

**KOSOVAR INSTITUTE FOR POLICY RESEARCH AND DEVELOPMENT**

**Policy Research Series**  
PAPER #4

# **LOCAL GOVERNMENT AND ADMINISTRATION IN KOSOVO**

Pristina, September 2004

**KIPRED**

The logo for KIPRED features the word "KIPRED" in a bold, blue, sans-serif font. A yellow, stylized graphic element, resembling a curved line or a partial circle, loops around the bottom right of the text. A small yellow dot is positioned at the end of this loop.



# **LOCAL GOVERNMENT AND ADMINISTRATION IN KOSOVO**

Prishtina, September 2004



This project has been supported by the Friedrich Ebert Stiftung, Germany, Olof Palme International Center, Sweden, and the Rockefeller Brothers Fund, USA.

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Published by



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# **Local Government and Administration in Kosovo**

page 1

Analysis

# **Press Coverage of Local Government and Administration in Kosovo**

page 67

Analysis

# **Public Debates on Decentralization**

page 95

Report



# Table of Contents

## List of abbreviations

vii

## Local Government and Administration in Kosovo: Analysis

Executive Summary	1
1. Introduction	3
1.1. The debate about local government reform in Kosovo	3
1.2. The aim of the report	4
1.3. Main findings	4
1.4. Methodology	6
2. General geographic and demographic characteristics	7
3. Analysis of local government and administration in Kosovo	9
3.1. Ethnic minority communities	9
3.1.1. The size of municipalities	9
3.1.2. Local political representation of ethnic communities	12
3.1.3. Ensuring equitability for ethnic communities	15
3.2. Local government politics	18
3.2.1. Government building and lack of opposition in municipal assemblies	18
3.2.2. The politicization of the executive body	19
3.2.3. Reforming the executive body	21
3.2.4. The influence of party centers	22
3.2.5. Public confidence in and satisfaction with the municipality	23
3.3. Municipal finances	25
3.3.1. The current financial situation of the municipalities	25
3.3.2. Municipality relations with central government institutions	28
3.3.3. Problems of accounting practices	30
3.4. Municipal administration	33
3.4.1. The current administrative organisation of municipalities	33
3.4.2. Municipality relations with central government institutions	36
3.4.3. Poor administrative efficiency	37
3.4.4. Improving administrative efficiency	38
3.4.5. Lack of technical specialists	39
3.5. Positive practices	39
4. Conclusions	41
5. Recommendations	42
Annex A: The current system of local government and administration in Kosovo	48
1. The legal framework	48
1.1. Municipal competences	48
1.2. Municipal institutions	49
2. Sub-municipal arrangements	50
Annex B: Arguments regarding the management of socially-owned enterprises and property	52
Annex C: List of people met during field research	54
Bibliography	59

Notes	61
<b>Press Coverage of Local Government and Administration in Kosovo: Analysis</b>	
Executive Summary	67
1. Introduction	69
2. Methodology	69
3. Analysis	70
3.1. Types of articles	70
3.2. Types of sources	71
3.3. Most frequently reported municipalities	73
3.4. Most frequently reported issues	75
3.4.1. Political frictions	75
3.4.2. Electing executive structures and inter-party problems	77
3.4.3. Decentralization	78
3.4.4. Infrastructure and other development projects	78
3.4.5. Other issues	80
3.5. Other issues important for local government	80
3.5.1. Minority communities and interethnic relations	80
3.5.2. Democracy	81
3.5.3. Gender, education and health care as issues of local government	82
3.6. Issues discussed in analyses and editorial articles	83
3.7. The level of bias in reporting issues	84
3.7.1. Quantitative analysis	84
3.7.2. Qualitative analysis: analysis of language used	84
3.8. The level of balance in reporting issues	86
3.9. The level of information provided by articles on local government	87
3.9.1. Quantitative analysis	87
3.9.2. Qualitative analysis: case studies	88
4. Conclusions	89
Notes	91
<b>Debates on Decentralisation: Report</b>	
Executive Summary	95
1. Introduction	98
2. The importance of debating decentralisation	100
3. Society's priorities and the final status	101
4. Decentralization vs reform of local government and implications for inter-ethnic relations	102
5. Current problems	102
6. The importance of the CoEDMK proposal	104
7. The role of local and international institutions	105
8. The role of the civil society	105
9. Discussion of the three decentralisation models	106
10. Organisational problems and recommendations for similar projects in the future	108
11. Conclusions	109
Notes	111



## List of Abbreviations

AAK	Alliance for the Future of Kosova
AMK	Association of Municipalities of Kosova
CEO	Chief Executive Officer
CDF	Community Development Fund
CoEDMK	Council of Europe Decentralization Mission in Kosovo
KPS	Kosovo Police Service
KTA	Kosovo Trust Agency
LCO	Local Community Office
LDK	Democratic League of Kosova
MEF	Ministry of Economics and Finance
MEST	Ministry of Education, Science and Technology
MHSW	Ministry of Health and Social Welfare
MPS	Ministry of Public Services
OMIK	Organisation for Security and Cooperation in Europe Mission in Kosovo
PDK	Democratic Party of Kosovo
PSHDK	Albanian Demo Christian Party
SOE	Socially-owned Enterprises
SOK	Statistical Office of Kosovo
SRSF	Special Representative of the Secretary-General of the United Nations
UNDP	United Nations Development Program
UNMIK	United Nations Mission in Kosovo



# Local Government and Administration in Kosovo

## Analysis

### *Executive Summary*

Reform of local government in Kosovo became a prominent issue in October 2002, when the then Special Representative of the Secretary-General of the United Nations, Michael Steiner, promised to decentralise local government structures in the hope of encouraging the Serb community to take part in local elections. Although an issue crucially affecting the interests of the Kosovar citizen in general, decentralisation in Kosovo has remained integrally tied to inter-community politics, and all the more so following the inter-ethnic violence of March 2004.

While recognising that local government reform is an issue that crucially affects the interests of ethnic communities, KIPRED's researchers took the view that the decentralisation debate ought not to be narrowed to the point of ignoring the interests of other social and economic groups, and those of the citizen in general. Hence, as well as examining local government in relation to ethnic communities, this report also considers some broader issues of municipal governance, administration and finance.

KIPRED's research found that a territorial division of current municipalities will, in general, not improve the local autonomy of most ethnic communities because the majority of them are either already concentrated in municipalities in which they are numerically dominant or are too dispersed to form a compact territorial unit. Hence, rather than treating decentralisation as a panacea for all troubles affecting Kosovo's ethnic minorities, efforts should be placed to develop mechanisms that can strengthen the voice of communities in the current municipal system. Mechanisms that provide communities extra security at local level are to be welcomed, although they must be developed in conjunction with other measures provided at the central level.

Another finding is that the performance of local governments and administrations in Kosovo is critically affected by political dynamics at local level, encompassing inter- and intra-party rivalries as well as relations with central party organisations. Our conclusion is that in municipalities with political disagreements, the main point of contention between actors tends to be the control of executive positions of the municipal administration. Such political conflicts are detrimental to the efficient and effective functioning of municipalities, as well as harming the voters' long-term trust and confidence in

political processes and the political parties themselves. One way to diminish these conflicts is to change the procedures for the appointment of executive officers. The aim would be to find procedures and mechanisms that strengthen accountability lines between the governing party and the municipal executive branch, thereby also strengthening lines of accountability between the voter and the leading party.

Such political problems only exacerbate the already substantial municipal administrative problems. Most municipal administrations are inefficient institutions, with bloated staff lists and unaccountable structures, lacking high quality personnel, especially in technical fields. While there are notable exceptions, most municipal administrations face problems of a poor work-ethic, as civil servants rarely fear losing their jobs on account of an unsatisfactory performance. The main explanation for such a state of affairs is that there are no well-defined lines of accountability connecting civil servants, elected politicians and the electorate. A quick way to improve these lines of accountability is to introduce measurable Kosovo-wide performance standards for each municipal department and post, which would help remove the political criteria used for selecting municipal staff, installing merit-based criteria instead.

Financially, municipalities are heavily dependent on the central government, as a relatively small fraction of municipal budgets is financed from own revenues. Municipalities can do little with regard to local economic development, as more than half the budgets are allocated for paying out the salaries of civil servants, while less than a fifth for capital investments. This financial dependence has increased since the introduction of Regulation 2000/45 – regulating local government in Kosovo – with important sources of local revenue being progressively centralized. In order to redress the financial dependence of municipalities, a first step would be to devise a new law on local government, which would redefine the competences of different levels of government and provide mechanisms to ensure that municipal rights and sources of revenue are not subsequently encroached upon by arbitrary directives from the centre.

Due to a lack of standard and uniform book-keeping practices, it is difficult to make comparisons of investment projects across municipalities, a fact detrimental both to the policy-maker at the central level and the general Kosovar citizen who funds these projects through his or her taxes. Hence, the relevant government ministry should review the book-keeping practices used across the municipalities, so as to enforce greater uniformity of municipal financial reporting and bring them in line with modern accounting practices.

The purpose of this study was to provide a preliminary diagnosis of current problems of local government and administration in Kosovo, and to map out some possible routes for improvement. The report should, thus, not be seen as a comprehensive study of all aspects of local government and administration, but as a useful guide to areas which require further research, such as those concerning the financial, economic, and administrative performance of municipalities, detailed research into issues specific to education and health care at local level, and research of ethnically mixed municipalities.

## 1. Introduction

### 1.1. The debate about local government reform in Kosovo

The reform of local government in Kosovo became a prominent issue in early October 2002, with the publication of the Seven Point Plan for Mitrovica, by the then Special Representative of the Secretary-General (SRSG) of the United Nations (UN), Michael Steiner.<sup>1</sup> Steiner's plan offered to decentralise local government in return for the participation of Kosovo Serbs in the local elections of October 2002. Although the offer to the Serb community had questionable success in this direction, decentralisation remained on the agenda, with the SRSG calling for a wider process encompassing all of Kosovo's municipalities.

The SRSG, with the support of the Provisional Institutions of Self-Government (PISG), invited the Council of Europe (CoE) to lead the process of decentralisation in Kosovo. The CoE agreed to send a Decentralisation Mission to Kosovo (CoEDMK), for a period of nine months beginning in February 2003, with the mandate to devise a reform strategy for local government and administration in Kosovo. The Mission produced its final recommendations in mid-November 2003, laying the stress on the creation of sub-municipal units with relatively extensive political and administrative autonomy from Kosovo's existing municipalities.<sup>2</sup>

**By encouraging debate on a wide set of issues concerning local government, this report aims to foster greater transparency of municipal institutions, encourage better governance and delivery of services, as well as promote political party competition at local level**

Thereafter, the issue of decentralisation receded somewhat from public discourse, although continuing to fuel Kosovo Albanian fears that the process could threaten the authority of Kosovo's central government and lead to the territorial division of Kosovo. Meanwhile, in an effort to upgrade UNMIK's regulation on local government without touching upon the issue of decentralisation, the Ministry of Public Services (MPS) began drafting a new law on local government, the purpose of which 'was to create the legal basis for future reforms... [and] ... to improve the organisation and performance of municipalities, offer services closer to the people, and create mechanisms for involving citizens in decision-making.'<sup>3</sup>

Following the inter-ethnic violence of March 2004, the issue of decentralisation came back to the forefront of the political agenda in Kosovo, again with a focus on autonomy for ethnic communities. The new plan for local government reform proposed by the Government of Serbia in April 2004 rekindled fears of Kosovo's territorial division among the Albanian community.<sup>4</sup> The international community, while not entirely endorsing the proposals of the Serbian Government, has increased pressures on Kosovo's authorities to seriously consider decentralisation of local government as a solution to problems of ethnic communities.

While recognising that local government reform is an issue that crucially affects the interests of ethnic communities, KIPRED took the view that the decentralisation debate ought not to be narrowed to the point of ignoring the interests of other social and economic groups, and those of the citizen in general. Hence, as well as examining local government in relation to ethnic communities, this report also considers some broader issues of municipal governance, administration and finance.

## 1.2. The aim of the report

### **Political disagreements at local level are usually about controlling executive positions of the municipal administration**

The purpose here is to provide a preliminary diagnosis of current problems of local government and administration in Kosovo, and to map out some possible routes for improvement. The report should not be seen as a comprehensive study of all aspects of local government and administration, as it focuses only on some key issues affecting municipal governance, administration, and finance. In carrying out this analysis, we are also endeavouring to delineate areas requiring further research.

The aim of the analysis is to foster greater transparency of municipal institutions, encourage better governance and delivery of services, as well as promote political party competition at the local level. If this study paints a largely negative picture of local government and administration in Kosovo, this is because our concern has been to identify points of friction in the current system that need urgent attention and to suggest effective remedies in response. This should by no means be understood as implying that no praiseworthy work has been done at the local level or that no positive initiatives are being taken.

This paper is intended primarily for key policy-makers at central and municipal levels – local and international alike, the Kosovo Government, members of the Kosovo Assembly and of municipal assemblies, civil servants in municipalities and at central level, the international community in Kosovo, and civil society members engaged at local level.

## 1.3. Main findings

Our research found that a territorial division of current municipalities will, in general, not improve the local autonomy of most ethnic communities because the majority of them are either already concentrated in municipalities in which they are numerically dominant or are too dispersed to be able to form a compact territorial unit. Hence, rather than treating decentralisation as a panacea for all troubles affecting Kosovo's ethnic minorities, efforts should be placed on developing mechanisms that can strengthen the voice of communities in the current municipal system. Ethnic minority communities should be given extra incentives to take part in Kosovo's political processes, while

the Albanian majority representatives should be encouraged to engage themselves more seriously in issues affecting ethnic minorities.

Another main finding of the research is that performance of local governments and administrations in Kosovo is critically affected by local political dynamics. This does not encompass just inter-party rivalries, but also intra-party struggles and relations with central party organisations. Our conclusion is that in municipalities with political disagreements, the main point of contention between actors tends to be the control of executive positions of the municipal administration. These are positions of great importance for local actors by virtue of opening access to municipal financial funds and employment possibilities for local civil servants. Such political conflicts are detrimental for an efficient functioning of municipalities, as they normally block the entire legislative process and pose obstacles to long-term planning and project implementation. Municipal performance is also affected by relations between municipalities and other levels of governance. The competences of municipalities as defined by UNMIK Regulation 2000/45, and thus their performance, have been significantly curtailed by subsequent regulations and government directives, especially in the field of property management and own revenue collection.

Such political problems only exacerbate the already substantial municipal administrative problems. Most municipal administrations are inefficient institutions, with bloated staff lists and unaccountable structures, lacking high quality personnel, especially in technical fields. While there are notable exceptions, most municipal administrations face problems of a poor work-ethic, as civil servants rarely fear losing their jobs on account of an unsatisfactory performance. The explanation for such a state of affairs is that there are no well-defined lines of accountability connecting civil servants, elected politicians and the electorate – that is, the citizens whom they are supposed to serve.

Financially, municipalities are heavily dependent on the central government, as a relatively small fraction of municipal budgets is financed from own revenues. Only 20 percent of the total planned municipal budgets is envisaged to come from own sources, and this figure is even lower in practice, since only about two-thirds of planned own revenue is actually raised by the local authorities. This dependence has in fact progressed since the introduction of Regulation 2000/45 – regulating local government in Kosovo – since important sources of the municipalities' revenue, such as business registration fees and traffic fines, were progressively centralised. Municipalities can do little with regard to local economic development, as more than half the municipal budgets are allocated for paying out the salaries of civil servants (including schoolteachers and medical staff), while less than a fifth of the budget is allocated for capital investments. Due to a lack of standard and uniform book-keeping practices, it is difficult to make comparisons of investment proj-

**Most municipal administrations are faced with a poor work-ethic, as civil servants rarely fear losing their jobs on account of an unsatisfactory performance. This is because there are no defined accountability lines between civil servants, elected politicians and the electorate**

ects across municipalities, a fact detrimental both to the policy-maker at the central level and the general Kosovar citizen who funds these projects through his or her taxes.

#### 1.4. Methodology

The study involved extensive field research in most municipalities in Kosovo during the period from July until September 2003. Interviews were conducted with key figures in local government and administration, including each municipality's president of the assembly, Chief Executive Officer (CEO), directors of General Administration, Finance, Health Care and Education, as well as presidents of the main party branches. The aim was to gain a first-hand understanding of local political and administrative dynamics and examine the system and its problems from the point of view of local practitioners.<sup>5</sup> In addition, KIPRED also visited the Association of Municipalities of Kosovo (AMK) and central government institutions responsible for local government, namely, the Department of Local Government and Administration at the Ministry of Public Services (MPS), the Principal International Officer at the MPS, the Department of Budget for Local Government and the Department of Treasury for Local Government at the Ministry of Economy and Finance (MEF).<sup>6</sup>

At the outset, it should be noted that it is extremely difficult to conduct systematic research in Kosovo because much key data is lacking, such as exact population figures, information on the state of local infrastructure and annual statistics on health visits made in the public sector. Thus, part of KIPRED's research project was to build a database of information on local government and administration that brings together all the data collected in the field and from secondary sources. When conducting interviews with municipal officials, researchers took the opportunity to collect key documents from municipalities themselves. The standard documents requested were:

- Annual budgets and various financial reports,
- Staff lists of the municipal administration (different posts available in the municipality, with their respective payment coefficients),
- Municipal administration statistical reports (breakdown of those employed by gender, age, ethnic background),
- Municipal inventory lists of key equipment (computers, printers, cars, etc.),
- Quarterly or mid-year reports from the registry office,
- Municipal statutes,
- Information on the number of students, schools and teachers in the municipality,
- Information on the number of health care facilities, medical staff and their profiles, and municipal health care reports, and
- Any available regulations on sub-municipal arrangements.

In addition, information was collected from government ministries, especially from the MEF and the MPS.



## 2. General geographic and demographic characteristics

Kosovo covers a territory of 10,891 km<sup>2</sup>, of which about half (5,846 km<sup>2</sup>) is arable land.<sup>7</sup> As already mentioned, due to a lack of precise data, one can only work with estimates on population figures in Kosovo. The Statistical Office of Kosovo (SOK), estimating on the basis of the 1981 and the 1991 census, claims that there are currently some 1,900,000 people living in Kosovo.<sup>8</sup> Aggregating OSCE Mission in Kosovo (OMiK) Municipal Profile figures yields a total of 2,578,000 people, a figure which most analysts regard as an overestimate. This paper shall rely on estimates used by the MEF, which place the population of Kosovo at 2,236,000 people, as this figure is used for most institutional policy-making in Kosovo, including the compilation of municipal budgets. This population is spread out among some 1,450 localities, including the seven largest towns.<sup>9</sup>

Table 1. Key statistics: population size

	Population size
<b>Highest</b>	Prishtina, 400,000
<b>Average</b>	74,000 - 75,000, inhabitants per municipality
<b>Lowest</b>	Novo Brdo/Novobërda, 5,000

Source: MEF, 2003

Kosovo currently has thirty municipalities. Thus, on average, each municipality covers 363 km<sup>2</sup>, in which there live about 74,000-75,000 people. There are, however, significant variations from these average figures (tables 1 and 2). For example, the municipality of Prizren covers an area of 635 km<sup>2</sup>, while Novo Brdo/Novobërda has only 79 km<sup>2</sup>.<sup>10</sup> With regard to population, the largest municipality, Prishtina, has approximately 400,000 inhabitants, while the smallest, Novo Brdo/Novobërda, has only about 5,000 inhabitants.

Table 2. Key statistics: surface area

	Surface area
<b>Highest</b>	Prizren, 635 km <sup>2</sup>
<b>Average</b>	363 km <sup>2</sup> per municipality
<b>Lowest</b>	Novo Brdo/Novobërda, 79 km <sup>2</sup>

Source: SOK, 2003

A system of local government and administration has important implications for the interests of various social and ethnic groups. Arguably, the most salient divisions in Kosovo's society are those created by ethnic differences.<sup>11</sup> Today, there are five municipalities with a Serb majority – Zvečan/Zveçan, Leposavić/Leposaviq, Zubin Potok, Novo Brdo/Novobërda, and Štrpce/Shtërpçë. Novo Brdo/Novobërda and Štrpce/Shtërpçë also have sizable Albanian communities. Serbs also live in the enclave of Gračanica, which is located in the municipality of Prishtina; in the northern part of

the town of Mitrovica; in a few villages in the municipality of Gjiłan/Gnjilane, Lipjan/Lipljan, Obiliq/Obilić, Fushë Kosova/Kosovo Polje, Kamenica, and Viti/Vitina; other municipalities have pockets of Serb inhabitants. The Gorani community is largely concentrated in the municipality of Dragash/Dragaš; Bosnjaks in the municipalities of Peja/Peć, Istog and Prizren; the Turk community in the municipality of Prizren; Romas are mainly scattered across the municipalities of Prizren, Klina, Peja/Peć, Obiliq/Obilić, Istog and Vushtrri, with smaller pockets in other municipalities; the Ashkali community are scattered between the municipalities of Gjakova, Fushë Kosova/Kosovo Polje, Obiliq/Obilić, Shtime and Vushtrri; Egyptians are largely concentrated in Peja/Peć and Gjakova.<sup>12</sup>

Ethnic differences have had a great impact on other aspects of social and economic life in Kosovo, and can especially be observed when examining the local level of government. Historically, economic lines of division coincided to a great extent with ethnic ones. As KIPRED researchers found, some of these divisions continue to remain visible, with Serb community villages often being concentrated in the low-lands with better infrastructure facilities, around which many of the former socially-owned enterprises (SOEs) are concentrated.<sup>13</sup> Moreover, the Serb community tended to be concentrated in the urban centres – Prishtina, Prizren, Peja/Peć, Mitrovica, and Gjiłan/Gnjilane – which were more economically developed and had better employment opportunities.

Moreover, historically, local government reform and reorganisation was an important tool with which to affect the balance of power between the different communities. Often it involved a top-down approach applied in selected areas and was not used as a measure to decentralize power across Kosovo's municipalities. During the 1980s and early 1990s, a number of municipalities were carved out of existing municipalities, so as to create the new, majority Serb municipalities of Šterpce/Shtërpeca, Zubin Potok and Zvečan/Zvečan. In addition, two other municipalities with sizable Serb communities – Fushë Kosova/Kosovo Polje and Obiliq/Obilić – were created. By contrast, only one Albanian municipality, Malisheva, was created; some analysts argue that this was a political decision to nominally counterbalance the creation of the other Serb-majority municipalities.<sup>14</sup> As a result of these reorganisations, Serb municipalities have 50 people per km<sup>2</sup>, in contrast to the Albanian average of 226 inhabitants per km<sup>2</sup>.<sup>15</sup>

However, there are also some significant differences within the Albanian community – most noticeably between the economic and general welfare conditions of urban and rural populations. As most of the industrial and economic capacity was concentrated in towns, those living in urban municipalities have historically had better employment opportunities, and this remained so after the war. Furthermore, these municipalities were also favoured in terms of education and health care facilities.

Thus, Kosovo has a fairly heterogeneous society, with most, although not all, socio-economic divisions coinciding with ethnic differences. As any system of local government will affect the power balance among various social and ethnic cleavages, it is important

to bear in mind their varied interests when assessing the performance of the current system and suggesting paths for reform.

### 3. Analysis of local government and administration in Kosovo<sup>16</sup>

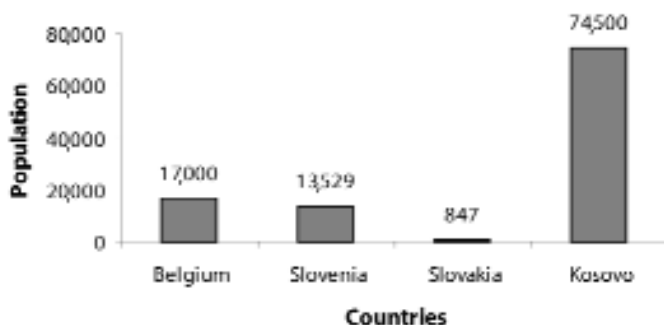
#### 3.1. Ethnic minority communities

##### 3.1.1. The size of municipalities

One of the main arguments for reforming local government in Kosovo is that current municipalities are too large to provide adequate democratic institutional representation to meet the interests of individual citizens, social groups, and particularly those of smaller ethnic minority communities.<sup>17</sup> The ‘size argument’ has two facets: one regarding territorial representation, the other regarding population diversity and representation. While the former is especially important with regard to the representation of geographically concentrated communities, the latter facet bears more on the quality of democratic governance in general, determining how well the diverse interests of various groups within a community are reflected.

Although having substantially different implications for democracy at the local level, these aspects of the ‘size’ argument are very often propounded hand in hand. Such is the case regarding the size of the municipality of Prishtina, where it is said that an assembly of 51 councillors cannot adequately represent an estimated population of 400,000 people, who have a multitude of interests, are spread across a relatively large territory of 572 km<sup>2</sup>, and where certain compact geographic areas are inhabited by ethnic minority communities.<sup>18</sup> The argument can be further generalized, claiming that Kosovo’s average of 74,000-75,000 people per municipality is a far cry from the average base units of local government in most European countries. For example, a base

Graph 1. Average population of base units of local government



Source: Council of Europe country reports and MFH, 2003

## Local Government and Administration in Kosovo: Analysis

unit of local government in Belgium contains an average of about 17,000 people, while in Slovenia this figure is even lower at just over 13,500 people (graph 1).

According to this view, having such large municipalities is especially detrimental to meeting the interests of ethnic minorities in Kosovo. Insufficient territorial representation means that their voices are outnumbered by those of the majority community even in key areas of local governance such as primary education or health care.

One proposed solution to the problem of minority representation is to break down the current municipalities into smaller units with decision-making capacities. The aim would be to ensure that minority communities become majorities or significant minorities in these smaller areas, thereby enhancing their powers and influence over matters of local importance.<sup>19</sup> Such a policy is also expected to bring local government closer to individual citizens – allowing them to voice their concerns more easily – as each local representative would represent fewer voters than the current average of 1,278 inhabitants per municipal assembly councillor (table 3).

Table 3. Representation ratios in local governments in Kosovo

Inhabitants per councillor	Local Elections 2000	Local Elections 2002
Lowest	7	163
Average	854	1,278
Highest	2,165	3,044
Average in the five Serb-majority municipalities	196	620
Average in the Albanian-majority municipalities	1,017	1,411

Source: OMIK Central Election Commission, 2003

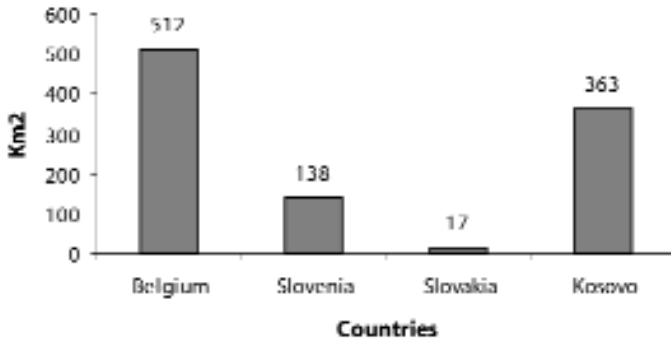
However, there are European countries with a much longer tradition in democracy that also have large base units of local government, both in terms of population and territory. In Holland, for example, the municipality of Amsterdam has a population of over

**Breaking down all municipalities into smaller units cannot provide a quick solution to minority issues, because the vast majority of the Serb population living in Kosovo today is already concentrated in municipalities which they control, or, in similarity to other minority communities, it is generally dispersed across various municipalities**

700,000 inhabitants, yet, unlike in the case of Prishtina, the ability of its assembly to adequately represent the interests of its inhabitants is not apparently questioned.<sup>20</sup> In Belgium, average base units of local government cover territories of about 512 km<sup>2</sup> – much higher than the average of 363 km<sup>2</sup> in Kosovo (graph 2). These examples illustrate that while the size of base units of local government may be important for

improving representation levels and making the government more accessible to the public, size alone is not the sole determinant of the quality of democratic governance of citizens and communities.

Graph 2. Average surface area of base units of local government



Source: Council of Europe country reports and SOK, 2003

In fact, in Kosovo it is difficult to see how better territorial representation for most minority communities can be achieved by simple splitting up of existing municipalities into smaller units. It would be inadequate to indiscriminately break down municipalities into smaller units of self-government, because the Serb population living in Kosovo today is already either concentrated in Serb-controlled municipalities, or, in similarity to other minority communities, it is dispersed across various municipalities.<sup>21</sup> In fact, if there is a legitimate case for reducing the size of current municipalities, it stems from Albanian-dominated areas, such as Junik or Hani i Elezitet, which have strong local identities distinguishable from existing municipal centers.

The other aspect of the ‘size’ argument – population representation – is similarly unsatisfactory as a premise for reducing the size of municipalities in order to improve representation and democracy of the Serb community, as well as other communities. As illustrated in table 3 and graph 3, an average councillor in Albanian-controlled municipalities already represents more than double the number of voters than an average representative in Serb-controlled municipalities, while an average Albanian-controlled municipality has more than six times the population of a Serb-controlled municipality.

