers may, on a voluntary basis, file complaints, against traders, with entities that provide independence, impartiality, alternative, transparent, effective, prompt and fair procedures for resolving disputes.

The harmonization of this EU directive and regulation does not prejudice domestic legislation, which makes participation in such proceedings mandatory, provided that such legislation does not prevent the parties from exercising their right of access to the judicial system.

Thus, relying on the findings issued by the competent authorities of the Ministry of Justice during 2020 (specifically during the process of drafting the concept document for ADR), it has been decided that this competence, i.e. the issuance of normative acts related to the ADR, belongs to the Ministry of Justice.

## Chapter III

## 3. INSTITUTIONAL FRAMEWORK, RESPONSIBILITIES AND PRIORITIES

### 3.1. Assembly, Government and Ministry of Trade and Industry (MTI)

Based on the Constitution of the Republic of Kosovo, the Assembly is a legislative institution, directly elected by the people. The Assembly also oversees the work of the Government and other public institutions, which report to the Assembly in accordance with the Constitution and laws.

The Ministry of Trade and Industry is the competent body of the Government of Kosovo that regulates the organization and functioning of the structure responsible for consumer protection. The Ministry of Trade and Industry has drafted Regulation No. 29/2012 on Internal Organization and Systematization of Jobs of the Ministry of Trade and Industry, which established the Department for Consumer Protection. Among the main goals of the Ministry of Trade and Industry in creating genuine consumer protection policies are the following:

- Drafting of Consumer Protection Programmes, respectively strategies, where as a result, the Consumer Protection Programme 2016-2020 was recently drafted.
- Approximation of local legislation with that of the EU, starting from the Law on Consumer Protection, then other laws that in one way or another regulate the field of consumer protection;
- Raising consumer awareness about their rights;
- Creating an efficient administrative framework in cooperation with consumer protection associations, to address various issues related to consumer protection, such as receiving complaints, addressing them and advising consumers.

### 3.2. Consumer Protection Department

The Consumer Protection Department, under the umbrella of the Ministry of Trade and Industry, bears the responsibility of coordinating work between stakeholders, within four main areas/responsibilities:

- Coordination of policies through the Council and respectively the "Consumer Protection Programme";
- Drafting and implementing primary and secondary legislation in the field of consumer protection;
- Information campaign for raising consumer awareness of their rights;
- Administration of complaints, as a coordinating body between the consumer and the implementing bodies of the relevant Laws on consumer protection (competent inspectorates).

Referring to Regulation 09/2012 (On the reorganization and systematization of work items in MTI), respectively the current Law 06/L-34 on Consumer Protection, the main bearer for the drafting of policies and legislation for consumer protection in Kosovo is the Consumer

Protection Department within the Ministry of Trade and Industry, respectively, referring mainly to the recommendations arising from the 'Council of Consumer Protection's Program', which intends to include all recommendations from stakeholders.

### 3.3. Government Strategies

The main goal of the consumer protection policy of the Government of Kosovo is to improve the situation in the field of consumer protection, as a precondition for the free functioning of the market, consumer protection and enabling fair competition. By advancing the legal framework, the aim is to achieve higher compliance with the standards and practices of the European Union. This policy contributes to meeting the priorities of economic and institutional reforms arising from strategic documents, namely linking to relevant documents, such as:

***SAPD (Stabilization and Association Process Dialogue - March 2012)*** – In recent years, relations between the Republic of Kosovo and the European Union have steadily improved, as reflected in the regular Stabilization and Association Process Dialogue (DPSA), which has been operating since 2005, and aims to bring to live the country's prospect of EU membership. The recommendations (challenges) from the European Commission, referring to the last report (March 2015), the SAPD for the Department of Consumer Protection has, inter alia, set to draft the Consumer Protection Programme for the period 2021-2025 (K4-2020).

***SAA (Stabilization and Association Agreement)*** – In its form as a continuation of SAPD, the SAA reflects the successful finalization of the negotiations between Kosovo and the EU through this agreement finalized in May 2014, respectively July 2014, with its initialling by the Chief Negotiators. The ratification of the SAA by the EU institutions and conclusion/signing by the Kosovo and EU authorities was done in 2015. Referring to this agreement, directly or indirectly, on this occasion we are mentioning the following:

> ***Article 1 of the agreement*** – starting from the general goals of the agreement. Then, more specifically in Chapter IV of the agreement ('Approximation of Kosovo law with the EU Acquis, Enforcement of Competition Law and Rules'), specifically Article 81, which explicitly mentions consumer protection, based on the following principles: active consumer protection policy, in line with EU law, including increasing information and development of independent organizations in Kosovo; harmonization of consumer protection legislation in Kosovo with the existing one in the EU; effective legal protection for consumers in order to improve quality of consumer goods and maintain appropriate safety standards; monitoring the rules by the competent authorities and ensuring access to appropriate legal compensation in case of disputes; exchange of information on dangerous products.

***National Plan for harmonization of the Acquis*** – The implementation of the SAA requires more comprehensive reforms of the economic and political system in the Republic of Kosovo. Such reforms and harmonization of domestic legislation with the EU Acquis require the commitment of all institutions in Kosovo. The process of fulfilling obligations for adaptation to the membership or association conditions will be from the onset related to the process of regulating the general system against the criteria for full membership. To achieve this goal, it is necessary to develop an overall EU integration, national strategic framework to gradually achieve approximation with the EU at all levels. In this regard, the Government of Kosovo has prepared the National Programme of the Republic of Kosovo for Adoption of Acquis (NPAA). Its scope is projected to be much broader than the current government strategic documents to date. The NPAA is envisaged as a comprehensive and guiding document of the Government of the Republic of Kosovo in its European membership process, starting with the implementation of the SAA, and continuing with the aim of applying for candidate status, until the country's final membership in the EU. The NPAA itself contains a special chapter related to the aspect of consumer protection, more specifically, chapter 28: Consumer and Health Protection. On 23.07.2015, was held the regular meeting for the drafting of the NPAA, whereby on this occasion were unveiled objectives in relation to the approval of the EU Acquis on consumer rights, thus supplementing the Kosovar legislation in accordance with the European Directives related to consumer protection.

***Consumer Protection Programme*** – The Consumer Protection Programme, which has passed the approval process (period 2016 - 2020), has foreseen the effective implementation of the legislation, respectively the transposition of all European directives related to Consumer Protection.

*Table: Relevant Government Consumer Protection Objectives*

| **The purpose of the policy** | **Name of relevant planning document (source)** |
|---|---|
| **Strategic** - Further development of Consumer Protection and Quality Infrastructure | *Consumer Protection Programme (2016 - 2020)*<br>*MSA, PKAA, PVPQ, NPISAA*<br>*Private Sector Development Strategy 2019-2021* |
| **Specific** - Approximation of Kosovo legislation with that of the EU in the field of Consumer Protection. | *Consumer Protection Programme 2016 -2020*<br>*MSA, PKAA, PVPQ, NPISAA* |
| **Specific** - Capacity building in the field of Consumer Protection. | *Consumer Protection Programme 2016 -2020*<br>*MSA, PKAA, PVPQ, NPISAA* |
| **Specific** – Raising awareness on Consumer Protection and quality infrastructure. | *Consumer Protection Programme (2016 – 2020)*<br>*MSA, PKAA, PVPQ, NPISAA*<br>*Private Sector Development Strategy 2019-2021* |

### 3.4. Other institutional responsibilities

In addition to policy making and creating the legal basis, other institutional responsibilities, among others, are as follows:

1. ***Consumer information and education* –** Within the activities for information and education of consumers, it is known that various actions have been taken (mainly in the continuation of the activities by the Department for Consumer Protection), either through awareness campaigns, as well as through public communication. However, given all the commitments and activities, many of them as presented below, it is claimed that in the future the coordination between institutions will be stronger, so that consumer protection is developed in parallel in all possible areas.

2. ***Information and education activities*** – If consumer protection is considered as a multidisciplinary field that includes a broad range of fields, then we can conclude that the number of activities carried out in this regard could have been higher. However, when it comes to the field of information, the Consumer Protection Department is known to be engaged in a number of activities, such as:
   - Regular annual organization of Consumer Week, always in cooperation with other relevant bodies related to consumer protection, such as; State Inspectorates; Regulatory Authority for Electronic and Postal Communications (RAEPC); Energy Regulatory Office, Water and Waste Regulatory Office, Central Bank of Kosovo (CBK), Food and Veterinary Agency (FVA), as well as civil society organizations dealing with consumer protection;
   - Participation in various television debates;
   - Creation of TV commercials and their broadcasting on national televisions;
   - Broadcasting information messages related to consumer rights through various radios;
   - Forwarding informative SMS to all consumers in Kosovo;
   - Organizing roundtables related to current events.

   In terms of consumer education, although small in number of employees, the Consumer Protection Department has managed to carry out activities such as:
   - Organizing lectures in primary, secondary and university schools, in the main centres of Kosovo;
   - Organizing public debates in municipalities, including all ethnicities in Kosovo.

One of the most effective ways to raise awareness and continuous information of consumers is known public communication. In this regard, in recent years, public institutions in general have tried to implement more efficient approaches in terms of communication with the public. Communication with the public in Kosovo today is realized through various methods, the most common are known information materials or brochures, as well as through electronic media, a tool which already occupies an important place in achieving the objectives in terms of communication with the consumer.

Through promotional materials, it is usually intended to convey a specific message or information to consumers. In this regard, the Consumer Protection Department during this five-year period has printed and distributed hundreds of thousands of leaflets, brochures, notebooks, pens, etc. Also, it is known that posters of different shapes and sizes have been prepared and printed in relation to consumer protection, being displayed in all major centres of Kosovo.

In addition to having posted various brochure information on the website, the Consumer Protection Department has also posted non-food products classified as dangerous for consumer use on the Department's official *Facebook* account, where through, among other things, the department also communicates with consumers if they eventually seek any advice or have to express any concerns / complaints to submit.

In terms of electronic publications, inspectorates, regulators and all other authorities responsible for consumer protection are also known to have published information, both in terms of product safety and in terms of services provided to consumers.

### 3.5. Addressing problems - Consumer complaints

In relation to addressing consumer complaints (in cases where they claim that their rights have been violated), through the Consumer Protection Department, since the drafting of the program (period 2016-2020) and onwards, the receipt of complaints and communication with consumers is claimed to have been significantly advanced. First we are mentioning the fact that, while in 2016, through the Consumer Protection Department were addressed a total of 197 complaints, while in 2020 this number has increased fivefold, or there has been an increase of about 500% (i.e. during 2020 were addressed approximately 1000 complaint). This has happened mainly as a result of work within this department. More specifically:

1. Initially, all consumers had to physically report to the Ministry of Trade and Industry to file complaints. While today, over 90% of complaints and consultations are realized through the electronic platform (website of the Department of Consumer Protection);

2. From 2009 to 2013, calls could only be made by paid operators, but in order to further facilitate the way consumers submit complaints, a toll free number was initially made available to consumers who want to file a complaint via all telephone operators;

3. Almost every year (since 2015), around 900,000 consumer from the operator "Vala" were informed via telephone messages that they can access the number 0800-11000 free of charge, where they can be acquire advice about their rights as consumers, while in 2016, another 450,000 consumers from the operator "IPKO" were also notified through telephone messages, with regard to where they can address their problems should they face any violation in any of the fields. With that being said, massive campaigns have been conducted to informing consumers;

4. During the five-year period, thousands of phone calls are known to have been received from the Consumer Protection Department, and over 3000 complaints are known to have been handled in total;

5. The database for classifying complaints by fields has been improved, where their categorization can now be done more easily;

6. Through a new electronic platform, Consumers have been given the option to file complaints online (electronic form) in the official website of the Consumer Protection Department since 2015. The same (website) has been updated twice (2017 and 2019) for easier and direct access by the consumer to the Consumer Protection Department;

7. Since 2014, complaints are also received via the social network Facebook, the official account for consumer protection;

8. The handling of complaints before relevant authorities (inspectorates) has been further consolidated. In this regard, all complaints which are received by the department are sent to relevant authorities for review;

9. Due to ongoing meetings and communications between relevant authorities, a very efficient mechanism has been established for the exchange of information regarding consumer complaints;

10. In general, a significant improvement has been achieved in terms of consumer access to the responsible consumer protection authorities, i.e. settling their problems with the service and product providers.

### 3.6. Consumer Protection Council and Program

The work of the Consumer Protection Council is public and, among other things, is defined by the Law on Consumer Protection, which also emphasizes that it:

- Represents an advisory body on consumer protection policies;
- Has the Secretariat which carries out the technical works for the Council;
- operates based on the rules of procedure, which shall be developed by the Council;
- develops and implements the Consumer Protection Programme and reports to the Minister of MTI on the implementation of the Consumer Protection Programme, supports changes in the existing legislation and regulations;
- Participates in the development of consumer protection policy and reports to the Government of Kosovo for the cases of collective violations of consumer rights;
- Submits the annual report to the Government of Kosovo through the Minister of MTI.

The Government of the Republic of Kosovo, on the proposal of the Minister of MTI, appoints the members of the Consumer Protection Council. The Consumer Protection Council, through the Ministry of Trade and Industry, submits the annual report to the Government of

Kosovo. Also, on the proposal of the Minister, the Government approves the Consumer Protection Programme.

Within the framework as shown above, the Consumer Protection Council is an important instrument for market regulation, consumer protection. Currently, the Consumer Protection Council is represented by seventeen members, appointed by the Government, and chaired by a representative of MTI, with a five-year term, namely:

1. Representative of the Department for Consumer Protection - MTI (also chair of the Council);
2. A representative from the Market Inspectorate - MTI;
3. A representative from an NGO – ‘LENS’;
4. A representative from the Association (NGO) ‘Consumer’;
5. A representative from the Kosovo Chamber of Commerce (business association);
6. A representative from the Kosovo Business Alliance (business association);
7. A representative from the Food and Veterinary Agency;
8. A representative from the Central Bank of Kosovo;
9. A representative from the Water and Waste Regulatory Authority:
10. A representative from the Energy Regulatory Office;
11. A representative from the Electronic and Postal Communications Regulatory Authority;
12. A representative from the Independent Media Commission;
13. A representative from the ‘NGO – MTSD.O.O’;
14. A representative from the National Institute of Public Health of Kosovo;
15. A representative from the ‘NGO - Lëvizja Fol’
16. A representative from ‘Kallxo.com’ (organization for reporting violations and corruption)
17. A representative from the ‘GAP’ organization (organization for investigating government violations)

The Consumer Protection Council holds regular bi-monthly meetings, where they discuss topics related to the implementation of the Consumer Protection Programme, current market developments in Kosovo, as well as the negative phenomena that consumers face.

### 3.7. Implementation of the Consumer Protection Programme 2016-2020

The main responsibility of the Consumer Protection Council is to draft and monitor the Consumer Protection Programme. The vision of the 2016-2020 program of the Consumer Protection Council was "consumer empowerment", with the idea of strengthening confidence in an honest and competitive market, in which they (consumers) actively participate, exercising their rights and power of well-informed choice.

The main policies of the 2016-2020 Program were addressed in the context of "further development of consumer protection", in the following context:

1. Further harmonization of legislation
2. Strengthening and further development of administrative capacities

3. Consumer information and education - awareness of the consumer citizen, as a legal obligation, institutional, official, professional and ethical, in the joint implementation of projects.

With regard to the first objective (further harmonization of legislation), the implementation of the Consumer Protection Programme 2016-2020 has been achieved to a considerable extent.

With regard the objectives of further harmonization of legislation, set by the Consumer Protection Department, they have all been attained and this is considered to be a major achievement. The first reason for drafting the Law (current Law on Consumer Protection - 06/L-34) is addressing the need to approximate existing consumer protection law with EU legislation, in line with the requirements of the Stabilization and Association Agreement and the plan for implementation of the agreement. Upon harmonization of the Law with these directives, it is considered that all the requirements of the SAA have been met, so we are at the same level as European and international organizations insofar consumer protection is concerned. In this regard, the draft law is in line with EU legal acts as follows:

1. Unfair terms in the contract (Directive 93/13);
2. Indication of the prices of products offered to consumers (Directive 96/6);
3. Sale of consumer goods and related warranties (Directive 1999/44);
4. Trading financial services remotely (Directive 2002/65);
5. Unfair trading practices (Directive 2005/29);
6. Consumer loan agreements (Directive 2008/48);
7. Duration of use of timeshare, long-term holiday product, resale and exchange contracts (Directive 2008/122);
8. Interim legal measures to protect the interests of the consumer (Directive 2009/22);
9. Consumer rights in relation to contracts (Directive 2011/83).

Furthermore, based on the current Law No. 06/L-34 on Consumer Protection, a total of 13 Administrative Instructions have been foreseen, from which all of these Administrative Instruction have been fused, i.e. drafted and approved, and are the competence of the Consumer Protection Department, provided by this Law, specifically the following 6 Administrative Instructions:

1. Consumer rights - according to Articles 39, 44 and 48;
2. Consumer loans - according to Article 86;
3. Long-term products - according to Articles 104 and 108;
4. Handling of complaints - according to Article 117;
5. Collective Protection - according to Article 127;
6. Design of Logo for Consumer Protection - Article 137.

With regards to the Laws and Directives for strengthening MTI's competencies (mainly quality infrastructure components) such as Standardization, Accreditation and Metrology Agency, and Departments of Trade, Industry and Regulation of the Oil Market, currently (as foreseen) the following have been implemented/ have not been implemented:

1. Standardization Agency – have not been implemented: Law amending and supplementing Law No. 03/L-144 on Standardization;

2. Metrology Agency - have been implemented: The Regulation on Measuring Instruments; Regulation on Non-Automatic Weighing Instruments (NAWI);
3. Accreditation Directorate - The new law on accreditation has been drafted;
4. Department of Trade – have been implemented: Law on Anti-Dumping; Law on Safeguards; Law on Imports for Foreign Trade;
5. Department of Industry - have been implemented: Government AI on the authorization of conformity assessment bodies; Government AI on recognition of foreign documents for conformity; Regulation on Low Voltage Equipment; Regulation on Electromagnetic Compatibility; Regulation on safety of lifts in use; Regulation on gas appliances.
6. Department of Petroleum Market Regulation and Strategic Goods - have not been implemented: Draft Law on Trade in Petroleum, Petroleum Products and Renewable Fuels through; Administrative Instruction on permits; Administrative Instruction on fuel use; Amendment of the Administrative Instruction on fuels; Implementation of the Administrative Instruction on the manner of authorization of conformity assessment bodies.

Recently, in relation to the laws and Directives from the relevant institutions, as provided through the Program 2016-2020, we have the following situation:

1. Food and Veterinary Agency - have been implemented: full functioning of all regional offices and integration of municipal inspectors in the FVA, for food safety and quality, in order to coordinate work more efficiently; expanding the scope of accreditation of the Food and Veterinary Laboratory operating within the FVA, possibly with international accreditation
2. Food and Veterinary Authority - have been implemented: Amendment to the Law on Food No. 03/L-016; Amendment to the Law on Veterinary No. 2004/11; Drafting bylaws deriving from the Law on Food and the regulations of the Hygienic Package, dealing with food safety and quality, declaration, presentation and nutritional values of food.
3. Ministry of Education - have not been implemented: Drafting of guidelines for teachers on the topic "Consumer protection"; Development of teaching curricula for primary and secondary schools with the topic "Consumer protection";
4. Ministry of Justice –.... Drafting of the Civil Code of Kosovo (one of the main components of the Civil Code is the Law on Obligations, which regulates aspects of product warranty for consumers).
5. Regulatory Authority for Electronic and Postal Communications - have been implemented: Approval of the Regulation on the content of the contract, publication of information and protection of other consumer interests;
6. Energy Regulatory Office - have been implemented: Review and possible supplementation of the rule for resolving complaints and disputes in the energy sector; Review of quality standards of electricity supply and service;
7. Water and Waste Regulatory Office - have been implemented: Implementation of Law No. 03 / L-086 on the activities of water, sewerage and waste service providers; Drafting of the Regulation on Consumer Protection; Review of rules for the Consumer Advisory Committee; Review of Consumer Charter rules; Review of Rules for minimum standards of water service providers; Establishment of the Department for Consumer Protection.

8. Central Bank of Kosovo – have been implemented: Initiating and contributing to the revision and amendment of the Law on Banks; Contributing to the preparation of the Law on Microfinance Institutions and Non-Banking Financial Institutions; Review and supplement the grievance redressal procedure; Contributing to the revision and amendment of the Insurance Law; Initiate and contribute to the revision and amendment of the Law on Pension Funds; Reviewing and supplementing pension fund regulations; Drafting regulations for protection of financial service users.

When it comes to the second objective of the 2016 – 2020 Program, specifically "Further strengthening and development of administrative capacities", first and foremost the expansion of the Consumer Protection Department, once the Consumer Protection Council, has been foreseen. In relation to the Consumer Protection Department, this objective has never been achieved, mainly due to the fact that such a change could only be made by amending Regulation 09/2012 on Internal Organization and Systematization of Jobs of the Ministry of Trade and Industry. All this despite the fact that such an amendment to the Regulation has been initiated several times, where proposals by the CPD have never been absent, always based on the approved Government Consumer Protection Programme 2016-2020.

