



• ASSEMBLY SUPPORT INITIATIVE
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Interview with the new President of the Assembly of Kosovo



Editorial



Parliamentary elections on 17 November 2007 considerably changed the political landscape in Kosovo. The Democratic Party of Kosovo (PDK) became the largest political party in Kosovo, followed by the Democratic League of Kosovo (LDK). New political parties entered the Assembly, such as New Alliance for Kosovo (AKR) and the Serbian Liberal party (SLS). After a couple of weeks of negotiations, PDK and LDK signed a coalition agreement for a new government with a term

in office for four years.

During the inaugural session of the new Assembly in early January 2008, members of the Assembly took the oath, re-elected Prof. Fatmir Sejdiu as President of Kosovo for a period of 5 years, elected Mr. Hashim Thaci as Prime Minister of a PDK-LDK coalition government with ministers which are all new in their function. Two Kosovo-Serbian ministers of SLS joined the cabinet as well, along with one Kosovo-Turkish Minister. Parties in opposition are now AKR, LDD, AAK and a number of smaller minority parties. The Assembly also endorsed the Presidency of the Assembly under the leadership of Mr. Jakup Krasniqi, the new President of the Assembly.

In its first meeting, the Assembly Presidency decided to create 13 parliamentary Committees, including a new Committee on Human Rights, a new Committee on EU integration and a new Committee on Rules of Procedures, Mandates and Immunities. All committees but one have now been constituted. They are now up and running and ready to review the first laws to be tabled by the new government.

Following the November 2007 elections and thanks to the open-list electoral system, the new Assembly starts in a unique composition with more than half of its members new to parliament. Therefore, the OSCE Mission in Kosovo, the National Democratic Institute and USAID jointly prepared a five-day induction program for the new members of the Assembly. The induction program took place at the end of January and early February 2008, under the auspices of the President of the Assembly.

The 31st edition of the ASI Newsletter reflects upon the challenges of the third mandate of the Assembly of Kosovo and includes Assembly members' contributions based upon the discussions during the induction program. The President of the Assembly gave an exclusive interview for the ASI Newsletter.

In addition, this publication focuses on the assistance programs to the Assembly. The National Democratic Institute (NDI) is introducing its new legislative director, which we warmly welcome to Kosovo. The EU-project in the Assembly, being implemented by the Consortium of the parliaments of France, Germany, Belgium and Slovenia, has concluded its assistance program to the Assembly and its team leader gives his concluding remarks. The OSCE Mission in Kosovo elaborates on some aspects of its assistance to the Assembly. We hope that you find all the contributions in the publication interesting to consider.

We wish all parliamentarians of the third mandate good luck in performing their duties and responsibilities in the Assembly of Kosovo.

Franklin De Vrieze,
Assembly Support Initiative Co-ordinator.
14 February 2008

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The Assembly as an institution of debate and open discussion

Interview with the new President of the Assembly of Kosovo, Mr. Jakup Krasniqi



ASI: Mr. President, what are the main priorities that you have identified for the third Kosovo Assembly mandate? What changes will you introduce during this mandate?

Mr. Jakup Krasniqi: The third Assembly mandate has just started, with an agenda that is dictated by the historical situation that Kosovo is going through. Last days we had the process of consolidations of Kosovo institutions, as completion of the Presidency, my cabinet, parliamentary groups and Committees, etc. In addition to these usual activities in the beginning of new mandate, we are in intensive preparations for the declaration of independence and its international recognition. We have already concluded the work of drafting the Constitution and are finalizing the selection of national symbols of Kosovo. In the first days of my mandate as President of the Assembly, I have welcomed foreign and internal delegations, and the key topic in the agenda was declaration of independence and all the conditions and circumstances

that we have to take into consideration in preparation of this historical act.

We shall try to conclude as soon as possible the Parliamentary and Legislative agenda for this year.

The Assembly has as high priority the approval of laws that derive from the comprehensive proposal for the settlement of Kosovo status, proposed by Mr. Ahtisaari, as well as other laws that regulate different areas of life. The calendar of proceeding draft laws during this year and the following year will be very demanding, since there is a lot to be done in the completion of legal infrastructure in Kosovo. This calendar depends a lot from the capabilities of the Government to draft laws.

The Assembly will be an institution for debate and open discussions, promotion of parliamentary democracy, tolerance and cohesion of Kosovo society.

We will undertake all the necessary measures for our Assembly to be open to the citizens, not only in the sense of awareness

of providing comprehensive information and transparency for the citizens, but through public debates by involving them in important decision-making.