Territorial solutions for ethnic minorities should be limited only to cases when a territorially concentrated ethnic community, which is sizable enough to justify the economic costs of reorganization, is part of a larger municipality that is

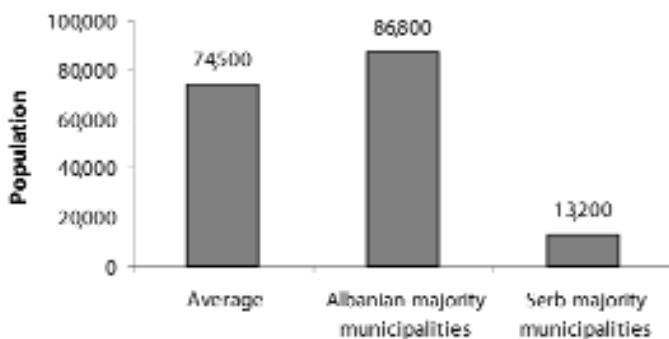
**It is unrealistic to expect that territory-based reforms of the local government system will provide a solution to the security problems of the Serb community**

dominated by another community. Only in such instances could a break up of a municipality enhance the autonomy of a community. There are very few such cases in Kosovo. Gračanica, along with surrounding villages, in the municipality of Prishtina is

perhaps the only such example.

Finally, it is important to emphasize that it is unrealistic to expect territory-based reforms of the local government system to provide a solution to the security problems of ethnic communities, especially those of the Serb community. Other mechanisms to tackle such issues must be developed. For example, a special branch within the Kosovo Police Service (KPS) that provides police officers directly answerable to municipal authorities could be developed. Each municipality could have its own police unit, which could draw its members from the citizens of that municipality while remaining under the umbrella of the KPS, so as to ensure overall discipline and quality control. However, one must recognise that this measure does not necessarily require a territorial reorganisation of municipalities, but can just as adequately be instituted within the existing system.

Graph 3. Average population of Kosovo municipalities distinguished by ethnicity



Source: MEF, 2003

What local government reform can achieve is an enhancement of the decision-making powers of smaller communities, over a number of issues of vital importance. However, since territorial solutions are inadequate for communities that are geographically dispersed across a number of smaller settlements – which is the case for the vast majority of Kosovo’s minority communities – developing institutions and other mechanisms that promote good governance and protection of individual and community rights is of paramount importance. Hence, rather than focusing on the size of Kosovo’s municipalities in general, analysis of Kosovo’s local government and administration system should focus on the effectiveness of mechanisms intended to provide protection and expression for the voice of each minority ethnic community.

### 3.1.2. Local political representation of ethnic communities

Regulation 2000/45, currently regulating local government in Kosovo, does not differentiate between majority and minority groups, but rather gives recognition to ‘communities’, guaranteeing the protection of group interests in areas of culture, language, or symbols.<sup>22</sup> In order to protect community interests, each municipality with a ‘sizable

minority population' is to establish a Communities Committee, a Mediation Committee and one or more Community Offices.<sup>23</sup> The term 'sizable minority population' has been interpreted so as to oblige every majority Albanian municipality, with the exception of the municipality of Glogovc, to establish these institutions.

A Communities Committee is composed of both members of the Assembly and representatives of communities, but so that the community that is in the majority in the municipality makes up less than half of its membership, and the remaining membership fairly reflects the number of other communities in the municipality.<sup>24</sup> Its role is to ensure that 'all persons enjoy, on an equal basis, civil, political, economic, social and cultural rights, and fair and equal employment opportunities in municipality service at all levels'.<sup>25</sup> A Communities Committee does not have any executive powers, but it can refer the matter to the Mediation Committee if it considers that the municipal assembly has 'violated or may violate the rights of a community or a member of a community or which is or may be prejudicial to the interests of a community'.<sup>26</sup>

**Regulation 2000/45 provides a number of mechanisms to ensure that the grievances of any sizable minority population in any municipality are heard by Kosovo's highest institutions, including ultimately the SRSG**

A Mediation Committee consists of equal numbers of (a) members of the municipal assembly who are not members of the Communities Committee, and (b) representatives in a fair proportion of communities in the municipality who do not belong to that community which is in the majority in the municipality. When a Communities Committee raises a complaint, the Mediation Committee submits recommendations on how the matter should be dealt with to the municipal assembly, which the latter is obliged to consider.<sup>27</sup> If the Mediation Committee is dissatisfied with the decision taken by the assembly, it may refer the issue to the Central Authority (UNMIK acting under the authority of the SRSG) for review.<sup>28</sup>

Under Regulation 2000/45, every municipality with substantial minority communities is obliged to establish one or more Community Offices for as long as the Central Authority deems it necessary. These offices are responsible for 'enhancing the protection of community rights and ensuring equal access to communities to public services at the municipal level'.<sup>29</sup> In addition, municipalities having a sizable minority population are also obliged to appoint 'an additional deputy president from these communities'.<sup>30</sup>

**One suggestion for improving the protection of rights of minorities is to have all ethnically sensitive issues, especially pertaining to culture, language and religion, approved by the majority of the representatives of minority communities in the municipal assembly**

Finally, under what is known as 'The Fair Share Financing Principles', every municipality with a minority community is obliged to allocate them a proportion of its budget equal to the size of the community (with population estimates based on pre-war figures). This has been applicable in every municipality, except Glogovc, Malisheva and Kaçanik. Overall in 2003, on average, 13.2 percent of municipal budgets were allocat-

ed to minorities, and in 2004 this was revised to 12.5 percent.<sup>31</sup>

In sum, Regulation 2000/45 provides a number of mechanisms to ensure that the grievances of any sizable minority population in any municipality are heeded by Kosovo's highest institutions, including ultimately the SRSG. There are, however, those

**Double majorities for ethnically sensitive issues would promote greater political responsibility on the part of representatives of the Albanian community, as they would shift the focus from demands specific to the Serb community to issues of general minority and civic rights, which they would have to address in their own Municipal Assemblies**

who argue that the interests of the Serb minority are not always sufficiently protected in every municipality in Kosovo, as their representatives are sometimes outvoted in the Communities Committees.<sup>32</sup> Yet, keeping in mind the ethnic composition of Communities Committees, i.e. the guaranteed minority of the majority Albanian community, it is evident that some of the demands made by Serb representatives are not shared by other minorities – Bosnjaks, Goranis,

Turks, Romas, Ashkalis and Egyptians. Arguably, these are not demands about general minority rights at local level, but are related to specific political aims of the Serb community. Often, these are demands regarding the Kosovo-wide status rather than issues for which a solution can be found at the local level.

Although local government in Kosovo remains hostage to national politics, the temptation to use the specific demands of the Serb minority as general arguments against the current system of local government and administration must be resisted. This is by no means meant to imply that the complaints of the Serb community should be ignored. On the contrary, Kosovo's institutions should work hard to ensure that these grievances are addressed at local as well as national levels, but without jeopardizing the system of local government for other communities as well as for the citizen in general.

Before discussing the validity of the current system of local government, it is important to try out other mechanisms that would provide extra protection of rights of minorities at local level. One suggestion is to have all ethnically sensitive issues, especially pertaining to culture, language and religion, approved by the majority of the representatives of minority communities in the municipal assembly. This would encourage Serb representatives to rally the other communities around their cause within Kosovo's local institutions, and to take part in, rather than boycott, its political processes. On the other hand, double majorities for ethnically sensitive issues would also promote greater political responsibility on the part of representatives of the Albanian community, as they would shift the focus from demands specific to the Serb community to issues of general minority and civic rights, which would have to be addressed in their own Municipal Assemblies.

Critics could argue that it was precisely the purpose of Communities Committees to encourage such inter-community interaction at local level, but that they did not prove



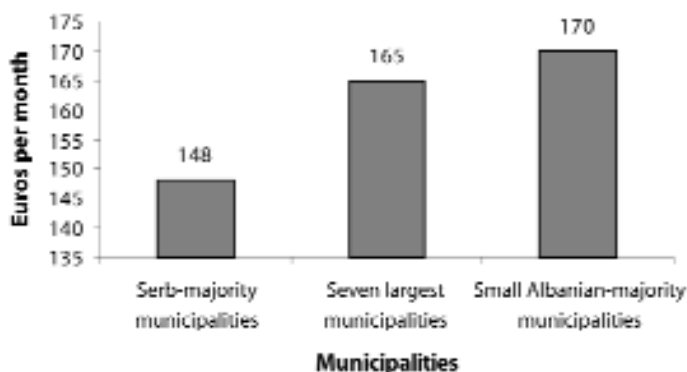
very effective in accomplishing their aim. However, it is important to stress that any shortcomings of Communities Committees to date have not rendered the entire mechanism invalid. The political incentives necessary for their effective functioning were largely absent. Hence, it is paramount that both these mechanisms (i.e. Communities Committees and double majorities) are supported by appropriate political incentives, so that the Serb community could legitimately pursue their interests at the local level, independently of their demands pertaining to Kosovo's status.

### 3.1.3. Ensuring equitability for ethnic communities

Differences in performance between municipalities controlled by different communities are potential sources of inter-ethnic animosities, especially if these variations fuel perceptions of inequality and injustice among the members of either community. If, however, a constructive process to devise institutional mechanisms to solve these differences were to be undertaken, they could also be a useful backdrop for improving inter-ethnic relations.

An examination of the funds allocated to the Capital Outlays and Wages and Salaries budget lines of various municipalities reveals that there are some noteworthy differences between municipalities with a Serb majority and those with an Albanian majority. As graph 4 shows, the average wages of municipal employees in Serb municipalities are noticeably lower compared to average wages of employees in both large and small Albanian municipalities.

Graph 4. Average salaries of municipal employees



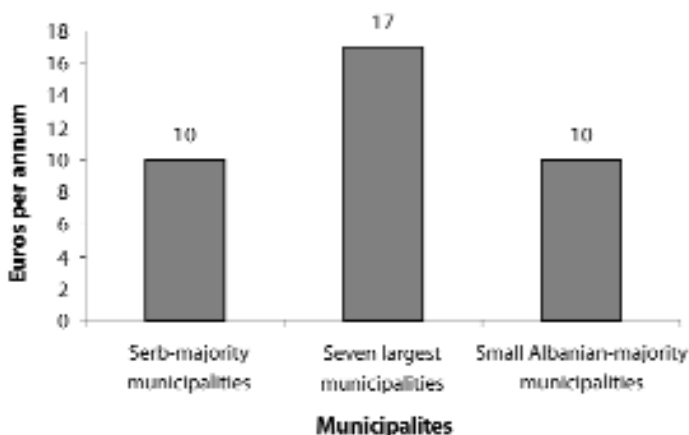
Source: KCB, 2003

These discrepancies may not necessarily cause special economic difficulties for the Serb community, because municipal institutions and civil servants in majority Serb municipalities also receive financial remuneration from the government of Serbia. Indeed, surveys show that the levels of income per capita are higher among members of the Serb community than those of the Albanian.<sup>33</sup> However, these differences in average wages

## Local Government and Administration in Kosovo: Analysis

have a potential to influence community perceptions, creating a sense of institutional bias and thereby causing political frictions. In fact, even data on per capita capital investments – where Serb municipalities are equal to their Albanian rural counterparts (graph 5) – have the potential to cause resentment among members of the Serb community, if their points of reference are the Albanian urban municipalities or the general average of Albanian municipalities.

Graph 5. Average per capita spending in capital investments distinguished by ethnicity

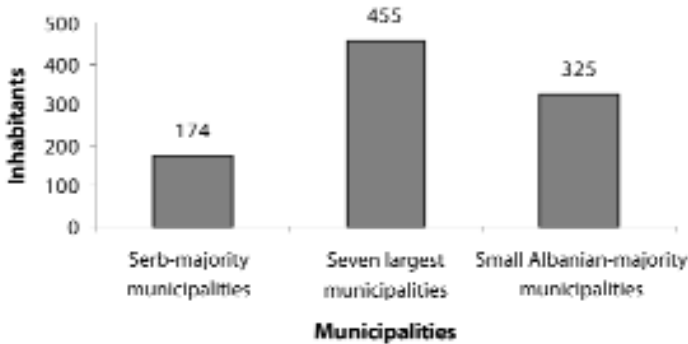


Source: KCB, 2003

Closer analysis, however, shows that these discrepancies in average wages and per capita capital investments are in fact to a large extent a result of the employment policies of Serb municipalities, as well as small Albanian ones, rather than reflecting bias of Kosovo's central institutions. As can be seen from graph 6, on average, the five municipalities with a Serb majority employ nearly twice as many civil servants per capita than small Albanian municipalities and over two and a half times more employees per capita than the seven largest municipalities. With the largest proportion of the central government General Grant being allocated for wages and salaries, fewer funds are left available for capital investments.

Of course, it is natural that one administrative employee serves fewer people in smaller and rural municipalities than in large urban ones, because certain key departments and officials of the administration are always necessary regardless of the size of the municipality. In other words, although small municipalities may require fewer clerks than larger municipalities, they must still retain nearly as many departmental directors and high professional officials as the latter, thereby swelling the Wages and Salaries budget line and pushing average wages up. This being said, however, the significant discrepancies in per capita municipal employees between majority Serb and rural majority Albanian municipalities merit further explanation.

Graph 6. Average inhabitants per planned municipal administrative staff



Source: KCI, 2003

It is important to understand why municipalities with a Serb majority employ more staff per capita than do their Albanian counterparts, although this works to the detriment of their capital investment budgets and the average wages of their staff. After the war, there was continuity in the administration of municipalities with a Serb majority, the swollen workforce not having changed much since the 1990s. Hence, in order to reduce the size of their personnel in line with the other municipalities, Serb municipal officials would have had to lay off a number of employees. Such a measure would have led to significant social and economic problems for the Serb communities, given that the public sector is one of their most significant employers in Kosovo. By contrast, as Albanian employees had been largely excluded from state institutions during the 1990s, after the war, UNMIK was freer to fully determine the size of administrations in majority Albanian municipalities, and to hold down the number of employees.

However, the fact that these discrepancies in average per capita capital investments and average salaries of municipal employees are not strictly speaking results of institutional bias, but reflect different local employment policies, does not mitigate their potential to cause inter-ethnic frictions. To simply demand that Serb municipal officials lay off a portion of their administration in order to bring their salaries and per capita investments in line with the Kosovo average is unrealistic considering the social and economic troubles this would cause to their communities. Private economic activity among the Serb community is even more limited and scarce than among the Albanian community – consisting mainly of small-scale retailing and subsistence farming – and the vast majority of Serb families in Kosovo depend for their existence on public sector employment in Kosovo and subsidies from Serbia.<sup>34</sup>

Hence, it is necessary to develop, at all levels, mechanisms that promote a sense of solidarity across the different ethnic communities. Minority communities should not be left feeling that they are being treated unjustly, while at the same time removing any

sense of unfair subsidy that there may be among members of the majority community. This formidable task can be tackled only through long-term commitment. However, crucial steps can immediately be taken, beginning with the thorough collection of cross-ethnic statistics that measure and monitor the well-being of all communities, as groups and as individuals. In addition, the government, together with UNMIK and the municipalities, must develop mechanisms that ensure the equalization of funds across the different municipalities.

## 3.2. Local government politics

### 3.2.1. Government building and lack of opposition in municipal assemblies

Our field research has found that most local politicians are proud if they manage to reach an agreement with the other political parties to share responsibility in municipal governance, that is, to achieve '*bashkëqeverisje*' or what in English could be translated as 'co-governance'. This form of government is not a typical coalition – when two or more parties each unable to form a government on their own come together to command a majority in the assembly so as to create a government.<sup>35</sup> Rather, a co-governance agreement often commands the support of more parties and councillors than the simple majority required to approve the appointment of executive officers and to formulate municipal policy.

**According to many local politicians, the lack of opposition in the municipal assembly is a positive feature because, in their view, an opposition is destructive of good governance, whereas *bashkëqeverisje* offers a sign of unity and cooperation that keeps political tensions down and wins respect in the eyes of the electorate**

The usual practice in Kosovo's municipalities is for all the parties represented in the assembly to agree to share the executive posts, where the most significant posts – that of the CEO, heads of the departments of Finance, Reconstruction and General Administration – are apportioned to the party that won most votes. It is important to note here that, according to the current regulations on local government and the civil service (Regulation 2000/45 and Regulation 2001/36, respectively), the CEO and members of the Board of Directors are civil servants, and as such, are to be professional and politically neutral (discussed further below). The form of this requirement is indeed respected, with a special panel being composed to interview and recommend candidates to the municipal assembly on the basis of their professional ability. However, these panels are usually made up of municipal councillors, and reflect the political composition of the assembly. Moreover, the final verdict on the appointment of executive civil servants in municipalities rests with the municipal assembly, thereby ensuring that political considerations take precedence over professional ones.

With everyone taking part in formulating and executing policy, the outcome is a lack of a meaningful opposition bloc in the assembly. According to many local politicians, this lack of opposition is a positive feature because, in their view, an opposition is detrimental

tal to good governance, whereas *bashkëqeverisje* offers a sign of unity and cooperation that keeps political tensions down and wins respect in the eyes of the electorate. Another reason why local authorities may prefer an absence of opposition in the municipal assembly is a wish to avoid criticism and to share responsibility for policy implementation or failure.

The result of such lack of political opposition in the municipal assembly is inadequate scrutiny of the work of the policy-making committee and of policy-implementation by the administration. One of the primary jobs of opposition parties is to exercise a watchdog role, exposing potential policy weaknesses of and malpractices by the government. In doing so, they function as one of the main channels of information about municipal policy, both to the media and to citizens at large. Yet, when all the main parties in the municipal assembly are governing jointly, there is little incentive for them to challenge each other's policies and practices, as they have 'divided the pie' of available executive posts amongst each other.

### 3.2.2. The politicization of the executive body

Our findings have led us to conclude that the majority of political struggles in municipalities are about parties and cliques wanting to control positions in the municipal assembly or administration, positions that reward them in either political or financial terms, or most likely in both. In other words, the principle that the executive branch is fully professional is not generally respected in reality. Clear examples can be seen in the municipalities of Kaçanik, Deçan, Podujeva or Klina.

As argued above, although the law provides for professional and politically neutral executive officers, their appointment is usually an outcome of political bargaining. The party with most votes gains control of the most important and financially lucrative departments in the municipal administration. However, the main party will normally also want the other parties to run at least some departments, so as to share responsibility in governance and to maintain the form of meritocratic appointment of directors. Controlling executive positions is important for party organisations because they provide access to municipal funds, procurement, and staff employment. Thus, besides being potentially beneficial for the individuals in control of these departments, control over executive positions usually also brings political benefits to the party itself, by allowing the latter to reward its supporters with jobs in the municipal administration or specific procurement jobs.<sup>36</sup> Hence, in the absence of distinct ideological profiling, controlling executive positions affords the parties means with which to differentiate themselves from their political rivals.

**The majority of political struggles in municipalities are about parties and cliques wanting to control positions in the municipal assembly or administration that are rewarding in either political or financial terms, or most likely in both**

When parties cannot reach an agreement on how to share different executive posts, the fully politicized nature of the administration comes to the forefront. This is especially

**The prize for the party with most votes is to control the most important and financially lucrative departments in the municipal administration. However, the main party will normally also want the other parties to run at least some departments, so as to share responsibility in governance and to maintain the form of meritocratic appointment of directors**

evident in municipalities where no single party has obtained the majority necessary to appoint the CEO and Board of Directors. In such cases, if small parties have decisive, swing votes in the municipal assembly, their power is enhanced in disproportion to the size of their electoral base; this allows them to demand administrative positions they would otherwise not have gotten. The municipality of Kaçanik provides a clear example of the role of these small parties: neither of the

two main parties – the Democratic League of Kosova (LDK) and the Democratic Party of Kosova (DPK) – managed to win an outright majority in the elections of 2002, but each could create a government with the support of two councillors from the third party, the Alliance for the Future of Kosova (AAK). The AAK branch in Kaçanik won these two seats with only 4.47 percent of the electorate (844 votes), yet it was able to block the entire political process – including the approval of the municipal budget – for six months, in order to gain the executive positions it desired, namely the office of the CEO and the Department of Reconstruction, Planning and Development.<sup>37</sup>

However, struggles to control executive positions are not always inter-party ones. They can also develop from within the party, normally when different factions cannot agree on the distribution of key posts, as was the case in the municipality of Podujeva. Although the LDK had an overwhelming majority in Podujeva, commanding 25 out of 41 seats, the municipal assembly did not effectively function for over six months because the top-three people in the party branch had allegedly broken their pre-election agreement on the distribution of the posts of the CEO, the president and the deputy president of the municipal assembly, and were struggling with each other to win the support of other councillors.<sup>38</sup>

The politisation of executive appointments damages the efficiency and effectiveness of the municipal administration to the detriment of interests of ordinary citizens, as well as harming the voters' long-term trust and confidence in political processes and the

**Struggles to control executive positions are not always between parties, but also develop from within a party, normally when different factions cannot come to an agreement about the distribution of key posts**

political parties themselves. One way to diminish these problems is to change the procedures for the appointment of executive officers, so that the leading party takes responsibility for policy formulation and implementation, rather than hiding behind the supposed 'professionalism' of executive officers whenever policy fails. The aim would be to find procedures and mechanisms that strengthen accountability lines between the governing party and the municipal executive branch, thereby also strengthening lines of accountability between the voter and the leading party.

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### 3.2.3. Reforming the executive body

While the principle of a professional executive is commendable for the expertise it aims to bring into the management of municipalities, as argued above, its implementation in Kosovo has been seriously hindered by the political tradition and practices of Kosovo's parties. While the principle of a professional executive must be retained as an option for the long-term, so as to stay in line with the European tradition of local government, in the short-term it is nevertheless advisable to increase the politicization of executive officers in order to increase the accountability of political representatives. The aim of this reform would be to improve accountability in local government by associating the performance of the municipality with the winning party, thus preventing the latter to hide behind the 'skirt' of professionalism.

A number of specific changes could be made to achieve this aim. This report suggests two options, described here to stimulate further debate and generate more concrete proposals on this issue.

One option is to allow the president of the assembly, as the main representative of the leading party, to appoint the CEO, who then, in consultation with the president, selects the Board of Directors. The chain of accountability would thus run from individual directors to the CEO, and from the latter to the president of the assembly. The president, in turn, would have to answer to the municipal assembly dominated by his or her party, in effect, answering to the electorate that voted for this party. Such an arrangement would somewhat reduce the powers of the municipal assembly, but with substantial gains in the accountability that the current system is lacking. In order not to extensively dilute the authority of the assembly, there remains the possibility of keeping the procedure for discharging the CEO or any individual director the same as it is today – namely, the assembly would be able to discharge any executive officer by a two-thirds majority, and only on the grounds that he or she has failed to carry out his or her responsibilities appropriately.

Such an arrangement would provide a solution to the lack of accountability in municipalities where one party wins a majority sufficient enough to allow it to form a government on its own. This mechanism would provide an extra incentive for the leading party not to adopt co-governance (*bashkëqeverisje*) and shirk responsibility, since the credibility of the president of the assembly, and hence, of the party itself, would be linked to the performance of all levels of the municipal administration. In other words, the reform would force the officials of the leading party to take responsibility for the trust the electorate has shown in them through elections. Factionalized parties, such as the LDK branch in Podujeva, could then ill-afford inter-party haggling for months on end, as voters would be more inclined to punish such behaviour in the next election, once responsibility for running the municipality is clearly pin-pointed.

Admittedly, strengthening lines of accountability between elected representatives and executive officers does not provide an easy solution for constituting executives in

municipalities such as Kaçanik, where no single party has obtained an outright majority. In such cases, the political bargaining over the posts of the president of the assembly, the CEO and the Board of Directors are likely to ensue. In other words, in order to gain the support of other parties for the election of its candidate as president of the assembly, the first party is likely to have to condone the others' preferred candidate for the CEO. However, clarifying lines of accountability is likely to reduce such political bargaining over the long-term, as a practice of direct accountability would acculturate second parties in the merits of being in the opposition. Namely, second parties, which remain in the opposition, would learn that proper scrutiny of the work of the government and publications of the latter's failures, is likely to gain them popular support in the next elections. Good accountability lines thus ensure that parties that remain in the opposition gain rather than lose out in power in the long-term.

A variation on the above suggestion would be to have a directly elected municipal mayor, who would then appoint his so-to-speak executive 'cabinet', either selecting members of the municipal assembly or those professional executives she or he deems appropriate. Introducing direct elections for municipal mayors would reduce the powers of municipal assemblies even further, effectively turning them into scrutinizing rather than policy-making bodies. In other words, 'cabinets' would be responsible for devising and implementing policy, while the current policy-making committees would have to monitor their performance and advise the assembly on what policies to adopt. However, advantages of concentrating power in such a way lie in very clear lines of accountability, which allow the electorate to very easily pin-point where credit for policy success or failure is to be apportioned.

Again, this would not instantaneously solve the problems of municipalities like Kaçanik. Although the appointment of executive officers would be dealt with by the election of the mayor, there still remains the possibility of a split municipal assembly – with no party having a clear majority – leading to stalemates when considering policies. However, a mayor with a direct mandate from the electorate, whose credibility would be involved, would then have a strong incentive to broker an agreement between the parties; or otherwise openly point out to the electorate where the source of the problem lies.

### **3.2.4. The influence of party centers**

Political tension at local level is sometimes created, or at least exacerbated, by the influence of party centres, which is of little surprise considering the centralised structure of most party organisations in Kosovo. Our field interviews have found that the three major parties – the LDK, the PDK and the AAK – are characterised by strong vertical hierarchies. The lowest party units – the actives – are supposed to hold regular meetings with their sub-branches. The sub-branches, in turn, have weekly or fortnightly meetings with their branch presidency, while branch presidencies themselves are obliged to have similar regular meetings with the presidency of the central party.



Although party-branches tend to be largely self-financing, party centres nevertheless manage to wield substantial power over branch decision-making – to the point of having the final say over local electoral lists – since the patronage of various central figures is of key importance to local players and cliques. This is so because it is widely believed, across the local and central-level political leadership, that the authority of the central leaders is crucial for the image of the party at local level and hence, for victory in local elections. Such a conviction was clearly manifested in local election campaigns, where the central leaders of all the main parties made a point of visiting most municipalities in order to rally support for their branch leaders. Another clear illustration of the hierarchical nature of parties is provided by the example of the LDK branch in Podujeva, where 14 out of the 18 sub-branch presidents in the municipality were not granted a meeting with the branch presidency, although the former had been demanding this ever since the election list for the local elections of 2002 was compiled.<sup>39</sup> Similar factional disagreements could be also witnessed within the PDK in the municipality of Ferizaj.

This hierarchical structure of the political parties in Kosovo sometimes places pressure on local leaders to conduct policies that may not necessarily be in their best interests, but which are demanded by their party centre. Such was the case in the municipality of Klina after the 2002 local elections, when the LDK branch was asked to end its coalition with the PDK and to instead align itself with the Albanian Demo Christian Party (PSHDK) – the traditional partner of the LDK leader at the central level. Many local politicians, including members of the LDK and the PSHDK branches, were critical of this decision, fearing that it would promote a division between ‘war’ and ‘non-war’ parties, and create tensions across the municipality by upsetting the interests of people who had come to power during the immediate post-war period and had been co-opted into ‘co-governance’ after the first local elections in 2000.<sup>40</sup>

**In order for genuine democracy to develop at local level it is necessary for more political influence to be exerted from the bottom up, allowing grass root activists to have a greater say over the policies of party branches, which in turn should be more independent from the party centres**

In order for genuine democracy to develop at the local level, it is necessary for more political influence to be exerted from the bottom up. In other words, grass root activists should have more say over the policies of party branches, which in turn must be more independent from the party centers. One step in this direction would be to re-introduce open lists for municipal elections (which were used for the local elections of 2000), the composition of which would have to be determined by the party branches in consultation with activists from sub-branches and actives.

### **3.2.5. Public confidence in and satisfaction with the municipality**

The need for greater involvement by the grass roots in local level decision-making and project implementation is also supported by other independent studies. A United Nations Development Program (UNDP) study on perceptions of local government in

Kosovo suggests that ‘there is a deep reservoir of good will towards local government... [and that] there is visible confidence that local management would be more effective than central management’.<sup>41</sup> According to this UNDP study, published in early 2003, almost two-thirds of Kosovars, with little variation across ethnic communities, have a high degree of confidence in local government.<sup>42</sup> A more recent study, however, indicates a downward trend in confidence, as well as greater differences between the ethnic communities. When asked about how satisfied they were with the performance of local governments, positive replies were given by 56 percent of Albanian respondents, 25 percent of Serb respondents, and 47 percent of respondents from other communities.<sup>43</sup>

**The CDF report indicates that, although local governments enjoy higher confidence and provide more satisfaction than the central level, villages do so even more than local governments, suggesting that the lower the level of political representation, the higher the trust placed in them by the public**

Other studies indicate that satisfaction with the quality of work done by municipalities is generally quite low. Moreover, it is slightly lower than satisfaction generated by work done at village level, indicating room for decentralisation from municipal level. For example, the internal research commissioned by the Community Development Fund (CDF), evaluating the implementation of infrastructure projects, found that 25.6 percent of respondents were satisfied when the ‘village council was responsible for overseeing the work’, while only 18 percent when the municipality was the main supervisor.<sup>44</sup>

The CDF report thus indicates that although local governments enjoy higher confidence and provide more satisfaction than government at central level, villages tend to provide even more satisfaction than local governments. The findings suggest that the lower the level of political representation, the higher the trust placed in them by the public. This can indeed be expected, given that the likelihood of citizens knowing officials personally is higher when the level of representation declines, leading to a possibility of greater local influence over decision-making and hence, a greater sense of grass-root ownership.

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It would be valuable to tap into this local good-will by developing various mechanisms that would bring the local voice to the forefront. A measure that could be initiated relatively quickly is to strengthen the consultative role of village leaders and councils by codifying their rules of practice and relationship with the municipal assembly in the municipal statutes. The initiatives of the municipality of Viti/Vitina could provide useful guidelines in this endeavour.