Regarding further development of administrative capacities of the Consumer Protection Council, we can freely state that this objective has been achieved even beyond forecasts. Otherwise, the Council currently consists of a total of 18 members, representatives from the main parties of consumer protection from public institutions and associations that have an impact in this field. So, we have a balance between the public sector and NGOs like never before.

Each year range of activities have been developed in relation to the third objective of the 2016-2020 program, specifically "consumers' information and education (awareness of citizen consumer, as a legal obligation, institutional, official, professional and ethical, in joint implementation of projects)", depending on budget and capacity.

The statistics of the Department can be used to understand more about how successful these activities have been. Starting with the gradual increase in the number of complaints (increase by 500% of complaints in 2020, compared to 2016). Moreover, the Consumer Protection Department (mainly supported by the EU 'Free Trade in Goods' project at MTI), during these years has conducted two surveys, namely in 2018, and most recently in 2020. The results of the last survey are presented in Annex 1 of this document.

In the analysis of the implementation of the 2016-2020 Program, we will list some of the main reasons for its incomplete implementation, such as:

- Lack of coordination in activities provided by the programme;
- Lack of measuring mechanisms showing the extent to which this program is implemented;
- Lack of financial means;
- Lack of proper coordination of competencies between central and local government.
- Lack of coordination of activities with civil society.

The failure to implement the 2016-2020 Program, due to the respective reasons shown above, has been and continues to be consequence of the lack of proper coordination between relevant departments, which should also serve as a measuring unit of programme implementation, but also contributed to genuine periodic reporting, as intended.

### 3.8. State Inspectorates and Public Service Regulators

Relevant inspectorates have the competence to inspect the standards of trade of goods and quality of services provided by economic entities in the territory of the Republic of Kosovo, overseeing consumers' risks.

The Market Inspectorate (IT) in the Republic of Kosovo operates within the Ministry of Trade and Industry, being responsible for overseeing the implementation of legislation in the field of consumer protection, safety of products and services, trade in oil and petroleum products, preventing unfair trade practices, fighting the informal economy, hotel and tourist services, etc. The main purpose of the Market Inspectorate is to work in accordance with applicable law, in order to assist businesses, organizations and consumers. The Market Inspectorate carries out its activity according to Law No. 04/L-186 on Inspectorate and Market Surveillance, and has its headquarters in the Ministry of Trade and Industry, as well as offices in all municipalities of the Republic of Kosovo, with a total of 120 market inspectors. The Market Inspectorate is responsible for overseeing the implementation of 15 laws and over 30 bylaws, as well as directives and the new and global approach of the European Union, transposed by MTI.

In the absence of consumer advisory centres, part of the duties and responsibilities of the Consumer Protection Department is the direct coordination of work with competent authorities (State Inspectorate for Market Surveillance and Public Services Regulators, in relation to the types and categories of complaints submitted by consumers). In this regard, the Consumer Protection Department has managed to establish regular contacts with all those institutions, respectively inspection bodies related to the protection of consumer rights. In this case we can mention the following:

1. Market Inspectorate - including Metrology (Ministry of Trade and Industry);
2. Food and Veterinary Inspectorate (Food and Veterinary Agency);
3. Health Inspectorate (Ministry of Health)
4. Inspectorate for Medicinal Products (Agency for Medicinal Products - Ministry of Health)
5. Tax Inspectorate (Tax Administration - Ministry of Finance);
6. Transport Inspectorate (Ministry of Infrastructure);
7. Civil Aviation Inspectorate (Civil Aviation Authority/Department - Ministry of Infrastructure);
8. Environmental Inspectorate (Ministry of Environment and Spatial Planning);
9. Education Inspectorate (Department of Labour - Ministry of Education);
10. Independent Media Commission (Independent Institution - reports Parliament);
11. Central Bank of Kosovo (reports to Parliament);
12. Energy Regulatory Office;

13. Electronic and Postal Communications Regulatory Authority;
14. Water Services Authority;
15. Basic Court - Department of Economic Affairs.

### 3.9. Consumer Protection Associations

Consumer protection associations are non-political, non-profit and non-governmental organizations, which were formed in order to provide assistance to Kosovar citizens in protecting the rights and interests of consumers. Based on Law No. 04/L-57 for Freedom of Association in Non-Governmental Organizations, regulates the manner of establishment, registration, legal status and their termination.

There are several associations that deal with consumer rights issues, and some of them, during the years 2016-2020, have managed to implement several important awareness projects against consumer protection, such as awareness campaigns in the form of: TV clips, documentaries on consumer protection, brochures, as well as the organization of roundtables on various topics related to consumer protection and the realization of their rights.

### 3.10. Local level bodies

In the framework of providing municipal services, an important role in consumer protection is played by local government, where within it operate competent inspectors to address customer problems. A significant help from local authorities is the provision of spaces or offices for the opening of counselling centres for customers (as in Kaçanik, Ferizaj, Podujeva, Prizren or Peja). Through the opening of these counselling centres in the municipalities, it is now possible for consumers to be informed in more detail on issues related to their rights. However, close co-operation between central and local government as well as coordination of joint activities in the field of consumer protection is still necessary.

An important role of the competent local level bodies is to support the organizing of roundtables, debates in municipal assemblies, and in the function of educating consumers, support is needed in organizing lectures in primary and secondary schools.

**Chapter IV**

# 4. OBJECTIVES OF THE PROGRAMME 2021 - 2025

The basic goal and purpose of consumer protection policies is the continuous improvement of the quality of life of all citizens of the Republic of Kosovo. These policies must be in full compliance with the requirements of our customers, but also in accordance with the circumstances, specifics and our institutional and social opportunities, the policies in question must be continuously harmonized with the most advanced European standards, always aiming at consumer protection.

According to the Consumer Protection Programme 2021 - 2025, the main task of the public sector is to provide the appropriate and appropriate conditions and framework on consumer empowerment, the functioning of consumer associations, supporting areas such as drafting the legal framework, promotion and awareness.

Anyway, and above all, the Consumer Protection Programme 2021-2025 is considered as a public-private consortium (where the two sectors are interdependent), crucial in strengthening the consumer protection, where representatives of consumer associations have always been offered a genuine opportunity to present their concerns, recommendations and justifications.

The main goal of consumer protection policy is the continuous improvement of the quality of life of all citizens of the Republic of Kosovo in accordance with the standards of European Union countries in order to protect economic interests and promote the importance of consumer health and safety.

The goals of the 2021-2025 Programme are:

| **OBJECTIVES** | **MEASURES** |
|---|---|
| - Ensure the rule of law, democracy and civil society<br>- Further harmonization of the legislation with the legislation of the European Union | - Proposing legal and other measures in order to ensure a high level of protection of economic interests, health, safety, dignity and consumer rights<br>- Consumer protection associations - the right to be represented in the decision-making process |
| - Creating conditions for effective solutions to perceived problems in the field of consumer protection | - Introduce appropriate consumer protection measures (inspection, courts, arbitration) in order to resolve disputes between consumers and traders, service providers and manufacturers before the regular court<br>- Simplification of the procedure for protection of |

| | |
|---|---|
| | consumer rights before the courts |
| - Raising consumer awareness of their real position and strength in the market | - Support for the establishment of consumer protection associations and centres<br>- Design and implementation of consumer education<br>- Applying basic knowledge on obligations, rights and consumer protection in primary and secondary school curricula |
| - Providing support to consumers in exercising their rights | - Ensuring effective cooperation between government bodies and all competent institutions for the implementation of consumer protection policy<br>- Establishment of an advisory network for the development of their mutual cooperation |
| - Interconnection of all parties to consumer protection | - Introduction of a central information system |
| - Strengthening the position of consumers in the market, raising consumer awareness of their rights and role in the market economy | - Transmission of information, counselling and education systems |
| - Protection of consumer health and safety | - Establishment of a system for informing consumers about the safety of products in the market<br>- Development of technical regulations for technical requirements for products that ensure a high level of consumer health and safety<br>- Cooperation of all state administration bodies in guaranteeing the protection of consumer health and safety |
| - Providing information and informing the public about consumer rights in the Republic of Kosovo | - Planning promotional activities at all levels and encouraging media activity |

### 4.1.Tasks and priority areas in the implementation of the programme 2021 - 2025

The Law on Consumer Protection regulates the protection of fundamental consumer rights when purchasing products and services, as well as other forms of purchasing products and services in the market, through the right to protect the economic interests of consumers, the right to protection from risk to life, health and property, effective legal protection of consumers, the right to inform and educate consumers, the right to unite consumers in order to protect their interests, the right to represent consumers and the equal participation of representatives of consumers in the work of bodies dealing with issues of consumer interest.

Consumer protection is necessary to ensure the proper functioning of the market economy, to ensure market surveillance and to also regulate contractual relations between consumers and traders, which protect the economic interests of consumers, natural persons, such as a pair at a disadvantage in the market. It is important to note that the Law on Consumer Protection identifies the competent bodies of consumer protection, which protect the rights and interests of consumers and the way to exercise rights, if the consumer believes to have been harmed.

After the adoption and implementation of the Law on Consumer Protection, the need was identified to strengthen the level of consumer protection, especially (but not only) in the areas of interpretation and implementation of this law, such as: Consumer Protection Department and respectively competent Inspectorates state and / or state regulatory offices, as competent institutions for the implementation of the Law on Consumer Protection. In this context the following areas are considered as priority areas:

1. Administrative Capacity Development - Consumer Protection Department;
2. Development of legislative infrastructure - Ministry of Trade and Industry;
3. Energy Services - Energy Regulatory Office;
4. Water Services - Water Regulatory Authority;
5. Electronic and Postal Communications - Regulatory Authority for Electronic and Postal Communications;
6. Financial Services - Central Bank of Kosovo
7. Quality of food products - Food and Veterinary Authority;
8. Alternative Dispute Resolution for Consumers - Ministry of Justice;
9. Business Support - Kosovo Chamber of Commerce;
10. Consumer Awareness Raising - Consumer Protection Department at MTI
11. Support and Cooperation with Consumer Protection Associations.

### 4.2. Administrative capacity development - Ministry of Trade and Industry

Trade as an activity plays a key role in economic development. Today, this activity faces significant challenges, such as increasing competition in the domestic market, introduction of new technologies, respectively the need to provide new services and forms of sales, based on the development of electronic action (e -business) and on general globalization.

The future development of consumer protection within this activity will depend mainly on its adaptation to new conditions, both in global markets, as well as regional and local ones. The expansion of legislation is foreseen to ensure the development of an unhindered trade, similar to the level of economy development in other countries and with equal conditions against compared to other economic activities.

In relation to the Ministry of Trade and Industry, two main activities are currently foreseen for the further development of consumer protection, in order to remain faithful to the global developments of trade and industry. In the current circumstances, we consider that the development of administrative capacities is necessary.

When it comes to further strengthening of administrative capacities, having in mind the current limited capacities of the professional staff directly focused on consumer rights, the Consumer Protection Programme 2021-2025, is primarily focused or claims the possibility of human and professional capacity building in these institutions, as is this case with the Consumer Protection Department;

The Consumer Protection Department represents a relatively new field in the new state of Kosovo, namely, the last department established by the end of 2012 within the institution of the Ministry of Trade and Industry, as a result of new circumstances and requirements. In the current situation, the structure of the Consumer Protection Department is composed of three administrative officers, respectively in the following order:

- Heads of Consumer Protection Department;
- A senior Consumer Protection Office, and;
- A Consumer Protection Officer.

The duties and responsibilities of the department are as follows:

- Submits proposals for the drafting and development of consumer protection policies;
- Prepares and reviews legal acts and other regulatory measures related to consumer protection;
- Coordinate policies and consumer protection activities with Ministries and other state institutions, as well as coordinating measures implementation of strategic documents in the field of consumer protection;
- Cooperates with central and local consumer protection bodies;
- Collaborates with consumer associations and supports the activities of associations;
- Develop systems to address consumer complaints and the means of alternative dispute resolution;
- Cooperate and exchange experience with similar European and international institutions
- Develops consumer awareness and information campaigns.

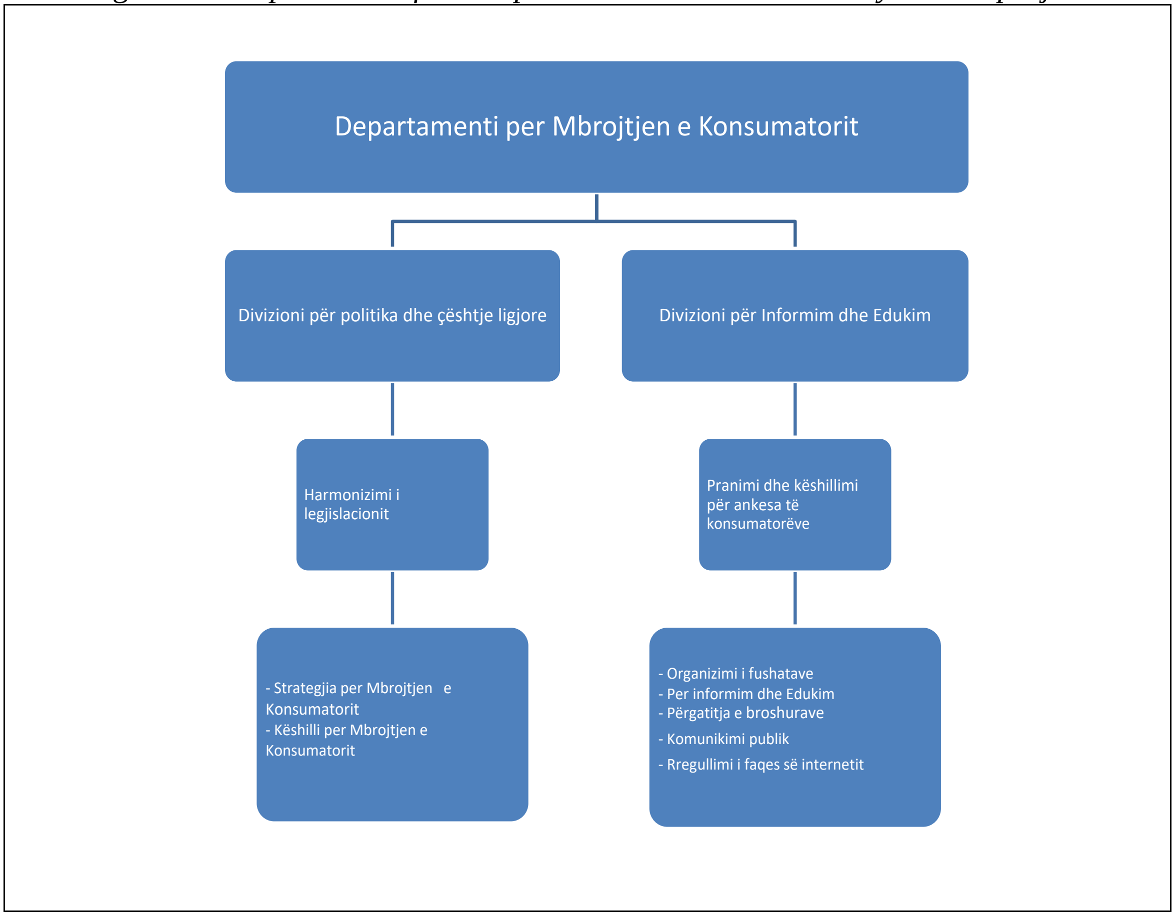
Having in mind that the duties and responsibilities of the Department for Consumer Protection require knowledge and capacity, respectively, knowing the fact that we are dealing with a relatively large area, which in normal situation requires respectful and dignified commitment within any state or society, therefore, as the first step it is seen necessary to build the administrative and human capacities within this department.

It is not the first time that the issue of building and developing the administrative capacity of the consumer protection department is being addressed in this program. This issue was also widely envisaged in the Consumer Protection Programme 2016-2020, as something that was never realized, despite the persistence of the Department whenever there was an initiative to draft 'New Regulations for Restructuring and Systematization of Workplaces in the Ministry of Trade and Industry '.

Given the importance and values when dealing with the importance of the consumer rights, an issue which was sufficiently elaborated in the first two chapters of this Programme, the recommendations of the European Community Programme IPA (Instrument for Pre-Accession Assistance) ‘Support for the Free Movement of Goods” also suggests to increase the number and to strengthen the competences of employee within the Department for Consumer Protection. In this regard, initially, it is foreseen for the department to have two adequate divisions:

1. Division for drafting and implementing policies and legislation
2. Division for promoting awareness raising and addressing the complaints

Figure 1: *Competencies of the Department as recommended by the EU project*



### 4.3. Development of legislative infrastructure - Ministry of Trade and Industry

Lack of legislation or unsuitability of existing regulations to new business conditions may further constitute a significant barrier to trade development and overall economic development in Kosovo. In this context, in addition to other laws that directly affect the trade area, currently and for several years, electronic commerce has been of particular importance.

With the exception of small issues contained within the current Law on Consumer Protection, the field of electronic commerce (e-commerce) in Kosovo continues to be largely uncovered, and therefore must be categorized as a priority. E-commerce represents the most frequently used practice of carrying out tasks in the modern world, which includes most of social life pillars, such as: trade, banking, health, justice. So, as a type of business activity, e-business covers the entire range of commercial transactions which are carried out fully or partially, including; advertisement and promotions, relationships between traders, exchange activities, electronic purchases and support to business processes, and partly shipments via the Internet - an open system of commercialization that is presented as a type of electronic commerce.

The draft Law on Electronic Commerce is part of the work plan for the next two-year period (2021-2022). The need to have a single Law on Electronic Commerce comes as a result of the recommendations of the OECD and GIZ. Furthermore, e-commerce is addressed in the Additional Protocol 6 of CEFTA, which is already implemented through the MAP document within the Regional Economic Area - MAP/REA (The fact that Kosovo is a member of CEFTA and the MAP/REA document is a document agreed upon by the Prime Ministers of the 6 Western Balkan countries). Further on:

1. Electronic Commerce includes any monetary transaction including the purchase and sale of goods and services made with the help of electronic media. It is a broad sub-group of e-businesses, which includes business processes that are conducted electronically and businesses that exist online (in the internet). Therefore, electronic commerce is strictly related to trade, including domestic market transactions as well as cross-border trade. In this respect, a Law on Electronic Commerce is essentially a law governing a particular type of trade that is largely an attribute of MTI for Consumer Protection.

2. The recommendation that emerged from the meeting of the Working Group regarding the drafting of a Law on Electronic Commerce is in line with the conclusions drawn by the research carried out by independent institutions. Although Law no. 04/L-094 on Information Society Services, dated 02.04.2012, includes important elements of electronic transactions, there are many areas related to the regulation of electronic commerce that are not covered by this law. In this regard, the OECD has concluded that "Kosovo needs to develop the legal framework and infrastructure needed to stimulate e-commerce. The comprehensive legal framework to support e-commerce has yet to be developed."

3. Also, the GIZ project within CEFTA, after a comprehensive review of all relevant legislation, has concluded that "there is a lack of e-commerce legislation in Kosovo" and recommend "the adoption of e-commerce laws as Lex specialis in accordance with the EC Directive on Electronic Commerce" (*CPF III 2018-13 "Report on Legislation and policy Measures in the sector of E-commerce in CEFTA Region". Annex 13).*

4. EC Directive on Electronic Commerce (2000/31/EC), which is the basis of Law no. 04/L-094, is already 20 years old! Since then, technology and business practices have undergone a dramatic transformation with significant implications for conducting e-commerce involving goods and services. As a result, the regulation of e-commerce worldwide has constantly evolved in order to address new issues which are emerging. In this regard, the President of the European Commission has, in the Guideline, pledged to improve the Union's accountability and security rules for digital platforms, services and products, with a new Digital Services Package, to modernize the rules in force since 2000. Kosovo should closely follow developments in this regard, in the process of modernizing its legislation.

5. The evolution of e-commerce regulation is clearly evident in the case of the European Union, which has adopted a number of new regulations since 2000, while continuing to consider new regulations. In this regard, for example, the Commission has proposed new rules for digital contracts, which are currently being discussed by the Parliament and the Council. The Commission is also working to create a modern EU copyright framework that will allow more cross-border access to online content, making licensing for online broadcasts easier. The EU has adopted a new regulation on online platform business relations, establishing a harmonized framework for minimum transparency and redress rights, protecting companies that depend on online platforms to reach out to consumers and thus protecting the potential of platform innovation. These new EU rules started to apply on 12 July 2019. Furthermore, the EU has adopted revised consumer protection rules that enter into force in 2020 and has also adopted a new rule for Geoblocking, which entered into force on 3 December 2018. Furthermore, the new EU rules on VAT for online sales of goods and services will enter into force in 2021, while the new rules on services of providing cross-border packages online are in force since May 2018, which aim to guarantee and compete on prices. Finally, the significant developments that have taken place in recent years regarding data protection and privacy should be noted and also included in the modernization of Kosovo's legal framework governing e-commerce.

6. In the context of the new developments in the regulation of e-commerce in the EU presented above, and taking into account the commitments of Kosovo in the SAA to harmonize its legislation with the EU Acquis, makes it clearly evident that the legislative developments in Kosovo are absolutely necessary.

In general, product safety also aims to protect consumers from injuries caused by products, thus emphasizing that the products, according to the use instructions, should not cause harm to the user during its use as prescribed.