Another engagement of the Assembly this year will be the approval of the UN Declaration on the Millennium Development Goals and identification of Kosovo objectives.

The Assembly will also prepare and approve the action strategy for the whole duration of its current mandate.

ASI: How will the role of the Parliamentary Committees be strengthened in order to perform effective and efficient review of Laws? Will you continue to be in favour of creating a new Investigative Committee, which is an idea that you have promoted in the past?

Mr. Jakup Krasniqi: In this Legislation there are some changes in the structure of Parliamentary Committees (from 10 to 13), considering precisely their better functioning and efficiency at work. I consider

that professional qualification of members of Parliament in respective Committees will make them more efficient. The Assembly will have sessions more frequently, and the Committees will be more engaged and will have more meetings. I consider that the results will consequently be in proportion with the rhythm of their engagements and meetings.

The engagement of each member of the Assembly will be open and be subject of voters' observation and control. The voters' democratic right starts with the free vote, but doesn't end with it, because they have to control the work and activities of their elected persons, by maintaining the right to revoke if they are disappointed with the trust given to them. Everything I have said in this regard is of principle and I have no reason to change it.

The Assembly will exercise faithfully and fully the constitutional functions and rule of procedures. In the draft constitution of Kosovo it is foreseen that with the request of 30 members of Parliament, the Parliamentary Investigative Committee can be established. This initiative was mine in the Constitutional Committee.

ASI: What are the plans of the Assembly of Kosovo in increasing the cooperation with other Parliaments outside Kosovo?

Mr. Jakup Krasniqi: With final resolution of Kosovo status, the Assembly is entering a new phase of its function, as highest legislative state body. We shall commence and intensify communications and relationships in other format with other countries, first of all with Kosovo neighbours, with the USA, member states of the EU, with whom we would like to have sincere cooperation, to contribute for peace and to have mutual interests.

ASI: In the past you have stressed that the ministers should not enjoy the post of the Assembly MP as well, stating that you are the opponent of double mandates. What is your position now?

Mr. Jakup Krasniqi: I was and remain with the point of view that in order for the function of each field to be more complete, this could be achieved by committing themselves in the specific responsibilities that they have, without spreading energy and without harming the expected results for their trusted work. There is an extensive



conviction on us, as the duty of an MP starts and ends in the parliamentary sessions, but we should know that the engagement of an MP will be more densely than this, and such an engagement will be generally known with the Assembly openness to the public, that the electorate should be able to monitor and assess the work of the elected MPs. The volume of the activities required from an MP, will make it harden or impossible his parallel engagement in other functions. This issue is precisely introduced in the draft constitution that is expected to be approved very soon in the Assembly of Kosovo.

ASI: What is your opinion regarding the proposed reforms of the Secretariat? What other changes you think are necessary?

Mr. Jakup Krasniqi: With the assistance of the donors, many projects are implemented in support to the Assembly of Kosovo, as for administration, parliamentary committees, MPs etc. Administration of Assembly has already a satisfactory level of professional qualification. The administration, in compliance with the approved package of reforms by the Assembly of Kosovo in April 2007, is committed to fulfil the duties and responsibilities of the proposed package. Currently, I wouldn't specify eventual changes, but changes are a continuous process, in order to maintain the levels of development and knowledge updates.

ASI: Mr. Krasniqi, a private question: to what extent has your life dynamic changed since you have become President of the Assembly of Kosovo, in comparison with that as MP and Chair of the Parliamentary Group of PDK in the last mandate?

Mr. Jakup Krasniqi: Of course, the dynamic of current engagements varies from that of the last Legislation and outside the Assembly, now this dynamic is focused essentially inside the Assembly of Kosovo. The responsibility of the President of the Assembly, especially in Kosovo in this historical phase is high and very sharp. I am very aware of the role of my position, therefore in compliance with it I am focused with all of my energy to fulfil in order to justify the trust given to me. This intensive engagement and this increased rhythm deprives me from my private and family life.

Interviewed by: Armend Bekaj, OSCE
Mission in Kosovo

New Kosovo institutions aim a Kosovo, home and equal opportunity for all

Excerpt from the speech of Mr. Fatmir Sejdiu, President of Kosovo, during the opening plenary session of the Assembly of Kosovo in its third term. (09 January 2008).



First of all, allow me to express my sincere acknowledgment and gratitude for having placed your trust in me to serve a second term of office as President of Kosovo. Dear members of the Assembly and citizens of Kosovo, I pledge before you that I will place all my powers and knowledge in the protection and respect of the rule of law and constitutionality.