In addition to promoting grass-root participation and ownership, strengthening the role of village councils is also likely to improve the standing of municipal government vis-à-vis the central government. Observing the willingness of citizens – through their village leaders – to significantly participate in or even co-finance capital projects of various donors, it is reasonable to expect that giving village structures a greater role in local

government decision-making is likely to promote higher and better collection of taxes, thereby increasing the financial independence of local governments from the central government.

### 3.3. Municipal finances

#### 3.3.1. The current financial situation of municipalities

The total budget for Kosovo's municipalities in the year 2003 was 141,764,359 euros,<sup>45</sup> comprising 29 percent of the total Kosovo Government Budget.<sup>46</sup> On average, each municipality was allocated some 4.7 million euros. An average municipal budget was 63 euros per capita in 2003, ranging from a high of 99 euros per capita in Novo Brdo/Novobërda to 47 euros per capita in Prishtina. In 2004 there was an increase of 24 percent in the allocation for municipalities, a total of 175,781,460 euros or an average of 5.9 million euros per municipality (table 4).<sup>47</sup>

<i>All figures are in euros</i>	2003	2004
<b>Total budget</b>	141,764,359	175,781,460
<b>Average total budget per municipality</b>	4.7 million	5.9 million
<b>Average municipal budget per capita</b>	63	79
<b>Municipality with highest budget per capita</b>	99 (Novo Brdo/Novobërda)	127 (Novo Brdo/Novobërda)
<b>Municipality with lowest budget per capita</b>	47 (Prishtina)	65 (Zvečan/Zveçari)

Source: KCB 2003, 2004

Municipal budgets are financed through five sources – the General Grant, Education Grant, Health Care Grant, Firefighter Unit Grant, and Own Source Revenues. These funds, transferred from the central government and collected from municipal own sources, finance the five expenditure sectors of each municipality: the Municipal Administration, Education, Health Care, Firefighter Unit and the Local Community Office. Each of these sources of financing and expenditure sectors is divided into the following budget lines: Wages and Salaries, Goods and Services, Capital Outlays, and Reserves.<sup>48</sup>

## Wages and Salaries, Goods and Services, and Capital Outlays

The largest part of municipal budgets is spent for paying wages and salaries of municipal civil servants (including LCO employees) and of employees in the education, health care and firefighter sectors. In the year 2003, an average of 53 percent of municipal total budgets was spent for this purpose. This proportion was highest in the municipality of Šterpce/Shtërpca, where 67 percent of the total budget was spent on wages and salaries, while it was lowest in the municipality of Prizren, at 39 percent (table 5). As argued above, the Wages and Salaries budget line is highest in the five majority Serb municipalities, which had continuity from the 1990s, retaining most of their already swollen administration.

Table 5. Key budget lines as percentage of total budget

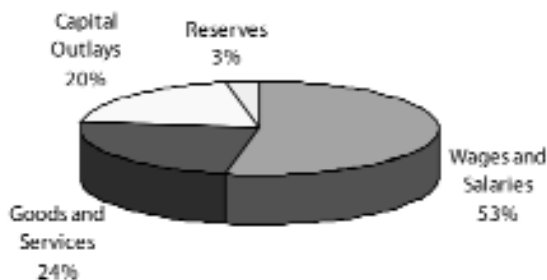
As percentage of total municipal budget	Lowest	Highest
<b>Wages and Salaries</b>	Prizren, 39%	Šterpce/Shtërpca, 67%
<b>Goods and Services</b>	Ferizaj, 18%	Leposavić/Leposaviq, 39%
<b>Capital Outlays</b>	Dragash/Dragaš, 6%	Prizren, 32%

Source: KCB 2003

Funds allocated to the Goods and Services budget line in 2003 comprised an average of 24 percent of the total budget for municipalities. The municipality in which Goods and Services were highest as a proportion of the total budget was Leposavić/Leposaviq (39 percent of its total budget), while Ferizaj was lowest (with 18 percent).

In 2003, the Capital Outlays budget lines on average made up about 20 percent of municipal total budgets (graph 7). The municipality of Prizren had the highest ratio – with Capital Outlays making up 32 percent of its total budget – while the neighbouring community of Dragash/Dragaš, with 6 percent, had the lowest. Maximum capital investment per capita was planned by the municipality of Gjilan/Gnjilane at approxi-

Graph 7. Allocation of funds as percentage of total budget



Source: KCB, 2003

mately 29 euro per inhabitant, while this figure was lowest in Leposavić/Leposaviq at 4 euros per inhabitant.<sup>49</sup> Both, investments directly beneficial for the community and those for the municipal administration are subsumed under the Capital Outlays budget line; for example, building a school and repairing the central heating system of the municipal assembly building are funded from the same budget line. It is at the discretion of individual municipal assemblies to decide in what areas to invest.

### Own source revenues

The sum total of planned own sources of all municipalities comprises 20 percent of their total budget.<sup>50</sup> The municipality of Peja/Peć has the highest planned own revenue as percentage of total budget (37 percent), while Dragash/Dragaš has the lowest, with own sources constituting only 3 percent of its total budget. These figures were mirrored in planned per capita own revenue: the municipality of Peja/Peć planned to collect 30 euros per inhabitant during 2003, while local authorities in Dragash/Dragaš projected only 2 euros per inhabitant. On average, municipalities were expecting to collect around 11 euros per person during 2003 (table 6).

Table 6. Planned own revenue collection

Planned own revenue	As percentage of total budget	Per capita (euros)
<b>Lowest</b>	Dragash/Dragaš, 3%	Dragash/Dragaš, 2
<b>Average</b>	20%	11
<b>Highest</b>	Peja/Peć, 37%	Peja/Peć, 30

Source: KCI B 2003

There tends to be a discrepancy between planned own revenue and the revenue actually collected by municipalities. An examination of own revenue collection from a sample of 13 municipalities between January and June 2003, revealed that on average, municipalities were able to meet only two-thirds (66 percent) of the target for that period. There were some noticeable differences within this sample: the municipality of Dragash/Dragaš actually managed to raise around 106 percent of its planned own revenue for that period, while the success rate in the municipality of Šterpce/Shtërpeca was only 28 percent.

The current main sources of own revenue are business licensing, traffic fines, administrative taxes, geodesy fees and construction licenses. It is difficult to estimate precisely the proportion to which each of these sources contribute to total own revenue collection, because such data is not adequately collected at the central level, while municipal financial reports are so varied as to render comparisons between them impossible.

Property tax was envisaged as one of the main sources of own revenue when planning the 2003 budget. KIPRED interviews revealed that all municipalities struggled to meet their collection targets in the first half of the year, although, for the same reasons as

those mentioned above, more precise figures on these trends could not be obtained. Improvements in collection rates were reported in municipalities which made the issuing of personal documents conditional on the payment of property tax, but this tactic was also closed off to municipalities when the Legal Office of the MPS declared it illegal. According to the Legal Office of the MPS, municipal governments trying to enforce property tax collection can withhold only those services that are directly related to property, and which do not infringe upon general citizenship rights.<sup>51</sup>

According to Regulation 2000/45, municipal assemblies have the authority to decide on the level of compensation given to political representatives, i.e., to members of the assembly, including the president and deputy president of the municipal assembly. The General Grant transferred from the central government includes ‘a small “earmarked” portion related to the “fixed costs” of maintaining municipal government, including the costs of wages and salaries for elected municipal officials and municipal assembly staff.’<sup>52</sup>

Until recently, arrangements regarding the payment of political representatives, as well as the amount of remuneration, varied from one municipality to another: some municipalities paid their councillors per session attended; others paid them in a lump sum per month, which was reduced if a given councillor did not attend all sessions; and some used a combination of the two. A sample of eight municipalities revealed that payments to assembly councillors average around 100 euros per month. Salaries of municipal presidents and deputy presidents show even greater variations across municipalities: for example in 2003, in the municipality of Skënderaj, the president of the assembly earned 350 euros per month – slightly more than the CEO, who had a salary of 310 euros per month; while in the municipality of Dragash/Dragaš, the president earned 650 euros per month.

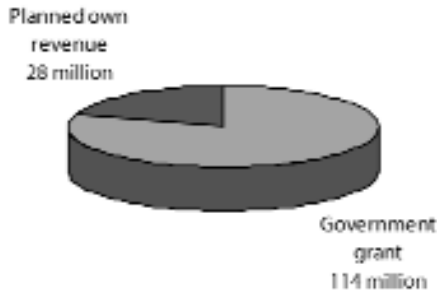
In order to bring under control the payments of political representative at local level and to prevent major discrepancies in earnings across municipalities, in mid-2003, the MEF ordered municipalities to stop funding the payments of political representatives from the Goods and Services line of the General Grant, and to pay them from the Wages and Salaries budget line instead. In the meantime, the MPS was made responsible for drafting a regulation that would level the payments of the Kosovo’s civil servants and political advisers, including staff employed in municipal administrations and municipal political representatives.<sup>53</sup>

### **3.3.2. Municipality relations with central government institutions**

Graph 8 provides an indication of the municipalities’ high degree of financial dependency on central government grants. In 2003, out of the total 142 million euro budget for municipalities, only 28 million euros were planned to be raised from local sources. Expressed in percentages this means that more than 80 percent of the total budget of municipalities was planned to come from central government grants (including grants for Health Care, Education, Firefighter units and the Local Community Offices), while

just under 20 percent from own sources. Such a high level of financial dependency cannot but set limits on the political autonomy of local governments.

Graph 8. Planned municipal sources of financing (euros)



Source: KCB, 2003

A deeper problem, however, is that instead of promoting greater financial independence for the municipalities, various central authorities have in fact further curtailed municipalities' abilities to raise own revenue or in other ways undermined their capacity to fulfill their obligations effectively. This report concentrates only on a few of the most important examples.

One of the regulations with the most far-reaching implications for the powers of municipalities is the UNMIK Regulation 2002/12, On the Establishment the Kosovo Trust Agency (KTA).<sup>54</sup> With the introduction of the KTA as the managing body of all socially-owned enterprises and their assets, municipalities can no longer raise revenue from rents or concession payments for the use of land, natural resources or other types of property managed by the KTA, which under the socialist system had been under the control of municipalities.<sup>55</sup> Another case is the centralization of business registrations: a previously municipal competence – and one of the main sources of revenue for municipalities – is now conducted by the Ministry of Trade and Industry. Very recently, the cadastre service – a substantial source of local revenue – has also been centralized, with the creation of the Cadastral Agency of Kosovo.<sup>56</sup>

Another very important source of municipal revenue – the collection of traffic fines – has undergone centralization to the detriment of municipalities. Until the end of May 2003, traffic fines were deposited directly to individual municipal accounts and were available for immediate use by municipalities. In June 2003, in order to allow the MEF to more effectively monitor the flow of this source of revenue, UNMIK created a central account in the Banking and Payments Authority of Kosovo (BPK) for depositing all the traffic fines collected

**It is crucial that the drafting of a new law on local government is preceded by a clear understanding of the political, as well as the economic or financial, implications of proposed revisions**

across Kosovo. A problem with this measure was that, for a number of months after it was instituted, municipal authorities were not officially notified about, let alone paid, the funds collected from traffic fines in their territory. Payments were eventually made in proportion to the revenue collected from traffic fines in each municipality during the 2002, i.e. any actual rise or fall in revenue from this source during 2003 was not adequately reflected in payments being received from the MEF. Municipal officials criticized this measure as arbitrary and totally lacking in institutional transparency, reducing the liquidity of municipal institutions, thereby hindering their ability to plan and implement projects.<sup>57</sup>

**Given that any revision of the regulation on local government will touch upon the interests of and the power balance among various stakeholders, it is crucial to tackle this process in an open and inclusive way**

On the other hand, there were instances where the central authorities had actually given municipalities extra duties without making available the funds necessary to fulfill them. For example, the management of local cultural centers became a task of municipal authorities, having been transferred from the Ministry of Culture, Youth, and Sport in 2003. However, the Ministry did not transfer the funds to pay the employees of the centers, and municipalities ended up paying them from their own revenues, thereby also swelling the ranks of municipal employees. Municipal officials complained that this measure was not only an extra burden on their resources, but that it lacked a clear and timely plan from the Ministry.

To remedy such problems, a new law on local government is needed, one that defines the competences between the different levels of government and provides mechanisms to ensure that municipal rights are not subsequently encroached upon by arbitrary directives from the centre. However, it is crucial that the drafting of the new law is preceded by a clear understanding of the political and economic implications of proposed revisions. Given that any revision of the regulation on local government and administration will touch upon the interests of and the power balance among various stakeholders – municipal authorities, village leaders, ethnic communities, administrative officials, central institutions, and the international community in Kosovo – it is crucial to tackle this process in an open and inclusive way.

### **3.3.3. Problems of accounting practices**

#### **Lack of firm and effective standards issued by central authorities**

One serious shortfall in the financial management of municipal authorities relates to poor book-keeping practices, which lack firm and effective standards for implementation and enforcement issued by the central authorities, namely the MEF. Municipalities are obliged to provide monthly financial reports to the MEF through filling in a number of standardised forms (such as ORS3, PCF3, PCF4 etc.), but a number of municipal officials expressed dissatisfaction with the MEF forms, preferring to keep their financial records in other formats. For example, in the municipality of Prizren, finances are kept in a format custom-made by the municipal Economics and Finance depart-



ment and then, at the end of the month, the data is converted to fit the MEF ORS3 format. In order to make this conversion between different book-keeping formats, unnecessary labor is expended, mistakes can easily be made, and at worst, there is a greater possibility for irregular practices. The MEF, on the other hand, has no copies of these internal financial reports, but only reports from the ‘free-balance’ programme, which merely ensures that the inflow and outflow of funds of the different economic programmes (i.e. the General Administration, Education, Health Care, Firefighter and Local Community Office grants) is equal at the end of the reporting month.

As explained above, municipal budgets are composed of central government grants and own revenues. The MEF determines the total value of the General Administration, Health Care, Firefighter and LCO grants according to population figure estimates, while the Education Grant is determined by the number of students from the previous year. Any yearly increase in the total central government grant is allocated to the General Administration Grant, which allows each municipality the discretion to decide in which economic programmes to spend its funds, i.e. whether to invest more in health care, education, local community offices, firefighters, or the municipal administration. Moreover, municipalities can also decide on the specific budget lines to which this yearly increase will be allocated – the only restriction being that the Goods and Services budget line of any economic programme is not increase by more than 2 percent per year.<sup>58</sup> So, although the MEF determines the maximum number of staff to be hired by the municipality and even if this condition is strictly adhered to by the municipalities, the Wages and Salaries budget line can nevertheless potentially be increased by municipal authorities if they decide to hire more qualified staff with higher payment coefficients.

Once the total values for each budget line and economic programme is determined, it is then at the discretion of each municipality to define in detail how each of these will be spent. This in principle is to be welcomed, since it allows the political level closest to citizens to decide on how to allocate public funds. But, such greater autonomy works only if coupled with better book-keeping practices, which are necessary to ensure greater transparency and to avoid misappropriations of funds.

### **Indeterminate budget lines**

Another example of the lack of uniform book-keeping among different municipalities can be seen from the wide variety of ways used to compile yearly budgets. It is no exaggeration to claim that no two municipalities use the same way to plan and visually present their yearly budgets. The consistency of presentation would not be of concern if there were a consistency in the substance reported, and if the budget lines were categorised and detailed enough so as to ensure adequate transparency of funds spent. However, this is not the case in most municipalities in Kosovo.

A very serious problem is that the four budget lines (Wages and Salaries, Goods and Services, Capital Outlays and Reserves) are not clearly separated in practice, with funds designated for one purpose being used for entirely different uses. A prime example is

the way in which many municipalities used funds from the Goods and Services budget line to finance the payments of political representatives. On the other hand, there have been cases where funds designated for the wages and salaries of municipal staff were saved up for other purposes. For example, in the municipality of Glogovc, out of the 215 employees planned by the MEF in the budget of 2003, only 139 were actually hired by the municipality, i.e. a difference of 76 potential employees.<sup>59</sup> According to officials of the municipality, at least part of the money saved from this budget line was used to pay the salaries of political representatives of the municipality, once the MEF had ordered that the latter were not to be paid from the Goods and Services budget line. Without going into the merits of the decision made by the municipality, there is a clear lack of adequate planning and monitoring over transferred funds by the relevant central government institution.

**A great concern for the Kosovar citizen is the fact that the Capital Outlays budget line does not differentiate between funds designated for the improvement of the infrastructure of the municipal administration and those funds the investment of which would be of direct benefit to the community**

There are also numerous cases where items that modern accounting criteria would count as capital investments are financed from the Goods and Services budget line. For example, in 2003, the municipality of Glogovc invested 20,000 euros for purchasing a car, financed from the Goods and Services budget line.<sup>60</sup> Considering that a car is an asset that the municipal administration will use over a longer period of time (i.e., it is not expendable within one budget year), it should not be financed from the Goods and Services budget line. It would have been more appropriate to finance the car from the Capital Investment budget line, or better still for the MEF to create a separate budget line designated for the purchase of long-term assets of the municipal administration. It is also advisable that the MEF generally reviews the current budget lines, bringing them into greater harmony with modern accounting criteria and the actual needs of municipalities.

From the point of view of financial transparency, a great concern for the Kosovar citizen is the fact that the Capital Outlays budget line does not differentiate between funds designated for the improvement of the infrastructure of the municipal administration and those funds the investment of which would be of direct benefit to the community. In other words, out of the Capital Outlays General Grant, it is at the discretion of, for example, the municipal assembly of Gjakova to decide whether to spend 150,000 euros to take part in asphaltting the road to Has or 30,000 euros to renovate the municipal council meeting room.<sup>61</sup> If public scrutiny is lacking, then it is possible for municipal authorities to spend a substantial amount of the capital investment budget to their direct benefit, with very little impact made upon the lives of ordinary citizens. The problem with the current system is that a close examination of the allocation of funds by the public is difficult because book-keeping practices make no differentiation between these two types of expenditures.

The other problem important from the aspect of financial transparency lies in the

broadness of budget lines. For example, according to the 2003 budget of the municipality of Gjakova, 10,000 euros were allocated for postal services to the municipal administration, without providing any more detail about the specific services to be used, such as how many letters or parcels are planned to be sent over the year. Although the auditing of municipal finances is ultimately the responsibility of the central government, and any irregularities must be monitored and reported by the Office of the Independent Auditor of Kosovo, more detailed budget lines are crucial for providing better public scrutiny over the allocation of resources, especially considering that these documents are all open to the public.<sup>62</sup> An additional step to increase financial transparency to the public is to make the yearly auditing reports of municipalities widely accessible via the web and through publication of summaries in local and national daily newspapers.

### **3.4. Municipal administration**

#### ***3.4.1. The current administrative organisation of municipalities***

The work of municipal administrative staff is defined by UNMIK regulation 2001/36, On the Kosovo Civil Service. The law provides for a politically neutral and impartial administration that reflects the multi-ethnic character of Kosovo, with staff selected on basis of merit, that is, through fair, open and competitive procedures.<sup>63</sup> Candidates are selected by a panel of three or more persons, and each employee must have a written contract of employment for a period of three years, with the possibility of extension.<sup>64</sup>

Municipal civil servants, including executive officers, are paid from the General Grant allocated to each municipality by the Central Government. According to MEF officials, the Grant is calculated by the Ministry based on population estimates of each municipality. On the basis of these estimates, the MEF also determines the maximum number of municipal staff that can be paid from the General Grant.<sup>65</sup> However, the sometimes quite marked differences in average wages of municipal civil servants indicate that the General Grant and the maximum number of employees are not determined by a formula which is in strict proportion to population size. As our analysis could not establish a causal link with population figures alone, we deduced that other factors must have also played a role in the calculation, although KIPRED was unable to find out which factors were exactly used for each municipality.

In 2003, there existed an average of 330 inhabitants for every planned municipal administrative employee, although there were marked variations across municipalities. Hence, a municipal servant in Novo Brdo/Novobërda was planned to service only 72 inhabitants, while the ratio in Prizren was one employee for every 663 inhabitants (Table 7).<sup>66</sup>

The MPS is responsible for determining the salary rates of various job profiles available in municipal administrations (i.e., the salary rates of cleaners, registrars, depart-

Table 7. Ratio of inhabitants per planned municipal staff

	Inhabitants per planned staff
<b>Lowest</b>	Novo Brdo/Novobërda, 72
<b>Average</b>	330
<b>Highest</b>	Prizren, 663

Source: MEF, KCB 2003

ment directors, the CEO, etc.), by determining payment coefficients of each administrative post. For example, according to MPS directives, the post of the municipal CEO has a coefficient of 10 units, which during the 2003 fiscal year meant a monthly salary of 310 euros (i.e., unit coefficient value is 31 euros). The monthly salary of departmental directors is 294 euros (coefficient 9.5); head of division, 232 euros (coefficient 7.5); higher level professionals, 186 euros (coefficient 6); lower level professionals, 155 euros (coefficient 5); higher level clerks, 124 euros (coefficient 4); and lower level clerks, 93 euros (coefficient 3).<sup>67</sup>

As long as municipal authorities keep within these parameters determined by the central authorities (i.e. the maximum number of staff that can be hired, and payment coefficients for various posts), individual municipal assemblies have the right to determine the precise composition of the municipal administration, i.e. how many cleaners as opposed to how many registrars or university educated professionals are to be hired.

However, it is often the case that the number of employees hired by municipal administrations exceeds the maximum permissible number of staff allowed by the MEF. There are cases when municipalities actually employ more staff than allowed for by the General Grant: for example, in 2003 the municipalities of Dragash/Dragaš and Deçan employed 26 and 16 staff beyond the MEF upper ceiling, respectively.<sup>68</sup> To finance these extra employees, such municipalities either use their own source revenues, or employ fewer professional staff who command higher wage coefficients.

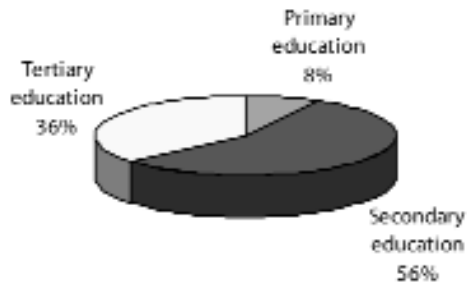
In general, however, municipalities tend to hire fewer than the maximum number of employees allowed by MEF. A sample of fifteen municipalities indicates that, on average, municipal administrations do not fulfil their maximum staff quota by 8 employees, although there are municipalities where the difference between maximum staff allowed and those actually hired is much greater: for example, among the 215 employees planned for the municipality of Glllogovc in the budget of 2003, only 139 were actual-

Table 8. Average monthly salaries of municipal staff

All figures are in euros	Average monthly salaries of municipal staff
<b>Lowest</b>	I eposavić/I eposavić, 103
<b>Average</b>	166
<b>Highest</b>	Istog, 234

Source: MEF, KCB 2003

Graph 9. Educational profile of municipal staff



Source: KIPRED surveys, 2003

ly hired i.e. a difference of 76 potential employees.<sup>69</sup> Average salaries for municipal staff throughout Kosovo are 166 euros per month, but again there are significant variations across municipalities, with 234 euros per month being paid out in Istog and the lowest salary, 103 euros, being paid out in Leposavić/Leposaviq (table 8).<sup>70</sup>

A sample of ten municipalities indicates that, on average, the majority of administrative employees across Kosovo's municipalities have completed secondary education (56 percent), while a sizable group are university graduates (36 percent) (graph 9).<sup>71</sup> The most frequent graduate profiles are economics and law graduates (graph 10, with 38 and 29 percent of all graduates in municipal administration, respectively), while there is a pronounced deficit of graduates in technical fields, such as architects, construction engineers, urban planners, geodesic engineers etc. On average, female employees make up 25 percent of the total municipal administration, although proportions range from 9 to 60 percent.<sup>72</sup> Around 25 percent of female employees are university graduates.

Municipal administrations are organised into departments, which are set out in the

Graph 10. Professional breakdown of municipal graduate staff



Source: KIPRED surveys, 2003

respective municipal Statutes. Department names vary from municipality to municipality, but most municipalities separate duties between the departments of General Administration, Economy and Finance, Cadastre and Geodesy, Urban Planning and Ecology, Education, Culture, Sport and Youth Affairs, Health Care, Social Policy and Civil Protection, Economic Development and Reconstruction, and Agriculture and Forestry.

### **3.4.2. Municipality relations with central government institutions**

The performance of municipal departments responsible for the provision of more centralized services, such as health care or education, is heavily dependent on the functioning of and cooperation by the relevant government ministry. Although cooperation between different levels of government is important and on occasion necessary, a situation of shared responsibility for the provision of a service will generate more scope for inter-level conflict as well as increasing the possibility that various actors disavow blame for any policy failures.

KIPRED field research found a number of municipal officials complaining about the alleged negligence of some central ministries and departments, with repercussions for the quality of municipal services. The most vocal criticisms were voiced against the Ministry of Health and Social Welfare (MHSW), which provides a useful case study. Although, the provision of primary health care is a municipal obligation, municipalities receive their drug supplies from the MHSW, because the latter can save in costs, through bulk-buying for example. However, officials from a number of municipalities complained that they have not been receiving the correct medication from the Ministry or that they have received large quantities of drugs with near-expiry dates. They claim to have repeatedly complained to the MHSW, but not to have received a response from them – while some municipal officials accused the Ministry of negligence, there were others who went as far as to accuse them of corruption. In either case, this problem affects the provision of a crucial service to citizens, and it is the responsibility of central government to ensure that complaints are actually heard and dealt with by the ministry, and that mechanisms to quickly address such problems are put in place.

The example above illustrates that in order to provide quality and efficient services to citizens, it is not only necessary to delineate the competences of each level of government in law, but to also ensure internal institutional mechanisms for coordinating their work and solving potential political disputes, administrative problems or inter-level confusions. With these conditions in place, it then becomes much easier to assess responsibility for policy success or failure and, hence, to adequately evaluate the work of municipal administrations. An initial step to be taken in Kosovo is to institute regular joint meetings that bring together local government representatives and officials of each government ministry (especially those more directly involved with municipalities). These meetings would aim to develop mechanisms that promote quick filtering of information and a steady resolution of inter-level disputes as and when they arise.

This being said, however, municipal administrations in Kosovo face a number of problems which are independent of interference by other governmental institutions.

### 3.4.3. Poor administrative efficiency

During fieldtrips, KIPRED researchers asked municipal CEOs about their level of satisfaction with the performance of their staff. Their answers varied: some claimed to be extremely satisfied – pointing out that a great many of their employees are university graduates – while others were more reserved. Both groups, however, said that they could not in good conscience demand more effort from their staff because their salaries were so low.

KIPRED has tried to measure the efficiency of municipal administrative structures by assessing the work of their registry offices. For each municipality, the work-volume of registry offices for the first half of the year was divided by the total working hours for six months of all registrars employed in that municipality.<sup>73</sup> Based on a sample of six municipalities, our research found that the output of one registrar ranges from 0.3 to 1.2 documents per hour. Of course, it is difficult to make firm generalizations about the work of every department in all municipalities from these figures alone. Further study is necessary in order to gain a clearer and fairer picture of the work done in other municipal departments. However, these figures nevertheless provide a sense of municipal administration performance, allowing us to reach the indicative, if not definite, conclusion that, in general, they are fairly inefficient institutions.

There are a number of explanations for this state of affairs. Most of the CEOs interviewed attribute the problem to poor payment levels for the civil service, which are not sufficient to motivate them to provide high quality service. There are two main weaknesses with this argument. First, average wages for the civil service across Kosovo – 165 euros per month – are not much lower than the wages of jobs in the private or alternative market – the income of the average Kosovar is 200 euros per month.<sup>74</sup> Hence, if the argument employed by CEOs was to be extended to all people employed in Kosovo, it would follow that no one should be producing high quality services, since most earnings are quite low. Second, unemployment in Kosovo ranges from 40 to 60 percent of the workforce, which means that a great many people can potentially compete for each job in the municipal administration.<sup>75</sup>

**With high unemployment rates reigning in Kosovo, there are no excuses for shielding poor performers in the municipal administration**

A better understanding of the low level of motivation and poor performance of municipal employees can be gained by examining job security in municipal administrations. In the pre-war administration, it was rare to fire staff for poor performance, and most people either remained in their first job or were promoted within the same organization. Hence, jobs in the public sector were for life – workers had no incentive to perform efficiently or improve, because their continual employment did not really depend on their performance but on their loyalties to their superiors. Much remained the same

four years after the war – the winning party in the municipality aims to employ as many of its supporters as possible as a means of rewarding them for their political support; dismissals for poor individual performance are rarely carried out. With poor internal or external monitoring mechanisms in place, i.e. little scrutiny by the public or managers, staff have little motivation to perform well, as they do not fear losing their jobs.

### **3.4.4. Improving administrative efficiency**

In order to reduce administrative inefficiency in Kosovo's municipalities, one must tackle the very political culture and norms that support it. This, of course, is a difficult and gradual process that will take considerable time. However, a quick but significant step in this direction could be made by introducing measurable Kosovo-wide performance standards for each municipal department and for each municipal post. These standards would include indicators that measure output quantity and quality, as well as the transparency, creativity and responsiveness of the administration. This would allow government ministries to more easily compare the performance of different municipalities, as well as allowing higher municipal officials to monitor the performance of individual employees. One further way to foster inter-municipal competition, so as to improve service quality, would be to regularly publish performance data in national newspapers, thereby increasing transparency to the public. Results could be presented both aggregated for each municipality, as well as differentiated among departments so as to allow cross-departmental comparisons.