Kosovo has started to harmonize its legislation with that of the European Union in order to ensure free movement of goods and product safety in the Kosovo market. In relation to this, the issue of product safety and protection of consumer life and health is mainly subject to the Law No. 04/L-78 (2012) on General Product Safety. Monitoring the implementation of this law and the implementation of new European Directives with regard to harmonization in the field of product safety, represents a part of activities to provide Kosovo market consumer protection in a short-period of time.

Moreover, within the "Free Trade of Goods" Programme, which is related to the technical assistance provided by the European Union, aiming to achieve a degree of preparation in the process of "stabilization and association", the legislative aspect is considered as a priority objective, namely the harmonization of laws with those of the European Union, specifically "product safety" which is of particular importance and value especially when it is related to the "infrastructure of quality".

Considering the importance of standardization activities in the European system of technical legislation and in order to ensure product safety and consumer protection, it is very important to ensure consumers interests in standardization activities at all levels (national, European and international). Therefore, it is necessary to undertake measures through which consumers in the Republic of Kosovo will be allowed to monitor events at these levels (national, European and international) within the areas related to their interests, and actively participate in the creation of national standards.

In this context, the European Union should accelerate the agenda required for consumer protection in the Republic of Kosovo (which the EU has put in the agenda for 2017);

Through this program, it should be proposed/requested that the Law on Standardization transforms voluntary action into mandatory.

Taking into account the role of accreditation in the implementation of legislation with regard to new technical measures, it is deemed necessary to take measures in order to enable consumers in the Republic of Kosovo monitor the work of the National Accreditation Service. The system of accredited laboratories guarantees the reliability of marketed products test results, as a precondition for recognition of these results in the international market.

Accreditation represents an internationally recognized tool in relation to the professional and technical capabilities of laboratories, which ensures trust in the results of their work, whereas with regard to the consumers, it ensures their trust in the safety and quality of marketed products.

Within the Ministry of Trade and Industry, a strategy for private sector development was drafted. In this strategy, among other issues, several actions concerning the safety of industrial non-food products are envisaged:

- Raising consumer awareness, respectively, among others: there should be an efficient system for addressing complaints; during the 2013-2015, the number of roundtables, debates and publications related to awareness rising and consumer protection should be increased.
- Market surveillance, respectively industrial products circulating in the domestic market, among other things: By the end of 2014, harmonization with relevant EU legislation on Market Inspectorate and consumer protection should be achieved; during the 2013-2015, work should be done on increasing cooperation, i.e. the inter-institutional, regional cooperation, with the private sector and civil society.

EU laws on the safety of goods for consumption (toys, cosmetics, electrical equipment, etc.) are just as strict. If a company finds out that it has placed unsafe products for sale in the market, then it is legally obliged to inform the authorities of the EU affected countries. If the product poses a major risk, the company should arrange for the withdrawal of the product from circulation.

Within the safety of non-food products, there is a regional network for exchange of information on dangerous products. Kosovo, Albania, Serbia, Montenegro, Bosnia and Herzegovina and Macedonia are part of this regional network. This project was initiated by the German organization GIZ, in order to increase market audit regarding product safety. Dozens of information on dangerous products have been exchanged so far. Also, joint trainings were held on how to identify products that could potentially be dangerous.

Finally, when it comes to the current legislative infrastructure in Kosovo, it should be mentioned that it is also necessary to address the specific difficulties encountered in relation to the full implementation of consumer rights. Thus, for instance, regarding the field of market surveillance, specific activities have been carried out for several product categories. However, a large number of products lack supervision due to lack of standards, insufficient funding for testing or legal competence of the State Inspectorate.

*Table: Duties, holders and period foreseen for the transposition of objectives and measures related to consumer protection in the Ministry of Trade and Industry*

| **Holders** | **Objectives** | **Duration** | **Possible financial resources** |
|---|---|---|---|
| | | | **Year:** |
| Consumer Protection Department | 1. Administrative capacity building of the Consumer Protection Department - establishment of two divisions, among others, as provided through this Program and the Program 2016-20;<br>2. Participation in key international organizations, such as UNCTAD and ICPEN. | 2021 / 2025 | Regular budget resources of the Ministry of Trade and Industry |

| | | | |
|---|---|---|---|
| | 3. Amendment of the Law on Consumer Protection for the purpose of:<br>Alignment with other laws and regulations related to the field and issues of consumer protection, respectively alignment with the existing EU directives and/or other new European Union Directives, since the Law 06/L-034 on consumer protection has been adopted, among others:<br>85/374/EEC; 2002/65; 2008/122/EC; 2011/83/EU; 2013/11 / EU; 524/2013; 93/13; 1999/44; 1005/29/EC; 2008/48/EC; 2009/22; 90/314/EEC | | |
| Standardization Agency | Law on amending and supplementing Law no. 03/L-144 on Standardization | 2021 / 2025 | Regular budget resources of the Ministry of Trade and Industry |
| Metrology Agency | Law no. 04/L-154 on Precious Metal Works | 2021 / 2025 | Regular budget resources of the Ministry of Trade and Industry |
| Directorate of Accreditation | Drafting of a new law on accreditation | 2021 / 2025 | Regular budget resources of the Ministry of Trade and Industry |
| | Draft Law on Electronic Commerce | 2021 / 2025 | Regular budget resources of the Ministry of Trade and Industry |
| Department of Industry | 1. Drafting of a concept paper on market surveillance and product compliance, as well as on mutual recognition of goods traded in the EU;<br>2. Drafting and approval of the concept paper on General Product Safety<br>3. Amending and supplementing Law No. 06/L-041 on technical requirements for products and conformity assessment (part of market surveillance and Mutual Recognition of Goods) - (transposition of EU regulations 2019/1020 and 2019/515).<br>4. Drafting and approval of the Law on General Product Safety (transposition of | 2021 / 2025 | Regular budget resources of the Ministry of Trade and Industry |

| | | | |
|---|---|---|---|
| | Directive 2001/95/EC).<br>5. Drafting of three (3) Administrative Instructions as required by the Law on General Product Safety (DIC).<br>6. Drafting of five (5) Administrative Instructions for 5 groups of construction products. (DIC). | | |
| Department of Tourism | Drafting and approval of the Draft Law on Tourism and Tourist Services (which, among other things, provides for the supplementation of the European Directive on Travel Packages) | 2021 / 2025 | Regular budget resources of the Ministry of Trade and Industry |
| Department of Petroleum Market Regulation and Strategic Goods | Implementation of the Law on Trade with Petroleum, Petroleum Products and Renewable Fuels through: 1. Administrative Instruction on permits;<br><br>Administrative Instruction on the use of fuels<br><br>Amendment and supplementation of the Administrative Instruction on fuels<br><br>Implementation of the Administrative Instruction on the manner of authorization of conformity assessment bodies. | 2021 / 2025 | Regular budget resources of the Ministry of Trade and Industry |
| Market Inspectorate | 1. Draft Law on Inspections (as a horizontal law that will apply to all inspections).<br><br>2. Transposition of Regulation (EU) 2019/1020 on market surveillance and product compliance (replacing EU Regulation 765/2008) | 2021 / 2025 | Regular budget resources of the Ministry of Trade and Industry |

More detailed information on Laws and bylaws in the Ministry of Trade and Industry is provided in Annex 2.

### 4.4. Energy Services - Energy Regulatory Office (ERO)

Provision of adequate standards in terms of energy supply services is a key element of consumer protection. For this purpose, the Energy Regulatory Office, based on the applicable legislation, acts as a determinant for setting standards on the energy supply quality and services and pays special attention to procedures related to consumer protection. These procedures, in addition to consumer protection, also aim to improve the performance of responsible companies in relation to their consumers. In relation to the consumer program 2021-2025, the Energy Regulatory Office is envisaged to be the main responsible body when it comes to the exposure and implementation of primary and secondary legislation.

The Energy Regulatory Office (ERO) is an independent agency, established by the Assembly of the Republic of Kosovo, in accordance with Articles 119.5 and 142 of the Constitution of the Republic of Kosovo. The powers, duties and functions of ERO are defined in the Law no. 05/L-084 on Energy Regulator, which includes: establishment and placement of an efficient, transparent and non-discriminatory energy market; determination of criteria and conditions for granting licenses for carrying out activities in the field of energy; determination of the criteria and conditions for granting authorizations for the construction of new capacities; monitoring and taking care to improve the security of energy supply; setting of reasonable criteria and conditions for energy activities based on tariff methodology; monitoring and prevention of the establishment of a dominant position and anti-competitive practices by energy enterprises, as well as resolution of complaints and disputes in the energy sector.

Regulatory activities have a huge impact on consumers. In general, this is not only about tariffs/prices, when the consumer directly or almost immediately experiences the impact of regulator decisions, but also the development of procedures related to the handling of complaints and other issues of interest to consumers, which are effective only when consumers are aware of them. As an independent body, the ERO issues rules to ensure fair competition and information to consumers about their rights, current legislation, new contract and complaint and dispute resolution procedures.

For this purpose, the Energy Regulatory Office, in 2006, has approved the Rule on General Conditions of Energy Supply and the Rule on the Resolution of Disputes and Complaints in the Energy Sector, as well as other rules and procedures which aim to determine the rights and obligations of licensees and consumers. These rules and procedures were completed in 2017, based on the requirements arising from the laws of the energy sector and the third package of Energy Directives of the European Commission, related to the field of consumer protection.

ERO, in its organizational structure, has established the Consumer Protection Department which is responsible for monitoring and implementation of rules and procedures, regulating the quality of services provided by energy enterprises and consumer protection. The Consumer Protection Department is responsible for reviewing and resolving complaints and disputes between consumers and energy enterprises, system operators and energy enterprises, and between energy enterprises. In performing its duties and responsibilities, this department cooperates with all institutions and organizations that represent consumers.

The main activities of ERO related to energy consumers are:

- Informing and educating consumers on their rights and obligations;
- Monitoring the implementation of primary and secondary legislation approved by the Board of ERO;
- Reviewing and aligning the licensees procedures in accordance with the applicable legislation;
- Participating in activities of various institutions and organizations dealing with the protection of consumer interests;
- Ensuring consumers a fair and non-discriminatory treatment during the supply of electricity by suppliers, as well as having open access to information from the supplier;
- Ensuring transparent contractual relations with the supplier;
- Enabling the filing of complaints in accordance with the provisions of the Rule on the Resolution of Disputes and Complaints in the Energy Sector, against any illegal act or circumvention by the supplier;
- Implementing and developing an awareness campaign for consumer protection;
- Cooperating with various groups for consumer protection;
- Publishing appropriate information and instructions for consumers in daily newspapers as well as the ERO website.

Given the development of the electricity market, both wholesale and retail, i.e. the right of consumers to change the electricity supplier, ERO in 2017 approved the Rule on Switching the Supplier and the Guideline on the Liberalization of the Energy Market. For this purpose, ERO has licensed eight operators for electricity supply and is establishing a Price Comparison Tool. The Price Comparison Tool is an online platform designed to assist consumers in comparing energy prices in an open market as well as to assist the regulator in improving communication and educating consumers on issues related to the opening of the retail energy market.

Regarding the quality of electricity service standards, ERO, in 2019, has approved the Rule on Quality of Electricity Service Standards. The purpose of the Rule on Electricity Service Quality Standards is to determine the indicators of quality of electricity service for consumers, related to the services provided, uninterrupted supply of electricity and voltage quality.

Regarding the protection of consumers in need, ERO together with the Ministry of Labour and Social Welfare, has initiated the establishment of a working group to draft policies for the protection of consumers in need. This group has already been established and its activities are supported by NARUC and the World Bank. The group is oriented towards drafting a document that would contain policy proposals to protect consumers in need and submitting it to the Government of Kosovo for approval.

***Consumer complaints to ERO***

Every consumer is entitled to file a complaint to the Energy Regulatory Office against the licensees, i.e. the services provided by the licensees. Also, each supplier and system operator is responsible for the protection of its consumers, by addressing complaints regarding any action, negligence or violation committed by the supplier or system operator, as well as making reasonable efforts to resolve these complaints. All complaints should contain general information about the consumer, the reasons for filing the complaint, the offense, negligence or alleged violation committed by the suppliers or system operators providing these services to the consumer. The deadline for the review of the complaint by the supplier shall be thirty (30) calendar days, but shall not exceed the deadline of three (3) months from the date of receipt and registration of the complaint for more complex cases.

The consumer can appeal before the Regulatory decisions taken by the supplier or system operator. Consumers/applicants may file a complaint before the Consumer Protection Department of the Regulator, within fifteen (15) calendar days from the date of receipt of the decision, or from the date when the deadline for review of the complaint by the supplier or system operators has expired. The complaint to ERO can be made:

- Physically, in person, or by his authorized representative;
- By regular mail or e-mail;

The Energy Regulatory Office has the application for complaints published on its website, the e-mail where the complaint can be sent and all other procedures which clearly explain how to file a complaint to ERO.

*Table: Duties, holders and the period foreseen for the transposition of objectives and measures related to consumer protection in the Energy Regulatory Office*

| **Holders** | **Objectives** | **Duration** | **Possible financial resources** |
|---|---|---|---|
| | | | **Year:** |
| Energy Regulatory Office | 1. Possible review and supplementation of the Rule on the Resolution of Disputes and Complaints in the Energy Sector;<br><br>2. Review of quality standards of electricity supply and service. | 2016 / 2020 | Regular budget resources of the Energy Regulatory Office |

### 4.5. Water Services - Water Services Regulatory Authority (WSRA)

The Water Services Regulatory Authority (WSRA) is an independent economic regulator governing the activities of water service providers in Kosovo. The Water Services Regulatory Authority was established on 26 November 2004 and operates under Law no. 05 L -042 on the Regulation of Water Services.

The role of the Water Services Regulatory Authority is to ensure the provision of quality, efficient and safe services, on a non-discriminatory basis, to all consumers in Kosovo, taking into account the protection of the environment and public health.

The mission of the Water Services Regulatory Authority is to ensure regulation of water services in an effective and transparent manner in accordance with good European practices which ensure that water service providers offer quality, sustainable and affordable services throughout Kosovo, taking into account the preservation of the environment and the protection of public health.

The Water Services Regulatory Authority is led by the Director and the Deputy Director, who are elected by the Assembly of the Republic of Kosovo.

In accordance with the Law No. 05/L-042, in terms of its work, WSRA reports to the Assembly of Kosovo. Every year WSRA submits an Annual Work Report to the Assembly of the Republic of Kosovo for approval.

The Water Services Regulatory Authority is financed from the Budget of the Republic of Kosovo, in accordance with the Law on Public Financial Management and Accountability. The powers and responsibilities of the WSRA include:

- licensing service providers and supervision of application of conditions defined with service license;
- setting service tariffs for service providers, ensuring tariffs are fair and reasonable and enable financial sustainability of service providers;
- determining service standards and supervision of implementation from the service providers with such standards.

The level of services that service providers are obliged to meet when providing water and wastewater services is determined in Kosovo. The main purpose of economic regulation is to, in terms of monopoly services, determine what public water supply and sewerage services are, and protect the interests of consumers from potential abuse. Regulation of consumer service is of importance in terms of ensuring that service providers are accountable to consumers and have a consumer-centric approach.

***Consumer Complaints***

The Consumer Complaints Commission has been established by the Authority in accordance with Article 5 of Regulation No. 09/2019 on Resolution for Consumer Complaints and acts in the form of a body, within the Department of Legal Affairs and Licensing, which resolves consumer complaints and is the final body in the administrative procedure. The Commission is professional and independent in terms of handling complaints and making its own decisions.

Any consumer claiming that his or her rights have been violated by the service provider, as a result of an action, failure to act or mismanagement in the provision of services has the right to file a complaint before the Commission of the Water Services Regulatory Authority.

The complaint of the party may be filed within thirty (30) days from the day when the party is notified about the act by the service provider.

In case the consumer has filed a complaint and the service provider has not taken any action, in that case, the complaint can be submitted to the Commission of the Water Services Regulatory Authority, provided that this is not earlier than seven (7) days and not later than two (2) months after the expiration of the deadline for notification of the administrative act.

The complainant may submit the complaint to the Commission of the Authority in the following manner:

- Physically, in person or through his authorized representative;
- By regular or registered mail.

The complainant must fill in the complaint form, which is available on the website of the Water Services Regulatory Authority, and the same must contain all the required data.

Table: *Duties, holders and foreseen period on transposition of objectives and measures related to consumer protection in the Water Regulatory Office*

| **Holders** | **Objectives** | **Duration** | **Possible financial resources** |
|---|---|---|---|
| | | | **Viti:** |
| Water Services Regulatory Authority | 1. Implementation of the Law No.05/L -042 for Regulation of Water Services and Regulation No. 09/2019 on Resolution for Consumer Complaints<br>2. Creating a favourable legal, regulatory environment, and drafting documents for continuous improvement in the | 2021 / 2025 | Regular budgetary resources of the Water Services Regulatory Authority. |

| | | | |
|---|---|---|---|
| | field of regulation of the activity of all water service providers.<br><br>3. Protection of consumer rights and enforcement of legality and decision-making for services provided by water service providers | | |

## 4.6. Electronic and Postal Communications - Regulatory Authority for Electronic and Postal Communications (RAEPC)

The main issues covered in the field of electronic communications are: provision of broadband services that are as fast as possible, in the fastest possible time, with high security and reasonable prices for consumers, provision of universal services, planning and assessment of frequency bands of special economic importance, as well as the security of public electronic communications networks and services.

The Regulatory Authority for Electronic and Postal Communications, pursuant to Article 142 of the Constitution of the Republic of Kosovo, was established as an independent institution by the Assembly of Kosovo, with the purpose of regulating social relations in the sector of electronic communications and postal services. RAEPC performs its function pursuant to the Law No. 04/L-109 on Electronic Communications and Law No. 06/L-038 on Postal Services, as well as based on the Development Policies of the Electronic Communications Sector "Digital Agenda for Kosovo 2013–2020" and the Strategic Policies of the Postal Service in the Republic of Kosovo 2013-2017.

RAEPC is a legal, public, self-financed, non-profit, independent entity, which regulates the activities of electronic and postal communications, including the protection of consumer rights.

RAEPC is chaired by a Board consisting of five (5) members, one of whom is the Chairperson. The mandate of the Board members is five (5) years and they are independent in decisions-making. The Chairperson, chairs the meetings and activities of the board, and takes responsibility for the administration of RAEPC.

### *Current state of the Electronic Communications market*

Regarding the overview of the electronic communications market, the number of active mobile telephony users[1] at the end of 2019 reached over 2.073 million compared to 1,966 million

[1] Bëhet fjalë për përdoruesit aktivë, pra ata përdorues që kanë përdorur një shërbim me pagesë së paku një herë brenda 3 muajve. Kjo është përcaktuar me vendimin Nr. 22 të Autoritetit (*ART Nr. Prot. 045/1/10, dt. 15/06/2010*).

at the end of 2018, while the number of Internet service users (Fixed Access) at the end of 2019 reached 356.5 thousand users while at the end of 2018 the number was 328.2 thousand (marking an increase of 9%).

The penetration rate (users per 100 inhabitants) at the end of 2019 in the mobile telephony segment was 114% compared to 108.2% at the end of 2018, where the number of users of 3G and 4G broadband access to smart mobile devices (smartphone) reached 1.3 million. Services provided by fixed networks; broadband Internet access marked a significant increase (by 19%) while the number of fixed telephony users this year marked a decrease of 5.9%.

The evolution of technology referred to as technological convergence and the behaviour of users as consumers of electronic communications services in terms of increasing demand for Internet access have made the main driver for the development of fixed networks be broadband Internet access where indicators and data from the market overview report show that in general all operators and service providers have increased the number of users compared to 2018.

From the data of the Authority, we notice that fixed and mobile networks have had significant expansion and development during 2019 where about EUR 36.2 million in new investments are registered only in mobile and fixed networks and that the expansion of networks has occurred in two directions; investments in core networks and access network by increasing the proportion and capacity of optical fibres and that there is a trend towards IP networks and services that enable these networks (such as broadband access) but also include the possibility of using telephone services , through various VoIP platforms, which continue to record increased and high usage not only in fixed networks but also mobile ones.

Tariffs for electronic communications services (mobile, fixed and internet access) compared to the previous year, result in a tendency to reduce them, where the comparisons show that significant reductions have been made by operators, especially with the provision of various package services which include minutes of communication and internet access for a fixed fee.

Revenues from telecommunications services for 2019 reached EUR 153 million, which compared to 2018 marks a decrease of 12.7%. Mobile operators and internet service providers continue to own the largest share of the electronic communications market with around 80% of revenue. Revenues of mobile operators alone account for about 60% of all market revenues, followed by internet service providers with 18.9%, cable television with 15%, while fixed operators own about 6.2%.

Based on the data processed by the Authority, for the period January - December 2019, compared to the same period of 2018, it results that we have a decrease of 11.69% in the total number of postal deliveries, while Post of Kosovo JSC, has a significant decrease in the volume of postal deliveries in the amount of 15.13% with private operators, on the other hand, marking a slight increase of 2.31%. Public postal operator Post of Kosovo JSC, covers the general market of postal services with 77.15%, while private operators are represented in the amount of 22.85% of the general market.

While the postal services market indicators in 2019, compared to 2013, also mark a decrease in the total volume of postal deliveries with 26.35%. This comes as a result of the decrease in the number of Direct Mail (Advertising) deliveries where we have a steady decline. Of the total number of postal deliveries, around 80.81% are postal deliveries, while around 19.19% are postal deliveries or postal packages. Of the total number of deliveries, about 81.45% of postal items received and distributed in domestic traffic, are local mail, while about 18.55% are international mail, meaning shipments that are sent and received by international traffic.