I will give special attention to the preservation of the democratic unity of the country and fully commit for the wellbeing of the citizens of Kosovo [...]

Citizens of Kosovo, and all political parties, coalitions, civil initiatives and independent candidates that competed during the elections showed a high political maturity by overcoming this challenge successfully and by demonstrating a high political and state-building culture.

I am confident that the new institutions of Kosovo, i.e. Presidency, Government and Assembly together will do everything in their capacity and power to further consolidate and develop the democracy in Kosovo.

In addition, Kosovo institutions will closely co-operate with the international civilian and military presence during the upcoming very important and decisive period for our country.

In particular, Kosovo institutions are committed to protect and guarantee the rights and freedoms of all non-Albanian ethnic communities. Special attention will be given to the wellbeing and full integration of the Serbian community in Kosovo. New Kosovo institutions aim a Kosovo, home and equal opportunity for all.

The New Government of Kosovo shall carry out a general review of Kosovo Consolidated Budget for 2008

Extract from the speech of Kosovo PM, Hashim Thaçi in the inaugural plenary session of the Assembly of Kosovo in the third mandate (09 January 2008).



Allow me in the very beginning to thank all Kosovo citizens for their support as well as the President of Kosovo for mandating me to establish government, and I am very pleased and honoured to have received this assignment and I shall do my work with great responsibility.

Minority rights shall be respected and guaranteed through affirmative engagements, as guaranteed by the Constitution as well.

In the following weeks, on behalf of the Government of Kosovo I shall present a comprehensive project on economic reforms to the citizens.

[...] The new Government of Kosovo shall carry out a general review of Kosovo Consolidated Budget for 2008.

Our project unwraps a detailed package on education reforms that would provide new opportunities to our students and comfort parents that their children, our children will be given an opportunity to put into function their intellectual potential.

Whilst progressing further together, we'll provide the citizens qualitative health care and we'll start to establish a private or public health insurance system where all citizens could have an access.

Today I promise you that our Government shall take care of aged people and shall amend a pension fund.

All those initiatives would be pointless if there isn't an open and transparent Government.

We'll strictly combat corruption and there will be zero tolerance towards everybody and everywhere.

Therefore, I would like to ask for your support, and the support of respective Local Institutions and all citizens of Kosovo.

The essence of the programme is our survival in Kosovo

*Interview with Slobodan Petrović,
President of the Serbian Liberal Party (SLS)*



ASI: You have been elected as a member of the Kosovo Assembly Presidency, as a representative of Serbian community. What will be your priorities in the overall work of the Kosovo Assembly?

Slobodan Petrović: Under the Constitutional framework, the Serbian community has a guaranteed seat in the Presidency. It was important to reach an agreement within the Serbian community about who is this going to be. The Serbian MPs have proposed myself, and the candidacy was also verified in the Assembly, which has elected me. This is indeed very important for me. On the other hand, it is a great responsibility, both for me and for my party which I represent, and certainly also for my Serbian community.

What I expect is undoubtedly a hard labour. All of us who are in the Parliament are going to give all our contribution in order to protect the interests of the Serbian community, and other communities, not at cost of damaging any other community. In these turbulent times, the events are overreaching us, therefore we are in a kind of continuous session. I expect that the Presidency will also have an understanding for the proposals which will be coming from my side relating to interests of the Serbian community. If something is in the interest of Serbs, it doesn't have to mean that it is

against other communities. I sincerely hope that I will justify the expectations that our community is holding. I am also aware that I am not omnipotent, and I won't be able to make some grand move; however I know that from this point, I will be in a better position to help my community. I don't hold great expectations, so that later on I will have less reasons to get disappointed. There are a lot of factors which are going to affect the work of the Presidency, as well as the work of all the Kosovo institutions. We have joined the institutions and we wish to have them as an instrument for protection of the interest of Serbian community, to articulate the issues of Serbian community, and I expect that we will justify such inclusion within the institutions.

ASI: SLS has two ministries within the Kosovo Government. It is a huge responsibility on the shoulders of such a young political party. How are you coping with it? What do you wish to achieve?

SP: You are certainly right when you say that it is a great responsibility; for me and for all other people within the institutions, first of all the people from SLS, who have, not only their families, but also a certain number of people who gave them their trust in the elections. It is certainly a great load for all of us.