**A way of fostering inter-municipal competition, with the aim of improving service quality, is to regularly publish performance league tables in national newspapers**

Such measures would increase the pressure on local authorities to explain their performance to their electorate, especially if this is not satisfactory in comparison to other municipalities. On the other hand, more transparent performance data would help political parties to transform their successes into vote-winning campaign issues. Moreover, they would provide opportunities to spot the high achievers, capable of providing valuable advice to the other municipalities. In sum, these measures would help remove the political criteria used for selecting municipal staff, installing merit-based criteria instead.

A starting point for this policy could be to initially institute league-tables only for the registrar division, including the office of civil registration (currently a competence of UNMIK), for a limited number of pilot municipalities. This division is especially suitable for start up because its services are more easily quantifiable, thereby allowing relatively quick measurements of performance. Moreover, as a department that has close contact with most ordinary citizens, it is one of the key determinants of the public perception of performance of the municipality as a whole. Hence, an increased transparency of municipal authorities in this front would be immediately witnessed and appreciated by the voters.



### **3.4.5. Lack of technical specialists**

A serious problem for most municipal administrations is a lack of specialists in technical vocations. CEOs from nearly every municipality complained that they lack good architects, construction engineers, geodesic engineers, and urban planners. It is difficult for municipalities to employ high quality technical staff because these profiles are generally scarce in Kosovo's labor market, and are thus normally employed in the private sector that can offer better financial incentives.<sup>76</sup> Hence, municipal administrations, given their financial limitations, cannot adequately compete with the private sector.

One way for municipal authorities to improve and enlarge the labor pool of technical specialists in the short- to the medium-term, is to more liberally fund graduate and post-graduate studies for such vocations, on the condition that upon completing their studies, these students work for municipal institutions for a number of years. This practice has already been in use to promote the health care sector in a few municipalities, such as Podujeva.<sup>77</sup> Other options deserving of attention are having inter-municipal cooperation for deficient staff, and the possibility of sub-contracting staff or companies for specific technical projects.

In the long-term, it is necessary that the University of Prishtina, as the main public higher education institution in Kosovo, and the Ministry of Education, Science and Technology (MEST), reevaluate their policies on student intakes for each faculty. The number of students of economics, law and humanities must be substantially reduced, with released funds being reallocated to technical faculties and other vocational fields.<sup>78</sup> Moreover, extra resources must be channelled to promote higher education in the scarce technical fields, including stipends for outstanding students willing to work for the Kosovo civil service for a limited period after graduation.

### **3.5. Positive practices**

This report may have painted a largely negative picture of the current state of local government and administration in Kosovo. This is not simply because such is the reality, but also because by identifying problems one is half way toward solving them. This description, however, should by no means be understood as implying that no valuable work has been done at the local level or that no positive initiatives are being taken.

A number of municipalities have been very active in promoting better public information about municipal activities and institutions. One initiative was to create municipal websites which contain brief histories of the respective municipality, key geographic and demographic data, and information about municipal institutions and about municipal projects. The municipalities of Istog, Klina, Prizren, Kaçanik, Podujeva, Viti/Vitina, and Vushtrri have constructed their web-sites with external assistance, but there are others, such as the municipality of Shtime, which have started such projects on their own initiative.<sup>79</sup>

Shtime has also taken other initiatives with regard to public information. It has established an Information Office within the municipal administration, and it also publishes a bi-weekly bulletin on municipal activities, putting it up on town notice-boards and distributed at newspaper selling points.<sup>80</sup> The municipality of Skënderaj undertook a praiseworthy initiative not only to inform the public but also to educate it. It compiled a small brochure that explained to ordinary citizens how the municipal budget was compiled, the size of the budget and the allocation of funds, as well as another brochure which explained where the money collected from property taxes is invested.<sup>81</sup> The municipality of Gjilan/Gnjilane should be distinguished for having reached out towards ethnic communities, which have been active participants in municipal institutions soon after the cessation of the conflict.

All the above examples are to be welcomed and encouraged. The problem, however, is that in general these tend to be individual initiatives rather than the results of a well-organized and functional system. The trouble, therefore, is that if individuals who initiated these projects change their workplaces, then very little will be in place to support their projects. Hence, it is a challenge for any reform proposal to suggest ways in which the *system* rather than the *individual* can promote and support initiatives that improve public information about and participation in policy-making, their willingness to pay taxes and to directly take part in financing projects.

A positive practice which seems to have been institutionalized in most municipalities is to support and encourage community participation in infrastructure projects. Municipal participation in village projects is desirable not only because it helps develop local infrastructure, but also because it establishes close relationships and better lines of communication between the level closest to citizens – the village council and leader – and the basic unit of self-government, namely the municipality.

In addition, as mentioned already, a number of municipalities have set up decentralized local offices for issuing personal documents, thus bringing the administration closer to the people. These are to be welcomed in principle, since they increase convenience for the public, although a more detailed cost-benefit analysis of each specific office is desirable. Even more commendable are initiatives of municipal authorities to institutionalize relations with village councils and leaders, bringing decision-making closer to the people. The example of the municipality of Viti/Vitina is especially praiseworthy: municipal authorities have formalized their relations with village leaders through a municipal assembly regulation, and hold regular meetings with village leaders, in which case the municipality modestly compensates their travel costs. Municipal authorities, moreover, were planning to organize formal elections of village councils, financed from municipal funds, thereby increasing the legitimacy of these local structures.

## 4. Conclusions

It has not been the purpose of this study to provide a comprehensive analysis of every aspect of local government and administration in Kosovo. Rather, the goal was to examine some key issues relevant to obtaining effective, efficient, transparent and accountable governance at local level, and which could also meet the specific needs of ethnic communities. The main aim of the study was to produce guidelines for future research areas, as well as some preliminary recommendations for change.

One of our main findings was that the current law on local government and administration is in need of revision, as numerous subsequent UNMIK regulations and government directives have rendered it inadequate in a number of areas. It is not necessary to immediately initiate a complete revamping of the current system of local government and administration in order to tackle some obvious sticking points in the system, such as the appointment of executive officers. However, given that any reform or revision of the system of local government and administration, including a new draft law on local government, will touch upon the interests of various stakeholders – municipal authorities, village leaders, ethnic communities, administrative officials, central institutions, and the international community in Kosovo – it is paramount that such an enterprise be tackled in an inclusive and participatory way. It is important that the political, as well as the economic or financial, implications of any reform initiative are publicly discussed among the various stakeholders and the public at large. Special attention is required when considering the implications of reform on Kosovo's ethnic communities.

Another problem that requires the urgent attention of the institutions responsible for and concerned about municipal performance is the lack of accountability to citizens of both elected politicians and municipal administrations. Our research revealed that the performance of local

**Tackling some obvious sticking points of the current system, such as the appointment of executive officers, does not require a complete upheaval of the whole system of local government and administration**

governments and administrations in Kosovo is crucially affected by political, inter- and intra-party, rivalries at local level, as well as relations with party centres. A key concern for those involved in local politics is to control the executive positions in the municipal administration. Such political difficulties only add to problems of municipal administrations, which already battle with a lack of high quality personnel and an inefficiency and lack of accountability in their everyday work. Finally, the financial, and hence political, autonomy of Kosovo's local authorities is vulnerable, as most municipal funds are allocated from the central government budget, and their ability to raise own revenue is substantially limited. This also curtails the ability of local authorities to promote local economic development and compete with their home and regional peers to attract outside investment in their municipalities.

## 5. Recommendations

### Decentralization and local government reform

***Realism about what decentralization can and cannot achieve*** – Decentralization should not be seen as a panacea for all the troubles affecting Kosovo's ethnic minorities, and so it must be coupled with other measures which address the grievances of ethnic communities at the central level.

***Decentralization not a solution to security problems*** – All stakeholders – especially the international community and the ethnic communities themselves – should openly acknowledge that territory-based reforms of the local government system cannot provide adequate solutions to the security problems of ethnic communities. Other measures, such as the development of a special branch within the KPS that provides police officers directly answerable to municipal authorities, must be developed in conjunction with other security mechanisms instituted at central level.

***Focus on improving good governance*** – Although limited territorial adjustments cannot be ruled out for sizeable and territorially concentrated communities, the primary focus of any local government reform initiative must be on improving mechanisms of good governance, which will be beneficial not only for ethnic communities but also for the citizen in general.

***Extra mechanisms to address community grievances at local level*** – Kosovo's institutions should make extra efforts to ensure that the local grievances of ethnic communities are addressed at local level. One mechanism to promote this is to ensure that the majority of minority representatives are in favour when passing ethnically sensitive laws.

***Inclusive, participatory and open reform*** – Because any reform or revision of the system of local government and administration will touch upon the interests of various stakeholders, it is paramount that such an enterprise be tackled in an inclusive and participatory way, openly discussing the political as well as economic ramifications of such an initiative.

***Detailed cost/benefit analysis*** – There is a need for a detailed and systematic cost/benefit analysis for decentralizing or centralizing various services, as well as a study of the political prerogatives for decentralizing various competences.

***Pilot testing*** – It is advisable to initially test specific decentralization proposals in a few limited municipalities.

### Promoting interethnic solidarity

***Thorough collection of cross-ethnic statistics*** – This is a crucial preliminary requirement in order to measure and monitor the well-being of all communities,

as groups and as individuals, so as to promote a sense of solidarity across the different ethnic communities.

**Equalization mechanism** – In addition, the government, together with UNMIK and the municipalities, must develop mechanisms that ensure the equitable distribution of funds across the different municipalities.

### Improving accountability

**Discourage co-governance** – The current widely used practice of co-governance, which allows the winning party to share power with the other minor parties and thereby avoid responsibility, should be systematically discouraged.

**Reform procedure for appointment of executives** – One mechanism towards this goal is to reform the procedure for the appointment of administrative executive officials, so as to foster a closer association between the performance of the administration and the winning political party. With the above in view, the COE and the Board of Directors should be selected by the president of the assembly or a directly elected mayor, thus increasing individual accountability as well as the responsibility of the winning party.

**Pilot test of new procedure** – Preliminary trials of the new procedures could be tested in a number of pilot municipalities, so as to fine tune various details.

### The electoral system

**Change the electoral system** – There is a need to change the electoral system used for local elections, with the view to improving the accountability of public representatives, instituting a more dynamic relation between citizens, the local government and political parties, and promoting better public scrutiny of and participation in matters of local governance.

**Open lists** – It is advisable to keep the system of proportional representation, but to replace the current closed lists with open ones. This would empower local political figures favoured by the grassroots, and hence help build effective lines of accountability between politicians and voters on the one hand, and politicians and the executive on the other, with the long-term result of better accountability of the municipal administration to the citizens. Open lists would also reduce the grip party centers have on municipal party branches and sub-branches, improving internal party democracy.

### Sub-municipal representation

**Strengthening the role of village structures** – A relatively quick way to bring the local, sub-municipal, voice to the forefront is to strengthen the consultative role of village leaders and councils, by codifying their rules of practice and relationship with the municipal assembly in the municipal statutes. This is also likely

to improve the standing of municipal government vis-à-vis the central government, since it is reasonable to expect that giving village structures a greater role in local government decision-making is likely to promote higher and better collection of taxes, thereby increasing the financial independence of local governments from the central government.

## Clear competencies

***Clearly define municipal competences in law*** – This is important so that other subsequent laws and government directives do not come into conflict with and curtail municipal powers and competences unfairly. Although this is not possible as long as the UNMIK practice of giving precedence to each new regulation is in place, the importance of the issue must be recognized and taken seriously.

***Internal institutional mechanisms to solve inter-level problems*** – In order to provide quality and efficient services to citizens, it is not only necessary to delineate the competences of each level of government in law, but to also ensure internal institutional mechanism for solving potential political disputes, administrative problems or inter-level confusions. An initial step in this direction is to institute regular joint meetings bringing together local government representatives and officials of each government ministry (especially those more directly involved with municipalities), with the aim of developing mechanisms that promote quick filtering of information and a steady resolution of inter-level disputes as and when they arise.

## Financial book-keeping practices

***Standardize book-keeping*** – Measures to improve and standardize financial book-keeping practices must urgently be instituted, especially with regard to improving public transparency over budget estimates and funds allocation.

***Reform of the Capital Outlays budget line*** – Financial reports for the MEF and the general public must show a detailed reflection of all investment projects, separating capital outlays designated for projects of direct public benefit from other projects.

***Better control from centre*** – The MEF should keep more extensive financial accounts of municipalities, which delve into greater detail than the current ‘free balance’ system.

***Widespread publication of auditing reports*** – An additional step to increase financial transparency to the public is to make the yearly auditing reports of municipalities widely accessible via the web and through publication of summaries in local and national daily newspapers.

## Capital investments

**Minimum capital outlays per capita** – There must be a minimum per capita value for capital outlays for all municipalities in order to promote the development of infrastructure across municipalities. This criterion would be used to determine the minimum value of the total Capital Outlays' budget line of every municipality.

**Extra incentives for a greater Capital Outlays budget** – It is also advisable to have extra financial incentives to encourage municipalities to have a greater-than-minimum Capital Outlays budget, which they finance either from own sources or the General Grant (i.e., from the part of the general grant which is left over when Wages and Salaries, Goods and Services, Reserves and minimum Capital Outlays, are accounted for).

**Needs based criteria** – It is important to formulate more policies based on criteria of need, not just population size. Efforts to equalize average per capita spending in capital outlays are particularly urgent, especially in order to overcome the current differences between urban and rural municipalities.

### Improving administrative efficiency

**Performance indicators** – One significant step in improving the performance of municipal administrations could be made by developing measurable Kosovo-wide performance standards for each municipal department and for each municipal post. A starting point would be to develop performance indicators for the registrar division, in a limited number of pilot municipalities.

**Performance league-tables** – An additional way to foster inter-municipal competition, with the aim of improving service quality, would be to regularly publish performance league tables in national newspapers. These results could be presented both aggregated for each municipality, as well as differentiated among departments so as to allow cross-departmental comparisons.

**Open recruitment procedures** – Strengthen mechanisms that ensure that external candidates are evaluated on an equal footing as existing municipal staff.

### Human resource development

**Earmark funds for human resource development** – Require that a certain percentage of municipal funds are earmarked for human development matters, as recommended by the biannual UNDP Human Development Reports.

**Scholarships for technical and vocational students** – In order to help overcome their shortage of qualified staff in technical and vocational fields, municipalities could provide scholarships for students of these, on condition that they work for the municipal administration for a number of years after graduation.

**Reevaluation of student admission policies at the University of Prishtina** –

The University of Prishtina and the Ministry of Education, Science and Technology should reevaluate student admission policies: the number of graduates in law and economics should be reduced, while extra funds and subsidies should be allocated to vocational schools and faculties of technical fields.

## Property

***Clear confusions regarding role of KTA*** – It is necessary to clarify any remaining misunderstanding regarding the implementation of the regulation on the KTA.

***Study UNMIK property policy from a local government perspective*** – A detailed study of the effects of UNMIK's property policy on the ability of municipalities to fulfill their duties is required. A preliminary step in this direction would be to delineate exactly how much and what kind of land in each municipality is under the KTA and municipal administration, respectively.

## Statistics

***Cooperation with the SOK*** – Municipalities must provide more detailed information to the Statistical Office of Kosovo in order to facilitate better analyses. A possibility worthy of consideration is to have a specially trained municipal employee who regularly reports to the SOK.

***Attention to various demographic indicators*** – In order to establish corrective actions for various ethnic, social and economic groups, statistics should be divided according to ethnicity, gender, age, and rural and urban division of population income, general budgets, funds spent, kilometers of paved roads, household distance to health care and school facilities, etc.

## Further studies

***Financial and economic performance*** – Detailed studies are needed of the financial and economic performance of municipalities, especially looking at how municipalities can promote economic development within their territories.

***Closer inspection of financial procedures*** – Especially focusing on current book-keeping and financial reporting practices.

***Study of administrative efficiency performance*** – Comparing the performance of Kosovo's local administration authorities with that of other such authorities in the region and further afield, as well as looking at how different municipalities in Kosovo are faring in relation to each other.

***Research in education and health care*** – Detailed research into issues specific to education and health care at local level, as well as relations to central agencies responsible for these fields.

***Research of ethnically mixed municipalities*** – The work of the Communities



and Mediation Committees, interactions between various ethnic groups in municipal assemblies and municipal administrations, differences between Serb communities and other minorities. These findings should also be analyzed in relation to local provisions in other countries with minorities, such as Spain, the Benelux countries, Romania or Croatia.

## ***Annex A: The current system of local government and administration in Kosovo***

### **1. The legal framework**

#### ***1.1. Municipal competences***

The rights and obligations of local government in Kosovo are defined by UNMIK Regulation 2000/45 on Self-Government of Municipalities in Kosovo. The MPS is currently in the process of drafting a new law on local government and administration, but it still remains to be seen whether the draft law will be passed by the Kosovo Assembly and then ratified by the SRSG.

Regulation 2000/45 regulation draws on the principles of the European Charter on Local Self-Government, in particular Article 3, which denotes ‘the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibilities and in the interest of the local population’.<sup>82</sup>

Municipalities are the basic units of local self-government in Kosovo. They are entitled to ‘exercise all powers not expressly reserved to the Central Authority’, which Regulation 2000/45 designates to be UNMIK, acting under the authority of the SRSG, although a number of reserved powers were subsequently transferred to the Kosovo government institutions.<sup>83</sup> Each municipality is recognized as a legal entity under public law, with the right to own and manage property, the capacity to sue and be sued in courts, the right to enter into contracts and the right to engage staff.<sup>84</sup> Municipalities also have the right to enact local municipal regulations relating to matters within their competence, which are contained in their respective Municipal Statute.<sup>85</sup>

Regulation 2000/45 gives municipalities extensive obligatory and discretionary powers and responsibilities. Municipalities are responsible for:

- Providing basic local conditions for sustainable economic development,
- Urban and rural planning and land use,
- Licensing of building and other development,
- Local environmental protection,
- The implementation of building regulations and building control standards,
- Service provision in relation to local public utilities and infrastructure including water supply, sewers and drains, sewage treatment, waste management, local roads, local transport, and local heating schemes,
- Public services including fire and emergency services,
- Management of municipal property,
- Pre-primary, primary and secondary education,
- Primary health care,

- Social services and housing,
- Consumer protection and public health,
- Licensing of services and facilities, including entertainment, food, markets, street vendors, local public transport and taxis, hunting and fishing and restaurants and hotels,
- Fairs and markets,
- Naming and renaming of roads, streets and other public places,
- The provision and maintenance of public parks and open spaces and cemeteries, and
- All other activities necessary for the proper administration of the municipality and which are not elsewhere assigned by law.<sup>86</sup>

They also have discretionary powers regarding matters of tourism, cultural activities, sports and leisure, youth activities, economic promotion and civic promotion.<sup>87</sup> However, subsequent UNMIK regulations and government directives have severely restricted municipal competences in a number of important fields, such as, control and management of property, control of public utility companies, business registration, primary and secondary education, primary health care, social welfare, and issues of cadastre.<sup>88</sup>

## 1.2. Municipal institutions

### The municipal assembly

The highest representative body in a municipality is the municipal assembly, which is directly elected through a closed list proportional representation system and has a mandate of four years. Assemblies vary in size, the largest being Prishtina with 51 councillors, while others have 41, 31, 21 or 17 councillors depending on estimates of their population size. Municipal assemblies have exclusive authority that cannot be delegated to, *inter alia*, approve budgets and other financial matters, adopt and amend local municipal regulations, establish assembly committees, elect the president and deputy president of the municipality, and appoint the CEO and the board of directors.<sup>89</sup>

### The president of the assembly

The president of the municipal assembly is to be elected with two-thirds majority of the total number of elected members. However, if a two-thirds majority cannot be secured after two ballots, the two most successful candidates proceed to a third ballot and the candidate with most votes becomes president. It is the responsibility of the president of the municipality to 'maintain general oversight of the execution of decisions taken by the municipal and of the financial administration of the municipality' and to carry other tasks assigned to him or her by the municipal assembly.<sup>90</sup> The president can be removed from office only by a two-thirds majority (cast in a secret ballot) and only if he or she has failed to properly carry out his or her specified duties.<sup>91</sup>

### Appointment of the Chief Executive Officer and the Board of Directors

The law provides for appointed professional positions for the CEO and members of the Board of Directors. Following a vacancy announcement, applicants are interviewed and short-listed by a panel selected by the municipal assembly, although the final deci-

sion for their appointment rests with the municipal assembly.<sup>92</sup> Although the CEO can recommend candidates for the Board of Directors, he or she has no decision-making capacity in this respect.

The main tasks of the CEO are: to act as secretary to the municipal assembly and chairperson of the Board of Directors; ensure the efficient management of municipal financial affairs and the implementation of effective financial procedures and controls; carry out all responsibilities assigned to him or her by the president of the municipality or the municipal assembly; and act as chief of staff for the municipal civil service, with the power to appoint and dismiss all employees of the municipality except the Board of Directors.<sup>93</sup> The CEO or any of the directors can be dismissed only by the municipal assembly, and only if he or she has failed to properly carry out his or her responsibilities.<sup>94</sup>

### **Other institutions and practices**

Each municipality is legally obliged to hold public meetings with citizens at least twice a year, advertising these at least two weeks in advance. In these meetings, the president of the assembly provides a report on the workings of the municipal assembly and administration, and citizens have the opportunity to pose questions to their representatives.

All municipalities must establish a Policy and Finance Committee, chaired by the president of the municipality, which is responsible for proposing the municipal budget, and researching and formulating the future strategic direction of the municipality.<sup>95</sup> Municipal assemblies have the right to establish other committees they deem necessary, but they are obliged to have two other mandatory committees, the primary purpose of which is to protect the rights and interests of minority communities.

## **2. Sub-municipal arrangements**

UNMIK Regulation 2000/45 entitles municipalities to make sub-municipal arrangements 'to ensure that the needs of all inhabitants in the municipality are met' in the manner their Assemblies deem most appropriate.<sup>96</sup> KIPRED field research has found that there are a wide variety of sub-municipal arrangements currently operating in Kosovo today.

Most municipalities have already established or are in the process of setting up Local Offices. These are deconcentrated municipal offices responsible for registry services, that is, for issuing personal documents such as birth, death or marriage certificates. These offices are usually staffed by one or two registrars, who are normally resident in the village where the office is located. These employees come to the municipal centre regularly (daily or every other day) to have documents stamped and approved by the municipal administration. Municipalities provide different travel arrangements for these officers to come to the municipal centre: some allow usage of municipal vehicles, some provide compensation for private transport, while a third group provides no transport

or compensation at all. In municipalities which have had their Local Office buildings destroyed during the war, as was the case in Deçan for example, field registrars are housed within the main municipal building, but are appointed to serve different groups of villages as Local Officers.

There are a few municipalities which have re-established former 'Local Communities' (*Bashkësia lokale/Mjesna zajednica*) sub-municipal arrangements. Unlike Local Offices, Local Communities are essentially political sub-municipal organizations, which usually tend to have informally elected councils, that is, through village meetings rather than formal secret ballots. Their usual responsibilities are to liaise with municipal authorities when dealing with infrastructure projects that concern a number of villages. Most municipalities, however, have chosen not to revive the Local Community form of government, preferring to work directly with individual village councils and leaders.

Village council arrangements again vary greatly from municipality to municipality: while some municipalities, for example Dragash/Dragaš or Deçan, do not formally recognize village councils, the majority make such provisions in their Municipal Statutes or through special regulations issued by the municipal assembly. These documents normally define the procedures for the election of municipal councils and leaders, as well as their manner of cooperation with the municipal administration.

There are municipalities, such as the municipality of Podujeva or Klina, where the village leader is elected with open votes, in accordance with results gained during the last municipal elections, i.e. the village leader must be a member of the party which won most votes in that village. However, in other municipalities, for example in Skënderaj, Shtime, or Viti/Vitina, no such conditions exist and the leader is elected by a secret ballot held on the premises of the municipal assembly. Nevertheless, most leaders elected with the latter procedures also tend to be supporters of the most dominant party in the given village. There are usually no conditions in terms of the professional background of village leaders, but they generally tend to be local teachers or municipal administration employees, since these occupations enable people to gain positive public visibility and popularity.

Municipal administrations usually designate a specific department to meet, liaise and deal with problems of village councils. Most frequently these tend to be either the department of General Administration, as was the case in Prizren, or the office of the deputy president of the municipal assembly, as was the case in Viti/Vitina. In addition to *ad hoc* meetings that most municipal administrations hold with individual village leaders, some municipalities, such as Viti/Vitina, also hold collective meetings of all village leaders once every three to fourth months, in which case the municipality pays travel compensations to village leaders from the municipal budget (in Viti/Vitina this compensation was 10 euros per meeting).

## ***Annex B: Arguments regarding the management of socially-owned enterprises and property***

One of the regulations which has seriously curtailed the powers of municipalities is the UNMIK regulation 2002/12, On the Establishment the Kosovo Trust Agency (KTA).<sup>97</sup> The KTA was set up in June 2002 with the aim of administering all former socially- and publicly-owned enterprises and their related assets in Kosovo. The law of the Socialist Federal Republic of Yugoslavia (SFRY), which provides only for user and not ownership rights over property, has been subject to varying interpretations, thereby causing considerable controversy over the management of socially-owned property and the process of privatization in Kosovo.

The objectives and purposes of the KTA, as established under regulation 2002/12, are to ‘administer Publicly-owned and Socially-owned Enterprises and related assets’ within the context of the reserved powers of the SRSG.<sup>98</sup> In other words, the authority of the KTA does not extend to socially-owned properties that were not tied to these enterprises, for example roads, schools, hospitals, or land not used by SOEs. Municipalities have the right to manage such properties, under the administrative authority of UNMIK. As UNMIK’s chief legal adviser told the AMK, ‘the SRSG has given UNMIK-created municipalities the authority to manage on a day-to-day basis ‘municipal property’, i.e. socially owned property registered in the name of a municipality, under the overall authority of UNMIK’.<sup>99</sup>

One of the claims some municipal officials make is that at least part of the revenue raised from the privatization of SOEs is given to the municipalities, because the latter had made considerable financial contributions in building these enterprises. Their main grievance, however, is over land assets, a large number of which are currently under the management of the KTA, and which the municipalities, through the AMK, demand to be available for municipal use.

The municipalities accuse the KTA of depriving them of crucial opportunities to raise revenue, attract investment and promote economic and social development within their territories.<sup>100</sup> For example, the director of the Department of Education in the municipality of Ferizaj argued that the KTA had been an obstacle to the development of education in this municipality, as it did not allow the use of land for building a new primary school.<sup>101</sup>

Representatives of the KTA, on the other hand, argue that while the KTA – as the trustee of Kosovo’s SOEs – cannot transfer or bequest their assets to the municipalities, it can nevertheless consider requests for specific projects of public value.<sup>102</sup> However, they also reiterate that the KTA may refuse to allow SOE land to be used by municipalities without compensation, although it may be willing to give it for use on leasehold for public benefit purposes, subject to certain conditions, such as payment of rent and upgrading of SOE land with water supply, sewage, electricity supply etc. <sup>103</sup>

The issue of property management is of great importance not only for local economic development, but also in that it affects the political and financial independence of municipalities from the central government. The right of municipalities to own property is crucial for attracting private investments at local level, collecting own revenues, and investing independently of the government grant. Hence, it is recognized as a key right of local governments by the European Charter for Local Self-Government.