Despite the decrease in the total number of postal deliveries in 2019, compared to 2018, the Postal Services Sector has recorded a significant increase in total revenues in the amount of 17.52%, while Post of Kosovo JSC has seen an increase in the value of 8.17%, while private operators have had a significant increase of 26.06% in revenues. Compared to 2014, the postal sector has increased by 59.76%.

Given the known circumstances where the electronic communications sector is characterized by high dynamics of change and innovation, the Authority as a national regulator, is obliged to continuously prepare to face the new challenges that will come in the future, mainly in the digital convergence of telecommunications and audio-visual transmissions.

The Authority, as an institution that regulates a dynamic market with rapid development, in accordance with the provisions of the law and the Digital Agenda for Kosovo, is working to continuously create the best possible conditions for operators and consumers.

For the purpose of protecting consumers RAEPC will:

- Implements legal acts and adopts sub-legal acts for the protection of consumer rights, as well as monitors the implementation of these acts
- Through market liberalization, it offers consumers more choices and higher quality of services, lower prices and greater coverage throughout the territory of the Republic of Kosovo.
- Develops guidelines for consumer rights and obligations, which are published on RAEPC website
- Informs consumers in a timely manner regarding developments and changes in the Electronic Communications sector,
- Monitors and inspects Electronic and postal service providers
- Examines consumer complaints and resolves disputes between service providers and consumers

For the purpose of protecting consumers, RAEPC has adopted the following secondary legislation:

1. Regulation No. 38 on Contracts, Transparency and Disclosure of Information and Other Protection Measures for End Users for the Provision of Public Electronic Communications Networks and Services (022/B/18, 19 April 2018) - This Regulation sets out the terms and conditions which must be met by the contract for the provision of publicly available electronic communications networks and/or services. The regulation

also sets out measures to increase transparency and disclosure of information for the benefit of consumers and other end users;

2. Regulation No. 36 on Quality of Electronic Communications Services (April 16, 2018) - This regulation stipulates; quality parameters for electronic communications services provided by operators in the retail market, rules for declared values of service quality parameters, reports submitted and published, requirements for parameter measurements and annual quality report published by Electronic and Postal Communications Regulatory Authority;

3. Regulation No. 39 on Universal Services in Electronic Communications (4 July 2018); *The purpose of this Regulation is to determine the scope of universal services, service quality requirements, procedures and conditions for the provision of such service, procedure, conditions and cases for the imposition of universal service obligations for electronic communications service providers.*

4. Regulation No. 33 on Number Portability for subscribers of public Electronic Communications Services (043/B/17, 26 June 2017) - This Regulation determines the terms and conditions which shall be fulfilled by the operators of publicly available electronic communications services in order to offer number portability. It also addresses measures to make the switching process while retaining the number easy and fast in the benefit of the switching subscriber. *The purpose of this regulation is to guarantee the implementation of number portability by all operators, who provide mobile and/or fixed electronic communications services as well as to create better conditions for increasing and protecting competition.*

In order to protect consumers, RAEPC has established a Commission for resolving consumer complaints. However, the challenge remains to increase the number of staff and establish a consumer protection department within RAEPC.

RAEPC has drafted a Guide for the purpose of informing subscribers of mobile electronic communications services regarding the new regulated roaming tariffs between Kosovo and the countries of the Western Balkans (WB) as well as the rights they have.

The new roaming tariffs, which apply from 01 July 2019, apply for the following WB countries: Albania, Northern Macedonia, Montenegro, Bosnia and Herzegovina, as well as Serbia.

Starting from 1 July 2019, roaming tariffs (calls, SMS and data/internet) between the Republic of Kosovo and WB countries have been significantly reduced until the complete elimination that will occur on 01 July 2021.

Tables: *Duties, holders and foreseen period on transposition of objectives and measures related to consumer protection in RAEPC*

| **Holders** | **Objectives** | **Duration** | **Possible financial resources**<br>**Year:** |
|---|---|---|---|
| Regulatory Authority for Electronic and Postal Communications | 1. Drafting and approval of primary and secondary legislation in the field of electronic communications;<br><br>2. Approval and start of implementation of the new Digital Strategy of Kosovo (2021-2030);<br><br>3. Opening of frequency bands with special economic value for the provision of IMT services;<br><br>4. Implementing number portability;<br><br>5. Lifting Roaming Tariffs with Western Balkan Countries (WB6) and Reduction of Roaming Tariffs with EU Countries;<br><br>6. Promoting competition in the broadband electronic communications market to increase the efficiency of market regulation and to make efforts to provide all residents of Kosovo with higher speed internet access; | 2016 / 2020 | Regular budgetary resources of the Regulatory Authority for Electronic and Postal Communications. |

## 4.7. Financial Services - Central Bank of Kosovo (CBK)

The term financial services means any service provided by licensed/registered financial institutions within their financial activity, whether banking, insurance or pension services.

In the early stages of the establishment of financial services, authorities were mainly focused on the development of the financial market with limited attention to consumer protection. However, with the growth of the financial sector and the fact that consumers with less financial opportunities began to use more financial services, attention has been directed also to protect them.

In all policies related to the financial sector and its interaction with consumers, the Central Bank of Kosovo (CBK) is going to pursue four objectives that are related to the CBK Strategy.

All proposed policies of the financial sector in the areas of consumer protection and development of financial capability will aim to support these related objectives: i) inclusion, enhancing sustainable development and sound financial sector, ii) the stability of the financial sector iii) the integrity of all financial service providers, and iv) the protection of consumers by ensuring that they are treated fairly.

Within the scope of its work related to consumer protection, the CBK in 2014 functionalized the Division for complaints. Currently there is seen significant improvement in the treatment of complaints from this division.

Legal and institutional bases for a healthy consumer protection are already in place either within the CBK as a licensing, regulatory and supervisory authority, or within the financial institutions operating in Kosovo.

Advancing the legal framework as a continuous process will also influence further increase of the quality of consumer protection in the financial services field. CBK in its Strategy 2015-2019 has set targets within its powers to adopt and update legal acts and to contribute to the promulgation of laws in order to enhance the quality and quantity of the legal framework. Besides enhancing the legal framework will further strengthen the supervision of the implementation of the legal framework by financial institutions. Legal basis and its implementation are inseparable components in consumer protection. This increases the transparency of the financial institutions and expanding the information about the financial products that inevitably affect the growth of the quality of financial products offered.

Also, CBK has taken concrete steps in view of the financial education of users of financial services, and aims at further development of this function, in order to create a culture of proper funding, which helps all the stakeholders to take appropriate decisions. The ability of consumers to understand financial information should also be strengthened in cooperation with all stakeholders. This will be achieved through expansion of activities to raise awareness of consumers of financial services for their rights which CBK aims to achieve over this period.

Advancing the legal framework, increasing transparency of the activities of financial institutions as well as further development of the financial literacy of consumers - users of banking and financial services are areas in which the Central Bank of Kosovo will focus most of its activities in the next four years in the implementation of consumer protection policies.

Within the scope of work of this institution regarding consumer protection, CBK, in 2014, functionalized the Division for Complaints, which has already been expanded and the number of requests for review of complaints has increased based on the increase awareness of citizens with regard to the realization of this right of theirs.

Also, in 2017, the Division for Financial Education and Communication commenced its operation, within the Department for Foreign Relations. In the same year, the Financial Education Program was approved, and the same serves as a basis for the implementation of financial education activities, for the purpose of expanding and developing financial knowledge for the citizens of Kosovo so that they can protect their rights, make appropriate decisions and be well informed regarding their personal finances, as well as have responsible relations with financial institutions.

As a licensing, regulatory and supervisory authority, CBK, constantly works on improving the legal basis and providing recommendations for improving services in the financial industry.

Advancing the legal framework as an ongoing process will further increase the quality of consumer protection in the field of financial services. In its Strategic Plan for 2019-2021, CBK has set objectives for the adoption and updating legal acts within its competencies and to contribute to the issuance of legal acts, in order to advance the quality and efficiency of the legal framework. In addition to advancing the legal framework, the oversight of the implementation of the legal framework by financial institutions will be further strengthened. The legal basis and its implementation are inseparable components in consumer protection. This affects the increase of transparency by financial institutions and the expansion of information on financial products.

Increasing transparency, information, education and communication with the public are the manners in which CBK will continue to influence the public in making appropriate financial decisions. CBK is constantly active through undertaking concrete activities, implementation of specific projects for different target groups, preparation of educational materials or implementation of various collaborations.

In order to create a financial culture at a young age, concrete projects have been implemented for the lower cycle of primary schools and very soon it is expected that educational books for grades I to V will be distributed to all primary schools in the country, including students of all communities living in Kosovo. CBK and MES are committed to continue the joint work for the inclusion of Financial Education in the curricula at other school levels.

The CBK has also initiated a project to build a platform for comparing interest rates, which aims to increase transparency and price comparability among financial market participants in Kosovo, with the main goal of supporting financial sector consumers.

Educational activities are carried out by targeting different groups through relevant projects, relevant educational materials and relevant communication channels. One of the communication channels is the financial education platform www.edukimifinanciar.org, which has a significant number of visitors and is constantly updated with information and material for all age groups of the public. Based on the policies, its role and function in the smooth running of the financial sector in the country and the well-being of the users of this sector, respectively the financial consumers, the CBK will commit to fulfilling its objectives related to the Strategic Plan.

Table*: Duties, holders and the period foreseen for the transposition of objectives and measures related to consumer protection in the Central Bank of Kosovo*

| **Holders** | **Objectives** | **Duration** | **Possible financial resources**<br>**Year:** |
|---|---|---|---|
| Central Bank of Kosovo | 1. Advancement of the regulatory framework in the field of protection of users of financial services and alignment of local regulations with European Directives;<br><br>2. Review and supplementation of the internal rule on handling complaints;<br><br>3. Advancement of the role of the CBK in the field of protection and education of users of financial services, by conducting examinations at financial institutions, with a focus on transparency of contractual terms and business ethics. | 2016 / 2020 | Regular budget resources of the Central Bank of Kosovo. |

### 4.8. Food product quality - Food and Veterinary Authority (FVA)

Official controls represent an integral part of food safety and quality. The Law on food and Law on the Veterinary are the basic laws that determine the activities and competencies of the food control inspection authorities.

In order to achieve the most effective measures of official control, there are also competences and duties of competent bodies towards official controls, whereby for the purposes of official control the process of sampling and analysing samples is also foreseen, namely the need to ensure access to results of quality testing. Therefore, due to the abovementioned reason, the introduction of a quality management system in laboratories is deemed necessary towards the implementation of official control, in order to develop and promote laboratory accreditation in accordance with international, European and local standards. In some of the laws, (such as the Law on Accreditation), are defined the requirements to be met by testing laboratories and reference laboratories, their duties and the manner of financing the analysis cost. In relation to domestic or imported foods that pose a serious and immediate risk to human health, it is necessary to react quickly and effectively to eliminate risks. For these and other reasons, measures should be elaborated through legal provisions, depending on the degree of threat to prevention or elimination of the risk to human health.

Today the citizens - consumers represent an important pillar of information in the official food control system. Organization of citizens through civil society, provision of information, debates, the responsibility of the parties to inform the consumer on possible risks from food, have contributed in raising the performance and responsibility of control authorities. In this context EU suggests and makes the standard HACCP form mandatory to allow consumer to follow the production process.

The realization of the basic provisions of the Law on Food was achieved through the establishment of this Food and Veterinary Agency, thereby contributing to achieving a high level of Consumer Protection, namely enhancing consumer trust. The agency is also expected to provide scientific and technical advice needed for policy and legislation in the field of food and veterinary.

The Agency's task is to protect the life and health of the people by ensuring a high level of food safety, including animal nutrition, animal health, animal welfare and food quality and safety of food from plant and animal origin. In order to protect the health and lives of people, the Agency is responsible for checking, verification and inspection of food and raw materials at all levels of the food chain.

In addition to its central role on risk assessment, communication and management, the Agency carries out other activities related to risk analysis. One of these activities is the interactive exchange of information and opinions regarding risks with competent authorities, with the aim of creating a common risk assessment. The Agency also has the authority to coordinate the process of risk management activities carried out by relevant ministries, particularly activities related to food and animal feed safety inspection. The Agency, through the authorized laboratories, testing and referral, conducts official control of foodstuffs, in terms of safety and quality.

The Food and Veterinary Agency has the Agency's Board as the supervisory body of its activity, whereby one of the Board members represents the associations for consumer rights protection. Among other things, this Board is responsible for overseeing the long-term strategy proposed by the Chief Executive Officer of the Agency, after consulting with relevant ministries and scientific Council, ensuring that the policies laid down for food safety and quality are consistent with the needs of citizens and international standards. The Steering Board is also responsible for the approval of the Agency's annual activity report; to propose work programmes, financial reports and propose the budget of the Agency.

Institutional development and creation of legal and regulatory framework in the field of food safety has been and continues to be an important priority for the Government of Kosovo. The consumer must be provided with good quality and safe products. To guarantee the protection of consumer health, the effective functioning of every link in the food chain must be ensured.

This principle is valid regardless of whether the food is produced in Kosovo or imported from other countries. An effective food safety policy must recognize the complex nature of the production of these foods as well as assess the monitoring of risks to human health. For this reason, the Government of Kosovo has had and has in its attention the strengthening of control and monitoring of food produced and traded in the Kosovo market intended for human consumption and food used for animals.

Table: *Duties, holders and foreseen period on transposition of objectives and measures related to consumer protection to the Food and Veterinary Authority*

| **Holders** | **Objectives** | **Dura tion** | **Possible financial resources** |
|---|---|---|---|
| | | | **Year:** |
| Food and Veterinary Agency | 1.Draft Law on Food<br><br>2. Administrative Instruction on Health Statements<br><br>3. Administrative Instruction on Food Supplements<br><br>4. Capacity building or development;<br>• Increasing the number of sanitary inspectors, veterinary and phyto-sanitary<br><br>5. Consumer awareness;<br>• The role of the Department for Consumer Protection by | 2016/ 2020 | Regular budget resources of the Government of Kosovo, specifically the FVA. |

| | | | |
|---|---|---|---|
| | MTI remains<br><br>6.Support and cooperation with civil society<br><br>• Awareness of Food Business Operators regarding a constructive approach to the consumer, acceptance of complaints as reasonable, joint traceability between the authority with the OBU and the producer.<br><br>7. Handling of complaints<br>• Training of sanitary, veterinary and phyto-sanitary inspectors in handling complaints, and the way to report in the electronic system.<br><br>7. Additional objectives:<br>• Construction of buildings for regional offices in 6 regions, having as main objective the centralization of the Central and Municipal Inspectorate, as provided by the Law on Food, which is under the process of being amended, always harmonizing with EU rules and practices. | | |

### 4.9. Alternative Dispute Resolution for Consumers - Ministry of Justice

As was put above in similar or other words, coordination of duties between competent liaison institutions in relation to the implementation of consumer rights is part of the duties and responsibilities for consumer protection.

In terms of a broader legislative infrastructure, there is a good base for further advancement of the situation insofar the protection of the position and constitutional and legal rights of Kosovo citizens is concerned. In this regard, competent institutions regarding the legislature that is expected to directly or indirectly influence implementation of consumer rights, i.e. the objectives that allege to improve the current situation over the next five years, have been reflected in the table below.

Alternative Dispute Resolution (ADR) has to do with the processes and techniques of resolving the disputes as a mean for disagreeing parties to come to an agreement prior to the litigation. ADR is a collective term for the methods that parties can settle disputes among themselves, with (or without) the help from a third party.

When talking about the western world, ADR is known to have had a widespread acceptance among the general public and the legal profession in recent years. In fact, some courts now require from some parties to seek some type of ADR, usually mediation, before the court can address the case. Furthermore, the European Mediation Directive (2008) also foresees expressly the mediation as "compulsory", by implying that the participation is compulsory, (although the settlement does not necessarily have to be reached through the mediation).

The increase of ADR's popularity comes as a result of the increasing caseload in regular courts, the perception that ADR imposes fewer costs than litigation, the preference for confidentiality, and some parties desire to have greater control over the selection of individuals who will decide their dispute.

ADR is usually manifested through formal or non-formal tribunals and formal or informal meditation processes. The Tribunal is known to present the formal classical form. The classic formal meditation process is referred to the mediation from/to the mediator (individual or panel) appointed by the court. Classic informal methods include social processes, referrals to non-formal authorities and mediation. The main differences between formal and informal processes are: waiting for a court procedure, and lack of a formal structure for the application of procedure.

Alternative Dispute Resolution throughout the history is known to be presented in three forms:

1. Methods for disputes resolution outside the official judicial mechanisms;
2. Informal methods supported (dependant) on official judicial mechanisms;
3. Independent methods, such as meditation Programmes and *ombudsman* offices within organizations.

Furthermore, ADR traditions often differ between the cultures, however there are common elements that justify the entire system. ADR is generally classified into at least four types: negotiation, mediation, collaborative law, and arbitration.

Consumers often choose to use various options, depending on the needs and circumstances they face, such as:

1. Negotiation - represents a voluntary participation and there is no need for third party who facilitates the resolution process.
2. Mediation - foresees mediation by a third party who facilitates the resolution of the problem, often by suggesting a resolution, (known as a “mediator’s proposal”), but does not impose a resolution to the parties.
3. Collaborative law - foresees each party to have a representative/lawyer who facilitates the resolution process within specific terms of the contract. The parties reach the agreement with the help of lawyers (who are trained on the process) and experts that are mutually-agreed. No one imposes a resolution on the parties. However, the process represents this formality as an option within the court system.
4. Arbitration - is based on voluntary participation, under the presence of the third (as a private judge) that imposes a resolution.

In relation to Alternative Dispute Resolution for consumers in the Republic of Kosovo, currently having a proper intervention for the functioning of this type of processes is considered as necessary, in principle due to the caseload faced by the current judicial system in Kosovo (and not only in relation to the consumer). The regional countries’ experience, especially of those that pursue the same path along the stabilization/association process towards the European Union, provide us an opportunity to compare, namely understand how to proceed forward with the next steps in order to ensure a proper approach towards functioning of these opportunities.

For example, we have the case of Croatia, where various methods/options for Consumer access has currently achieved a respectable consolidation level as a result of the multi-annual commitment. Currently are known to exist four advisory service centres (run by non-governmental organizations, which are financially supported by the government), within which complaints can be processed before being subject to a pre-trial litigation (generally known as ‘extrajudicial dispute resolution’), operating within the Chamber of Commerce, respectively under the supervision of “independent bodies” (qualified persons/bodies on resolution), or representatives of the *Ombudsperson*. The meeting in this case can be arranged if there is willingness by both parties (after being contacted by the mediator), always under the presence of the mediator, and the resolution reached has legal grounds. As mentioned above, if the process is not resolved in this form, it then may be initiated before the adequate court.

Despite the need for this type of pre-trial system in the Republic of Kosovo, the only form of approach in relation to the Alternative Dispute Resolution “is the business -to-business form (i.e. not consumer-to-business) within the Special Chamber of Kosovo Chamber of Commerce. The high caseload in the judicial system and competent inspectorates of the Kosovo market (and not only Kosovo), makes efforts to establish required structures in relation to Alternative Dispute Resolution necessary. In this regard, the department together/in coordination with the Consumer

Protection Council, during the period that the Customer Programme (2016-220) is foreseen to last, will make all necessary efforts to establish or at least to initiate the consumer issues in this regard. In its form (direct or indirect) this issue is associated with one of the main goals of the Programme, namely 'Strengthening of Cooperation with NGOs'. This is also based on its essential reason of strengthening the representatives in the form of non-governmental organizations. While the capacities are not at the level as shown above ... the issue of complaints can be left as an internal issue of public institution (as it appears on the new proposal of organizational chart - part of the division for information and education).

Table: *Duties, holders and the foreseen period on the transposition of objectives and measures related to consumer protection at the institution of the Ministry of Justice.*

| **Holders** | **Objectives** | **Duration** | **Possible financial resources** |
|---|---|---|---|
| | | | **Year:** |
| Ministry of Justice | 1. Amendment of the Law on Mediation - Transposition of the Directive and respectively the EU Regulation on alternative dispute resolution.<br><br>2. Law on Obligations - Completion of EU Directives in relation to Damaged Products, and respectively regulation of aspects of product warranty for consumers. | 2016/ 2020 | The regular budget resources of the Ministry of Justice |

## 4.10. Support from businesses – Kosovo Chamber of Commerce

In the period from 2021 to 2025, the Kosovo Chamber of Commerce plans the following activities in the field of consumer protection:

1. ***Public awareness*** – The Kosovo Chamber of Commerce, as one of the institutions in-charge of consumer protection implementation, continuously informs and educates its members on the necessity of consumer protection, an important achievement of civilization and a symbol of a democratic society.
   Thus, member companies of the Kosovo Chamber of Commerce are informed mainly about new proposals, but also legal solutions from various fields, especially in the field of consumer protection, in order to help implement these legal provisions in the companies' businesses. It should be emphasized the importance of education of companies, as well as employees of the Kosovo Chamber of Commerce system in the field of consumer

protection, which is carried out in cooperation with relevant ministries, in order to increase information and provide concrete solutions for community members. of Kosovar business.