We as a party didn't ask to assume all that

responsibility, it wasn't our requirement. Nevertheless, as it happened, this other Ministry, which is intended for Serbian community, has also devolved to us. We are aware that we will not be acting alone in those Ministries. We also extend an open invitation to all whose motive is to help the Serbian community, thereby all the citizens of Kosovo also; I am saying that they are welcome with us. We are now in the most difficult period, in such important positions, but we are going to give our best to justify the participation. We are also aware that we are not 'omniscient', and we invite all those that have a work experience – they are welcome, and this is not just a lip service invitation, but a genuine one.

Still, we are not afraid of the challenges which are ahead, and we are going to give our best to have the Ministries, for which we are responsible, fully functional. It is indeed a great responsibility for a relatively young party to have two Ministers in the Government, to have its parliamentary group with eight members of Parliament. It is a great success for our party, and, on the other hand, a great responsibility which we wish to share with all those who are willing to do it.

We are in the institutions because we want to deal with the real life; because we want a better tomorrow. It is easiest to give up,

walk out, you can always do that. It is very difficult to be in the very position. I agree that it is a great load, a great burden, and I hope that both the Kosovo institutions and the international community will have an understanding for our position and provide us with their absolute support.

ASI: Do you and your Ministers maintain contacts with the Government in Belgrade?

SP: Unfortunately not. However, I sincerely hope that we are going to create such contacts, since one of the three most important factors today in Kosovo is just the Government in Belgrade, and as far as the Serbian community is concerned, it is the most important factor. We could see this during the elections. We haven't got a full support of the Serbian community in Kosovo because of the recommendation of Belgrade not to take part in the elections. It is an additional aggravating issue for us, but I hope that also in the Government of Serbia there would be people who will realise what we are doing, which is also an essential interest of the Serbian State.

ASI: What is your opinion on decentralisation and the creation of new municipalities, and how will you and your Ministers treat this issue?

SP: Decentralization is a very important element for the survival of Serbian community in Kosovo, and all the actors should participate in this process, all the knowledgeable people. I am a lawyer, but I know that this is a very complex issue and a very important issue for the Serbian community. Regarding this issue we have recruited a couple of university teachers, and I expect that we are going to achieve the best results here. Although it will not depend only on us, the people who will participate in this process are going to play an important role. The decentralisation is very important for several reasons. It is doubtless that the creation of the new municipalities will also give hope for the existence of Serbian community in Kosovo. In addition, the participation of the people who are going to be authorities in those municipalities will be important. In this context, the permanent emigration of the Serbian population from Kosovo is a big problem, whereby the demographics is being changed in these future municipalities. And this is the most serious issue for the Serbian

community. If you have so to say a Serbian municipality, where the Serbian population is a minority, then there is no point.

ASI: It is expected that soon the Kosovo Assembly will declare independence. What is your message to the Serbian people in Kosovo?

SP: Our position was clear from the first day of creation of the party, now more than two years ago. We are aware that we as a party will not affect the decision on the future status of Kosovo. From the very beginning of negotiations we have been supporting a compromised solution, which would be the best. We were sceptic at that time also, and now it is obvious that such a solution is almost impossible to reach. This is now an international problem and it should be solved by the international community.

Whatever is a yield of the international community, is going to be acceptable for us. Whether some like it or not, it will be binding. That day has been announced for long, though I don't know how this is going to be, since it is not within the scope our activities – of the parliamentarians from the Serbian community. We are aware of the fact that we can not change absolutely nothing about this. In case there is no support from the international community, it is going to be dangerous for all the citizens of Kosovo, regardless if they are members of Serbian or Albanian community. All that has no support of the international community is unacceptable and not sustainable.

It is a fact that the Serbian community is absolutely against the independence of Kosovo, as it is generally well known. Contrary to that, the Albanian community is unanimously for independence and it is therefore very difficult to find something which would be acceptable for both sides. Therefore, we, the parliamentarians from the Serbian community are in an unenviable situation. However, we have to think about the future of our people, and the decisions of general interest should be made. To deal with politics doesn't mean to do only nice things, but also some things which sometimes the majority would not understand and comprehend. Still, I hope that very soon a day is going to come when all this, which is today preoccupying us and all the people in Kosovo, will become past.

The essence of our programme is the survival of the Serbian community in Kosovo, and there is no alternative to this. After that, the security situation is very important for us. Also the economic security of the Serbian community is important for us. These elements are very important for us. The problems of Kosovo citizens are not going to be solved by a declaration.