What is necessary for local governments in Kosovo is to clarify any remaining issues regarding the implementation of the regulation on the KTA. There is also a crucial need for detailed study of the effects of UNMIK's property policy on the ability of municipalities to fulfill their duties, and ultimately provide adequate services to their citizens. A preliminary step in this direction would be to delineate exactly how much and what kind of land in each municipality is administered by the KTA and municipal administration, respectively.<sup>104</sup>

## Annex C: List of People met during Field Research

No	Surname	Name	Title	Institution	Date	Place interviewed
01	Vishi	Edhef	Chief Executive Officer	Municipality of Kaçanik	05/08/03	Kaçanik
02	Ajvazi	Kadnje	Acting Director of the Department of Economics and Finance	Municipality of Podujeva	15/08/03	Podujeva
03	Audiu	Nurije	Deputy Director of the Department of Health care	Municipality of Fushë Kosova/ Kosovo Polje	25/08/03	Fushë Kosova/ Kosovo Polje
04	Ujrami	Llmaz	Director of the Department of Economics and Finance	Municipality of Viti/Vitina	08/08/03	Viti/Vitina
05	Rajrani	Hysni	Director of the Dpt. of Local Government and Administration	The Ministry of Public Services	28/07/03	Prishtinë
06	Uensha	Bunm	Chief Executive Officer	Municipality of Fushë Kosova/ Kosovo Polje	25/08/03	Fushë Kosova/ Kosovo Polje
07	Rejisha	Drita	Budget Coordinator	Municipality of Prizren	22/08/03	Prizren
08	Uensha	Mehmet	Director of the Department of Economics and Finance	Municipality of Skenderaj	21/08/03	Skenderaj
09	Rejisha	Beshi	Acting Director of the Department of General Administration	Municipality of Podujeva	15/08/03	Podujeva
10	Uensha	Maliq	Deputy Director of the Department of General Administration	Municipality of Fushë Kosova/ Kosovo Polje	25/08/03	Fushë Kosova/ Kosovo Polje
11	Deshi	Feti	Director of the Department of Education	Municipality of Gjakova	02/09/03	Gjakova
12	Douti	Hilmi	Director of the Dpt. of General Administration and Budget	Municipality of Dragash/Dragaš	22/08/03	Dragash/ Dragaš
13	Demiri	Isakmen	Director of the Department of Education	Municipality of Lipjan/Lipljan	30/07/03	Lipjan/ Lipljan
14	Dobraj	Jashar	Procurement Officer	Municipality of Deçan	29/08/03	Deçan
15	Dumeni	Jakup	Director of the Dpt. of Economic Development	Municipality of Fushë Kosova/ Kosovo Polje	25/08/03	Fushë Kosova/ Kosovo Polje
16	Fajza	Razim	Acting Chief Executive Officer	Municipality of Podujeva	15/08/03	Podujeva



17	Fetahu	Naim	PDK Branch Leader	PDK Branch in Podujeva	19/08/03	Podujeva
18	Gajraku	Ragip	Chief Executive Officer	Municipality of Prizren	22/08/03	Prizren
19	Gajtani	Ahmet	Director of the Department of Education	Municipality of Ferizaj	14/04/04	Prishtina
20	Gashi	Halit	President of the Municipal Assembly	Municipality of Lipjan/Lipljan	30/01/03	Lipjan/ Lipljan
21	Gashi	Delrim	Director of the Department of Education	Municipality of Dragash/Dragas	22/08/03	Dragash/ Dragas
22	Gashi	Riza	Acting Director of the Department of Education	Municipality of Podujeva	15/08/03	Podujeva
23	Gashi	Xhabel	PDK Branch Leader and President of the Municipal Assembly	PDK Branch in Kaçanik and the Municipality of Kaçanik	11/08/03	Kaçanik
24	Hafiz	Leat	Director of the Department of Economics and Finance	Municipality of Prizren	22/08/03	Prizren
24	Hafiz	Fuat	Director of the Department of Economics and Finance	Municipality of Prizren	22/08/03	Prizren
25	Hajdan	Ibrahim	Director of the Department of General Administration	Municipality of Gllgoçevc	19/08/03	Gllgoçevc
26	Hajdini	Hanumshate	Director of the Department of Health care	Municipality of Gllgoçevc	19/08/03	Gllgoçevc
27	Halimi	Shaban	Chief Executive Officer	Municipality of Dragash/Dragas	22/08/03	Dragash/ Dragas
28	Haxhiçaj	Asrit	Chief Executive Officer	Municipality of Gjakova	02/09/03	Gjakova
29	Haxhiçanuzi	Besnik	Director of the Department of General Administration	Municipality of Gjakova	02/09/03	Gjakova
30	Haxhosej	Ali	PDK Branch Leader and Director of the Dept. of Education	PDK Branch in Deçan Municipality of Deçan	29/08/03	Deçan
31	Hoti	Hasan	Director of the Department of Education	Municipality of Prizren	22/08/03	Prizren
32	Husha	Ibrahim	AAK Branch Leader	AAK Branch in Kaçanik	08/08/03	Kaçanik
33	Idrizi	Hajzer	NGO Member	Municipality of Klinë	03/09/03	Klinë

## Local Government and Administration in Kosovo: Analysis

34	Ismaili	Naim	Chief Executive Officer	Municipality of Shtime	25/08/03	Shtime
35	Istogu	Alush	Director of the Department of Education	Municipality of Glogovac	19/08/03	Glogovac
36	Ivulaj	Hasan	Director of Budget for Municipalities	The Ministry of Economics and Finance	01/06/04	Prishtine
37	Jahiri	Jakup	Deputy President of the Municipal Assembly	Municipality of Viti/Vitina	08/08/03	Viti/ Vitina
38	Illiqi	Fatmir	Director of the Dpt. of General Administration and Local Communities	Municipality of Prizren	22/08/03	Prizren
39	Jezerci	Unver	PDK Member of the Municipal Assembly	Municipality of Kaçanik	11/08/03	Kaçanik
40	Kaçi	Mentor	Leader of the Democratic Union of Gjakova	Democratic Union of Gjakova	01/09/03	Gjakova
41	Kastrati	Januz	LDK Branch Leader	LDK Branch in Malisheva	10/09/03	Malisheva
42	Kilaj	Isni	Chief Executive Officer	Municipality of Malisheva	10/09/03	Malisheva
43	Krasniqi	Gani	PDK Branch President and President of the Municipal Assembly	Municipality of Malisheva	10/09/03	Malisheva
44	Krasniqi	Haki	Director of the Department of General Administration	Municipality of Malisheva	10/09/03	Malisheva
45	Krasniqi	Abdyl	Chief Executive Officer	Municipality of Glogovac	19/08/03	Glogovac
46	Krasniqi	Hamdi	Director of the Department of Economics and Finance	Municipality of Glogovac	19/08/03	Glogovac
47	Krasniqi	Rafik	Chief Executive Officer	Municipality of Klina	03/09/03	Klina
48	Krasniqi	Miftar	Director of the Department of Economics and Finance	Municipality of Klina	03/09/03	Klina
49	Kumnova	Mazlum	AAK Branch Leader	AAK Branch in Gjakova	02/09/03	Gjakova
50	Latihi	Ahmet	Chief Executive Officer	Municipality of Skenderaj	21/08/03	Skenderaj
51	Loku	Heset	Director of the Department of General Administration	Municipality of Kaçanik	05/08/03	Kaçanik

52	Lubishtani	Besim	Procurement Officer	Municipality of Viti/Vitina	08/08/03	Viti/ Vitina
53	Mareci	Istref	Director of the Department of Health care	Municipality of Lipjan/Lipljan	30/07/03	Lipjan/ Lipljan
54	Mehmeti	Latif	Village Council Coordinator	Municipality of Podujeva	15/08/03	Podujeva
55	Monna	Salih	Presidency Member of the LDK Branch	LDK Branch in Malisheva	09/09/03	Prishtina
56	Muhammad	Zija	International Representative	UNMIK at the Municipality of Kaçanik	11/08/03	Kaçanik
57	Murati	Musa	Director of the Department of Education	Municipality of Viti/Vitina	08/08/03	Viti/ Vitina
58	Mushkolaj	Musë	PDK Branch Deputy Chief and Director of the Dept. Agriculture and Forestry	PDK Branch in Deçan and Municipality of Deçan	29/08/03	Deçan
59	Musliu	Halil	Chief Executive Officer	Municipality of Viti/Vitina	08/08/03	Viti/ Vitina
60	Nishevi	Risrim	Staff Manager	Municipality of Podujeva	15/08/03	Podujeva
61	Ullun	Xhevat	Chief Executive Officer	Municipality of Lipjan/Lipljan	30/07/03	Lipjan/ Lipljan
62	Piazza	Cecelia	International Representative	UNMIK at the Municipality of Lipjan/Lipljan	30/07/03	Lipjan/ Lipljan
63	Ramosaj	Zeqir	Director of the Department of General Administration	Municipality of Deçan	29/08/03	Deçan
64	Beqica	Fitrim	Legal Advisor to the Chief Executive Officer	Municipality of Shtime	25/08/03	Shtime
65	Brahmani	Ahrim	High Official for Education	The Ministry of Education at the Municipality of Podujeva	15/08/03	Podujeva
66	Sani	Ivo	Advisor	Council of Europe Decentralization Mission in Kosovo	18/07/03	Prishtina
67	Schumann	Peter	Principal International Officer	The Ministry of Public Services	29/07/03 20/01/04	Prishtina
68	Segrini	Luis	International Representative	UNMIK at the Municipality of Deçan	29/08/03	Deçan
69	Sejha	Besim	LDK Branch Leader	LDK Branch in Deçan	29/08/03	Deçan

## Local Government and Administration in Kosovo: Analysis

70	Sollmi	Zeqir	Director of the Department of Health care	Municipality of Viti/Vitina	08/08/03	Viti/Vitina
70	Selimi	Zeqir	Director of the Department of Health care	Municipality of Viti/Vitina	08/08/03	Viti/Vitina
71	Shabani	Nasuf	Director of the Department of General Administration	Municipality of Skenderaj	21/08/03	Skenderaj
72	Shehaj	Ilir	Director of the Department of Health care	Municipality of Deçan	29/08/03	Deçan
73	Shahu	Helib	LDK Branch Leader	LDK Branch in Kaçanik	11/08/03	Kaçanik
74	Sherifi	Sherif	Director of the Department of General Administration	Municipality of Viti/Vitina	08/08/03	Viti/Vitina
75	Sinani	Alush	Legal Advisor to the Chief Executive Officer	Municipality of Viti/Vitina	08/08/03	Viti/Vitina
76	Sogojeva	Hasim	Director of the Department of Education	Municipality of Lushë Kosova/ Kosovo Polje	25/08/03	Lushë Kosova/ Kosovo Polje
77	Sylejmani	Agim	Personnel Manager	Municipality of Viti/Vitina	08/08/03	Viti/Vitina
78	Ihaqi	Aziz	Director of the Department of Health care	Municipality of Malisheva	10/09/03	Malisheva
79	Tolaj	Halil	Chief Executive Officer	Municipality of Deçan	29/08/03	Deçan
80	Verhani	Ilir	Director of the Department of Economics and Finance	Municipality of Kaçanik	05/08/03	Kaçanik
81	Visoka	Fjap	LDK Branch Presidency Member & Former CEO the Municipal Assembly	LDK Branch in Podujeva	19/08/03	Podujeva
82	Xheladini	Bexhet	Director of the Department of Health care	Municipality of Droqash/Droqas	22/08/03	Droqash/Droqas
83	Zeqaj	Zenan	Director of the Department of General Administration	Municipality of Klinë	03/09/03	Klinë
84	Zeqin	Niman	Acting Director of the Department of Health care	Municipality of Podujeva	15/08/03	Podujeva

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11. UNMIK Regulation 2000/45, On Self-Government of Municipalities in Kosovo
12. UNMIK Regulation 2000/49, On the Department of Public Utilities.
13. UNMIK Regulation 2001/36, On the Civil Service.
14. UNMIK Regulation 2002/12, On the Establishment of the Kosovo Trust Agency.
15. UNMIK Regulation 2003/32, On the Promulgation of a Law Adopted by the Assembly of Kosovo on Access to Official Documents.
16. UNMIK Regulation 2003/41, On the Approval of the Kosovo Consolidated Budget and Authorizing Expenditures for the Period January to 31 December 2004.
17. UNMIK Regulation 2004/4, On the Promulgation of the Law on Cadastre Adopted by the Assembly of Kosovo.
18. PISG Law 2003/12, On Access to Official Documents.
19. PISG Law 2003/25, On Cadastre.
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21. 'A plan for the political solution of the situation in Kosovo and Metohija', Government of Serbia, April 2004.
22. D. Robertson, *Dictionary of Politics*, London: Penguin Books Ltd, 1993.
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24. *Kosovo Human Development Report 2004*, (Preliminary Draft), 'Chapter 2. Taking a Closer Look' UNDP, May 2004.
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27. CoEDMK, 'Reforming Local Self-Government and Administration in Kosovo', The Council of Europe, November 2003.
28. L. Malazogu and E. Gjurgjeala, 'Review of "Reform of Local Self-Government and Public Administration in Kosovo: Final Recommendation" by the Council of Europe Decentralisation Mission in Kosovo', KIPRED, November 2003.
29. E. Hardten, 'Administrative Units and Municipal Reforms in Kosovo (1959-92)', in G. Duijzings, D. Janjic and Sh. Maliqi (ed.), *Kosovo-Kosova: Confrontation or Coexistence*, Nijmegen, 1996.
30. 'A choice for Mitrovica', speech by M. Steiner, October 2002.
31. 'Zhvillimi Ekonomik Lokal në Kosovë: Raport Hulumtues', RIINVEST, Prishtinë, Prill 2004 ('Local Economic Development in Kosovo: Research Report', RIINVEST, Prishtina, April 2004).
32. 'People or Territory? A Proposal for Mitrovica', European Stability Initiative, February 2004.
33. 'The Lausanne Principle: Multiethnicity, Territory and the Future of Kosovo's Serbs', European Stability Initiative, June 2004.
34. Website of the municipality of Amsterdam, <http://www.amsterdam.nl/asp/get.asp?ItmIdt=00000494&SitIdt=00000005&VarIdt=00000002>, search term 'population size', last accessed 1 June 2004.
35. OSCE Central Election Commission, Official Elections Fact-sheet, 2002.

## Notes

- <sup>1</sup> 'A choice for Mitrovica', speech by M. Steiner, 1 October 2002.
- <sup>2</sup> CoEDMK, 'Reforming Local Self-Government and Administration in Kosovo', The Council of Europe, November 2003. For a critique of their proposals, see: L. Malazogu and E. Gjurgjeala, 'Review of "Reform of Local Self-Government and Public Administration in Kosovo: Final Recommendation" by the Council of Europe Decentralisation Mission in Kosovo', KIPRED, November 2003.
- <sup>3</sup> 'Projekt: Ligji i Vetëqeverisjes Lokale', IPVQ, MShP, Departamenti i pushtetit lokal, (Draft: Law on Local Self-Government', PISG, MPS, Department of Local Government.
- <sup>4</sup> 'A plan for the political solution of the situation in Kosovo and Metohija', Government of Serbia, April 2004.
- <sup>5</sup> For a view of citizens on local government and administration, see chapter 3: 'Debates on Decentralisation: Report'.
- <sup>6</sup> See Annex B for a complete list of people met during the course of the research.
- <sup>7</sup> Statistical Office of Kosovo and KSA e Kosovës: Enti Krahinor i Statistikës, Prishtinë, 1986 (SAP Kosovo: Provincial Office of Statistics, Prishtinë, 1986, data collected in 1984).
- <sup>8</sup> <http://www.sok-kosovo.org>, last accessed 2 May 2004.
- <sup>9</sup> Figure aggregated from OMIK Municipal Profiles.
- <sup>10</sup> Statistical Office of Kosovo, office of Rr. Tara, 7 June 2004.
- <sup>11</sup> We have deliberately decided not to make pronouncements on the general ethnic composition of Kosovo's population, since data for these are even more problematic and politically contentious. While this may be a weakness of the report, it does not significantly affect its main findings and general arguments.
- <sup>12</sup> OMIK Municipal Profiles.
- <sup>13</sup> Though, the SOEs are not much of a benefit these days as these mostly do not function, they are an indicator of historical biases during the socialist period.
- <sup>14</sup> For an insightful analysis of local government in Kosovo from a perspective of ethnic relations, from WWII to the break-up of Yugoslavia, see: E. Hardten, 'Administrative Units and Municipal Reforms in Kosovo (1959-92)', in G. Duijzings, D. Janjic and Sh. Maliqi (eds.), *Kosovo-Kosova: Confrontation or Coexistence*, Nijmegen: 1996.
- <sup>15</sup> Population figures based on MEF, surface area on SOK officials.
- <sup>16</sup> See Annex A, for a summary of the legal framework currently regulating the system of local government and administration in Kosovo (UNMIK Regulation 2000/45), as well as a brief outline of sub-municipal arrangements.
- <sup>17</sup> For example, see CoEDMK, 'Reforming Local Self-Government and Administration in Kosovo', The Council of Europe, November 2003.
- <sup>18</sup> OMIK Municipal Profile for Prishtina, and MEF population figure estimates.

<sup>19</sup> CoEDMK, 'Reforming Local Self-Government and Administration in Kosovo', The Council of Europe, November 2003.

<sup>20</sup> Website of the municipality of Amsterdam, <http://www.amsterdam.nl/asp/get.asp?ItmIdt=00000494&SitIdt=00000005&VarIdt=00000002>, search word 'population size', last accessed 1 June 2004.

<sup>21</sup> For an up-to-date assessment of the territorial distribution of the members of the Serb community living in Kosovo today, see: 'The Lausanne Principle: Multiethnicity, Territory and the Future of Kosovo's Serbs', European Stability Initiative, June 2004.

<sup>22</sup> *Ibid.*, Article 2.3.

<sup>23</sup> *Ibid.*, Article 23.1.

<sup>24</sup> *Ibid.*, Articles 23.3a and 23.3b.

<sup>25</sup> *Ibid.*, Article 23.3c.

<sup>26</sup> *Ibid.*, Article 23.6.

<sup>27</sup> *Ibid.*, Article 23.8.

<sup>28</sup> *Ibid.*, Article 23.9.

<sup>29</sup> *Ibid.*, Articles 23.11 and 23.12.

<sup>30</sup> *Ibid.*, Article 25.3.

<sup>31</sup> UNMIK Regulation 2003/41, On the Approval of the Kosovo Consolidated Budget and Authorizing Expenditures for the Period 1 January to 31 December 2004, Schedule 4.

<sup>32</sup> CoEDMK, 'Reforming Local Self-Government and Administration in Kosovo', The Council of Europe, November 2003, p. 45.

<sup>33</sup> *Kosovo Human Development Report 2004*, (Preliminary Draft), 'Chapter 2: Taking a Closer Look' UNDP, May 2004, p. 12 (Figure 2.12. Income levels by Ethnic Group) and p. 13 (Figure 2.13 Sources of Income by Ethnicity).

<sup>34</sup> 'People or Territory? A proposal for Mitrovica', European Stability Initiative, February 2004 and 'The Lausanne Principle: Multiethnicity, Territory and the Future of Kosovo's Serbs', European Stability Initiative, June 2004.

<sup>35</sup> 'Coalitions usually occur in modern parliaments when no single political party can muster a majority of votes. Two or more parties, who have enough elected members between them to form a majority, may then be able to agree on a common programme that does not require too many drastic compromises with their individual policies, and can proceed to form a government', D. Robertson, *Dictionary of Politics*, London: Penguin Books Ltd, 1993, p.73. For a brief account of coalition theory see also p. 75.

<sup>36</sup> Further illustration of how important for political parties is to control executive posts can be found at in the following chapter on media reporting: 'Reporting and Discourse on Local Government and Administration by the Print Media in Kosovo: Analysis'.

<sup>37</sup> The data on elections was obtained from OMiK Municipal Profile, Kaçanik and OSCE Central Election Commission, Official Elections Fact-sheet, 2002. The



demands of the AAK branch in Kaçanik were outlined to KIPRED by I. Hoxha, President of the AAK Branch in Kaçanik, 8 July 2003.

<sup>38</sup> Interview with E. Visoka, LDK Branch Presidency Member and Former Chief Executive Officer of the Municipal Assembly, 19 July 2003, Podujeva.

<sup>39</sup> KIPRED surveys, Podujeva, Interview with E. Visoka, 19 July 2003.

<sup>40</sup> KIPRED surveys, Klinë, multiple interviews, 3 September 2003.

<sup>41</sup> *The Kosovo Mosaic*, UNDP, March 2003, p. 19.

<sup>42</sup> *Ibid.*, p. 20.

<sup>43</sup> Opinion poll by RIINVEST for the 'Early Warning Report: 6', USAID/UNDP/RIINVEST.

<sup>44</sup> University of Prishtina Department of Sociology Research Team, 'Evaluation of CDF projects', CDF, August 2003, p. 44.

<sup>45</sup> Kosovo Consolidated Budget Book, 2003.

<sup>46</sup> Kosovo Consolidated Budget Book, 2003, p. v.

<sup>47</sup> Kosovo Consolidated Budget 2004, collected from the MEF in January 2004.

<sup>48</sup> Reserves are funds allocated for unforeseen contingencies, and must constitute at least 3 percent of the total budget of each municipality.

<sup>49</sup> Low capital investments for majority Serb municipalities, again, is in part a function of having a large administration, which sucks up most funds for the payment of wages and salaries.

<sup>50</sup> Kosovo Consolidated Budget Book, 2003.

<sup>51</sup> 'Zhvillimi Ekonomik Lokal në Kosovë: Raport Hulumtues', RIINVEST, Prishtinë, Prill 2004 ('Local Economic Development in Kosovo: Research Report', RIINVEST, Prishtinë, April 2004).

<sup>52</sup> Kosovo Consolidated Budget Book, 2003, p. 51.

<sup>53</sup> Part of the draft regulation for equalising the payments in the civil service was handed in for approval to the Government of Kosovo in June 2004.

<sup>54</sup> UNMIK Regulation 2002/12, On the Establishment of the Kosovo Trust Agency.

<sup>55</sup> For a more detailed discussion of the arguments relating to property management at local level, see Annex B.

<sup>56</sup> PISG Law 2003/25, On Cadastre and UNMIK Regulation 2004/4, On the Promulgation of the Law on Cadastre Adopted by the Assembly of Kosovo.

<sup>57</sup> Interviews with municipal officials of a number of municipalities, as well as H. Isufaj, Director of the Department of Budget for Municipalities, MEF, 6 January 2004, Prishtinë.

<sup>58</sup> Interview H. Isufaj, Director of the Department of Budget for Municipalities, MEF, 6 January 2004, Prishtinë.

<sup>59</sup> KCB Book 2003, and documents collected by KIPRED researchers during their field research in Glllogovc, 19 July 2003.

<sup>60</sup> See the Budget Plan for 2003 and the January-June 2003 Financial Report of the municipality of Glllogovc.

<sup>61</sup> Municipal budget of year 2003 and mid-year financial report of municipality of Gjakova.

<sup>62</sup> See UNMIK Regulation 2000/45, Section 7, PISG Law 2003/12, On Access to Official Documents, and UNMIK Regulation 2003/32, On the Promulgation of a Law Adopted by the Assembly of Kosovo on Access to Official Documents.

<sup>63</sup> UNMIK Regulation 2001/36, Article 2.1.

<sup>64</sup> Ibid., Article 3.1.b.

<sup>65</sup> Interview with Mr. Hasan Isufaj, Director of Budget for Municipalities at the MEF, 6 January 2004.

<sup>66</sup> Kosovo Consolidated Budget Book, 2003.

<sup>67</sup> MFE Form, PCF-3 (M), obtained from the municipality of Fushë Kosova/Kosovo Polje.

<sup>68</sup> Kosovo Consolidated Budget Book, 2003 and documents collected by KIPRED during field research.

<sup>69</sup> Kosovo Consolidated Budget Book, 2003 and documents collected by KIPRED researchers during their field research in Glllogovc, 19 July 2003.

<sup>70</sup> The figures were obtained by dividing the total of wages and salaries allocated to the municipal administration, with the number of maximum staff allowed by the MEF.

<sup>71</sup> KIPRED surveys.

<sup>72</sup> Data for year 2004, excluding the municipalities of Mitrovica and Novo Brdo/Novobërda. Source: MPS, H. Fazliu, 24 June 2004.

<sup>73</sup> The work volume of the registry office for the first half of the year is used here to mean the number of documents (birth, marriage, death certificates etc) issued in the period from January to June 2003.

<sup>74</sup> The average wage of the civil service across Kosovo was calculated by dividing the sum allocated for wages and salaries of all municipal administrations in Kosovo, with the total number of staff allowed by the MEF, over a one year period. The average income in Kosovo can be found at: 'Kosovo and its Population: A Brief Description', SOK, June 2003, p. 3.

<sup>75</sup> Different analyses use different measurement criteria, resulting in substantial variations of estimates of unemployment in Kosovo.

<sup>76</sup> Data on average earnings of architects employed in the private sector are not available. But, representatives of the Association of Architects of Kosova were of the opinion that such earnings are always greater than the 186 euros per month (coefficient for high professionals), which an architect can earn by working in a municipal administration.

<sup>77</sup> Interview with L. Zeqiri, Acting director of the department of Healthcare in the municipality of Podujeva, 15 July 2003.

<sup>78</sup> The students of the faculties of Economics, Law, Philology and Philosophy accounted for 42 percent of the total number of registered students at the University of Prishtina during the academic year 2003/2004 (the total number of registered stu-

dents includes students registered in University of Prishtina further education institutions). Data obtained from E. Kelmendi, Statistical Administrator at the University of Prishtina, 9 June 2004.

<sup>79</sup> See [www.komuna-kacanik.org](http://www.komuna-kacanik.org) for sample case and links to the other municipalities; Information on Shtime was obtained in an interview with F. Mujota, President of the Municipal Assembly of Shtime, 25 July 2003.

<sup>80</sup> Interview with F. Mujota, President of the Municipal Assembly of Shtime, 25 July 2003.

<sup>81</sup> Interview with M. Berisha, Director of the Department of Economic and Finance, Municipality of Skënderaj, 21 July 2003.

<sup>82</sup> UNMIK Regulation 2000/45, On Self-Government of Municipalities in Kosovo, Preamble.

<sup>83</sup> *Ibid.*, Article 2.1.

<sup>84</sup> *Ibid.*, Article 2.4.

<sup>85</sup> *Ibid.*, Article 4.1.

<sup>86</sup> *Ibid.*, Article 3.1.

<sup>87</sup> *Ibid.*, Article 3.2.

<sup>88</sup> Interview with S. Ibrahim, Executive Director of the Association of Municipalities of Kosovo, 14 April 2004.

<sup>89</sup> *Ibid.*, Article 11.3.

<sup>90</sup> *Ibid.*, Article 28.1 and *Ibid.*, Article 28.2.

<sup>91</sup> *Ibid.*, Article 27.1.

<sup>92</sup> UNMIK Regulation 2001/36, On the Civil Service, and UNMIK Regulation 2000/45.

<sup>93</sup> UNMIK Regulation 2000/45, Articles 30.2 and 30.5.

<sup>94</sup> *Ibid.*, Articles 30.8 and 31.4.

<sup>95</sup> *Ibid.*, Articles 22.1 and 22.2.

<sup>96</sup> UNMIK Regulation 2000/45, Articles 5.1 and 5.2.

<sup>97</sup> UNMIK Regulation 2002/12, On the Establishment of the Kosovo Trust Agency.

<sup>98</sup> *Ibid.*, Art. 2.1.

<sup>99</sup> Letter by A. Borg Olivier, Chief UNMIK Legal Adviser, to A. Salihaj, Head of the Working Group on Property of the Association of Municipalities of Kosovo, 27 April 2004, Ref: 2004-00538.

<sup>100</sup> Interviews with various municipal authorities and members of the AMK.

<sup>101</sup> Interview with A. Gajtani, Director of the Department of Education, Municipality of Ferizaj, 14 April 2004.

<sup>102</sup> Interview with M. Arifi, Advisor, KTA Gjilan/Gnjilane Office, 13 May 2004, and Letter by A. Borg Olivier to A. Salihaj, *op cit.*

<sup>103</sup> T. Shehu, representative of the KTA at the RIINVEST Roundtable on Local Economic Development, 27 February 2004, Prishtina; Interview with M. Arifi, Advisor, KTA Gjilan/Gnjilane Office, 13 May 2003, and Letter by A. Borg Olivier to

**Local Government and Administration in Kosovo: Analysis**

A. Salihaj, op cit.

<sup>104</sup> According to the most up to date register of SOEs held by the KTA (dated 26 August 2002), the KTA has knowledge of the surface area of only 238 out of the total of 478 SOEs it manages. Database obtained by KIPRED from John Johnson, Director of Privatisation, 10 June 2004.

# Press Coverage of Local Government and Administration in Kosovo

## Analysis

### **Executive summary**

The purpose of this analysis is to provide a comprehensive account of the reporting and discourse on local affairs as described in the largest national Albanian-language daily newspapers in Kosovo: *Bota Sot*, *Epoka e Re*, *Koha Ditore* and *Zëri*. The report provides a comparative analysis of (a) issues being reported, and (b) the manner in which these issues are reported.

The analysis found that most articles written on local governance are reports by field correspondents, with few analyses or editorials. The articles usually derive from the correspondents' attendance of municipal assembly meetings, interviews, press conferences or press releases. Gjilan/Gnjilane is the most frequently reported municipality, which together with Prishtina, Prizren, Kaçanik and Malisheva, comprise about half the total of all the reports on local governance.

The focus of reporting is on power struggles among local political elites, not on general human concerns. The most frequently reported issue is the election of executive structures in municipal institutions and other inter-party problems. The problem of decentralization or local government reform is also fairly widely reported, together with reports on infrastructure and other development projects.

It is encouraging that, on average, bias is not widespread in reporting about issues of local importance. However, one must note that there are significant differences among the newspapers in this respect, where *Bota Sot* and *Epoka e Re* tend to be more biased than *Koha Ditore* and *Zëri*. In addition, a significant proportion of articles are not balanced in their coverage, having failed to seek out all sides to an argument. There are notable examples of very good articles, full of informative details and colourful illustrations, but on the whole, the articles tend to lack background information and critical evaluations of the arguments put forwards by different actors.

Newspapers – as a significant bridge linking the electorate with its political representatives – should work to develop a consistent editorial policy that systematically covers a wide variety of issues pertaining to local government. Alongside reporting political

dynamics, newspapers must also monitor the performance of local authorities on issues such as the development of education and health care services and facilities, provision of skills-training for adult population, promotion of business in their territory, etc. In order for good governance and local democracy to develop at local as well as national levels, citizens should become aware of the responsibilities of their elected representatives, while the latter must become accustomed to being held accountable to their electorate for the actions and policies they adopt. A critical press, which provides impartial and well-researched articles on a large number of issues of local importance, is crucial in this respect.

This study found that the Kosovar press is in great need of such rigorous, impartial yet critical standards of reporting. Of course, one has to recognize that the media, in their quest to employ high quality and educated reporters, face fierce competition from other organizations in a relatively underdeveloped Kosovar labor market. Hence, the government, those organizations interested in the development of the media, and not least the newspapers themselves, should encourage and promote further training for Kosovar journalists, as the only way to progress towards a more professional press and better-informed public. Newspaper editors, on the other hand, must be encouraged to demand a wider perspective from their journalists, one which takes into account the impact of the actions of municipal authorities on the lives of ordinary citizens.