2. ***Food safety and quality***– The Kosovo Chamber of Commerce will continuously implement a number of activities that increases the level of companies and consumers information, to ensure traceability, safety and quality of food throughout the food chain, in accordance with the "*Acquis Communautaire*" in the field of food safety and quality, thus ensuring customer traceability and healthy food throughout the chain, from the fields to the table.

3. ***Trade*** **–** The main and primary function of trade includes supplying the population with appropriate products/services, respecting consumers or their needs, while being led by the principles of consumer protection policy. Through continuous cooperation with the relevant ministries, the Kosovo Chamber of Commerce will strive to contribute to better conditions for conducting commercial activities, as well as a higher level of consumer protection.

4. ***Real estate*** **–** Kosovo Chamber of Commerce has an active role that still plans to play in the field of real estate mediation through its public authority, to organize the professional exam in cooperation with the Ministry of Economic Development for real estate appraisers, maintaining the address book and the "Register of Real Estate Appraisers" and to provide training for real estate appraisers in order to raise the quality level of work of appraisers, which directly affects the protection of consumer interests.

   It is particularly important to note that the address book and the register are public and available on the Internet, on the website of the Kosovo Chamber of Commerce, which everyone can access and thus customers are allowed to receive better service and greater legal certainty.

5. ***Financial services*** **–** The Kosovo Chamber of Commerce, independently or in cooperation with key stakeholders in the implementation of financial education in the Republic of Kosovo (Ministry of Finance, CBK, Agency, Ministry of Local Government and other ministries, faculties and other institutions) and members of professional associations, will undertake appropriate activities aimed to protect consumers of financial services. Activities will focus mainly on raising the level of financial education of consumers and businesses (especially small and medium enterprises), using the comparative advantages of the Kosovo Chamber of Commerce through the network of Regional Chambers in the 7 cities of Kosovo, to provide financial education in all parts of Kosovo, and given that Financial Institutions are members of the Kosovo Chamber of Commerce through the Kosovo Banking Association, can cover all types of financial services in training.

6. ***Arbitration***–In order to organize a permanent arbitration, with competency to resolve business disputes between members of the Kosovo Chamber of Commerce and between members and other legal or natural persons, based on Law No. 2004/7 on Kosovo

Chamber of Commerce, the Assembly of the Republic of Kosovo on 24 June 2011 has approved the “Rules of Arbitration of Kosovo”. According to these rules, the Institution which administers the arbitration procedure within the Kosovo Chamber of Commerce is the Permanent Arbitration Tribunal. Also, the institutional rules of Arbitration are drafted in accordance with the provisions of Law No. 02/L-075 on Arbitration.

The Permanent Arbitration Tribunal (“PAT”) is a restructured institution that has evolved from an arbitral tribunal to the Kosovo Chamber of Commerce (KCC). The legislation in force, namely Law no. 2004/7 on the Kosovo Chamber of Commerce, expressly authorizes KCC to provide arbitration services.

Arbitration is a procedure which nowadays dominates globally in disputes between businesses. Around the world, most complicated and most valuable disputes are resolved by arbitral tribunals.

The arbitration procedure is transparent and provides parties with the means to control the procedure. The procedure is foreseen under the rules of arbitration. The parties to the proceedings must have the arbitration clause in the contract. The main advantages of arbitration over state courts are: (i) flexibility; (ii) time and cost efficiency; (iii) the validity of the arbitral award and (iv) the confidentiality of the proceedings and decisions. Decisions are final.

Kosovo Chamber of Commerce, by informing businesses about the possibility of using the Tribunal aims to affect the promptness of solving problems, timeliness and cost reduction for business.

## Chapter V

## 5. CONSUMER AWARENESS RAISING

Consumer awareness – Understanding risks, problems, threats, damages, negative actions and often with irreparable consequences, which depends from some influential or even decision-making factors, which means having potential and being aware of the importance and consequences that may result from the abovementioned phenomena. Therefore, to raise the awareness of not only consumers but rather our entire society takes time, investment and different resources.

The consumer awareness should be handled with a lot of competence and serious and continuous commitment, by both professional institutions and key actors of the program, as a factor, modality and extremely important component with expected positive effects on awareness raising, activating and mobilizing as many citizens - consumers as possible in matters of protection of their rights and interests in Kosovo. The competent institutions for implementation of the constitutional and legal consumer protection provisions have the duty to make special action plans for the purpose of implementation of this program, for the full and continuous awareness of Kosovar consumers.

Awareness of consumer rights among the public in Kosovo has improved in recent years following a number of successful activities undertaken by the Ministry's Department for Consumer Protection. However, consumer knowledge of their rights is still relatively low and this Programme seeks to build on the good work carried done on awareness raising by planning a wide range of further activities for the period 2021-25.These activities can be split into three categories:

- Short-term activities - for immediate implementation, or activities which in principle can be performed immediately, referring to the current circumstances in Kosovo;
- Medium-term activities - for implementation at a latter part of the period 2016-20, or activities that require more time to be brought about, initially by committing to preliminary activities which anticipate possible changes and developments in consumer practice and retail sales in Kosovo;
- Aspirational options, which may be challenging to be fulfilled completely within the time limit, but which represent the so-called "best practice".

This chapter contains all of the selected awareness raising activities for 2016-20 and puts them into three categories. This information is then summarised in the Table on page 30. The overarching theme for the plan is for it to be multi-dimensional, i.e. encompassing different types of activities to ensure that the widest possible range of consumers is targeted. According to this program, the activities foreseen for 2021-2025 are as follows:

1. Promotion;
2. Online presence;
3. Broadcasting & Journalism: TV, Radio and newspapers;
4. “Real world” events”
5. Educational activities aimed at young consumers
6. Joint activities with International partners
7. Public polls
8. Educational curricula

### 5.1. Promotion

In this case, promotion means the following activities:
1. Video advertising,
2. Text messages (SMS),
3. Online advertising through various banners,
4. Through printed materials.

**Video advertising**– is generally known as an effective way of conveying messages to a broader range of receiving customers. The Consumer Protection Department has used promotional videos before, but the current goal is to expand the practice of this type of promotion. For example, the same content can be used on several different promotional platforms, e.g.:
- Commercial advertising on television;
- in the website of the Ministry;
- in online sites that enjoy high visibility (e.g. YouTube);
- Through social media.

Traditionally, the content of a good quality promotional video is known to be quite expensive to be made, especially in addition to the additional costs in relation to TV operators or online video platforms. However, production costs are generally reducing as technology advances and the potential benefits of reaching a wide audience make this a good option during the program period.

The content of the video will be short, succinct and themed. High production values are important in terms of TV advertisements, as TV viewers expect nothing less of that. However, consideration will be given to the production of “homemade” video clips for less formal use, e.g. through social media. In any event, all advertisements must look competent and dignified, i.e. impressive-looking but not so slick that they resemble a commercial for a luxury brand. They must be interesting but not ostentatious.

All visual advertising benefits from effective branding. Therefore, consideration will be given to the production of a clear visual brand for the Department for Consumer Protection, perhaps with an appropriate logo.

Issues covered by the advertisements will follow the key themes identified in the new website material (see below) and initiatives that are launched during the period.

Given that video promotions cost money, it is important to measure their effectiveness. In addition to the general mechanisms discussed in other chapters (e.g., results from calls/complaints and surveys), video promotion is also identified with other forms of measurement measures, such as through television viewership figures, number of portal visits and 'clicks' on various websites (ex. *YouTube*).

***SMS (text messages) –***This type of promotion, in effect has already been widely used by the Consumer Protection Department. For example, in 2019 text messages were sent to 900,000 customers, identified as the largest users of this type of communication in Kosovo. Moreover, this activity resulted in an immediate increase in calls received in the Consumer Protection Department. More specifically, only during 2014, the result of sending more than 900.0000 SMS messages to customers via the operator "Vala" resulted in serious awareness raising in relations to consumer rights violations. Similar promotions via SMS are expected to be undertaken during the period 2021-2025, through various telephone service providers in Kosovo.

***Promotion through online advertising*** – Almost as everywhere in the world, the use of internet service in Kosovo has marked a rapid increase in the number of users over the last decades. Specifically in Kosovo, approximately three quarters of the population are Internet users. For this reason, promotion on frequented websites is envisaged as a potentially good method of raising consumer awareness.

Banner advertising involves dynamic content appearing on 3rd party websites including a clickable link to the website of the advertiser. Whereas with regard to the result from the activity, for this type of promotion, it is easy to calculate the real number of third-party "clicks".

An added - albeit less tangible – benefit is increased “brand” awareness among those users who view the advertisement but do not click on it.

Careful consideration will be given to which websites to target for banner advertisements. In particular, information portals in Kosovo present as a good opportunity for the placement of advertisement banners. Other important matters will be considered in detail and decided upon in due course, such as:

- Should the advertisements include simple graphics or professionally produced animation or video?
- To which webpage should users be directed?
- Should individual specified websites be targeted in which to include advertisements or should advertising specialists and “banner networks” be employed to spread across a range of sites?

The main considerations in reaching these decisions will be budgetary and appropriateness for purpose at the time.

***Printed materials* -** The rise of the internet and electronic communication has seen a decline in the production and use of printed advertising materials. This trend is set to continue while the production of large amounts of printed leaflets is seen as secondary in the coming years.

In the present case, the planned production of small cards in the shape of leaflets is not excluded. This form of promotion is known to have been used effectively by the Department of Consumer Protection in the past, e.g., as is the case with the general leaflet promoting the services of the Department of Consumer Protection, or in relation to the advice card versus how to use food safely. These leaflets, if analysed, are presented as short (summarized in context), concise and made mainly of cardboard material, which makes them more stable in addition to their reference by consumers within a longer period of time. Despite the great popularity of the Internet, it should be borne in mind that a small number of consumers are not provided with Internet access, and this form of promotion is one of the ways to reach them.

Leaflets and promotional cards are expected to be produced as needed and present subject within budgetary capacities over time. They are claimed to be distributed through a variety of methods, such as newspapers, magazines or other widely printed materials; real world events across contacts with consumers.

***Other forms of promotion* -** Other forms of promotion are also considered, but which are not currently considered as primary to awareness-raising activities. Of the latter, the so-called bill-boards and radio promotions can currently be distinguished. Experience from the past in Kosovo suggests that these types of promotions may be less effective than the methods selected above. However, their selection may be reconsidered as circumstances change.

### 5.2. *Online* presence

A strong online presence is vital to the success of any modern organization. For the Department of Consumer Protection, three main aspects are considered which are: content on the portal of the Ministry; user access from mobile phones; use of social media.

***Portal of the Department for Consumer Protection (DCP/MTI)*** – The form of design and content of materials in an official portal is one of the crucial elements versus the credibility of the public to any organization. The DCP portal is already known to provide practical information to consumers, for example, such as on the basic rights of the consumer, the possibility of complaint through electronic form (online), advisory video recordings, receiving advice, as well as filing complaints, etc.

Based on what has been created so far, the expansion of the information, in the coming years, is envisaged to a greater extent than what is currently circulating on the ministry portal. More specifically, it is initially planned to address the basic rights of the consumer, in which case, the creation of a series of guidelines ("e-leaflets"), is intended through which will be elaborated on specific topics in addition to consumer protection. In the first place, these guides are expected to play a summary or general role along with the selected topics (first/upper level), and then, to be supplemented again with a series of other guides (second level) that contain more details in addition to the selected topics, such as the one in the table below.

| **Level** | **Title** | **Content** |
|---|---|---|
| First level | Consumer rights when buying goods | General introduction: right of guarantee; the right not to prescribe the goods by mistake, etc. |
| Second level | Buying goods online | The right to information during online shopping, the right to cancel within 14 days, etc. |
| Second level | Dangerous goods | Detailed information regarding the safety of goods, etc. |
| Second level | Unfair trading practices when selling goods | Fraudulent acts, omissions, aggressive commercial practices, etc. |

The table above is just an illustration, and decisions in addition to summary topics and substantive structure on consumer rights are expected to be made after careful consideration of options. A concrete example when dealing with summary topics ("high level") is the United Nations Principles or EU Laws on Consumer Protection. Another option may be to structure around the topics with which most of the complaints received relate to, such as when it comes to product warranties, food safety, prices, etc.

The inclusion of additional material on the portal of the Ministry is expected to significantly increase the service provided to consumers regarding their rights. Details on selected topics can be added systematically / continuously throughout the time in addition to the information that will be available. This is intended to enable consumers to be aware of their rights before purchasing products and services, as well as what to do when things go wrong during exchanges. On the other hand, officials from the Department of Consumer Protection will also be offered the opportunity to "direct" customers who seek help through the complaint line, which they also refer to the information on the portal, to facilitate referral versus advice offered over the phone.
Finally, the Ministerial Consumer Protection Portal is also expected to undergo two other important changes:

1. Include a general email address for customers to use to file a complaint or report / address problems. This is expected to provide additional opportunities for the consumer in addition to complaints by phone. Moreover, electronic form is known today as the best practice of communicating with consumers. In this regard, the EU Directive 2000/31/EC on electronic commerce itself stipulates that it is mandatory for all businesses within the European Union to have an online presence through the website.
2. Creating alternative forms versus campaigns with specifications. The initiative envisages the design of summary information against the specific circumstances of different events. In this case, it is also foreseen to create simplified URLs (*uniform resource locator*) as opposed to online forms, in order to assist this type of practice..

***Improving access through mobile phone*** **–** Modern consumers are generally avoiding Internet access through traditional computers (desktops, laptops) and are focusing more on devices such as mobile phones and so-called tablets. In order for an organization to be as effective as possible through the Internet, the portal itself should have as easy access as possible through mobile devices, especially tele mobiles. The portal which reflects well through the laptop, does not necessarily look good through a mobile phone, where it can only be seen partially or incomplete version of the portal due to the small screen, which often irritates Internet users.

Although this opportunity (access through telephone portals) has been enabled for several years now, there are ways through which the content of the portal can be improved and be even more attractive to mobile internet users, specifically:

- In its form, this is envisaged as ideal as access to the portal would be fully effective through both devices (mobile and desktop). Possible problems with this access include configuration costs and often the inability to access or find the portal as a result of sub-domain by the mobile device.
- Application of so-called "reactive design", the type of portal that automatically adapts to the design of the device used. Difficulties associated with this option can then be: cost, organizational policy and chain / side effects as a result of permanent changes to the portal.
- Creating an application that is known to be an effective and widely used method. However, an application of this type, poorly designed, would be rejected by users, or which is expected to be effective in the face of changes in content, e.g., information on new laws, etc.

The mobile user experience enhancement option is expected to focus primarily on the strengths and weaknesses associated with the user experience; expenses; ministry policies. In this regard, the relevant actors and IT specialists are expected to be consulted and then a decision will be made on how to proceed.

***Use of social media*** **-** In a short span of just a few years, social media has become part of the lives of millions of people around the world. The same reality is being experienced in Kosovo, a concrete case, approximately 80% of the population have access to the 'Facebook' medium. In relation to consumer protection, the presence on the Internet, foresees in the future, also the use of social media such as Facebook and Twitter, not excluding other social media.

The use of *Facebook* by a government institution is not envisaged as a tool that can be used so easily (for the very fact that the success of this medium relies on a not-so-formal style). DCP has already achieved success on *Facebook*. From now on, DCP / MTI will claim to find a suitable balance, initially to be more interesting, to have easy access and to be relaxing on the one hand, at the same time at an appropriate level of seriousness, which reflects the dignity of a state institution. This is not an easy challenge, but given the importance of *Facebook* in the daily lives of Kosovars versus the Internet, this goal must be achieved.

The Department of Consumer Protection has already created access to *Facebook*, where thousands of "likes" often result against posting (especially when dealing with hazardous products circulating in the market) and where consumers can contact the Department for questions and complaints. Access to *Facebook* is expected to develop even more, by launching or through new initiatives. *Facebook* is expected to be organized in such a way as to fully interact with the content of the Ministry portal and other sources depending on the circumstances.

The new Facebook initiative will be considered the so-called *on-line* (direct line) or even "*chat*" (as it is better known internationally), as something that has not been achieved so far, although it is foreseen through the program 2016-2020.

The best way to achieve this form of communication would be based on "specific topics", promoting the times and dates set on events through social media and other channels. This type of communication would enable the Department to reach out to customers through two forms: when it comes to active participants, specifically when it comes to comments and questions, before answers out of curiosity being offered, as well as when it comes to so-called passive consumers, who see and read the content of the "chat" but are not involved in the debate.

One of the dangers of using social media is the anonymity of users, which can result in unreasonable (critical or abusive) posting. The treatment of such posting should be foreseen, as well as to the comments on the official websites when it comes to consumer protection in general.

Other aspects of Facebook strategy include:

- Using Facebook as an analytical tool against interest (views, visits, ratings...);
- Use of photos, videos, graphics, illustrations and other materials to complement the content of the texts;
- "Doing business hours", the site verification in this case should also be published, respectively the regular monitoring time within this time;
- Any abuse by users of this form to be addressed immediately.
- Considering using "tagging" and other interactions with organizations and other *Facebook* users.

The use of the Twitter network in Kosovo is much lower than that of Facebook. It is estimated that only 7% of the population are users of this network. However, as in other countries, *Twitter* is mainly used by politicians, journalists and analysts, as well as new internet users. Therefore, it is considered important for an organization to be present on *Twitter* as well.

Establishing *Twitter* internet access will be treated as a very important issue. Initially this will be used to promote various activities, for example, for events such as consumer week, or even posting links through so-called tweets to more detailed information on the website. Particular attention should be paid to the link to connect to Facebook, through specialized software such as the one known as the ‘Hot-suite’. Over time then, the systematic use of *Twitter* will be considered.

Using *Twitter* has its challenges, typical one when it comes to social media, for example, when dealing with network abusers (known as "*trolling*"), or specific, for example, posting messages over 140 characters. Specific procedures should be provided throughout the implementations, always adapting to the time circumstances.

***Other forms of social media -*** There is a wide range of other portals known as social media, known as Instagram, Pinterest, Tumblr etc. However, the current phase does not provide for the establishment of a presence in any of them. The amount of compensation from these activities seems to be insufficient currently. Focusing on the performance of one or two leading media outlets is currently considered the most important. However, given the rapid nature of change within social media networks, this decision will always be subject to review, with the possibility of change depending on the "essential" circumstances versus social media throughout the program period.

### 5.3. Broadcasts & Journalism: TV, Radio and Newspapers

These types of traditional media still reach a large part of the population of Kosovo, on a daily basis. It is important for consumers that through these types of promotions, to continue further, in a genuine manner the publication of events of interest to consumers, at the same time the activity of the Department of Consumer Protection. Department officials will be ready to respond to requests for information and media interviews promptly, while maintaining sound relationships with broadcasters and journalists.

***Television*** – TV is known to be quite popular in Kosovo, except that it has been used to promote consumer rights in the past (interviews, news, various weekly programs). Further activities of similar actions are foreseen in the future, always in relation to the initiatives by the television companies, especially when it comes to the expansion of programs that affect the consumer - for example, the creation of programs dedicated directly to consumers will be supported and encouraged.

***Radio*** – What has been said about television programs also applies to radio. Furthermore, it will be attempted to organize one or more programs (radio programs) through radiophonic companies, where consumers through telephone calls will be offered advice on their consumer problems, or other issues of interest will be discussed.

***Newspapers-Press*** – The importance of the press is declining. However, this form of communication reaches a significant number of the population, especially those who do not use the Internet and are often forgotten by businesses and policymakers. Opportunities should be sought to encourage newspapers to publish articles of importance to consumers. The focus will be mainly on publishing articles drafted by the Department of Consumer Protection.

Newspapers that have portals reach a wider audience and as a result, it will be ensured that the printed versions always reach the consumers even through the electronic form (*online*). It is considered that the use of online portals could be realized through conditionality throughout the purchase of spaces in printed versions. Opportunities of this nature will be explored and monitored with approximately all the time.

### 5.4. Real organizations

In addition to virtual and broadcasting activities, attention will also be paid to face-to-face contact with consumers and stakeholders. Activities of this kind are known to be successful so far, so it is intended for them to remain part of the plan to raise consumer awareness, for example:

- Promotional events in public spaces - "stands" in city squares and other places with high frequency of people;
- Roundtables - to bring together stakeholders for information and discussion on consumer issues.

Additional attention is expected to be paid to the expansion of these activities outside public spaces (always in the presence of consumers), such as when dealing with supermarkets or even shopping malls. Promotional stands can be placed at the entrance/exit, or even inside supermarkets during events such as ‘Consumer Week’. This type of awareness will require full cooperation with the supermarkets involved, where it will initially be discussed in details with these businesses, in which case the owners of these supermarkets will be explained that their cooperation will demonstrate to consumers that they support the consumer's rights and that the supermarket in question is a reliable place to buy. If cooperation of this nature is really achieved, this will also enable the promotion (through banners, flyers ...) of the work of the Department for Consumer Protection.

### 5.5. Joint activities with international partners

Kosovo is already an active member of ICPEN (International Consumer Protection and Enforcement Network) and the Department of Consumer Protection has already used international initiatives to promote consumer rights within Kosovo, e.g., activities on 'World Consumer Rights Day' held in March.