## 1. Introduction<sup>1</sup>

The purpose of this analysis is to provide a comprehensive account of the reporting and discourse on local affairs as described in the largest national Albanian-language daily newspapers in Kosovo: *Bota Sot*, *Epoka e Re*, *Koha Ditore* and *Zëri*. As used in this report, ‘local affairs’ includes all those issues dealing with local government and administration but which do not pertain exclusively to the activities of the international community or central government institutions operating within the municipalities. The analysis also excludes other non-governance issues in municipalities, such as reports on specific criminal activities.

This report provides a comparative analysis of (a) issues being reported (which municipalities and what topics tend to dominate newspaper coverage) and (b) the manner in which these issues are reported (whether authors provide independent evaluation for the reader or merely relay a word-by-word account of events; whether language is neutral or charged with suggestive and emotive phrases; whether there is open bias for one particular party or cause; whether reporting is accurate and based on multiple and diverse sources; and, whether articles are informative and provide necessary background information).

Local government is the level of government closest to the public, shaping policy in a number of fields that affect citizens’ daily lives, such as the promotion of local economic development, urban and rural planning, primary education and health care, provision of some public utilities, local transport policy, etc. The media, and especially the main daily newspapers that each devote at least one two-page spread per day to local affairs, are some of the most comprehensive sources of information about the activities of municipal institutions and citizens.<sup>2</sup> Moreover, through their coverage of local affairs, the media and local newspapers also shape the way the public perceives politics and policy at local level. Hence, it is important to examine which issues of local concern are aired in the public realm and how they are discussed by the various newspapers.

This analysis is intended for journalists working in municipalities, newspaper editors, local government authorities, central government officials and representatives of the international community concerned with the media and/or local government, and donor agencies concerned with the development of media in Kosovo.

## 2. Methodology

This report is based on a random sample of 195 articles published between 14 March and 12 December 2003. The sample includes 30 articles from *Bota Sot*, 28 from *Epoka e Re*, 66 from *Koha Ditore* and 71 from *Zëri*.<sup>3</sup> The articles covered consisted of:

- Field correspondent reports on the workings of municipal institutions

- Reports on the activities of other local organisations and citizens from the municipalities
- Reports on economic activities of municipalities
- Reports about actions of international or central government institutions which have had an impact at the local level
- Articles dealing with decentralization or local government reform
- Editorials, commentary and analyses which treat matters pertaining to local government or administration.

In order to quantify the findings, the articles were analyzed according to several criteria:

- Issues reported
- Stakeholders involved (municipal institutions, villages, communities, citizens, international actors)
- Presence of obvious bias in favour of or against a certain political party, cause or stakeholder
- Sources used (attendance at meetings, interviews, press conferences, press releases, documents)
- Balance of the report (number of sources used from each side of the argument, relative article space given to each argument)
- The level of information provided by the article (existence of background information, a thorough outline of the facts, citation of relevant statistics and stakeholders involved, repeating of arguments or information, information omitted, existence of independent evaluation by the reporter).

Quantitative analysis cannot provide a full picture of media reporting because some valuable information is inevitably lost while simplifying articles into measurable categories. A qualitative approach is necessary in order to highlight the underlying theme or argument of articles. The ‘discourse analysis’ approach was particularly useful in evaluating the level of bias among the different newspapers, because it focused on aspects such as the use of suggestive or emotive phrases or epithets rather than the simple statement of facts and arguments. It was also important for analyzing whether an article was balanced in sourcing and reporting, and for assessing the degree to which the article was informative to an average reader.

### **3. Analysis**

#### **3.1. Types of articles**

Out of the total sample of articles, the overwhelming majority (88 percent) were reports from correspondents, with only a few being editorials, analyses or combination of the two (graph 1). One explanation for this trend is related to the low interest among newspaper editors for issues of local government and administration. As Lundrim Aliu,



Graph 1. Types of articles written on local government (N=195)



Source: KIPRED, 2004

journalist of *Koha Ditore*, said: ‘newspaper editors consider reports from municipalities of secondary or even tertiary importance, because they have little impact on decision-making in Prishtina, and also because few copies are sold outside the main cities’.<sup>4</sup> If it is assumed that the media mirror the concerns of central government institutions, this finding probably reflects central government institutions’ low priority as concerns issues of local governance.

There were slight variations across the four newspapers in this respect: field reports made up 80 percent of articles of *Bota Sot*, 85 percent of *Zëri*, 89 percent of *Epoka e Re* and 95 percent of *Koha Ditore*, articles, respectively. Although, in general, it was fairly easy to categorise articles in this way, there were nevertheless some cases where it was unclear whether an article was best seen as a report or an opinion. For example, when *Bota Sot*’s field correspondent made a comparison between the municipalities of Rahovec/Orahovac and Malisheva, the article was better categorised as one expressing opinion rather than a factual report.<sup>5</sup> However, it is important to note here that the fusion of fact presentation with the expression of opinions is characteristic of print media in general, and not confined to local government reporting as such.

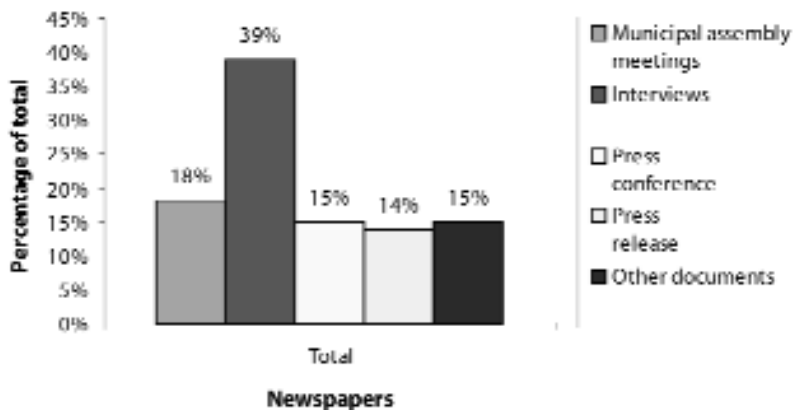
### 3.2. Types of sources

The reporting tends to be based on four principal sources of information: public meetings, interviews, press conferences and press releases. Hence, 18 percent of reports were written after attending meetings of municipal assemblies, 39 percent involved

**‘Newspaper editors consider reports from municipalities of secondary or even tertiary importance, because they have little impact on decision-making in Prishtina, and also because few copies are sold outside the main cities’**

some direct interviews, around 15 percent were sourced from press conferences, 14 percent from press releases, and some 15 percent were based on other types of documents (graph 2).

Graph 2. Types of sources in general (N=191)



Source: KIPRED, 2004

While reporters used a variety of sources in their work for their articles, most articles tended to be based on a single source. Indeed, only 5 percent of the articles surveyed used more than one type of source. However, this finding is not surprising given that the majority of field correspondents face little competition from colleagues within the same newspapers. As most newspapers have only one correspondent per municipality, individual journalists do not have sufficient incentives to excel in their reports by seeking more sources for a story. Moreover, field correspondents are not salaried journalists but are paid relatively poorly per article written, hence shifting the focus of their work from quality reporting to profuse writing that merely aims to fill the pages.<sup>6</sup>

The newspapers had various preferences in terms of sources. While interviews were the most common type of sources used by each newspaper under consideration, they were most widely used by *Koha Ditore*, where they constituted the primary source for 55 percent of the articles. *Bota Sot* revealed a particularly low priority given to attendance at municipal assembly meetings (only 4 percent of *Bota Sot* articles were sourced from this category), preferring other types of sources instead.

Personal attendance at municipal assembly meetings and interviews with stakeholders are more reliable sources on which to base an article, since they allow first-hand gathering and verification of information. Hence, the frequency of use of such sources can also be taken as an indicator of the general quality of a newspaper. On this basis, *Koha Ditore* was the leading newspaper in terms of direct sourcing for articles on local gov-

ernance (74 percent), with only 23 percent basing their articles entirely on indirect sources (graph 3). *Zëri* was second, followed quite closely by *Epoka e Re*, while *Bota Sot* ranked much lower, with only 35 percent of its articles being based on direct sources.

Graph 3. Types of sources used in articles on local government (N=191)



Source: KIPRID, 2004

### 3.3. Most frequently reported municipalities

The majority of articles (77 percent) dealt with problems specific to one municipality, rather than providing a comparative analysis of local government issues in general.<sup>7</sup> As indicated in graph 4, reports on five municipalities made up nearly half (48 percent) of the total articles written specifically about one municipality. The most frequently reported municipality, Gjilan/Gnjilane with 12 percent of all municipality-specific articles, ranks seventh or eighth in terms of the size of its population.<sup>8</sup> Other municipalities on which reports focused were Prizren (10 percent), Prishtina (10 percent), Kaçanik (8 percent) and Malisheva (8 percent). The remaining municipalities – excepting those with a substantial Serb population: Leposavić/Leposaviq, Lipjan/Lipljan, Novo Brdo/Novobërda, Obiliq/Obilić, Zubin Potok and Zvečan/Zveçan – were reported on at least once (table 1).

Reports on inter- and intra-party problems, including disagreements about the election of some municipal directors, made up 37 percent of the articles written about Gjilan/Gnjilane. Around 40 percent of the articles on Gjilan/Gnjilane referred to Lutfi Haziri, in his functions as President of the Municipal Assembly and President of the Association of Kosovo Municipalities (AMK). Taken together, these two topics help explain the frequency of reporting on the municipality of Gjilan/Gnjilane.

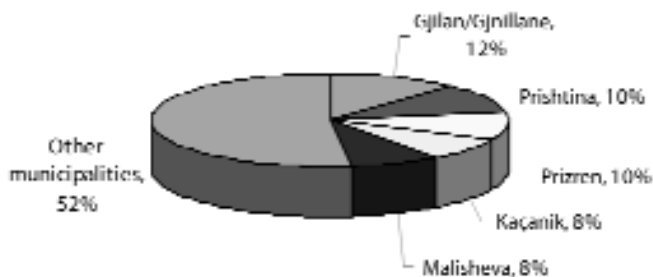
Table 1. Frequency of articles by municipality

<i>Municipality/Newspaper</i>	<i>Bota Sot</i>	<i>Epoka e Re</i>	<i>Koha Ditore</i>	<i>Zëri</i>
Deçan	--	--	2%	8%
Gjakova	--	--	9%	--
Gilgovec	--	4%	--	--
Gjilan/Gnjilane	5%	16%	7%	18%
Dragash/Dragaš	5%	--	--	2%
Istog	--	12%	2%	--
Kaçanik	5%	8%	11%	6%
Klina	5%	4%	5%	2%
F. Kosova/K. Polje	5%	--	--	2%
Kamenica	--	--	4%	2%
Mitrovica	--	8%	11%	4%
I eposavić/I eposaviq	--	--	--	--
Lipjan/Lipljan	--	--	--	--
Novo Brdo/Novobërda	--	--	--	--
Obiliq/Obilić	--	--	--	--
Rahovec/Orahovac	5%	4%	--	--
Peja/Peç	--	--	12%	6%
Podujeva	--	8%	--	8%
Prishtina	16%	12%	7%	8%
Prizren	16%	4%	9%	12%
Skenderaj	--	--	2%	4%
Shtime	--	--	--	2%
Štrpce/Shtërpca	--	4%	4%	--
Suhareka	5%	--	--	--
Ferizaj	--	8%	5%	2%
Viti/Vitina	16%	8%	2%	4%
Vushtrri	5%	--	--	2%
Zubin Potok	--	--	--	--
Zvečan/Zveçan	--	--	--	--
Malisheva	11%	--	11%	8%

Source: KIPRED, 2004

The relatively extensive coverage of the municipalities of Prishtina and Prizren is to be expected, as these are the two largest municipalities in Kosovo. The most notable theme of the articles on the municipality of Prishtina was corruption, to which 38 per-

Graph 4. The most frequently reported municipalities in municipal articles (N=151)



Source: KIPRED, 2004

cent of articles about this municipality referred. There was no clear trend for reports on the municipality of Prizren; themes included problems of infrastructure and urban planning, education, unemployment, property tax, municipal budget and inter-party disagreements.

The municipalities of Kaçanik and Malisheva, on the other hand, received much greater attention in proportion to their size. Though they have only four percent of Kosovo's total population, they feature in 16 percent of all articles on local government and administration.<sup>9</sup> The most credible explanation for these trends lies with the inability of political parties in these municipalities to agree with each other about the appointment of the executive officers of the municipality. This fact is indeed mirrored in the articles written about these municipalities: the vast majority of articles written about Kaçanik (83 percent) reported on the difficulties of municipal institutions in selecting executive structures, that is, the Chief Executive Officer (CEO) and the Board of Directors. The trend was less marked but nevertheless noticeable with regard to the municipality of Malisheva, where 40 percent of the newspaper articles dealt with the issue of electing executive structures.

### 3.4. Most frequently reported issues

In order to provide an analysis of issues reported, the articles were sorted into manageable categories. These categories were not mutually exclusive, so that one article could be categorized under several headings (table 2).

#### 3.4.1. Political frictions

Reports on political frictions within and among parties (table 2, issues 1-4 inclusive) comprised a large portion of the total sample of articles on local government in Kosovo. All four newspapers devoted substantial attention to problems surrounding the election of executive officers in various municipalities (table 2, issue 2), with *Koba*

Table 2. Summary of local governance issues reported by the different newspapers

No	Issue/Newspaper	Bota Sot	Epoka e Re	Koha Ditore	Zëri	Average total
01	Municipal Assembly boycott	3%	11%	8%	14%	10%
02	Flecting executive structures	10%	21%	26%	20%	21%
03	Inter-party relations in general	17%	32%	20%	20%	21%
03a	Inter-party relations, excluding the election of executive structures	10%	14%	2%	7%	7%
04	Intra-party relations	--	11%	2%	11%	6%
05	Budget and financial reports	7%	14%	12%	14%	12%
06	Relations with central institutions	3%	4%	9%	4%	6%
07	Property issues and the Kosovo Trust Agency	10%	4%	14%	7%	9%
08	Corruption	7%	--	3%	7%	5%
09	Infrastructure and other development projects	13%	21%	26%	7%	17%
10	Minorities	3%	7%	21%	11%	13%
11	Municipal services and staff training	10%	7%	12%	13%	11%
17	Decentralization	13%	11%	6%	30%	17%
13	The Association of Municipalities of Kosovo	17%	4%	6%	8%	8%
14	Relations with UNMIK	3%	7%	14%	8%	9%
15	Reference to democracy	20%	18%	11%	25%	19%
16	Education and health care	--	4%	5%	--	2%
17	Gender Issues	--	--	3%	1%	2%

Source: KIPRED, 2004

*Ditore* having 26 percent of all its articles referring to such problems, followed quite closely by *Epoka e Re* and *Zëri* with 21 and 20 percent, respectively, and *Bota Sot* with 10 percent.

*Bota Sot's* lower coverage of problems regarding executive structures was consistent with its reporting of political problems at local level; its coverage of all issues from 1 to 4 (except 3a, which should be seen as a subcategory of issue 3) was lower than those of its competitors. Indeed, municipal assembly boycotts and intra-party relations com-

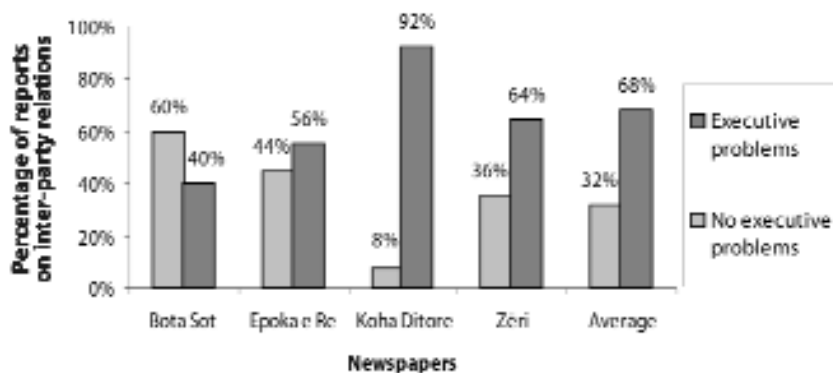
manded noticeably less attention in *Bota Sot* than they did in the other newspapers. *Bota Sot's* reluctance to discuss local political problems may be related to its traditional support for the Democratic League of Kosovo (LDK), whose branches are in the governing position in most municipalities. With the majority of *Bota Sot's* articles covering LDK-controlled municipalities, the newspaper has a tendency to focus on positive stories rather than reporting on the political problems surrounding the various municipal governments.

Nearly a third of articles written in *Epoka e Re* (32 percent) dealt with various problems among the main three parties. A possible explanation for this trend could lie with *Epoka e Re's* traditional support of the Democratic Party of Kosovo (PDK), which is the party in opposition in most municipalities in Kosovo. *Epoka e Re* has an interest in discussing inter-party disagreements as a way of illustrating the shortfalls of their political rivals in governing positions. Nevertheless, although the majority of these articles tended to be critical of LDK policies in different municipalities, there were nevertheless examples where they were also somewhat critical of the policies of some branches of the PDK.<sup>10</sup>

### 3.4.2. Electing executive structures and inter-party problems

Problems in electing executive structures were the most frequently reported issues, commanding 21 percent of the total sample of articles. This trend in newspaper reporting is indicative of the difficulties in consensus-building which the political parties of some municipalities encountered for many months after the local elections of 2002.

Graph 5. Reports on the election of executive structures, as percentage of reports on inter-party relations (N=41)



Source: KIPRID, 2004

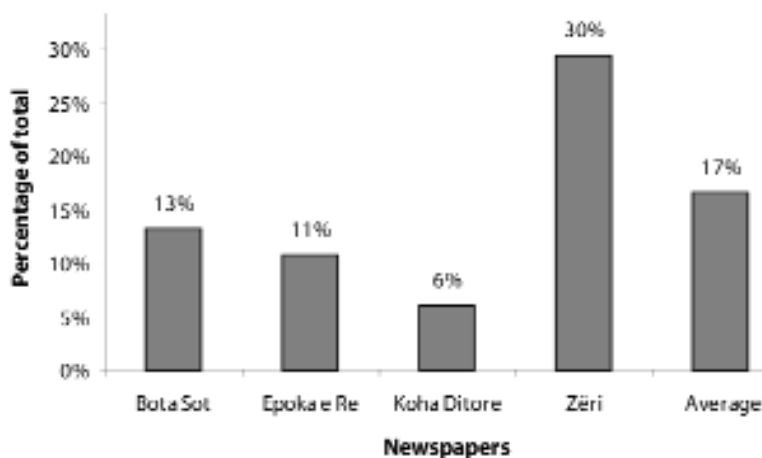
It is interesting to note further that this problem was depicted as the most frequent stumbling block in relations among parties: out of 41 articles which considered inter-party relations in general, only 13 (i.e. 32 percent) dealt with issues other than the appointment of executive structures (graph 5). In other words, the latter issue was the

main concern of 68 percent of articles dealing with inter-party relations, which is indicative of the wide perception, held among municipal politicians and the wider public, that control over the key executive posts ensures control over the real source of power in municipalities.

### 3.4.3. Decentralization

The second most frequently cited issue dealt with by these four newspapers during the time period considered was decentralization and local government reform. Some 17 percent of all articles focused on, or at least substantially referred to, this issue. This matter was treated in a more diverse way, not only through reports about conferences on decentralization and the work of the Council of Europe Decentralization Mission in Kosovo (CoEDMK), but also through analyses and editorials.<sup>11</sup> *Zëri*'s coverage of decentralization was most extensive, with over 30 percent of its articles addressing this issue in one way or another. This figure also includes *Zëri*'s publication of the full version of the preliminary report of the CoEDMK and an interview with its Head of Mission, as well as articles which report the views expressed by the AMK and others which do not agree with the CoEDMK proposal.<sup>12</sup> *Bota Sot* devoted around 13 percent of its articles to this issue, *Epoka e Re* 11 percent and *Koha Ditore* 6 percent (graph 6).

Graph 6. Percentage of articles on local government which deal with decentralisation (N=32)



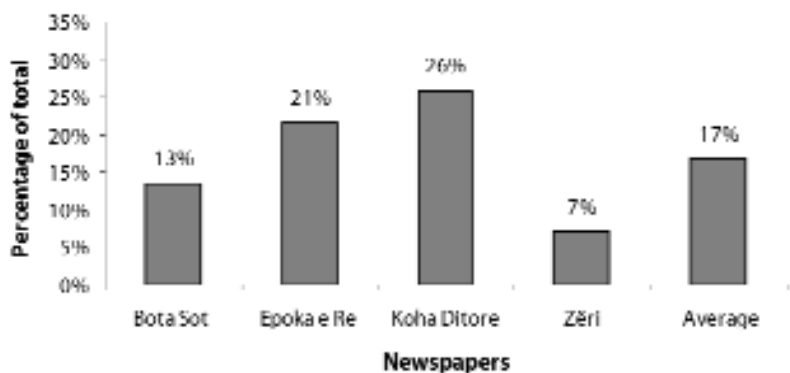
Source: KIPRED, 2004

### 3.4.4. Infrastructure and other development projects

This topic featured in over 17 percent of the total sample of articles. Coverage was most extensive in *Koha Ditore*, where this category featured in about 26 percent of its articles, followed by *Epoka e Re* with 21 percent, *Bota Sot* with 13 percent, and *Zëri* with 7 percent (graph 7).



Graph 7. Percentage of articles on local government that deal with projects on infrastructure and other development projects (N=33)



Source: KIPRID, 2004

No single municipality clearly dominated in this category, although Prizren, Peja/Peć and Gjilan/Gnjilane together accounted for more than one third of the total coverage. The specific issues reported within this category were quite varied. Slightly more frequent were articles reporting about house reconstruction, problems of water supply and road building (which together made up about 45 percent of all articles on infrastructure). The other issues mentioned were:

- The possibility of scholarships in the municipality of Peja/Peć,
- Problems with the construction of a new sports centre in Prishtina,
- Problems in building a school in Klina,
- The possibility of new public housing in Gjakova,
- Municipal contribution for a war veterans cemetery in Prizren,
- A sewage project in Ferizaj,
- The launching of the Gjilan/Gnjilane web-page,
- The rehabilitation of the health spa in Istog, and
- Public meetings with citizens in Gjilan/Gnjilane and Peja/Peć.

A possible explanation for why infrastructure and other development projects do not command as much attention as political frictions is because articles on municipalities are primarily intended for the reader living in Prishtina, or the other main cities, where most newspapers are sold. In fact, as pointed out by Arben Fetoshi, journalist at *Radio Kosova*, 'the need for information in rural areas is mainly fulfilled by radio and television'; hence newspapers can allow themselves not to be concerned with local development issues.<sup>13</sup> The main readership of the print media – the urban population – is less interested in the development initiatives of rural municipalities, because these do not affect their daily lives. As Lundrim Aliu of *Koha Ditore* observed, 'As a citizen of

Prishtina, I am not interested about a new road in Malisheva, although I may be more interested about its political dynamics'.<sup>14</sup> In other words, the print media is geared towards covering local political dynamics that may have a Kosovo-wide resonance.

Since the development of infrastructure projects is indicative of the level of local government concern about issues important to the community, there is a need for better coverage of these topics. These are issues of crucial importance for the development of municipalities; local authorities are responsible for devising adequate policies to meet such needs, while it is the role of the newspapers to monitor the latter's performance. In other words, part of the role of newspaper reporting is to help build bridges of accountability between elected politicians and the electorate at local level.

### 3.4.5. Other issues

There are a number of other issues which featured less often, although regularly enough to be statistically significant. About 11 percent of all the articles reported on development of municipal services and training of municipal staff, such as the establishment of a web page in Gjilan/Gnjilane or the introduction of the free-balance system in Viti/Vitina.<sup>15</sup> The Kosovo Trust Agency (KTA), especially in relation to privatisation and property in municipalities, featured

**Part of the role of newspaper reporting is to help build bridges of accountability between elected politicians and the electorate at local level**

in over 9 percent of the total sample. Relations between municipal institutions and UNMIK at local and central level also commanded 9 percent of articles, while 6 percent mentioned relations with central government institutions. The AMK featured in 8 percent of the total sample of articles and was usually reported in a positive fashion. It was most extensively covered by *Bota Sot* (making up some 17 percent of *Bota Sot* articles), which comes as no surprise considering that the President of the AMK, Lutfi Haziri, is also the president of the LDK-controlled Municipal Assembly of Gjilan/Gnjilane. Around 5 percent of the total sample of articles touched upon the issue of corruption in public institutions.

## 3.5. Other issues important for local government

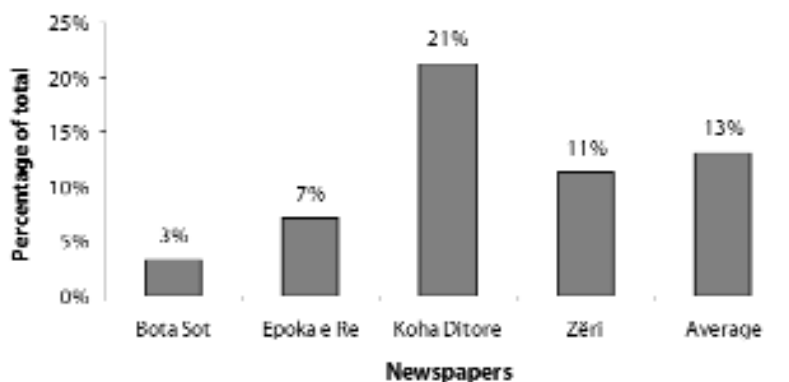
### 3.5.1. Minority communities and interethnic relations

Some 13 percent of the total sample of articles on local governance touched upon the question of minorities or interethnic relations (graph 8). The newspaper that accorded most coverage to this issue was *Koha Ditore*, with 21 percent of its articles dealing with issues of minorities. *Bota Sot* gave least coverage, with 3 percent, while *Zëri* and *Epoka e Re* had 11 and 7 percent, respectively.

Nearly half (48 percent) of the articles written on minorities or interethnic relations referred to the Serb community. Nearly a third (32 percent) made a linkage between

decentralization and interethnic relations, with most the articles insisting that decentralization should not be premised on an ethnic basis. Twenty-eight percent of the articles in this category discussed minority returns to their previous homes, mostly in a neutral fashion. As expected, given the strained interethnic relations in Mitrovica, 40 percent of reports on this municipality dealt with this issue. However, reports on Mitrovica make up only about 16 percent of all reports on interethnic relations, the rest being fairly evenly distributed among eleven other municipalities.

Graph 8. Percentage of articles on local government that refer to ethnic minorities (N=25)



Source: KIPRED, 2004

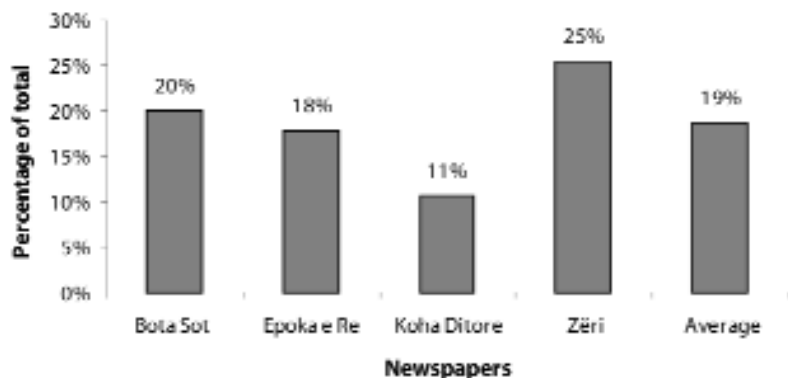
A positive fact was that only a small number of articles on minorities (some 16 percent), relatively evenly distributed across all municipalities, could be said to contain a bias against minority communities.<sup>16</sup> This was also the case for most articles on the Serb community. It should be noted, however, that reporters rarely sought the views of representatives of minority communities directly.<sup>17</sup>

### 3.5.2. Democracy

It is interesting to note that a significant number of articles (19 percent) made a reference to the development of democracy at local level, although there were some discrepancies among the newspapers (graph 9). The majority of these articles made some sort of a positive link between decentralization or local government reform and the development of democracy; a number reported the accusations of various actors that their political rivals were acting in an undemocratic fashion,<sup>18</sup> while some mentioned the validity of political boycotting as an acceptable tool of protest in democratic societies.<sup>19</sup> These stances should not necessarily be seen as the views of the reporters themselves – in fact, they usually expressed the opinions of those interviewed since, as is argued below, the majority of articles on local government written in these newspapers pro-

vide only word-per-word reports of opinions' of others, without an independent evaluation by the reporter.

Graph 9. Percentage of articles on local government that refer to democracy (N=36)



Source: Newspapers

While it is important that the topic of democracy featured in the discourse on local government, one must also be aware of other aspects of reporting that were not so consistent with Western conceptions of democracy. For one, political frictions in municipalities were frequently reported as ends in themselves without recognizing the fundamental implications these frictions have for the electorate. The lack of coverage of municipal policies in a number of areas important to the public (e.g. infrastructure development, health care, education) is another indicator of the lack of links of accountability between the electorate and the administration. Such an uncritical approach to reporting not only fails to challenge, but it also helps entrench, the philosophy that elected and appointed municipal authorities are there to serve their citizens, rather than vice versa.

In sum, making mantric references to democracy does not foster its substantial development, unless reporting is also coupled with the critical thinking that questions the activities and policies of municipal authorities. Hence, Kosovo's journalism displays a need to expand and improve reporting on key local matters.

### **3.5.3. Gender, education and health care as issues of local government**

Considering the international commitment to promoting rights of women, as manifested in the 'gender rule' for Kosovo's public institutions, including municipal assemblies, it is interesting to note how rarely there was even mention, let alone articles, concerning women's issues at local level. It is perhaps indicative of the attitude of the Kosovar society in general that only 2 percent of articles on local governance addressed this

issue, mainly noting that female councilors in municipal assemblies speak only very rarely or not at all.<sup>20</sup>

Issues of education policy were similarly poorly reported, accounting for only 2 percent of the total sample, and reported only by *Koha Ditore* and *Zëri*. In fact, even these articles were tied to political struggles in the municipality as they discussed political problems of appointing school directors, and gave hardly any attention to education policies or facilities. Articles which mentioned health care issues and policies were statistically negligible. The poor coverage of these issues is especially disconcerting, given that both primary health care and primary and secondary education are municipal competencies. Newspapers should more consistently report on municipal activities in these areas, not merely so as to inform the public, but also in order to monitor the policies of local governments regarding health care and education.

### 3.6. Issues discussed in analyses and editorial articles

As mentioned above, only few analytical articles and editorials dealt with matters of local importance as defined in this report (around 9 percent). Within this group of articles, the topic most discussed was decentralization, which made up around 60 percent of all editorials and analyses. The topic was treated mainly in relation to the work of the CoEDMK and their plans for decentralization in Kosovo, although the opinion of the AMK was also voiced, though less frequently.

The other issues discussed in this subgroup of articles included:

In *Bota Sot*,

- The impact of KTA policies on the ability of municipal institutions to promote economic development,
- Corruption in Kosovar institutions, including municipal institutions,
- Comparison of the performance of municipal institutions in Rahovec/Orahovac and Malisheva,
- A review of the work of the AMK.

In *Epoka e Re*, the following issues were discussed:

- An analysis of the performance of the LDK-run institutions in the municipality of Istog,
- The view of the PDK branch in Podujeva on why the assembly in this municipality is facing difficulties to elect the executive,
- An appeal to overcome the so-called city-village divide in Kaçanik.

In *Koha Ditore*, the editorial and analytical comment relating to local government included:

- An examination of political instabilities at local level and suggestions on how to overcome such problems.

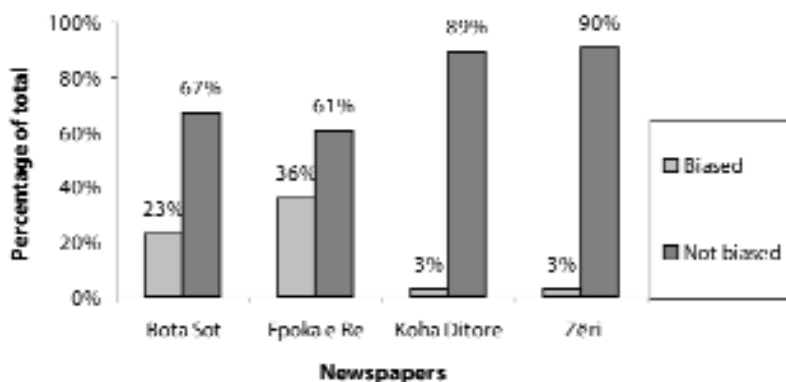
### 3.7. The level of bias in reporting issues

#### 3.7.1. Quantitative analysis

In order to have an orientation about trends regarding newspaper bias when reporting on issues of local governance, articles expressing obvious and undisputable bias were counted. Although there were a few articles that could not straightforwardly be classified according to this category, their incidence was low enough not to significantly affect the findings. Articles were deemed to be biased on any of the following criteria: (a) if they openly manifested support or disfavour for a party or cause based on inadequate or in complete disregard of evidence; (b) if the arguments for the opposing viewpoint were unduly dismissed or distorted; (c) if emotionally charged and negative labels were used to refer to opponents.<sup>21</sup>

As can be seen from graph 10, the overwhelming majority of articles (82 percent) were not clearly biased for or against a party or cause. There were, nevertheless, some significant variations among the newspapers under consideration: over a third (36 percent) of articles in *Epoka e Re* could be said to be biased, as were 23 percent of articles on local government published in *Bota Sot*. In comparison, *Koha Ditore* and *Zëri* fared much better, with only 3 percent of articles published in each classified as biased.<sup>22</sup>

Graph 10. Cases of biased reporting in articles on local government (N=187)



Source: KIPRID, 2004

#### 3.7.2. Qualitative analysis: analysis of language used

Because bias is most evidently manifested through the use of a specific language and writing style – which demeans the opponent and applauds the party supported – it is more interesting and insightful to examine it through a qualitative approach, thus focusing on the discourse of the article.

There were a number of articles which pointed to *Bota Sot's* bias for the LDK and against the PDK. When *Bota Sot* reported about the LDK, its articles tended to be openly supportive of LDK personalities or decisions, such as when reporting on the former Director of Cadastre in the municipality of Prishtina who was charged for corruption.<sup>23</sup> When reporting about municipalities where the LDK holds government, *Bota Sot* tended to report on what are normally deemed as positive issues, for example, the installation of the 'free balance' system in Viti/Vitina, the commitment of the president of Gjilan/Gnjilane to improving municipal services, or the contribution of the municipality of Prizren to repairing the war veterans' cemetery.<sup>24</sup> On the other hand, it did not shy away from portraying the PDK in a negative light by arguing that its supporters are 'fanatics' who work 'in the style of sly foxes'.<sup>25</sup>

**A *Bota Sot* article portrayed the PDK in a negative light, claiming its supporters are 'fanatics' who work 'in the style of sly foxes'**

An article can also display bias if it includes information which may be irrelevant for the discussion of the issue at hand, but which helps portray the author's or paper's preferred party in a more positive light. This manner of reporting is exemplified by an *Epoka e Re* correspondent, who completely out of the context of the main topic of discussion – the decision of the PDK branch to boycott the work of the municipal assembly in Gjilan/Gnjilane, because of disagreements with the LDK over the election of a director – cited the PDK branch leader's remark that '15 June, the day when the UÇK [the Kosovo Liberation Army] entered the city, is the day of liberation'. He then immediately went on to report on the schisms occurring in the rival party, the LDK.<sup>26</sup> *Epoka e Re's* occasional bias against the LDK was also manifested when its reporters portrayed the achievements of the rival party by using belittling phrases. For example, when discussing projects completed by the LDK government in Istog during the 2000 mandate, the author claims that 'one kilometre of asphalt in the village of Vrellë was *thrown out* directly on top of mud and only during the election campaign' (emphasis added).<sup>27</sup>

***Epoka e Re's* occasional bias against the LDK could also be seen from the use of belittling phrases when reporting on the achievements of the rival party**

There was no consistency of biased reporting in *Zëri* – those articles which could be seen as biased dealt with issues ranging from relations between municipal and central institutions, to those with UNMIK or the KTA. In only two articles, written by the same correspondent, was any continuity of sympathy expressed for one faction of the LDK branch in Podujeva.<sup>28</sup> For example, in the second article, although the author expresses no open sympathies for the dissenting faction, he nevertheless reports about it in a more positive fashion, associating it with democracy and progressive forces. However, any such bias that may be in these two articles should best be attributed to that specific correspondent in the field rather than to the editorial policies of the

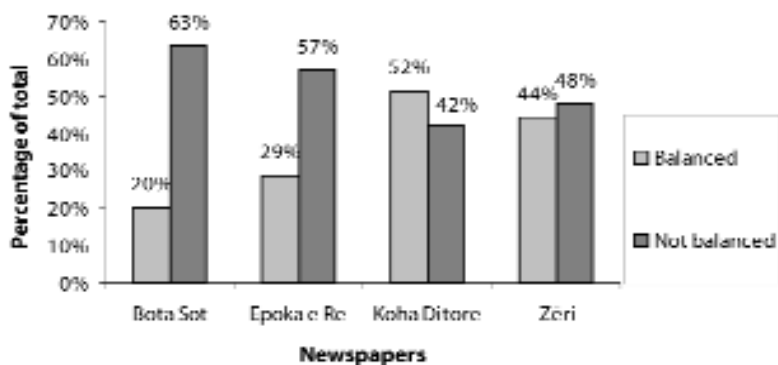
**Any bias that may be detected in *Zëri* should best be attributed to the individual correspondents on the field rather than the editorial policies of the newspaper**

newspaper, since no such sympathy could be detected in reports from other correspondents.

### 3.8. The level of balance in reporting issues

One must distinguish between reports which are clearly biased and those which merely lack balance. An article may not be biased – if it does not overtly express support or disapproval for a party based on inadequate evidence – yet it would, nevertheless, be imbalanced if it did not cite enough relevant sources from both sides of the argument, or did not give proportionally equal space to all arguments involved. As can be seen from graph 11, this analysis shows that half of all articles on local governance were unbalanced (50 percent).<sup>29</sup> Yet there are significant variations among the various newspapers: *Bota Sot* is least balanced, where 63 percent of its articles are not adequately balanced. *Epoka e Re* is a close second with 57 percent, followed by *Koha Ditore* and *Zëri* with 42 and 48 percent of their sample, respectively, not adequately balanced.<sup>30</sup>

Graph 11. Cases of unbalanced reporting in articles on local government (N=187)



Source: KIPRED, 2004

There are two plausible explanations for these disquieting trends. One lies in the nature of daily journalistic work, which imposes tight deadlines that do not always allow reporters sufficient time to conduct a thorough and well-balanced research for an article. The other possible explanation is that journalists themselves do not have the knowledge and commitment to research all sides to a story. Reporters must be well-informed about the various aspects of any specific story they are covering, and they must verify claims from a number of sources. It is this aspect that needs to be further encouraged among the Kosovar media in general and field correspondents in particular, by providing training to further develop the reporting skills of journalists, and by tightening general newspaper editorial policies.



### 3.9. The level of information provided by articles on local government

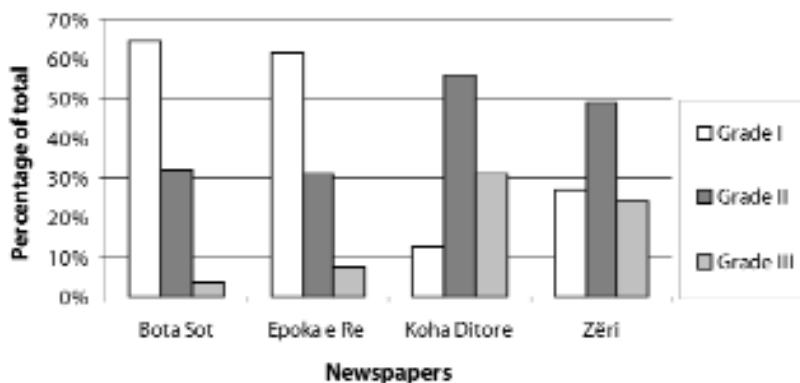
#### 3.9.1. Quantitative analysis

The level of information provided by each article was measured on a scale from 1-3.

- Grade I: articles which merely informed the reader about the issue (for example, the dispute over the election of executive structures in the municipality of Kaçanik), without providing sufficient background information regarding the dispute or supporting evidence to substantiate the report.
- Grade II: articles which also provided some background information, referred to certain other facts to clarify issues (such as statistics or examples), and provided at least some of the different sides to the argument (a typical example of such an article is a report on the discussion and approval of a municipal budget, based on attendance at a municipal assembly meeting and where the author provides background information on the political constitution of the municipal assembly, specific information on the budget proposal, including some figures, and reports at least some of the arguments for and against the budget proposal).
- Grade III: articles which, in addition to the above, also provided a more thorough exposition or independent evaluation of the arguments put forward, and try to put figures and examples into context (for example, instead of merely stating that in 2003, 2,026,552 euros were allocated to the municipality of Gllgovc for the education sector, it also explained what this meant in terms of funds per student or per school in the municipality).

Measured against this grading system, 33 percent of the total articles considered were in grade I, 46 percent were grade II, while only 21 percent were grade III. As graph 12,

Graph 12. The level of information provided by articles on local government (N=181)



Source: KIPROD, 2004

indicates, there are no major differences between *Bota Sot* and *Epoka e Re* in this respect – just under two thirds of their articles fall in grade I, a third in grade II, while there are relatively few articles which provide an adequate level of information to the average reader, that is, fall in grade III. There are some similarities between *Koha Ditore* and *Zëri*, although on the whole the former fares better than the latter, having more articles in grade II and III and fewer articles in grade I.<sup>31</sup>

### 3.9.2. Qualitative analysis: case studies

In order to gain a deeper understanding of these statistics, i.e. to determine exactly why an article may not be very informative to the average reader, it is useful to take examples that illustrate such shortcomings from each newspaper under consideration.

#### **Bota Sot**

One article in *Bota Sot*, typical in its lack of background information, discusses the possibility of building an ‘international village’ in Prishtina. Not only does the author not explain what this initiative is, when it was made and by whom, but throughout the article he talks about a ‘land regulation’ signed by the Special Representative of the Secretary General (SRSG) without clarifying exactly what this regulation regulates or how. One senses that the journalist has not read this regulation himself, because the only references to it are vague statements made by the CEO of Prishtina. Thus, the reader is left completely in the dark about an issue that the author of the article himself implies to be crucial about the future of the ‘international village’ and other major investments in the municipality.<sup>32</sup>

#### **Epoka e Re**

Lack of background information is especially visible in articles which have been written from press releases. For example, when the *Epoka e Re* correspondent reports about the visit of the president of the AMK to the Council of Europe in Strasbourg, he merely lifts off paragraphs from the press release about what Lutfi Haziri said and did in Strasbourg.<sup>33</sup> He does not explain what kind of an institution the AMK is and what its responsibilities are, nor what the Council of Europe is, what are its activities, and why it is so important for Kosovo. Of course, one recognises that any background must be brief, preferably condensed into one or two paragraphs; but it is nevertheless crucial in order to allow the reader to fully understand the importance and implications of Haziri’s visit to Strasbourg – which is the main purpose of the article. The lack of such information must also be considered a flaw of the press release itself, without, however, absolving the reporter of his or her responsibility to present a well-researched article to the public.

#### **Koha Ditore**

In *Koha Ditore*, in an interview article with Ambassador Civiletti, the Head of CoEDMK, whom the journalist cites as saying that decentralization in Kosovo is to be premised on ‘the principle of subsidiarity’, but fails to explain this term to the reader, assuming that this relatively unusual concept is widely known to the average reader.

This article also provides a clear illustration of how superficially most matters are covered by Kosovo's press. While this omission by the journalist does not render the entire article meaningless, it nevertheless undermines the argument of the Ambassador that their decentralization plan is not based on an ethnic principle. In fact, the entire article is geared towards a discussion of the relationship between decentralization and interethnic relations, without raising questions of what local government reform could bring to the citizen in general. In adopting such a narrow view, the article, despite having presented the full interview with Civiletti, does not do full justice to his ideas, and is not sufficiently informative for the reader.<sup>34</sup>

### Zëri

Another way in which articles are insufficiently informative occurs when the journalist does not independently analyse and evaluate arguments or evidence put forward by various stakeholders. In *Zëri*, for example, an article about a PDK branch council meeting in Kaçanik reports about a dispute between two factions within the party, with regard to the number of council members needed to reach quorum and hold a valid meeting. The current president claims that, according to the branch party statutes, only half the council members are need to be present to reach quorum, while the former president claims that two-thirds are needed, upon which he leaves the meeting. The reporter merely states both positions – and in this he could not be said to be biased – yet he is equally unhelpful to the reader because he provides no objective evaluation of the situation, by for example, consulting the party statutes.<sup>35</sup>

## 4. Conclusion

This analysis of the four main Albanian-language daily newspapers in Kosovo has examined their reporting and discourse on issues pertaining to local government and administration, focusing on which municipalities are reported on more frequently, what issues tend to feature in pages dedicated to municipalities, and what is the style and quality of such articles. It found that municipalities most frequently reported on are either relatively large municipalities (where field correspondents tend to be based) or those which have problematic political relations (or a combination of the two).

The study found that the main focus of local governance reporting is on power struggles among political elites, largely bypassing important human concerns. It showed that the most frequently and systematically reported issues relate to problems among political parties, especially as regards appointments of executive officers in municipal administrations. These articles provide a mirror of the political dynamics prevailing in municipalities, showing how executive positions in municipal administrations are viewed by politicians and the public alike.<sup>36</sup>

**The main focus of local governance reporting is on power struggles among political elites, largely bypassing important human concerns**

Non-political issues, such as the development of local infrastructure and other projects beneficial to the community, are usually reported on an *ad hoc* basis, as they happen in each municipality, with very few follow-up articles to monitor the success or failure of such projects. Although not necessarily political – in the sense of reflecting municipal party-politics – these issues are of crucial importance for the economic development of municipalities, and local authorities must devise adequate public policies to respond to them.

**Non-political issues, such as the development of local infrastructure, are usually reported on an *ad hoc* basis, with very few follow-up articles to monitor the success or failure of such projects**

Newspapers – as a significant bridge linking the electorate with its political representatives – should work to develop a consistent editorial policy that systematically covers a wide variety of issues pertaining to local government. Alongside reporting political dynamics, newspapers must also monitor the performance of local authorities on issues such as the development of education and health care services and facilities, provision of skills-training for adult population, promotion of business in their territory, etc. In order for good governance and local democracy to develop at local as well as national levels, citizens should become aware of the responsibilities of their elected representatives, while the latter must become accustomed to being held accountable to their electorate for the actions and policies they adopt. A critical press, which provides impartial and well-researched articles on a large number of issues of local importance, is crucial in this respect. Kosovo's journalism needs reporting that displays a deeper understanding of democratic principles and a stronger commitment to make local authorities accountable for their policies and actions.

As this study found, what the Kosovar press is in great need of is precisely the development of rigorous, impartial yet critical standards of reporting. While bias may not be generally widespread, greater efforts could be made to achieve higher levels of professionalism. As was argued above, all newspapers have significant shortfalls in relation to

**A critical press is crucial for developing good governance and democracy at local level by improving channels of accountability between the electorate and its representatives**

how well-researched and informative their articles are. Of course, one has to recognize that the media, in their quest to employ high quality and educated reporters, face fierce competition from other organizations in a relatively underdeveloped Kosovar labor market. Hence, the government, those organizations interested in the development of the media, and not least the newspapers themselves, should encourage and promote further training for Kosovar journalists, as the only way to progress towards a more professional press and better-informed public. Newspaper editors, on the other hand, must be encouraged to demand a wider perspective from their journalists, one which takes into account the impact of the actions of municipal authorities on the lives of ordinary citizens.

## Notes

<sup>1</sup> This report is concerned primarily with outlining the main trends in press coverage of local government and administration in Kosovo based on a sample of press clippings. However, in order to provide an adequate analysis and interpretation of trends, it also draws on additional research by the authors on this issue.

<sup>2</sup> This is an approximate figure, calculated by counting the number of pages devoted to local issues by each newspaper, using a sample of 70 issues during the period from 1 January to 25 February 2004 (16 issues of *Bota Sot*, 16 of *Epoka e Re*, 21 of *Koha Ditore* and 17 of *Zëri*).

<sup>3</sup> Although the number of articles taken from each newspaper differs, the printing space devoted to local government and administration is approximately equal.

<sup>4</sup> Interview by KIPRED regarding the main findings of the analysis, 17/04/2004.

<sup>5</sup> ‘Në Rahovec privatizohen fabrikat dhe asfaltohen rrugët – Malisheva ende pa infrastrukturë’, I. Bytyçi, *Bota Sot*, 28/10/03, p. 12.

<sup>6</sup> L. Aliu, interview by KIPRED regarding the main findings of the analysis, 17/04/2004.

<sup>7</sup> The rest of the articles dealt mainly with decentralization or local government reform, the Association of Municipalities of Kosova or the Kosovo Trust Agency.

<sup>8</sup> According to Ministry of Economics and Finance figures, about 110,000 people live in the municipality of Gjilan/Gnjilane, a number equal to estimates of the population of the municipality of Mitrovica, and smaller than estimates of those living in the municipalities of Prishtina, Prizren, Peja/Peć, Podujeva, Gjakova and Ferizaj, respectively.

<sup>9</sup> Population figures obtained from the Ministry of Economy and Finance.

<sup>10</sup> For example, ‘AAK thotë se investimet kanë bazë politike e lokaliste’, Q. Krasniqi, *Epoka e Re*, 12/05/03, p. 6.

<sup>11</sup> For example, ‘Një herë centralizimi i pushtetit e më vonë decentralizimi’, L. Hajdari, *Bota Sot*, 15/06/03, ‘Sanc: Decentralizimi është reformë demokratike e qeverisjës lokale’, *Epoka e Re*, 19/05/03, p. 7, ‘Pse decentralizimi nuk duhet të mbështetet asesi në parimin etnik’, R. Buja, *Zëri*, 16/07/03, p. 6.

<sup>12</sup> Ibid. See also ‘Dëshirojmë proces të depolitizuar të decentralizimit, thotë Haziri’, P. Isufi, *Zëri*, 11/11/03.

<sup>13</sup> Interview by KIPRED regarding the main findings of the analysis, 17/04/2004.

<sup>14</sup> Interview by KIPRED regarding the main findings of the analysis, 17/04/2004.

<sup>15</sup> ‘Komuna e Gjilanit është komuna e parë në Kosovë që ka hapur faqen e saj në internet’, M. Sabedini, *Epoka e Re*, 25/07/03; ‘Edhe një sukses i komunës në menaxhimin e sistemit të ri financiar’, A. Zuka, 05/10/03, p. 12.

<sup>16</sup> For the definition of bias as understood in this report, see below p. 15.

<sup>17</sup> For example, ‘Serbët e shpërngulur nga Kosova vizituan KK të Prishtinës’, E.R., *Epoka e Re*, 18/03/03, p. 9; ‘Një rezolutë për kthim në fund te debatit kuvendar’, N. Haliti, *Koha Ditore*, 26/06/03, p. 13.

<sup>18</sup> For example, 'UNMIK, OSBE dhe komuna me qëndrime të kundërta rreth zgjedhjes së stafit ekzekutiv të Prishtinës', Y. Kaloshi, *Zëri*, 12/05/03, p. 5; 'PDK nuk tërhiqet, LDK dhe AAK vazhdojnë me bojkot', K. Sallahu, *Zëri*, 14/03/03, p. 12; 'Pozita voton qeverin e re opozita lëshon sallën', A. Demiri, *Koha Ditore*, 21/03/03, p. 7.

<sup>19</sup> For example, 'PDK-ja ngrin marrëdhëniet me Kuvendin Komunal', M. Sabedini, *Epoka e Re*, 12/06/03, p. 10; 'PDK dhe grupacioni i LDK-së bojkotojnë mbledhjen e konvokuar nga kryetari Veliu', F. Halimi, *Zëri*, 24/07/03, p. 9; the OSCE Mission in Kosovo criticism of this view was reported in 'Të ndërpritet bojkoti politik në Kuvendet Komunale', *Bota Sot*, 16/05/03, p. 9.

<sup>20</sup> For example, 'Në KK të Malishevës disa ende nuk i kanë shqiptuar rrokjet e para në seanca', R. Krasniqi, *Koha Ditore*, 4/04/2003, p. 8.

<sup>21</sup> Recognising that to determine whether an article is biased involves an exercise of individual judgement, and that thus there may be disputes among individuals over a number of articles which are not obviously biased, it was decided that such articles be classified separately as 'Ambiguous'.

<sup>22</sup> The sample used for this measurement excluded the preliminary report of the CoEDMK, which *Zëri* had published over eight issues, because it is regarded as an analysis independent from the editorial policy of the newspaper.

<sup>23</sup> 'Arrestimi im ishte bërë me prapavijë politike vetëm pak ditë para zgjedhjeve të dyta lokale', B. Toska, *Bota Sot*, 24/09/03, p. 12.

<sup>24</sup> 'Edhe një sukses i komunës në menaxhimin e sistemit të ri financiar', A. Zuka, *Bota Sot*, 25/10/03, p. 12; 'Në Kosovë nuk do të ketë decentralizim', A. Canaj, *Bota Sot*, 25/07/2003, p. 6; 'Përkushtimi i kuvendit komunal për dëshmorët e kombit', R. Berisha, *Bota Sot*, 23/09/03, p. 6.

<sup>25</sup> 'Malisheva pa qeverinë profesionale, as shumë të propaguar', I. Bytyçi, *Bota Sot*, 22/07/03, p. 12.

<sup>26</sup> 'PDK-ja ngrin marrëdhëniet me Kuvendin Komunal', M. Sabedini, *Epoka e Re*, 12/06/2003, p. 10.

<sup>27</sup> 'Burimi-shembull se si keqpërdoret vota nga LDK-ja', I. Blakaj, *Epoka e Re*, 19/05/2003, p. 5.

<sup>28</sup> 'Këshilltari nga LDK-ja kritikoi ashpër raportin e drejtorëve nga radhët e partisë së tij', F. Halimi, *Zëri*, 23/03/03, p. 12; 'Podujeva me dy ushtrues detyre të kryeshefit të ekzekutivit!', F. Halimi, *Zëri*, 19/06/03, p. 3.

<sup>29</sup> For quantification purposes, we counted the number of sources used from each side of the argument and the relative article-space given to each side of the argument.

<sup>30</sup> The sample used for this measurement excluded the preliminary report of the CoEDMK, which *Zëri* had published over eight issues, because it is regarded as an analysis independent from the editorial policy of the newspaper.

<sup>31</sup> The sample used for this measurement excluded the preliminary report of the CoEDMK, which *Zëri* had published over eight issues, because it is regarded as an analysis independent from the editorial policy of the newspaper.

<sup>32</sup> 'Jemi zotuar që t'u hapim rrugë investimeve në Kosovë', B.S, *Bota Sot*, 23/05/03, p. 3

<sup>33</sup> 'Haziri i thotë jo decentralizimit mbi baza etnike', M. Sabedini, *Epoka e Re*, 21/05/03, p. 11.

<sup>34</sup> 'Monoetniciteti është në kundërshtim me konceptin tonë të decentralizimit, thotë Civiletti', L. Camaj, *Koha Ditore*, 29/03/03, p. 1 and 6.

<sup>35</sup> 'Kundërthëniet brendapartiake dalin në sipërfaqe, Krasniqi thotë se në emër të meritave të së kaluarës nuk lejohet të shkatërrohet partia', K. Sallahu, *Zëri*, 09/06/03

<sup>36</sup> On municipal political dynamics in Kosovo, see previous chapter, Local Government and Administration in Kosovo: Description and Analysis.





# Public Debates on Decentralization

## Report

### *Executive Summary*

With the issue of decentralization in Kosovo coming on to the agenda of local and international decision- and policy-makers from the autumn of year 2002, two Kosovar non-governmental organisations, 'the Forum' and the KIPRED, supported by the Friedrich Ebert Stiftung, organised a series of Public Debates on Decentralization.

The aims of the debates were to inform the public on the process of decentralization, to present alternative models of decentralisation to the citizens, and to encourage a wider public debate with regard to this crucial aspect of governance in Kosovo. The objective was to promote a type of reform of local self-government and administration in which citizens would have an impact, and which would place priority on the demands, needs and problems of its citizens.

The debates were held in the towns of Ferizaj, Gjilan/Gnjliane, Peja/Peć, Mitrovica and Prishtina during the period 4-15 December 2003. The debate panels included:

- Representatives of the Ministry of Public Services (MPS)
- The President of the Municipal Assembly, acting also as the representative of the Association of Municipalities of Kosovo (AMK)
- Adviser to the Minister of Public Services
- Representatives of KIPRED
- Various independent experts

On average, between 20-25 participants attended each debate, although about 60 people attended in Prishtina. The debates were publicized through the distribution of 750 posters, 1800 brochures (800 in Prishtina only) and the issuing of a press release. The debates were aired on most local television channels, and reported upon in the print media.

The following provides a summary of the main issues raised by various panelists or participants.

### **Organisational problems and criticisms**

1. Relatively low attendance rates of the public in the debating halls due to a general unwillingness of the public to attend debates and a lack of a tradition of public participation.

## Public Debates on Decentralization: Report

2. Lack of debate focusing specifically on the advantages and disadvantages of the alternative models put forward; this is probably due to the fact that decentralization is a rather specialized topic, which requires some preliminary knowledge for more detailed debate.
3. Brochures were distributed randomly and just before the debate so there was not enough time to prepare for discussion. In response, organizers noted that the brochures were distributed a few hours before the debate in order to attract more citizens to attend.
4. Debates should have been organized ‘professionally’ not by NGOs merely experimenting with issues of grave importance. NGOs lack the necessary professionalism and authority and should thus not take the initiative on this issue, but only support the initiatives of the relevant institutions mandated to deal with decentralization, the Kosovo Government or the Council of Europe. In response, organizers argued that in democratic societies everyone has the right to debate on governance issues, even if the final decision-making authority rests with the Assembly. Debates should not be seen as experiments, even if they are not organized by strict professionals, because they provide good opportunities to promote public participation necessary for a functioning democracy.

### Main arguments regarding local government reform

1. A number of panelists and participants argued that this was not an appropriate time to debate about decentralization, because:
  - Decentralization is not a priority for the society;
  - The study of the territorial division of municipalities should come only after the final status of Kosovo has been defined; and
  - Decentralization of power cannot take place prior to its centralisation.