The Department for Consumer Protection plans to carry out similar work with ICPEN partner agencies and EU institutions. This department will also look at the possibility of establishing bilateral relations with other agencies in the region (Croatia, Albania, Montenegro), consequently promoting these activities then within Kosovo in the quality of awareness.

### 5.6. Educational activities aimed at young consumers

Any strategy for raising consumer awareness should encourage measures to educate the youth population. Some of the activities outlined above such as social media activities contribute to this goal. Other measures aimed at young consumers are expected to be considered in the near future. Specifically, since such a thing is not easy to achieve very quickly, these types of activities are considered more as a long-term proposal. However, there is a general opinion that the benefits of successful adolescent engagement will enable valuable progress in Kosovo, in relation to the period 2021-26. The possibilities are:

- Development of programs on 'question-answer' games (quiz) for adolescent consumers. This activity could be promoted through schools, which at the same time will have the opportunity to be part of the competitions. Preparing for competitions will result in raising the awareness of young people about their consumer rights, consequently on overall efficiency. The Department of Consumer Protection will have the opportunity to provide materials to inform competitors, at the same time department officials to visit schools and conduct talks with groups of students.
- Attempting to establish a regular standard in the curriculum in primary schools on consumer rights. This should result in a very wide achievement among young people.

### 5.7. Public Opinion polls

Polls can be conducted in various forms. It is often preferred to hire a specialized agency (known as a costly method), mainly to ensure the reliability of the figures and the process. However, there is another possibility, that through a less expensive software, through which activities can be performed within the offices of the department.

The latter for polls is considered to be less formal and credible than those conducted by specialized companies, for the very possibility of distortion of real figures. Nevertheless, they (figures) can be very valuable in providing information along with changes, on new ideas, as well as to make comparisons (even if the figures are not completely regular as result of the process, respectively tendency can be identified if the polls are conducted in the same way).

Another reason for conducting polls with the public is to inform the public about the problems that consumers constantly face. Statistics and narrative reports prepared regarding complaints received from the Department of Consumer Protection will continue to be the primary source of such information. However, this could be supplemented with data from polls aimed at identifying consumer problems.

Detailed attention is expected to be paid to the program for conducting surveys with the public, which evaluates the effectiveness of the activities of the Department of Consumer Protection, compiles data on problems encountered by consumers, as well as their knowledge of the rights that the consumer possesses.

Table: *Summary of awareness activities*

| **Activity** | **Section** | **Time period** | **Measurement*** |
|---|---|---|---|
| Video ads on TV | 1 | Short-term | TV viewing figures |
| Advertising of videos on the portal of the Ministry | 1 | Short-term | Clicks on portals |
| Advertising of videos on “TV on internet” | 1 | Mid-term | Clicks on portals |
| Advertising videos through social media | 1 | Short-term | Clicks on portals |
| Advertising through SMS | 1 | Short-term | Number of messages sent |
| Advertising on "Banners" on the Internet | 1 | Mid-term | Clicks on portals, “the rate of clicks” |
| Printed advertising materials | 1 | Short-term | Number of cards distributed |
| Including "high level" summary instructions on the Ministry's portal | 2 | Mid-term | Clicks on portals |
| Publication of "level 2" instruction materials on the portal | 2 | Aspired | Clicks on portals |
| Contact email address on the portal | 2 | Short-term | Number of emails received |
| Contact forms on the portal with short URLs | 2 | Short-term | Number of completed forms |
| Portal content with the version for mobile phones | 2 | Mid-term | |
| Realization of Facebook account | 2 | Short-term | Account interactions, "likes" |
| Chatting in Facebook | 2 | Mid-term | Number of participants |
| Configuration and starting selective usage on Twitter account | 2 | Mid-term | Number of followers of tweets and re-tweets |
| Regular use of the Twitter site as a routine issue. | 2 | Aspired | Number of followers, tweets and retweets |
| Participation in television programs | 3 | Short-term | TV viewership figures |

| | | | |
|---|---|---|---|
| Attempts to arrange and participate in live radiophonic programs | 3 | Mid-term | Number of participants, figures of audience |
| Newspaper articles | 3 | Mid-term | Number of readers |
| Organizing promotional stands in public places for campaigns | 4 | Short-term | Number of customers interviewed |
| Access to supermarkets for the purpose of joint promotional work | 4 | Mid-term | Number of customers interviewed |
| Participation in international consumer events | 5 | Short-term | |
| Review of joint engagement with regional partners in awareness campaigns. | 5 | Mid-term | |
| Organizing a quiz for students | 6 | Aspired | Number of quiz participants, spectators |
| Attempting to include consumer rights in school curricula | 6 | Aspired | Number of students attending consumer rights classes |
| Considering a company's engagement in market research to assess the effectiveness of awareness raising and to identify consumer problems | 7 | Mid-term | Number of respondents |
| Conducting "in-house" polls to assess the effectiveness of awareness raising and to identify consumer problems | 7 | Mid-term | Number of respondents |

* In addition to the relative number of calls and complaints received and information from public polls, which apply to all activities.

### 5.8. Educational curricula

Educational curricula are set forth by the Law on Consumer Protection, which also foresees the drafting of guidelines for teachers on the topic “Consumer protection”, as well as the drafting of curricula for primary and secondary schools on the topic “Consumer protection”.

In compliance with the legal provisions of the Law on Consumer Protection (specifically Article 137 of the Law), the Consumer Protection Program 2021-2025 provides the following:

1. The Ministry of Education, Science and Technology is obliged to initiate drafting of the curriculums for primary, secondary and University education, including basic knowledge related to consumer protection.
2. The Ministry of Trade and Industry proposes and supports the Ministry of Education, Science and Technology to begin the preparation of educational programs, curriculums and training on consumer protection within the curriculum.

3. Ministry of Trade and Industry in cooperation with the Minister of Education, Science and Technology and consumer protection associations must strongly promote the consumer rights at all levels of educational institutions.
4. Ministry of Trade and Industry will participate in training and capacity building of consumer protection associations in meeting the specified obligations with this Article.

## Chapter VI

## 6. SUPPORT AND COOPERATION WITH ASSOCIATIONS ON CONSUMER PROTECTION

As mentioned in one of the chapters above, when it comes to consumer protection associations, it can be freely said that in the current reality, apart from the NGO 'Consumer', there is currently no other representative in the form of an NGO that deals exclusively with consumer rights (excluding those dealing with other programs, i.e., NGOs not dealing exclusively with consumer protection).

However, from the experiences of regional countries and (again) with the recommendation of the European Union Program IPA (*Instrument for pre-accession assistance*), in the absence of funding from the private sector, respectively when it comes to strengthening and building administrative capacities of associations in cooperation with the public sector, respectively through strengthening cooperation.

The Department for Consumer Protection, i.e., MTI, will continuously try to engage in institutional partnerships with Kosovar NGOs that act for the benefit of the consumer, possess a long-term record and regular performance, possess sufficient capacities and competencies, considerable knowledge versus the field and affinity with Kosovar society.

Partnerships of this form aim at the *synergy* of knowledge, competencies and capacities, wider knowledge and experience in order to achieve the strategic goals of Kosovo national cooperation alongside consumer rights.

The Department of Consumer Protection will be committed to encouraging stakeholders to engage in sectoral activation of consumer protection. In this regard, it will support NGOs to raise awareness of those interested in activism in various sectors of the cause, rights and obligations, interests and dignity of the consumer citizen.

Based on their experience on the work of the program, Kosovar NGOs will be offered the opportunity of collaboration to contribute to the education of the Kosovar consumer, raising awareness on consumer protection, strengthening national and international debates, as opposed to other humanitarian issues.

## CONCLUSION

Through this Programme on Consumer Protection, the state policy priority frames in regard to Consumer Protection for the period 2021 – 2025 are defined, as a precondition set by European Union through the Stabilisation and Association process. Ensuring proper functioning of market economy depends on administrative infrastructure development in relation to market surveillance and enforcement of legislation in this area. Development of an open dialogue with all parties of interests of the Kosovo society, for ensuring clarity, consistency of actions and understanding and defining the consumer interests at the national level, to the Republic of Kosovo represents the next challenge. All this is foreseen to be achieved through further engagements on harmonizing national interests and opportunities. Therefore, the whole process depends on the good will of all main sectors that are within the competence of government's departments that deal with the process of harmonisation with EU standards, by educating the human resources as civil servants, as well as judiciary toward a well-informed public opinion.

The success of the implementation of this Programme, first of all, will depends on the willingness of all key stakeholders toward consumer protection, on accomplishing their tasks and respecting the deadlines specified above.

**Annex 1**

**CURRENT SITUATION OF CONSUMER PROTECTION IN KOSOVO**

| **$Q1. Have you purchased any items or received any services in the last 12 months?** | | | | | |
|---|---|---|---|---|---|
| | | Responses | | Percentage of cases | |
| | | N | Percent | | |
| Q1[a] | Online | 492 | 38.3% | 45.6% | |
| | Mobile phone | 142 | 11.0% | 13.1% | |
| | Landline | 68 | 5.3% | 6.4% | |
| | Mail | 110 | 8.6% | 10.2% | |
| | None | 471 | 36.7% | 43.7% | |
| Total | | 1283 | 100.0% | 119.0% | |
| a. Dichotomous group tabulated with value 1. | | | | | |
| | | | | | |
| **Q2. You said you purchased something online, by phone or by mail from a seller/provider. Can you tell us how much you have spent in total on goods and services you have purchased online, by phone or by mail in the last 12 months, even if it is a rough amount?** | | | | | |
| | N | Minimum | Maximum | Average | Std. deviation |
| In Euro | 601 | 5 | 2200 | 140.34 | 223.427 |
| N Valid (according to the list) | 601 | | | | |
| | | | | | |
| **$Q3 3. During the past 12 months, have you encountered any of the following situations when shopping online, by phone or mail, in Kosovo or elsewhere?** | | | | | |
| | | Responses | | Percentage of cases | |
| | | N | Percent | | |
| Q3[a] | Delay in delivery of the purchase by a seller/provider located in Kosovo | 169 | 24.1% | 27.8% | |
| | You purchased something from a seller/provider located in Kosovo and the purchased item was not delivered to you. | 66 | 9.5% | 10.9% | |
| | Delay in delivering something purchased from a seller/provider located in an EU country | 43 | 6.2% | 7.1% | |

| | | | | | |
|---|---|---|---|---|---|
| | You purchased something from a seller/provider located abroad and the purchased item was not delivered to you. | 30 | 4.3% | 5.0% | |
| | You wanted to purchase something from a seller/provider abroad but the seller did not deliver or sell in Kosovo | 70 | 10.1% | 11.6% | |
| | None | 321 | 45.9% | 53.0% | |
| Total | | 700 | 100.0% | 115.3% | |

**4. Having a general consideration about the purchase of goods or services from sellers/providers located elsewhere other than in Kosovo, please indicate to what extent you agree or disagree with each of the following statements.**

| | Strongly agree | Somewhat agree | Somewhat disagree | Strongly disagree | |
|---|---|---|---|---|---|
| You are able to purchase goods and services using another language | 24.3% | 21.5% | 9.4% | 44.8% | |
| In the next 12 months, you consider making overseas purchases at a higher value than the value spent in the last 12 months | 10.9% | 27.4% | 17.0% | 44.6% | |
| You are not interested in making a cross-border transaction in the next 12 months | 15.0% | 21.8% | 20.1% | 43.0% | |

**5. Having in consideration everything you purchased last week, did the environmental issues of any product or service have an impact on your choice?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| Valid | Yes | 282 | 26.2 | 26.2 | 26.2 |
| | No | 796 | 73.8 | 73.8 | 100.0 |
| | Total | 1078 | 100.0 | 100.0 | |

| 6. Having in consideration everything you purchased last week, has the country of origin of any product or service influenced your choice? | | | | | |
|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage |
| Valid | Yes | 491 | 45.6 | 45.6 | 45.6 |
| | No | 587 | 54.4 | 54.4 | 100.0 |
| | Total | 1078 | 100.0 | 100.0 | |

| 7. When you think of all the non-food products currently on the market in Kosovo, do you think that ...? | | | | | |
|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage |
| Valid | Basically, all products are safe | 135 | 12.6 | 12.9 | 12.9 |
| | A small number of products are unsafe | 182 | 16.8 | 17.2 | 30.1 |
| | A significant number of products are unsafe | 244 | 22.6 | 23.2 | 53.3 |
| | Depends on the product (SPONTANEOUSLY) | 493 | 45.7 | 46.7 | 100.0 |
| | Total | 1054 | 97.7 | 100.0 | |
| Missing | DK\NA | 24 | 2.3 | | |
| Total | | 1078 | 100.0 | | |

| 8. When you think about all the food products currently on the market in Kosovo, do you think that...? | | | | | |
|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage |
| Valid | Basically, all products are safe | 135 | 12.5 | 12.7 | 12.7 |
| | A small number of products are unsafe | 214 | 19.8 | 20.2 | 32.9 |
| | A significant number of products are unsafe | 337 | 31.3 | 31.8 | 64.7 |
| | Depends on the product (SPONTANEOUSLY) | 375 | 34.7 | 35.3 | 100.0 |
| | Total | 1061 | 98.4 | 100.0 | |
| Missing | DK\NA | 17 | 1.6 | | |

| | | | | | |
|---|---|---|---|---|---|
| Total | | 1078 | 100.0 | | |

**9. Have you encountered any problems when you purchased something (PRODUCT OR SERVICE) in Kosovo in the last 12 months?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| Valid | Yes | 273 | 25.3 | 25.3 | 25.3 |
| | No | 805 | 74.7 | 74.7 | 100.0 |
| | Total | 1078 | 100.0 | 100.0 | |

**$Q10. To what sector do/did the operators belong?**

| | | Responses | | Percentage of cases |
|---|---|---|---|---|
| | | N | Percent | |
| Q10[a] | Retail | 185 | 57.1% | 67.8% |
| | Taxi | 9 | 2.7% | 3.2% |
| | Telephone operators | 42 | 13.0% | 15.4% |
| | Car services | 15 | 4.6% | 5.4% |
| | Car dealerships/dealers | 7 | 2.1% | 2.4% |
| | Restaurant | 22 | 6.9% | 8.2% |
| | Tourism (Hotels, guesthouses, ...) | 3 | 0.9% | 1.0% |
| | Others | 41 | 12.7% | 15.1% |
| Total | | 324 | 100.0% | 118.7% |

a. The dichotomy group presented in the table in the value 1.

**$Q11. Have you encountered any of the examples below in the last 12 months?**

| | | Responses | | Percentage of cases |
|---|---|---|---|---|
| | | N | Percent | |
| Q11[a] | You have encountered unsolicited commercials, statements or commercial offers (free calls, spam emails, commercial SMS, etc.) | 266 | 17.8% | 24.7% |
| | You have encountered misleading or fraudulent advertisements, statements or offers | 280 | 18.8% | 26.0% |

| | | | | | |
|---|---|---|---|---|---|
| | You have responded to an ad or offer that turned out to be misleading or fraudulent | 69 | 4.6% | 6.4% | |
| | You have encountered fraudulent advertisements, statements or offers | 219 | 14.7% | 20.3% | |
| | You responded to an ad or offer that turned out to be fraudulent | 114 | 7.7% | 10.6% | |
| | You have come across exaggerated or misleading statements about the beneficial effects of products on the environment | 70 | 4.7% | 6.5% | |
| | None | 475 | 31.8% | 44.0% | |
| Total | | 1493 | 100.0% | 138.5% | |
| a. The dichotomy group presented in the table in the value 1. | | | | | |

**12. To what extent are you familiar with the new Law on consumer rights that came into force in July 2018?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| Valid | Very informed - I read it in detail | 30 | 2.8 | 2.8 | 2.8 |
| | Somewhat informed - I know some of the new rights | 282 | 26.2 | 26.2 | 29.0 |
| | Little informed - I only know of its existence | 307 | 28.5 | 28.5 | 57.5 |
| | I am not informed at all - I have never heard of it | 458 | 42.5 | 42.5 | 100.0 |
| | Total | 1078 | 100.0 | 100.0 | |

**13. How often do you come across products with labels that are not in your native language?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| Valid | Daily | 181 | 16.8 | 17.8 | 17.8 |
| | Weekly | 213 | 19.7 | 21.0 | 38.8 |
| | Monthly | 141 | 13.1 | 13.9 | 52.8 |

| | | | | | |
|---|---|---|---|---|---|
| | Rarely | 353 | 32.7 | 34.9 | 87.6 |
| | Never | 125 | 11.6 | 12.4 | 100.0 |
| | Total | 1012 | 93.9 | 100.0 | |
| Missing | DK/NA | 66 | 6.1 | | |
| Total | | 1078 | 100.0 | | |

**14. Suppose you ordered a product by mail, telephone, or online. You think you have the right to return the product you ordered 4 days after receiving it, and get a refund, without giving any reason?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| Valid | Yes | 278 | 25.8 | 29.4 | 29.4 |
| | No | 669 | 62.0 | 70.6 | 100.0 |
| | Total | 947 | 87.8 | 100.0 | |
| Missing | DK/NA | 131 | 12.2 | | |
| Total | | 1078 | 100.0 | | |

**15. Suppose the new refrigerator, which you bought 18 months ago, breaks through no fault of your own, while you have not paid the longer warranty. Do you have the right to repair or replace it for free?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| Valid | Yes | 282 | 26.2 | 27.8 | 27.8 |
| | No | 731 | 67.8 | 72.2 | 100.0 |
| | Total | 1013 | 94.0 | 100.0 | |
| Missing | DK/NA | 65 | 6.0 | | |
| Total | | 1078 | 100.0 | | |

**16. Suppose you received by mail two educational DVDs, along with a € 20 invoice for products you did not order. Are you required to pay the bill?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| Valid | Yes | 47 | 4.3 | 4.5 | 4.5 |
| | No | 986 | 91.5 | 95.5 | 100.0 |
| | Total | 1033 | 95.8 | 100.0 | |
| Missing | DK/NA | 45 | 4.2 | | |

| | | | | | |
|---|---|---|---|---|---|
| Total | | 1078 | 100.0 | | |
| | | | | | |

**17. Have you encountered any problems with the purchase in Kosovo in the last 12 months?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| Valid | Yes | 258 | 23.9 | 23.9 | 23.9 |
| | No | 820 | 76.1 | 76.1 | 100.0 |
| | Total | 1078 | 100.0 | 100.0 | |
| | | | | | |

**18. Overall, how satisfied were you with the way your complaint was handled by the seller/provider/manufacturer?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| Valid | Yes | 671 | 62.3 | 62.3 | 62.3 |
| | No | 407 | 37.7 | 37.7 | 100.0 |
| | Total | 1078 | 100.0 | 100.0 | |
| | | | | | |

**$Q19. What was the main reason/reasons for not filing the complaint?**

| | | Responses | | Percentage of cases | |
|---|---|---|---|---|---|
| | | N | Percent | | |
| Q19[a] | The amounts involved were very small | 178 | 14.3% | 16.5% | |
| | "You did not know how and where to complain" | 233 | 18.8% | 21.6% | |
| | "You were not sure of your rights as a consumer" | 100 | 8.1% | 9.3% | |
| | "You thought it would take too long" | 115 | 9.3% | 10.7% | |
| | "You tried to complain about other problems in the past but you were not successful" | 111 | 8.9% | 10.3% | |

| | | | | | |
|---|---|---|---|---|---|
| | "You have not complained to the seller/provider, but you have gone directly to a third party (consumer association, lawyer, arbitration, mediation, conciliation body, in court)" | 11 | 0.9% | 1.1% | |
| | Other | 491 | 39.6% | 45.6% | |
| Total | | 1240 | 100.0% | 115.0% | |
| | | | | | |
| **Q19 Other (please specify)** | | | | | |
| | | Frequency | Percent | Valid percentage | Cumulative percentage |
| | Apart from products in markets that are not Albanian, I have not encountered any other problems, so I have not complained | 1 | 0.1 | 0.1 | 54.4 |
| | I did not know where to file the complaint | 1 | 0.1 | 0.1 | 54.5 |
| | I do not know | 17 | 1.6 | 1.6 | 56.1 |
| | I do not want to complain | 6 | 0.6 | 0.6 | 56.7 |
| | I always complain when needed | 3 | 0.2 | 0.2 | 56.9 |
| | I complained but the portal blocked me, they did not allow me to verify the product without seeing it first | 1 | 0.1 | 0.1 | 57.0 |
| | I consume only local products and I am very satisfied | 1 | 0.1 | 0.1 | 57.2 |
| | I had problems with market purchases and could not complain because it was my neighbour and he blamed his workers for my problem | 1 | 0.1 | 0.1 | 57.3 |
| | I gave up and since then I have decided not to buy things online and unfortunately local products have no quality and I am forced to buy foreign products | 1 | 0.1 | 0.1 | 57.4 |
| | I complained and they solved my problem | 6 | 0.6 | 0.6 | 58.0 |

| | | | | | |
|---|---|---|---|---|---|
| | I complained to the manager | 1 | 0.1 | 0.1 | 58.2 |
| | I have not complained | 5 | 0.5 | 0.5 | 58.7 |
| | I only buy local products and I am very satisfied, so I do not need to complain | 1 | 0.1 | 0.1 | 58.8 |
| | I returned the product | 1 | 0.1 | 0.1 | 59.0 |
| | I usually buy online and I did not have any problems | 1 | 0.1 | 0.1 | 59.1 |
| | I was blocked | 1 | 0.1 | 0.1 | 59.2 |
| | I was not informed that I could | 1 | 0.1 | 0.1 | 59.3 |
| | I was satisfied | 7 | 0.6 | 0.6 | 59.9 |
| | It was a complicated situation | 1 | 0.1 | 0.1 | 60.0 |
| | It was too late | 1 | 0.1 | 0.1 | 60.2 |
| | My complaints were not taken into account | 1 | 0.1 | 0.1 | 60.3 |
| | My complaints would be ignored | 1 | 0.1 | 0.1 | 60.4 |
| | There is no answer | 14 | 1.3 | 1.3 | 61.7 |
| | There is no | 199 | 18.4 | 18.4 | 80.1 |
| | Not worth it | 7 | 0.6 | 0.6 | 80.8 |
| | Workers should not be blamed | 1 | 0.1 | 0.1 | 80.9 |
| | There is no certainty | 1 | 0.1 | 0.1 | 81.1 |
| | There was no need | 203 | 18.8 | 18.8 | 99.9 |
| | We reached an agreement with the seller and solved the problem together | 1 | 0.1 | 0.1 | 100.0 |
| | Total | 491 | 100.0 | 100.0 | |
| | | | | | |
| | | | | | |
| | | | | | |

**Q20. For each of the following statements, please indicate whether you agree with it or not, in Kosovo.**

| | Strongly agree | Somewhat agree | Somewhat disagree | Strongly disagree | |
|---|---|---|---|---|---|

| | | | | | |
|---|---|---|---|---|---|
| ...it is easy to resolve disputes with sellers/providers through arbitration, mediation or conciliation body (malfunction of goods, delay/non-delivery, | 26.4% | 37.8% | 16.0% | 19.8% | |
| ... it is easy to resolve disputes with sellers/providers through the courts | 17.8% | 34.1% | 22.4% | 25.7% | |
| ... you trust independent consumer organizations to protect your rights as a consumer | 25.2% | 43.9% | 15.4% | 15.6% | |
| ... you trust public authorities to protect your rights as a consumer | 25.3% | 38.8% | 15.8% | 20.0% | |
| ... you think you are adequately protected by existing measures to protect consumers | 22.7% | 43.1% | 15.0% | 19.2% | |
| … in general, sellers/providers in Kosovo respect your rights as a consumer | 24.8% | 47.8% | 15.2% | 12.2% | |
| … you have changed your consumer behaviour as a result of a media story (e.g., changing store or product) | 16.5% | 40.1% | 18.7% | 24.7% | |
| … you regularly watch/listen to TV or radio programs related to consumer issues | 16.1% | 29.7% | 20.8% | 33.4% | |
| | | | | | |

**21. You have contacted the Consumer Protection Department to resolve any issues?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| Valid | Yes | 38 | 3.6 | 3.6 | 3.6 |
| | No | 1040 | 96.4 | 96.4 | 100.0 |

| | | | | | |
|---|---|---|---|---|---|
| | Total | 1078 | 100.0 | 100.0 | |

**22. Why did you not contact the Consumer Protection Department?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| | I do not know how to contact them | 177 | 16.4 | 17.1 | 17.1 |
| | I never needed to contact them | 717 | 66.5 | 68.9 | 86.0 |
| | I do not think they can solve my problem | 146 | 13.5 | 14.0 | 100.0 |
| | Total | 1040 | 96.4 | 100.0 | |
| Missing | 999 | 38 | 3.6 | | |
| Total | | 1078 | 100.0 | | |

**23. How did you contact the Consumer Protection Department?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| | By phone (08001 1000) | 29 | 2.7 | 75.3 | 75.3 |
| | Website https://konsumatori.rks-gov.net/ | 2 | 0.1 | 4.1 | 79.3 |
| | Email | 3 | 0.2 | 6.6 | 86.0 |
| | Personal visit | 5 | 0.5 | 14.0 | 100.0 |
| | Total | 38 | 3.6 | 100.0 | |
| Missing | 999 | 1040 | 96.4 | | |
| Total | | 1078 | 100.0 | | |

**24. Were you happy with the result?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage |
|---|---|---|---|---|---|
| | Yes | 16 | 1.5 | 42.1 | 42.1 |
| | No | 22 | 2.1 | 57.9 | 100.0 |
| | Total | 38 | 3.6 | 100.0 | |
| Missing | 999 | 1040 | 96.4 | | |
| Total | | 1078 | 100.0 | | |

| | **1. In the last 12 months, have you purchased any goods or services through ...?** | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Po | Jo | | EU27 | | | | | |
| Online | 15.2% | 84.8% | | 56% Po | | | | | |
| Mobile phone | 5.2% | 94.8% | | | | | | | |
| Landline | 6.2% | 93.8% | | 13% | | | | | |
| Mail | 3.9% | 96.1% | | 20% | | | | | |
| | | | | | | | | | |

| **Descriptive statistics** | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | N | Minimum | Maximum | Average | Std. deviation | | EU AVG | | |
| 2. You said you purchased something online, by phone or by mail from a seller/provider. Can you tell us how much you have spent in total on goods and services you have purchased online, by phone or by mail in the last 12 months, even if it is an approximate amount? | 201 | 8 | 1000 | 81.89 | 149.479 | | 638.4 | | |
| N Valid (according to the list) | 201 | | | | | | | | |
| | | | | | | | | | |

| **3. During the past 12 months, have you encountered any of the following situations when shopping online, by phone or mail, in Kosovo or elsewhere? - delay in delivery of the purchase by a seller/provider located in Kosovo** | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Yes | 86 | 8.0 | 41.7 | 41.7 | | 20.0 | | |
| | No | 120 | 11.2 | 58.3 | 100.0 | | 80.0 | | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Total | 206 | 19.1 | 100.0 | | | | | |
| Missing | N/A | 869 | 80.9 | | | | | | |
| Total | | 1075 | 100.0 | | | | | | |

| **You purchased something from a seller/provider located in Kosovo and the purchased item was not delivered to you** | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Yes | 17 | 1.6 | 8.5 | 8.5 | | 5.0 | | |
| | No | 188 | 17.5 | 91.5 | 100.0 | | 95.0 | | |
| | Total | 206 | 19.1 | 100.0 | | | | | |
| Missing | N/A | 869 | 80.9 | | | | | | |
| Total | | 1075 | 100.0 | | | | | | |

| **Delay in delivering something purchased from a seller/provider located in an EU country** | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Yes | 54 | 5.0 | 26.3 | 26.3 | | 4.0 | | |
| | No | 152 | 14.1 | 73.7 | 100.0 | | 95.0 | | |
| | Total | 206 | 19.1 | 100.0 | | | | | |
| Missing | N/A | 869 | 80.9 | | | | | | |
| Total | | 1075 | 100.0 | | | | | | |

| **You purchased something from a seller/provider located abroad and the purchased item was not delivered to you** | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Yes | 37 | 3.5 | 18.1 | 18.1 | | 18.0 | | |
| | No | 168 | 15.7 | 81.9 | 100.0 | | 81.0 | | |
| | Total | 206 | 19.1 | 100.0 | | | | | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Missing | N/A | 869 | 80.9 | | | | | | |
| Total | | 1075 | 100.0 | | | | | | |
| | | | | | | | | | |
| **You wanted to purchase something from a seller/provider abroad but the seller did not deliver or sell in Kosovo** | | | | | | | | | |
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Yes | 49 | 4.5 | 23.7 | 23.7 | | | | |
| | No | 157 | 14.6 | 76.3 | 100.0 | | | | |
| | Total | 206 | 19.1 | 100.0 | | | | | |
| Missing | N/A | 869 | 80.9 | | | | | | |
| Total | | 1075 | 100.0 | | | | | | |
| | | | | | | | | | |
| **4. Having a general consideration about the purchase of goods or services from sellers/providers located elsewhere other than in Kosovo, please indicate to what extent you agree or disagree with each of the following statements.** | | | | | | | | | |
| | Strongly agree | Somewhat agree | Somewhat disagree | Strongly disagree | | | EU27 | | |
| You are able to purchase goods and services using another language | 40.1% | 22.5% | 17.5% | 19.9% | | | 22.0% | 28.0% | 18.0% |
| In the next 12 months, you consider making overseas purchases at a higher value than the value spent in the last 12 months | 10.3% | 17.6% | 47.4% | 24.8% | | | 5.0% | 13.0% | 23.0% |
| You are not interested in making a cross-border transaction in the next 12 months | 14.8% | 30.6% | 30.7% | 24.0% | | | 28.0% | 15.0% | 20.0% |
| | | | | | | | | | |

| **5. Having in consideration everything you purchased last week, did the environmental issues of any product or service have an impact on your choice?** | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Yes | 220 | 20.5 | 20.5 | 20.5 | | 29.0 | | |
| | No | 855 | 79.5 | 79.5 | 100.0 | | 69.0 | | |
| | Total | 1075 | 100.0 | 100.0 | | | | | |

| **6. Having in consideration everything you purchased last week, has the country of origin of any product or service influenced your choice?** | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Yes | 252 | 23.4 | 23.4 | 23.4 | | | | |
| | No | 823 | 76.6 | 76.6 | 100.0 | | | | |
| | Total | 1075 | 100.0 | 100.0 | | | | | |

| **7. When you think of all the non-food products currently on the market in Kosovo, do you think that...?** | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Basically, all products are safe | 119 | 11.0 | 12.7 | 12.7 | | 12.0 | | |
| | A small number of products are unsafe | 358 | 33.3 | 38.3 | 51.0 | | 56.0 | | |
| | A significant number of products are unsafe | 340 | 31.7 | 36.4 | 87.4 | | 25.0 | | |
| | Depends on the product [Not specified] | 118 | 10.9 | 12.6 | 100.0 | | 4.0 | | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Total | 935 | 86.9 | 100.0 | | | | | |
| Missing | DK\NA | 140 | 13.1 | | | | 3.0 | | |
| Total | | 1075 | 100.0 | | | | | | |
| | | | | | | | | | |
| **8. When you think about all the food products currently on the market in Kosovo, do you think that...?** | | | | | | | | | |
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Basically, all products are safe | 94 | 8.7 | 9.9 | 9.9 | | 19.0 | | |
| | A small number of products are unsafe | 264 | 24.6 | 27.8 | 37.7 | | 55.0 | | |
| | A significant number of products are unsafe | 415 | 38.6 | 43.7 | 81.4 | | 22.0 | | |
| | Depends on the product [Not specified] | 177 | 16.4 | 18.6 | 100.0 | | 2.0 | | |
| | Total | 950 | 88.4 | 100.0 | | | | | |
| Missing | DK\NA | 125 | 11.6 | | | | 2.0 | | |
| Total | | 1075 | 100.0 | | | | | | |
| | | | | | | | | | |
| **9. Have you encountered any problems when you purchased something (PRODUCT OR SERVICE) in Kosovo in the last 12 months?** | | | | | | | | | |
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Yes | 197 | 18.3 | 18.3 | 18.3 | | | | |
| | No | 878 | 81.7 | 81.7 | 100.0 | | | | |
| | Total | 1075 | 100.0 | 100.0 | | | | | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | |
| **10. If you answer “Yes” above, to what sector do/did the operators belong ...? [Multiple answers are allowed].** | | | | | | | EU27 | | |
| | | Responses | | Percentage of cases | | | | | |
| | | N | Percent | | | | | | |
| $P10_multi[a] | Retail | 107 | 35.1% | 54.1% | | | | | |
| | Taxi | 47 | 15.5% | 23.9% | | | | | |
| | Telephone operators | 52 | 17.2% | 26.5% | | | | | |
| | Car services | 23 | 7.5% | 11.5% | | | | | |
| | Car dealerships/dealers | 17 | 5.5% | 8.5% | | | | | |
| | Restaurant | 39 | 12.8% | 19.7% | | | | | |
| | Tourism (Hotels, guesthouses) | 20 | 6.5% | 10.0% | | | | | |
| Total | | 304 | 100.0% | 154.3% | | | | | |
| a. The dichotomy group presented in the table in the value 1. | | | | | | | | | |
| | | | | | | | | | |
| **11. Have you encountered any of the examples below in the last 12 months?** | | | | | | | | | |
| | | Responses | | Percentage of cases | | | | | |
| | | N | Percent | | | EU27 | | | |
| $P11_multi[a] | You have encountered unsolicited commercials, statements or commercial offers (free calls, spam emails, commercial SMS, etc.) | 275 | 42.6% | 87.9% | | 68 | | | |
| | You have encountered misleading or fraudulent advertisements, statements or offers | 117 | 18.2% | 37.6% | | 46 | | | |
| | You have responded to an ad or offer that turned out to be misleading or fraudulent | 145 | 22.5% | 46.5% | | 18 | | | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | You have come across exaggerated or misleading statements about the beneficial effects of products on the environment | 107 | 16.6% | 34.2% | | 32 | | | |
| Total | | 644 | 100.0% | 206.2% | | | | | |
| a. The dichotomy group presented in the table in the value 1. | | | | | | | | | |
| | | | | | | | | | |
| **12. To what extent are you familiar with the new Law on consumer rights that came into force in July 2018?** | | | | | | | | | |
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Very informed - I read it in detail | 17 | 1.5 | 1.5 | 1.5 | | | | |
| | Somewhat informed - I know some of the new rights | 84 | 7.8 | 7.8 | 9.3 | | | | |
| | Little informed - I only know of its existence | 461 | 42.9 | 42.9 | 52.2 | | | | |
| | I am not informed at all - I have never heard of it | 514 | 47.8 | 47.8 | 100.0 | | | | |
| | Total | 1075 | 100.0 | 100.0 | | | | | |
| | | | | | | | | | |
| **13. How often do you come across products with labels that are not in your native language?** | | | | | | | | | |
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | | | |
| Valid | Daily | 405 | 37.7 | 40.5 | 40.5 | | | | |
| | Weekly | 203 | 18.9 | 20.3 | 60.9 | | | | |
| | Monthly | 114 | 10.6 | 11.4 | 72.3 | | | | |
| | Rarely | 181 | 16.9 | 18.2 | 90.5 | | | | |
| | Never | 95 | 8.9 | 9.5 | 100.0 | | | | |
| | Total | 999 | 93.0 | 100.0 | | | | | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Missing | DK/NA | 76 | 7.0 | | | | | | |
| Total | | 1075 | 100.0 | | | | | | |

**14. In the last 12 months, have you encountered any problems when purchasing in Kosovo?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
|---|---|---|---|---|---|---|---|---|---|
| Valid | Yes | 223 | 20.8 | 20.8 | 20.8 | | 17.0 | | |
| | No | 852 | 79.2 | 79.2 | 100.0 | | | | |
| | Total | 1075 | 100.0 | 100.0 | | | | | |

**15. Overall, were you satisfied with the way your complaint was handled by the seller/provider/manufacturer?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
|---|---|---|---|---|---|---|---|---|---|
| Valid | Yes | 287 | 26.7 | 27.4 | 27.4 | | 57.0 | | |
| | No | 762 | 70.9 | 72.6 | 100.0 | | | | |
| | Total | 1049 | 97.6 | 100.0 | | | | | |
| Missing | 3 | 26 | 2.4 | | | | | | |
| Total | | 1075 | 100.0 | | | | | | |

**16. What was the main reason/reasons for not filing the complaint? [Preferably, multiple answers].**

| | | Answers | | Percentage of cases | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | N | Percent | | | EU27 | | | |
| $P16_multi[a] | 1. The amounts involved were very small | 244 | 20.6% | 24.4% | | 42 | | | |
| | You did not know how and where to complain | 313 | 26.4% | 31.3% | | 10 | | | |
| | You were not sure of your rights as a | 151 | 12.7% | 15.1% | | 11 | | | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | consumer | | | | | | | | |
| | You thought it would take a long time | 257 | 21.7% | 25.7% | | 27 | | | |
| | You tried to complain about other problems in the past but you were not successful | 104 | 8.8% | 10.4% | | 11 | | | |
| | You have not complained to the seller / provider, but have gone directly to a third party (consumer association, lawyer, arbitration, mediation, conciliation body, court) | 115 | 9.7% | 11.5% | | 6 | | | |
| Total | | 1184 | 100.0% | 118.5% | | | | | |
| a. The dichotomy group presented in the table in the value 1. | | | | | | | | | |
| | | | | | | | | | |

**17. For each of the following statements, please indicate whether you agree or disagree. In Kosovo it is easy to resolve disputes with sellers/providers through an arbitration, mediation or conciliation body (malfunction of goods, delay / non-delivery, etc.)**

| | | How often | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
|---|---|---|---|---|---|---|---|---|---|
| Valid | Strongly agree | 238 | 22.2 | 31.1 | 31.1 | | 12.0 | | |
| | Somewhat agree | 223 | 20.7 | 29.1 | 60.2 | | 40.0 | | |
| | Somewhat disagree | 172 | 16.0 | 22.5 | 82.7 | | 24.0 | | |
| | Strongly disagree | 133 | 12.4 | 17.3 | 100.0 | | 12.0 | | |
| | Total | 766 | 71.3 | 100.0 | | | | | |
| Missing | DK\NA | 309 | 28.7 | | | | | | |
| Total | | 1075 | 100.0 | | | | | | |
| | | | | | | | | | |

| ... it is easy to resolve disputes with sellers/providers through the courts | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | | | |
| Valid | Strongly agree | 93 | 8.6 | 12.6 | 12.6 | | 9.0 | | |
| | Somewhat agree | 310 | 28.8 | 42.1 | 54.7 | | 23.0 | | |
| | Somewhat disagree | 183 | 17.0 | 24.9 | 79.6 | | 30.0 | | |
| | Strongly disagree | 150 | 14.0 | 20.4 | 100.0 | | 15.0 | | |
| | Total | 736 | 68.5 | 100.0 | | | | | |
| Missing | DK\NA | 339 | 31.5 | | | | | | |
| Total | | 1075 | 100.0 | | | | | | |

| … you trust independent consumer organizations to protect your rights as a consumer | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Strongly agree | 100 | 9.3 | 13.3 | 13.3 | | 21.0 | | |
| | Somewhat agree | 268 | 24.9 | 35.6 | 48.9 | | 51.0 | | |
| | Somewhat disagree | 256 | 23.8 | 34.0 | 82.9 | | 16.0 | | |
| | Strongly disagree | 128 | 11.9 | 17.1 | 100.0 | | 7.0 | | |
| | Total | 753 | 70.0 | 100.0 | | | | | |
| Missing | DK\NA | 322 | 30.0 | | | | 5.0 | | |
| Total | | 1075 | 100.0 | | | | | | |

| … you trust public authorities to protect your rights as a consumer … | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Strongly agree | 107 | 9.9 | 14.0 | 14.0 | | 15.0 | | |
| | Somewhat agree | 272 | 25.3 | 35.8 | 49.8 | | 47.0 | | |
| | Somewhat disagree | 224 | 20.9 | 29.5 | 79.4 | | 24.0 | | |
| | Strongly disagree | 157 | 14.6 | 20.6 | 100.0 | | 11.0 | | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Total | 760 | 70.7 | 100.0 | | | | | |
| Missing | DK\NA | 315 | 29.3 | | | | 3.0 | | |
| Total | | 1075 | 100.0 | | | | | | |
| | | | | | | | | | |
| **… you feel you are adequately protected by existing measures for consumers protection** | | | | | | | | | |
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Strongly agree | 115 | 10.7 | 15.0 | 15.0 | | 12.0 | | |
| | Somewhat agree | 272 | 25.3 | 35.6 | 50.5 | | 46.0 | | |
| | Somewhat disagree | 239 | 22.3 | 31.3 | 81.8 | | 28.0 | | |
| | Strongly disagree | 139 | 12.9 | 18.2 | 100.0 | | 10.0 | | |
| | Total | 765 | 71.1 | 100.0 | | | | | |
| Missing | DK\NA | 310 | 28.9 | | | | 4.0 | | |
| Total | | 1075 | 100.0 | | | | | | |
| | | | | | | | | | |
| **… In general, sellers/providers in Kosovo respect your rights as a consumer** | | | | | | | | | |
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Strongly agree | 101 | 9.4 | 13.2 | 13.2 | | 10.0 | | |
| | Somewhat agree | 279 | 25.9 | 36.4 | 49.6 | | 56.0 | | |
| | Somewhat disagree | 239 | 22.2 | 31.2 | 80.8 | | 25.0 | | |
| | Strongly disagree | 148 | 13.7 | 19.2 | 100.0 | | 7.0 | | |
| | Total | 767 | 71.3 | 100.0 | | | | | |
| Missing | DK\NA | 308 | 28.7 | | | | 3.0 | | |
| Total | | 1075 | 100.0 | | | | | | |
| | | | | | | | | | |
| **… you have changed your customer behaviour as a result of a media story (e.g., changing store or product)** | | | | | | | | | |

| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
|---|---|---|---|---|---|---|---|---|---|
| Valid | Strongly agree | 111 | 10.3 | 14.5 | 14.5 | | 12.0 | | |
| | Somewhat agree | 284 | 26.4 | 37.1 | 51.5 | | 23.0 | | |
| | Somewhat disagree | 233 | 21.7 | 30.5 | 82.0 | | 34.0 | | |
| | Strongly disagree | 138 | 12.9 | 18.0 | 100.0 | | 22.0 | | |
| | Total | 767 | 71.3 | 100.0 | | | | | |
| Missing | DK\NA | 308 | 28.7 | | | | 3.0 | | |
| Total | | 1075 | 100.0 | | | | | | |
| | | | | | | | | | |
| **… you regularly watch/listen to programs on TV or radio about consumer issues** | | | | | | | | | |
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Strongly agree | 108 | 10.1 | 14.4 | 14.4 | | 15.0 | | |
| | Somewhat agree | 252 | 23.5 | 33.7 | 48.1 | | 40.0 | | |
| | Somewhat disagree | 244 | 22.7 | 32.6 | 80.6 | | 29.0 | | |
| | Strongly disagree | 145 | 13.5 | 19.4 | 100.0 | | 14.0 | | |
| | Total | 750 | 69.7 | 100.0 | | | | | |
| Missing | DK\NA | 325 | 30.3 | | | | 2.0 | | |
| Total | | 1075 | 100.0 | | | | | | |
| | | | | | | | | | |
| **18. Have you contacted the Consumer Protection Department to resolve any issues?** | | | | | | | | | |
| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
| Valid | Yes | 29 | 2.7 | 2.7 | 2.7 | | | | |
| | No | 1046 | 97.3 | 97.3 | 100.0 | | | | |
| | Total | 1075 | 100.0 | 100.0 | | | | | |
| | | | | | | | | | |
| **19. Why didn't you contact the Consumer Protection Department?** | | | | | | | | | |

| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
|---|---|---|---|---|---|---|---|---|---|
| Valid | I do not know how to contact them | 208 | 19.3 | 19.9 | 19.9 | | | | |
| | I never needed to contact them | 515 | 47.9 | 49.2 | 69.1 | | | | |
| | I do not think they can solve my problem | 323 | 30.0 | 30.9 | 100.0 | | | | |
| | Total | 1046 | 97.3 | 100.0 | | | | | |
| Missing | System | 29 | 2.7 | | | | | | |
| Total | | 1075 | 100.0 | | | | | | |