In response, others claimed that although the topic may not currently be a priority, the debates are useful in order to obtain public feedback, improve models put forward, and generate further ideas for reform for whenever decentralization becomes a priority. One panelist argued that Kosovars should not expect the state to be created merely by a declaration, but only when it has developed the conditions to become one – where having a system of local government is one such condition.

2. All panelists and participants agreed that it is important to discuss reform of local government in general and not merely decentralization.
3. Local government reform should not be subject to political opportunism of interethnic bargaining because it is a crucial aspect of government for all citizens in Kosovo regardless of their ethnic background. Such reform must offer solutions for problems of minorities, but no model should be based exclusively on the needs of one ethnic community. It must be acceptable for other minorities and must also take into account the interests of the Kosovar citizen in general.

4. A major defect in the current system was deemed the lack of a legal framework that clearly defines the competencies of municipalities with regard to the central government and UNMIK. According to its representatives, the MPS was at the time drafting a law that defines municipal competences and clears up the legal imprecision.

### **Organizational recommendations**

1. When debating specialist topics, the target should not be the public in general, but a sample of the civil society, including the media, as representative of the general public.
2. Confirm beforehand who would be interested to attend such debates and distribute brochures in advance.
3. Funds permitting, organize debates in two rounds: one mainly informative and descriptive, the second geared towards questions and comments.

## 1. Introduction

The issue of decentralization in Kosovo has part of the agenda of local and international decision- and policy-makers since the autumn of year 2002, when the then Special Representative of the Secretary General of the United Nations (SRSG), Michael Steiner, sought to attract the Serb community in Kosovo to take part in local elections. At the request of the SRSG, the Council of Europe sent a Decentralisation Mission to Kosovo (CoEDMK), which produced its final recommendations on reform of local self-government and administration in November 2003.

**The aims of the debates were ‘to inform the wide public on the process of decentralization, to facilitate the presentation of alternative models to the views of citizens, and to encourage a wider public debate with regard to this crucial aspect of governance in Kosovo...’**

In an effort to extend this debate beyond decision-making elites to include the general public, two Kosovar non-governmental organisations ‘the Forum’ and KIPRED, supported by Friedrich Ebert Stiftung in Prishtina, organised a series of Public Debates on Decentralization. The aims of the debates – as stated by the organisers in their press release – were ‘to inform the wide public on the process of decentralization, to facilitate the presentation of alternative models to the citizens, and to encourage a wider public debate with regard to this crucial aspect of governance in Kosovo [in the hope of promoting] a reform of local self-government and administration which is shaped by its own citizens, and which places the demands, needs and problems of its citizens first’.

The debates were held in five towns – Ferizaj, Gjilan/Gnjilane, Peja/Peë, Mitrovica and Prishtina – in the period from 4 to 15 December 2003, and were aired on most of the local television channels as well as being reported in the print media.

Participants were first introduced to a basic framework for evaluating alternative systems of local government. Each model was assessed in terms of its ability to satisfy the following conditions: (a) democratic principles as set out in the European Charter of Local Self-Government, (b) financial feasibility, (c) organisational feasibility, and (d) political acceptability and minority issues. This was followed by a brief presentation of the three models under discussion, with the details being added during the course of the debate.

The discussion panels were attended by:

- Hysni Bajrami, the Director of the Department for Local Government and Administration at the Ministry of Public Services (MPS) (attended three debates)
- Ramë Buja, advisor to the Minister of Public Services and author of one of the models presented in the brochure (attended three debates)
- The respective President of the Municipal Assembly, acting also as the representative of the Association of Municipalities of Kosovo (AMK)
- Representatives of KIPRED, authors of one of the models presented in the

brochure

- Various independent experts.

The debates were chaired by Jetëmir Balaj of ‘the Forum’. Representatives of the CoEDMK were, unfortunately, unable to attend, having finished their mission and departed from Kosovo. It is worth noting that the debates had initially been planned for earlier in the year, while the CoEDMK was still in Kosovo, in the hope that its representatives could personally attend them. However, at the request of the CoEDMK itself and of the OSCE Mission in Kosovo, it was decided that the meetings be postponed until the final report of the CoEDMK was published.

There was much discussion in the debating halls, and many participants declared that they found these debates useful. The focus was on the process of decentralisation in general, how it fits into Kosovo’s political landscape, and the importance of decentralisation with respect to other priorities of the Kosovar society. Two shortcomings in the debates were (a) relatively low attendance and (b) lack of specific argument on the merits and drawbacks of the models described in the brochures. However, one must not view these shortcomings simply as organisational failures; they should be considered in the wider context of the Kosovar society.

With regard to low attendance, one must bear in mind that, first, debates on public policy issues are not widely attended, even on matters of more immediate importance – poor attendance rates of municipal public debates being perfect examples. Second, governance issues are not traditionally discussed with the public, as they are seen as being under the realm of ‘experts’ only. Such a tradition has made people reluctant to participate in public debates, especially when the latter relate to somewhat complicated issues of governance. Hence, debates should be seen as useful practices in themselves, regardless of the issue under question, as they are exercises in public participation, which help tackle problems in an inclusive fashion and build democratic governance from the bottom up.

As relates to the second shortcoming, one can understand the lack of deep arguments on the models themselves because decentralisation is indeed a rather specialized topic, and some preliminary knowledge of issues is desirable in order to have a more detailed discussion of alternative models. It was thus very useful to have brochures that were very extensive in description and argument as tools with which to bring issues closer to the people. Moreover, the debates themselves were useful in generating ideas about how to organise similar specialist debates in the future, as will be elaborated further in this report. This being said, however, it is important to emphasise that local government reform, no matter how technical it may be, touches the lives of ordinary people to the core; hence, officials have a responsibility to solicit and accommodate themselves to the thinking of the public, directly or via grass-root NGOs and the media.

## 2. The importance of debating decentralisation

Most members of the panel welcomed the debates as providing a good opportunity to widen the discussion on decentralisation beyond the decision-making elites. They agreed that one of the prime benefits was to simply inform the public that international and local institutions as well as the civil society were discussing this important matter for all citizens of Kosovo. Moreover, it was felt that, as Ramë Buja, the author of

**‘NGOs are not the competent institutions to organize debates on issues of governance, and that such matters are best left to the Kosovo Government or the relevant ministry and the Kosovo Assembly’**

one of the models in the brochure and advisor to the MPS, put it: ‘these kinds of debates are necessary to obtain public feedback, to improve the models put forward here today, and more importantly, to generate further ideas and models for reform’.

Nevertheless, numerous participants also criticized the form in which the debates were organised, saying that the debates were not organized ‘professionally’, that they were ‘experiments about issues of grave importance’. More specifically, participants expressed the view that NGOs are not the competent institutions to organize debates on issues of governance, and that such matters are best left to the Kosovo Government, or the relevant ministry, and the Kosovo Assembly.

While agreeing that few people present in these debating halls were professionals on matters of local government, Leon Malazogu, Research Director at KIPRED and Lecturer in Political Science at the University of Prishtina, disputed the claim that organizing such debates was ‘an experiment’. He urged participants to view matters from a wider perspective – to see these debates not only from the perspective of decentralization, but also as a general exercise in public participation and as an attempt to inject the thinking of the wide public into the discourses of government institutions. According to him, the lack of a democratic tradition in Kosovo means that citizens are not used to voicing their opinions about various issues of governance, preferring to leave

**‘A society in which citizens raise questions and pose challenges to their governments, and thus actively take part in shaping policy, is a sign of a true and healthy democracy – the kind towards which Kosovo is striving’**

matters in the hands of ‘experts’. However, in the view of Malazogu, a society in which citizens raise questions and pose challenges to their governments, and thus actively take part in shaping policy, is a sign of a true and healthy democracy – the kind towards which Kosovo is striving. In his words, ‘in democracies it may seem that there is too much talking with little results, but talking a lot means voices are heard, and this means violent conflicts can be avoided’.

Other participants in the debates, both in the panel and from the audience, criticised the timing of the debates and questioned the priority of the issue of decentralization for the Kosovar society. The criticism, as discussed further in the following section, was essentially an argument about the relation of local government reform to the question of the final status of Kosovo.

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### 3. Society's priorities and the final status

A great many participants supported the claim, made by some of the panelists, that decentralization was not a priority for Kosovo. In the words of Hysni Bajrami, director of the Department of Local Government at MPS: 'Every society must be clear on what its priorities are, and we all know that our priority is solving the final status of Kosovo.' Bajrami claimed that precisely because the MPS did not consider decentralization a priority for Kosovo, it was not engaged in producing a reform proposal alternative to the CoEDMK document. According to Bajrami, the Ministry had instead concentrated on changing the current regulation on local government and administration (UNMIK Regulation 2000/45) with 'a draft law which defines clearly the competences of municipalities.' In the view of the Ministry, the study of the territorial division of municipalities should come only after the final status of Kosovo has been defined and when the Kosovo Assembly approves a state Constitution in place of the Constitutional Framework.

The words of Hysni Bajrami were mirrored in the comments made by other panelists and participants. The President of Peja/Peć Municipal Assembly, Ali Lajçi, emphasized the lack of an adequate legal framework as a problem for reforming local government in Kosovo. In his opinion, having a Kosovo Constitution approved by the Kosovo Assembly was a necessity before considering any such reform. Others simply challenged the prudence of decentralizing government powers prior to their consolidation at the central government level vis-à-vis UNMIK. Many participants urged Kosovar institutions not to hurry with reform of local government, as long as further changes may be needed when conditions in Kosovo change again.

**There were a number of participants and panelists who challenged the prudence of decentralizing government powers prior to their consolidation at the central government level vis-à-vis UNMIK**

On the other hand, Ermal Hasimja, one of the independent experts (in charge of the program on Public Administration at the Kosovo Foundation for Open Society), warned that Kosovars should not shelve the issue of local government reform entirely, even if they agree that it was not a top priority of their society. In his words: 'Kosovars should be aware that the state is not created merely by a signature, but only when it has developed the conditions to become one. Having a system of local government is one such condition'. His advice was seconded by Lutfi Haziri, the President of Gjiłan/Gnjilane Municipal Assembly and of the AMK, who argued that good and efficient local government and administration is a precondition for developing a modern democratic state. As Haziri put it: 'We have to prove to the international community as well as to our own citizens that we are ready to have a state not only at the top but also at the basic level of government and administration, that is, at the municipal level'.

#### **4. Decentralization vs reform of local government and implications for inter-ethnic relations**

One of the issues emphasized most by all panelists was that the focus of the discussion should not be on decentralization as such, but rather on reform of local government and administration as a whole. As Hysni Bajrami put it: ‘decentralization is part of the process of local government reform, not its entirety, and thus, decentralization should not be accepted as a separate program’.

While both panelists and citizens welcomed reform of local government in principle, they all expressed serious reservations about the way in which decentralization gained prominence in Kosovo, as promoted by the former SRSG, Michael Steiner. It was felt that local government reform is too important an issue – affecting the lives of all citizens in Kosovo regardless of their ethnic background – to fall prey to political opportunism of interethnic bargaining.

Moreover, the unanimous opinion in every debating hall was that any reform which led to the creation of ‘blue borders and territories’, that is, which promoted the segregation

**Many participants felt that local government reform is too important an issue – affecting the lives of all citizens in Kosovo regardless of their ethnic background – to fall prey to political opportunism of interethnic bargaining**

rather than integration of ethnic communities in Kosovo, was unacceptable. There was general agreement that local government reform should offer solutions to problems of communities, but also that this should not be carried out to the detriment of the Albanian majority. The mood was summed up repeatedly by the moderator,

Jetëmir Balaj: ‘No model should exclusively be based on the needs of one [ethnic] community, but must be acceptable to other minorities as well as take into account the interest of the Kosovar citizen in general’.

This mood was nowhere more pronounced than in the divided city of Mitrovica. Participants there expressed concerns that decentralization – while desirable in principle – could be used to legitimise the existence of parallel Serb structures and ultimately lead to the division of Kosovo. As one citizen put it: ‘It would be acceptable to decentralize government, and even allow the town to be split into two municipalities, as long as all citizens return to their previous homes.’ Another citizen suggested that, within the general framework of local government reform in Kosovo, a special forum should be created to deal with problems of decentralization in Mitrovica, as these problems are much more specific and politically charged than in the rest of Kosovo.

#### **5. Current problems**

Panelists and citizens alike agreed that the current system of local government and administration has numerous shortcomings and that reform is necessary in order to bring about improvement. According to members of the MPS and municipal represen-



tatives, the major cause of inadequate services to citizens lies in the lack of a clear legal framework that unambiguously defines the competences of municipalities with regard to the central government and UNMIK.

Regulation 2000/45 was repeatedly criticised as ‘confusing, inefficient and outdated’, because its numerous articles have subsequently been overruled by other regulations, with the result of severely limiting municipal competences. According to Bajrami, the extent to which other regulations have come into conflict with regulation 2000/45 renders the latter as ‘even nonexistent’. Examples were given about how, although municipalities are supposedly responsible for all issues in primary and secondary education except setting the curricula, they in practice decide only about issues such as ‘buying windows or school desks’ (Haziri); or, about how the powers of municipal institutions to promote economic development in their territories are limited due to their inability to manage property – a restriction imposed by the regulation on the Kosovo Trust Agency.<sup>1</sup>

Although, as mentioned above, the overall consensus during the debates was that reforming local government was not the highest priority of the Kosovar society – but rather, something to be dealt with after power had been adequately centralised and the status of Kosovo defined – many panelists were nevertheless adamant that regulation 2000/45 should be replaced as soon as possible by a law which established clear municipal competences. Hysni Bajrami, as representative of the MPS, informed participants that the Ministry was in the process of drafting such a law, to be made public at the end of December and discussed publicly throughout January and February 2004 before going to the Kosovo Assembly. The draft law would only define the competences of current municipalities, while the consideration of their territorial division would be left for a later date, when the final status of Kosovo was defined.

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This initiative of the MPS was widely welcomed as necessary for improving the services and efficiency of current municipal institutions. However, some participants expressed doubts that the draft law would be approved by the SRSG even if the Kosovo Assembly ratified it, especially after the CoEDMK proposal, commissioned by UNMIK, was on the table. In response, Bajrami claimed that there would be no such outcome, assuring participants that the Legal Office of the MPS has taken the necessary care to ensure compatibility with the Constitutional Framework and other regulations. Despite Bajrami’s answer, however, doubts remained, raising further questions about the role of the international community and of local actors in relation to decentralization in general and to the proposal by the CoEDMK specifically.

## 6. The importance of the CoEDMK proposal

Members of the panel expressed their regret that representatives of the CoEDMK could not attend the debates in person in order to present and defend their proposals. In order to facilitate a discussion of this model and carry out a comparison with other models presented in the brochure, representatives of KIPRED provided a short description of the proposal.

As with the other models, there was very little discussion of the specific merits or drawbacks of the CoEDMK model. However, many participants expressed concern about the impact the adoption of this model would have on inter-ethnic relations and on the integration of the Serb community. According to one participant, ‘the legacy of Steiner’s seven-point plan for Mitrovica, with which the CoEDMK is associated, has

**While not questioning the authority of the Kosovo Assembly as the highest legislative body in Kosovo, some participants nevertheless raised doubts about its actual powers in legislating politically sensitive issues**

created an insecurity among the Albanian community’. He also claimed that this insecurity was further exacerbated by the secrecy surrounding the document – namely, the fact that it was presented only to the President of the Kosovo Assembly and not even to the Kosovo Government, and the fact that it was not translated into local languages

at the time of publication. Other participants questioned the financial and organisational feasibility of the multi-layered local government proposal put forward by the CoEDMK, given the economic conditions and geographic size of Kosovo.

However, many participants agreed about the importance and seriousness of this proposal. Lutfi Haziri reminded participants that when the SRSG asked the Council of Europe to send a mission to Kosovo he had received the full support of local institutions. Haziri’s message was that even if local institutions have misgivings about the document, they should not ignore – as he feared they had done so far – but rather respond to it. In his view, such a response was crucial because this was an official document of a serious European institution with an extensive tradition and expertise in local government matters, and an institution of which Kosovo hopes to become part.

For other participants, on the other hand, the CoEDMK document was just another proposal on the table, and they in turn urged that it should be treated as such by Kosovo institutions. According to this view, while the CoEDMK proposal was indeed a serious document, in that it set out a more detailed plan on decentralization in Kosovo, it was by no means a final proposal that simply must be accepted by Kosovo institutions.

While not questioning the authority of the Kosovo Assembly as the highest legislative body in Kosovo, a third group of participants nevertheless raised doubts about its actual powers in legislating politically sensitive issues. Emphasis was again placed on the Constitutional Framework and, more specifically, on the need for the SRSG to approve any law before it can take effect.

## 7. The role of local and international institutions

A repeated concern of participants was that local institutions may have very little say on the process of decentralization, and that decisions may be imposed upon them by international actors. This was closely tied to the views of many participants that decentralization is merely a way of appeasing Serbian demands for cantonizing Kosovo, and that it thus comes to the detriment of the Albanian community. A repeated complaint was that UNMIK has not been fully transparent in its relations with local institutions, examples being how they had not distributed the CoEDMK document to the Kosovo Government and Kosovo Parliamentarians (except to the President of the Parliament, Nexhat Daci) and the fact that the document had not been translated into local languages.

Panelists and participants alike repeatedly claimed that the decision to reform local government should rest with the Kosovo Assembly, which should have the final say on which model gets adopted. There were also demands that a greater role be given to the Kosovo Government. Those present criticised the decision of the SRSG, Harri Holkeri, to attend the CoE Chamber of Ministers meeting on Kosovo's local government reform in December without the presence of any representatives from the Kosovo Government. According to some panelists, this was the first time in the history of the CoE that a local government matter was being dealt by the Chamber of Ministers, rather than by the Congress of Local and Regional Authorities. Hence, there was general suspicion with regard to Holkeri's decision, since Kosovo – not being a member of the CoE – has no representatives in the Chamber, whereas it has three observer seats from the AMK in the Congress (Haziri).

**Participants and panelists alike urged international institutions, especially UNMIK and the CoE, to take Kosovo institutions more seriously and treat them like real partners rather than junior underlings**

Thus, participants and panelists urged international institutions, especially UNMIK and the CoE, to take Kosovo institutions more seriously and to treat them like real partners rather than junior underlings. A step in this direction, some panelists claimed, would be if the SRSG did not hesitate to validate the MPS draft law on local government and administration once it is approved by the Kosovo Assembly. Other participants insisted that the Kosovo Government should always be consulted on matters of local government reform.

## 8. The role of the civil society

Many participants welcomed the debates for providing the opportunity to become informed and raise questions about issues of local government. A number of them, however, expressed reservations about the fact that these were organized by NGOs, and raised doubts about the NGOs' competence and professional capacity to debate these matters. In the words of one participant from Gjilan/Gnjilane, 'NGOs lack professionalism and authority and should thus not take the initiative, but only support the

initiatives of the relevant institutions mandated to deal with decentralization, the Kosovo Government or the Council of Europe.’ This argument found resonance with representatives of the MPS, who claimed that the Ministry – as that part of the Kosovo Government responsible for local government and administration – was the only institution competent to deal with this reform.

Representatives of civil society disputed this argument on a number of grounds. Jetëmir Balaj of ‘the Forum’ stated that in democracies there are no exclusive authorities for studying any issue, including the issue of local government reform. According to him, democracies are characterized by a plurality of opinions, and everyone has an equal right to voice their views. He agreed that making the final decision on local government reform is the authority of the Assembly, but went on to say that there are no

**‘NGOs lack professionalism and authority and should thus not take the initiative [to organize such debates], but only support the initiatives of the relevant institutions mandated to deal with decentralization, the Kosovo Government or the Council of Europe’**

limitations with regard to who studies the matter. A non-governmental think-tank has as much right to study and debate local government as a Ministry, and questions of competence should be answered only by looking at each institution’s professionalism rather than their respective title. Another panelist, Leon Malazogu of KIPRED, emphasized that NGOs have the responsibility to

raise questions and stimulate public debate. This is especially true in Kosovo, where there is a lack of a tradition of public participation in policy-making and where more work needs to be done to develop such active and responsible citizenship.

## **9. Discussion of the three decentralisation models**

As mentioned earlier in this report, there was little specific debate on the advantages and disadvantages of the three models of reform presented in the brochure. Nevertheless, there were some comments and questions, summarised here.

According to Lutfi Haziri, the CoEDMK proposal is unacceptable because it: (a) creates problematic relationships between the various political and administrative levels, resulting in a greater political inefficiency; (b) does not promote the integration of minorities, but on the contrary encourages a strict division of communities; and (c) foresees the upgrading of sub-municipal units into fully-fledged local municipalities after 2006. In Haziri’s view, the models of Ramë Buja and KIPRED are very similar, in that they both favour the creation of new municipalities. The main difference is that the latter also aims to empower villages, although it is not clearly specified as to how this would work in practice, therefore being potentially problematic.

According to Bajrami, the MPS has no specific opinion on any of the models presented because it considers that this issue should be discussed only after the definition of the final status of Kosovo and when the competences of current municipalities are defined.

One activist, Azem Tahiri, from the Citizen's Democratic Forum in Ferizaj, argued that the 'Kosovar models' – meaning Buja's and the KIPRED's models – are to be preferred because they avoid the creation of 'blue borders and territories.' He was also in favor of KIPRED's attempt to empower villages because, in his view, 'this would promote the development of rural and agricultural Kosovo, by concentrating the economic, political and financial clout in the villages.'

A number of participants were interested in the cost of each reform proposal and their implications for the ordinary citizen, especially in view of the difficult economic conditions prevailing in Kosovo. On behalf of the CoEDMK, the moderator informed participants that this proposal is estimated to cost between 10 and 25 percent more than the current system. Ramë Buja claimed that his model would cost approximately 9 to 10 percent less than the current system because it would produce improvements in efficiency. Leon Malazogu of KIPRED did not go into details of the cost of their proposal, but merely warned that any reform – including Buja's – will result in considerable expenses. In his words, 'if we want the cheapest type of government, we can simply opt out for dictatorship, because democracy is expensive.' But he immediately qualified this by saying that although democracy may appear to be more expensive, it is not so in the long run, because it is the form of government that brings about the best and most efficient decisions. He went on further to claim that field research conducted by KIPRED shows that 'it is not that people are unwilling to pay for services, but only that they are unwilling to pay if they do not see any effects. Raising funds on a village level has been successful in most cases.' Hence, he concluded, a rise in costs of local government is justifiable if citizens feel satisfied that they receive more and better service delivery.

A question raised by a participant in Prishtina was about the effect of decentralization on corruption and other informal practices, and which model was more vulnerable in this respect. The response by panelists was ambivalent. Sazan Ibrahim, executive director of the AMK, stated that bringing government closer to people through decentralization allows better monitoring by citizens, although it may obscure supervision lines from the central government. While agreeing with Ibrahim in principle, Malazogu nevertheless questioned whether this logic would function in Kosovo, given the lack of a tradition of active citizenship that this principle presupposes. According to Malazogu, the key to eradicating corruption is to have clear lines of accountability, and it is in this respect that the CoEDMK proposal is problematic. Others in the panel agreed that the CoEDMK proposal may have grave implications for corruption because it creates an extensive and unclear vertical hierarchy and that it increases bureaucracy more than the other proposals.

## **10. Organisational problems and recommendations for similar projects in the future**

Although 750 posters and 1,800 brochures (800 in Prishtina only) were distributed during the whole campaign and a press release was issued, the number of persons attending the debates was not satisfactory. On average, some 20-25 people attended each debate, with 60 participants in Prishtina, these being mainly students from the University of Prishtina.

Moreover, many participants claimed that 'it would have been better if we had had the brochure available earlier in order to study it in more depth.' The response of the organizers was that while they had recognized that distributing the brochures in advance would have facilitated a deeper understanding among participants, they nevertheless decided to deliver them only several hours before the debates in order to attract the greatest possible number of participants.

Discussing decentralization with the wider public in Kosovo proved to be a great challenge for organizers and those present in the panel. As a rather specialised and technical topic, most citizens did not have sufficient background knowledge; thus, the debates had to be transformed, in part at least, into lectures on local government reform. The brochure material was indeed extensive and covered most of the necessary descriptive material, but as already noted, many participants had not read the brochure in detail prior to the debate.

In spite of an extensive introduction, participants on the whole shied away from asking questions directly related to the specific decentralization models presented, and their comments in this regard were limited. The discussion thus focused mainly on the general topic of local government in Kosovo and the possibility of reform given Kosovo's ambiguous legal status. Moreover, people repeatedly questioned whether they were competent enough to be discussing a matter like local government reform and many claimed that they felt insufficiently prepared to make intelligent contributions to the debate.

Drawing from this experience, future efforts at public participation and feedback concerning this and similar specialized fields should adopt a different strategy. Rather than targeting the public in general, the focus should initially be limited to grass-roots NGOs and the media. The aim would still remain to widen the debate and spread information beyond the elites, but this would be done through civil society organizations, which act as a stepping-stones towards the more general public.

Rather than publicizing the debates in the traditional format of posters and leaflets being distributed randomly around town, a combination of debates and conferences could be tried out. Organizers should identify organizations or persons within civil society who would be suitable interlocutors for the discussion – that is, create a sample of the population they want to target – and confirm that they would be interested and

committed in taking part. Funds permitting, debates should be organized in two rounds, as a way of ensuring better public participation and more effective feedback. The first round – with small meetings held in each of the seven towns – would be mainly informative, introducing the core issues to participants and distributing the relevant reading material. In the second round, which would be held a few weeks later as a follow-up event, a larger debate would bring together all the participants to Prishtina and allow citizens to raise further questions and make comments.

Thus, although the target audience would be more limited in scope, the opportunity to gain feedback from citizens would increase, since there would be attendance by an audience that would be better informed and committed to discussing the topic at hand.

## 11. Conclusions

As expected, given the salience of the topic, the debates generated great discussion both from the expert panel and by participants. The majority of panelists and participants agreed with each other on most major issues, such as where local government stood in relation to other societal priorities, who were the institutions with the authority to approve decentralisation, and when this process should take place. Welcoming the attendance of members of a few Bosnjak NGOs, organisers expressed their regret for the lack of representatives of smaller communities on the panel. In turn, they promised to ensure their presence in future debates so that the views of other communities could be adequately expressed.

**As well as informing participants about the process of local government reform in Kosovo, the debates were also an exercise in public participation in general, encouraging citizens to raise questions about issues of governance, express their opinions and challenge 'expert' opinion on matters**

However, if one refers to the aims of organisers as stated in their press release, one has to recognize a major shortcoming. This is the relatively low reach to the public, as not many citizens attended the debates. Some of the debates were also televised on local channels, thus ensuring a wider audience than the one present in the meeting hall, but the number of citizens attending on that day was nevertheless disappointing.

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As mentioned, part of the problem certainly lay with the random distribution of posters and brochures and the specialist nature of the topic. However, small attendance rates should not necessarily be seen as organisational failures. While decentralization is extremely important, it is nevertheless not of immediate interest to the ordinary citizen.

The main problem, however, lies with the general trend of low public participation in Kosovo. People are largely unwilling to attend such events because most of them feel their voice is not listened to anyway, and that the power to make changes is not in their hands. This is partly because Kosovo lacks a democratic tradition of public participation, with citizens having been socialized into a relatively technocratic system where the

## Public Debates on Decentralization: Report

opinions of ordinary people were rarely sought out directly. Indeed, this much was highlighted in the debates themselves, with many participants expressing doubts about their ability to discuss local government issues, preferring to leave matters in the hands of 'experts'. Another cause of lack of participation – again frequently repeated in the debates – is people's views that real political power is in the hands of the international administration and not of the Kosovars and their elected representatives.

One must, thus, judge the success and benefits of the debates from a wider perspective than that set out in the organisers' press release, which had expected greater attendance. Along with informing participants about the process of local government reform in Kosovo, the debates were also an exercise in public participation in general, encouraging citizens to raise questions about issues of governance, express their opinions and challenge 'expert' opinion on matters. And while the debates on their own could not directly affect the policy-makers that currently hold the power to make actual changes, they nevertheless revealed the level of popular discontent about local governance in Kosovo.



## Notes

<sup>1</sup> According to UNMIK Regulation 2002/12, On the Establishment of the Kosovo Trust Agency, the KTA is responsible only for the management of socially-owned and public enterprises and their respective assets.

Katalogimi në publikim - (CIP)

Biblioteka Kombëtare dhe Universitare e Kosovës

352 (496.51)

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1.GJURGJEALA, Era 2. MALAZOGU, Leon

**ISBN 9951-14-001-7**



## About KIPRED:

The Kosovar Institute for Policy Research and Development aims to support and promote democratic values in Kosova by offering trainings, conducting research and independent analysis, in order to help policymakers develop professional public policy.

A Professional Council ensures overall direction and criteria for KIPRED and serves as an Editorial Board, members of which also engage in team research. KIPRED focuses, and does not restrict itself to: development of political parties, public administration and local government, public policy, interethnic relations, regional cooperation and political economy. KIPRED publishes three types of analyses: policy briefs, policy reports/analyses and academic papers. KIPRED also translates analysis from abroad for Albanian readers. For students, policymakers and independent experts, KIPRED offers an online catalogue of resources through its web-site.

The training pillar is dedicated to professional development of politicians and political activists. One of the main projects of the Institute is the Internet Academy for Democracy, developed in cooperation with the main donor or KIPRED, the Olof Palme International Center. Created by Swedish academics and political practitioners the Academy offers interactive modules of teaching in the following fields: democracy and ideologies, structures and political party organization, electoral campaigns and ethics in politics.

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