**20. How did you contact the Consumer Protection Department?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
|---|---|---|---|---|---|---|---|---|---|
| Valid | By phone | 20 | 1.9 | 69.0 | 69.0 | | | | |
| | Website/Email | 6 | 0.6 | 20.3 | 89.3 | | | | |
| | Personal visit | 3 | 0.3 | 10.7 | 100.0 | | | | |
| | Total | 29 | 2.7 | 100.0 | | | | | |
| Missing | System | 1046 | 97.3 | | | | | | |
| Total | | 1075 | 100.0 | | | | | | |

**21. Were you satisfied with the result?**

| | | Frequency | Percent | Valid percentage | Cumulative percentage | | EU27 | | |
|---|---|---|---|---|---|---|---|---|---|
| Valid | Yes | 25 | 2.3 | 85.4 | 85.4 | | | | |
| | No | 4 | 0.4 | 14.6 | 100.0 | | | | |
| | Total | 29 | 2.7 | 100.0 | | | | | |
| Missing | System | 1046 | 97.3 | | | | | | |
| Total | | 1075 | 100.0 | | | | | | |

**Annex 2**

# LAWS AND SUB-LEGAL ACTS IN MTI - 2021-2025

## I. List of legal acts in the field of Quality Infrastructure (Consumer Protection) that are expected to be issued in 2021

1. Draft Law on Inspections (as a horizontal law that will apply to all inspections);

2. Law no. 04/L-154 on Precious Metal Works;

3. Law no. 2004/5 on Trade of Petroleum and Petroleum Products in Kosovo (Official Gazette of the Provisional Institutions of Self-Government Kosovo No. 3/01 August);

4. Law no. 04/L-176 on Tourism;

5. Law no. 04/L-005 (2011) on Internal Trade;

6. Law no. 04/L-048 (2011) on Foreign Trade;

7. Law no. 04/L-026 on Trademarks (Official Gazette of the Republic of Kosovo, No. 10/24 August 2011);

8. Law no. 05/L-05 on Industrial Design (Official Gazette of the Republic of Kosovo, No. 40/31 December 2015); and

9. Law no. 04/L-029 on Patents (Official Gazette of the Republic of Kosovo, No. 12/29 August 2011).

## II. List of bylaws expected to be issued in 2021

1. Regulation on Reference Materials (Article 11, paragraph 5, of the Law on Metrology);

2. Administrative Instruction on the Form and Dimensions of Verification Signs (Article 21, paragraph 2, of the Law on Metrology);

3. Approval of the Administrative Instruction for Setting the Conditions for Placing Doors and Windows in the Market. (Pursuant to Article 55, paragraphs 4-6, of Law No. 06/L-033 on Construction Products) (March);

4. Approval of the Regulation on Gas Equipment (Regulation (EU) 2016/426) (March);

5. Drafting of the Administrative Instruction for Setting the Conditions for Placing on the Market of Terrace Tiles for Exterior and Indoor Use. (Pursuant to Article 55, paragraphs 4-6, of Law No. 06/L-033 on Construction Products) (June);

6. Drafting of the Administrative Instruction for Setting the Conditions for Placing on the Market of Thermal Insulation Products for Buildings - Fabricated Products (EPS) Swollen Polystyrene.

(Pursuant to Article 55, paragraphs 4-6, of Law No. 06/L-033 on Construction Products) (September);

7. Administrative Instruction on Graphic Presentation, Dimensions of Verification Signs and Characteristics of Certificate of Verification;

8. Administrative Instruction for setting tariffs for Accreditation;

9. Administrative Instruction Defining Procedures for Type Approval for Legally Controlled Measuring Instruments;

10. Administrative Instruction on Legal Measuring Instruments;

11. Administrative Instruction on Authorization of the Legal Entity for the Repair and Preparation of Legal Measuring Instruments for Verification;

12. Regulation on Measurement Units;

13. Regulation on Internal Organization and Systematization of Jobs of the General Directorate of Accreditation of Kosovo in the Ministry of Trade and Industry;

14. Regulation on Internal Organization and Systematization of Jobs of the Kosovo Metrology Agency in the Ministry of Trade and Industry;

15. Regulation on Internal Organization and Systematization of Jobs in the Market Inspectorate; and

16. Regulation on Internal Organization and Systematization of Jobs of the Kosovo Standardization Agency in the Ministry of Trade and Industry.

## Annex 3

## RECOMMENDATION ON THE ROLE OF CONSUMER NGOs IN CONSUMER PROTECTION PROGRAM 2021-2025

### From the EU project

### SUPPORT FOR FREE MOVEMENT OF GOODS - KOSOVO

This project is funded by the European Union and managed by the EU Office in Kosovo

EuropeAid/138567/DH/SER/XK

Recommendation for the Consumer Protection Program 2021-2025

Implemented by:

IBF International Consulting (IBF) from Belgium, consortium leader with:

Spanish Association for Standardization (UNE) from Spain

Slovenian Institute of Quality and Metrology (SIQ) from Slovenia

External Cooperation from Northern Ireland (NI-CO), from the UK

This publication was created with the financial support of the European Union. Its contents are the sole responsibility of the implementing consortium and do not necessarily reflect the views of the European Union.

### Executive summary

This document provides a contribution to the Consumer Protection Program, focusing on the role of NGOs and how to improve their representation in consumer protection policies.

The document analyses the change in consumer awareness, based on 2 surveys conducted with over 1,000 consumers, in 2018 and 2020. It describes the changes in the Consumer Protection Council, as well as in the NGO environment in the period covered by the current Consumer Protection Program (2016-2020)

This document lists a number of recommendations for the next Consumer Protection Program (2021-2025), so that:

- Improve the legal framework;
- Increase consumer awareness;
- Improve the participation of consumer NGOs in the Consumer Protection Council;
- Improve the role of NGOs in consumer protection.

## Introduction

Essentially, the need for consumer protection stems from the inequality of power, information and resources between consumers and traders, which puts consumers at a disadvantage. Consumer protection aims to address this market failure. Merchants are well aware of their products and services, but individual retail customers may find it difficult or costly to obtain sufficient information about their purchases. Moreover, even when all relevant information is obtained, it can be difficult to process, understand and evaluate.

Consumers who are empowered with basic information and rights - and who are aware of their responsibilities - are an important source of market discipline in the economic system, as well as pushing traders to compete by offering useful products and services, as well as disclose information more transparently. On the other hand, it promotes consumer confidence and engagement with the market. Increasing consumer confidence and market competition are key elements for economic development in Kosovo.

## Background: Consumer protection policy in Kosovo 2016-2020

Consumer protection has made strong progress over the last 5 years. The new framework law on consumer protection was drafted and published in 2018. There has also been a significant improvement in consumer awareness and perception. Then, the expanded Consumer Council provided a platform for dialogue with stakeholders.

## Legal development

The new Law on Consumer Protection (LCP), approved on 21 May 2018, as well as promulgated on 14 June 2018, transposes the EU Directives listed in Article 1, paragraph 2 of the LCP, respectively:

- Directive 93/13/EEC on unfair terms in consumer contracts;
- Directive 98/6/EC on the presentation of prices for products offered to consumers;
- Directive 1999/44/EC on certain aspects of the sale of consumer goods and related guarantees;
- Directive 2002/65/EC concerning the distance trading of consumer financial services;
- Directive 2005/29/EC on unfair commercial practices;
- Directive 2008/48/EC on credit agreements for consumers;
- Directive 2008/122/EC on time-sharing contracts, long-term holiday products; resale and exchange contracts;
- Directive 2009/22/EC on interim measures to protect the interests of consumers;
- Directive 2011/83/EU on consumer rights.

Directive 85/374/EEC on liability for defective products, Directive 2013/11/EU on alternative dispute resolution for consumers, Regulation 524/2013 on online dispute resolution for consumers, Directive 2014/17/EU on credit agreements Mortgage and Directive 2015/2302 on travel packages and related travel arrangements have not been transposed into Kosovo legislation by the LCP.

The law has been implemented through the publication of several bylaws:

- Administrative Instruction (MEETIESI) no. 01/2020 on the maintenance of the electronic register of collective claims finalized with a final judgment (Published: 23.04.2020);
- Administrative Instruction (MTI) no. 05/2019 on determining the standard information forms for consumers of time-sharing contracts and relevant contracts (Published: 05.06.2019);
- Administrative Instruction (MTI) no. 01/2019 on determining the form, content and use of the flag at the origin of the product (Published: 19.02.2019);
- Administrative Instruction (CBK) on the standard form of information in loan contracts (Published: 18.01.2019);
- Administrative Instruction (MTI) no. 20/2018 on determining the form, content and use of the flag at the origin of the product (Published: 31.12.2018);
- Administrative Instruction (MTI) no. 18/2018 on the information form, time and implementation procedures for withdrawal from contracts at a distance and outside the business facility (Published: 19.12.2018);
- Government Decision on the composition of the Consumer Protection Council (Published 3.12.2018);
- Administrative Instruction (MTI) no. 13/2018 on procedures for handling complaints by the Department of Consumer Protection (Published: 12.11.2018);
- Administrative Instruction (MTI) no. 12/2018 on determining the form, content and use of the logo of the Department of Consumer Protection (Published: 22.10.2018).

## Recommendations, Objectives and Key Performance Indicators

- Update the legislation on compliance with the EU Acquis: Key Performance Indicators: update the Law on Consumer Protection, to be in line with EU/2131/2019, update the Law on Consumer Protection for compliance with the legislation of recently adopted in the EU

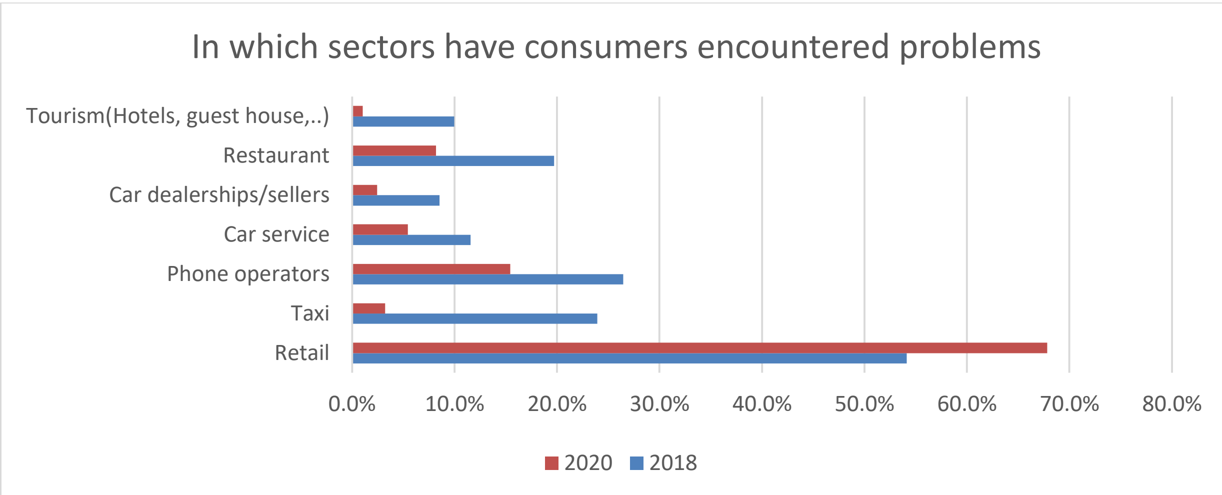
## Consumer Awareness 2018-2020

Two surveys were conducted regarding consumer awareness of their rights, in 2018 and 2020, with a total of 1,075 consumers. Surveys reflect the EU consumer barometer. This has enabled the assessment of trends, but also the comparison with EU figures.

1. More and more consumers are buying online.
   More and more purchases are being made online: in 2018, only 15% of consumers had ordered something online in the last 12 months. By 2020, this figure had tripled, to 45.6%.

2. Kosovar consumers show more confidence in the market.

In 2018, 36% of consumers believed that a significant number of non-food products in Kosovo are unsafe. This figure is now 23%, close to the perception of EU consumers (25%). Lack of confidence in food products has fallen from 44% to 32% (22% in the EU).




Consumer confidence in traders increased from 50% to 73%, exceeding the 66% figure in the EU. Consumer confidence in the capacity of public authorities to enforce their rights has stood at 63%, while consumer confidence that consumer NGOs protect their rights has increased from 51% to 68%, reaching almost the EU level of (72%).

3. Kosovo consumers are careful about what they buy.
   The choice of purchases for 26% of consumers is affected by the environmental impact of goods or services (from only 20% in 2018). Even more surprising is that 46% of consumers are influenced by the country of origin of the product, compared to only 24% in 2018. However, 38% of consumers still encounter information labels that are not in their language, on a weekly basis. While this figure has dropped from the massive figure of 61%, it is still a high and unacceptable number.

4. Kosovar consumers are still uninformed about their rights.
   In 2018, the citizens of Kosovo adopted a new law on consumer protection, which gave them many of the same rights enjoyed by EU consumers. But even 2 years after coming into force, consumers are still quite unaware of their rights.
   42% of consumers do not even know the law exists. Worse still, consumers still do not know about their rights under the law. When asked if they can return the goods they bought online 4 days after delivery, 70% say no. In fact, customers have the right to return the goods and receive their money up to 14 days after delivery. When asked if the consumer can return a refrigerator that is broken 18 months after purchase, 72% think not. The Law on Consumer Protection establishes a mandatory 2-year warranty for the seller.

## Recommendations, Objectives and Key Performance Indicators (KPIs)

- Continue monitoring of Consumer Awareness;
- Key Performance Indicators: perform at least 1 customer barometer, a survey with +1,000 customers;
- Increase consumer awareness of their rights;
- Key Performance Indicators: initiate 3 major campaigns to inform consumers about their rights under the Consumer Protection Act. Given the success of the 2020 campaign, social media would be the best channel;
- Increase the enforcement and oversight of online shopping;
- Key Performance Indicator: initiate 1 consumer rights awareness campaign during online shopping. Develop a policy for relevant law enforcement agencies (telecom, inspectorates, and customs) to monitor the internet market.

## NGOs representing consumers in Kosovo 2016-2020: increasing NGO

The involvement of national consumer organizations in EU policy-making is crucial to creating better and more effective consumer protection legislation. The purpose of national consumer organizations is to ensure that consumers are aware of their rights and are able to enjoy them. Another goal is to represent EU consumers in the creation of consumer protection legislation.

With the implementation of the 2016-2020 program, Kosovo has marked an impressive increase in the number of well-known consumer organizations. Others have joined the initial organization, KONSUMATORI, such as LENS, GAP, FOL and KALLXO. The latter are NGOs, which often have their origins in investigative journalism, media monitoring institutes or advocacy for citizens, which are already making the natural transition towards consumer protection. A later as organization, INDEP, has not yet achieved recognition status.

KONSUMATORI is the only NGO focused solely on consumer protection. With others, it is not yet clear whether they will have consumer protection as their core business. What is clear, however, is the lack of capacity, which in turn is related to the lack of funds.

Capacity refers to a number of characteristics that make the organization professional, capable of performing essential tasks, such as customer advice and information, research and advocacy, or representation. This includes the governance system, if strategies and work plans have been drafted, number of staff, types and number of members or subscribers, etc.

This is about an organization's capacity to influence the outcome of policies and markets in the interest of the consumer, mainly through meaningful participation in the policy-making process and advocacy and campaign activities that are crucial.

Another critical issue is representation. None of the above organizations has any membership representation base, and it is unlikely that a membership fee-based organization will be self-sustaining in Kosovo: citizens are less willing to register to join an organization, much less pay membership dues.

But, membership is only a metric of representation. Public awareness, advocacy and media presence is another way to measure representation. The effectiveness and impact of advocacy is difficult to assess.

The most appropriate metric for Kosovo is social media interaction. Consumer NGOs are active and present on social media, as are the citizens of Kosovo. Direct interaction with citizens and their data are clear and objective indicators of representation.

Consumer policies and their protection are not luxuries, they are important tools for increasing consumer confidence, improving competitiveness and helping the economy recover.

**Objectives and key performance indicators (KPI)**

- Support and require NGOs to draft and submit an annual work plan to the consumer protection council.
  *Key Performance Indicators*: publication of 5 annual work plans by members of consumer NGOs in the Consumer Council during the period 2021-2025.
- Support NGOs to participate in the annual organization of the World Consumer Protection Day, March 15.
  *Key Performance Indicators*: participation and own initiatives by consumer NGOs during the 5 World Consumer Rights Days 2021-2025.
- Increase representation through social media interaction, direct membership, public awareness or media presence.
  *Key Performance Indicators*: increasing the number of social media interactions between NGOs and citizens.
- Increasing media interest in consumer-related issues, especially the publication and programming of consumer rights awareness, are needed.
  *Key Performance Indicators*: increase articles and programs on consumer issues in national media, special programs on consumer rights, at least 4 press releases by NGOs.
- NGOs need to be involved in the regulation process from the outset. NGO engagement rules should not only provide them with sufficient opportunities to express the interests of consumers, but should also be flexible enough to enable more practical (and less legalistic) contributions that many specialists can offer. This can be done through the Consumer Protection Council.
  *Key Performance Indicators*: NGOs are invited to comment on each proposed legal act.
- NGOs need to increase their knowledge of consumer legislation to be effective partners. To be able to effectively assist consumer rights target groups, NGOs need to raise awareness of how the system works and how their target groups can benefit from products and services.
  *Key Performance Indicators*: regulators organize 3 trainings and workshops for NGOs on specific issues related to consumer rights

## Consumer Protection Council

The Consumer Protection Council is an advisory body on consumer protection policies. This is a platform for dialogue between regulators, policymakers, academics, consumers and business representatives.

LCP, article 132.6, provides that "The Council functions on the basis of the rules of procedure, which is drafted by the Council". This document provides a set of recommendations for the procedure for drafting an Advice or a formal Council Opinion.

The council initially had 7 members:

- Two representatives from MTI, one from the Department of Consumer Protection (also chairman of the council) and one from the Market Inspectorate;
- An independent expert (representative of the NGO 'LENS');
- A representative of the Association (NGO) 'Konsumatori';
- Two representatives from business associations: one from the Kosovo Chamber of Commerce and one from the Business Alliance;
- A representative from the Food and Veterinary Agency;

In December 2018, the membership expanded to 15 and was further amounted to the current 17 members:

| Member | Category |
|---|---|
| Consumer Protection Department at MTI | Public Institution |
| National Institution of Public Health in Kosovo | Health Institution |
| The Consumer | NGO |
| Kosovo Chamber of Commerce | NGO |
| MTI Market Inspectorate | Public Institution |
| Food and Veterinary Agency | Authorities |
| Central Bank of Kosovo | Public Institution |
| Kosovo Business Alliance | NGO |
| Energy Regulatory Office | Regulatory authority |
| Independent Media Commission | Regulatory authority |
| Authority of Electronic and Postal Communications | Regulatory authority |
| Water Services Regulatory Authority | Regulatory authority |
| GAP | NGO |
| FOL movement | NGO |
| LENS | NGO |
| MTSD | NGO |
| Kallxo.com | NGO |

***Recommendations, Objectives and Key Performance Indicators***

- To improve the interaction of NGOs with stakeholders, strengthen the membership of NGOs, as well as active cooperation in the Consumer Protection Council.
  *Key Performance Indicator*: to record the participation of NGO representatives in Council meetings. Submitting NGO recommendations to the Council