In Kosovo, we have the highest unemployment rate in Europe, and that is the biggest problem. Our intention is to fight for our community, in a democratic manner, through institutions, as it is guaranteed under the Constitutional framework. Our job is to engage in building of a better future, and the boycott and spite would not deliver the results. We hope for an environment without tensions, violence, discrimination. These are the requirements for a normal life, so that we wouldn't feel as second rate citizens. There is a lot to be done, while many issues are beyond our control, and some we can influence, such as the affairs of the daily life, return, existence, employment, housing and alike.

The message to our people is that, what ever happens, the citizens should remain calm, they must not allow the panic to take over, i.e. they should not fall prey to provocations which are likely to happen, and I mean primarily small scale provocations. The worst they can do, is to leave Kosovo, as it is afterwards difficult to return. We are certainly going to be a part of our community, and we are going to share the fate of our community. I am strongly convinced that there will be no violence, as we have received the assurances of all the representatives of international community, e.g. Mr. Rucker, the representatives of international offices, and the Albanian political leaders.

I wish the people will remain calm and sober, coolheaded. We are all going to be here and share the same fate. I again say, it is never too late to leave, we can do that any time, but it is difficult to return afterwards. Let us wait for tomorrow, the morning is always wiser than the evening.

Interview by Mario Maglov, Coordinator of Community Information Centers, DPI-UNMIK in Cooperation with OSCE Mission in Kosovo

The work in the committees requires professional commitment

Interview with Mr. Bahri Hyseni, newly-elected deputy of the Assembly of Kosovo and Chairperson of the Committee on Legislation and Judicial Issues

ASI: Mr. Hyseni, how significant is it for you to be a deputy at the Kosovo Assembly? What will your objectives be during the mandate?

Bahri Hyseni: We are now in the third mandate of the legislature, and undoubtedly this means double responsibility for everyone who has won a mandate by the people. No one can justify his or her actions by saying that we do not have sufficient parliamentary experience. The mandate derives directly from the constituency. This increases the responsibility towards both institutions and voters due to the trust they have bestowed on us.

Personally I can say that I will be in the service of the institution (Assembly) and citizens in committing myself to three core functions that belong to us as members of the Assembly: to represent the people, to oversee the work of the institutions that originate from the Assembly and give maximum professional contribution in passing and amending laws.

ASI: You have also been appointed Chairperson of the Committee on Legislation. What is your assessment of this post?

B.H.: The work in the committees, especially the Committee for Legislation and Judicial Issues, requires a lot of professional dedication, because apart from being a functional committee, it is also obligated to review all other legislation that is processed at the Assembly. Alongside the responsibilities that the respective committee has, it also needs to monitor the implementation of laws, the cohesion of legal provisions, but mostly it will engage in offering recommendations to the government in relation to the issuance of administrative instructions, which has frequently posed obstacles for the implementation of applicable laws.

I will strive to achieve a good and sincere cooperation with the sponsors of laws and other mechanisms which will offer their



input for the purpose of making the laws more professional and practical. We should not forget that we are obliged to make all our laws concurrent with EU legislation.

ASI: Do you think that the Assembly and the Government can coordinate better in drafting the Legislative Agenda?

B.H.: It is my firm view that there will be a better coordination, first of all because we are now in the third legislature mandate, and have established a working experience and a coordination culture. Another important issue is that such a committee has been relieved from some responsibilities that it has had in the previous mandates, and shall focus all its energy in the fields of laws and

judiciary. There is no doubt that success will depend very much on this cooperation.

ASI: One of the main functions of the Committee is the oversight of implementation of laws adopted by the Assembly of Kosovo. What is your opinion on this issue?

B.H.: Out of all the laws that have been approved by the Assembly of Kosovo, which are roughly 200, only a symbolic number of them have been monitored. I could say that this is not something which the members of previous mandates can be proud of. However, I am convinced that this legislature is clear on the importance of monitoring. In order to ensure that the approved laws do not just remain numbers, we need to oversee the practical implementation of them, as this serves the interest of the people. One thing I know for sure is that we will not allow the repetition of cases in which the Administrative Instructions served as amendments to the laws.

ASI: With regard to the presence of ministers in the meetings of the Committee, what is your view on this?

B.H.: I think that it would be a common interest for the sponsor of the law or the respective ministry to understand that when such an invitation is made by the committee it is very important for the minister or deputy minister to appear at the meeting in order to clarify or show the rationale behind the law, the public interest of the law or other issues of interest.

According to the rules of procedure the ministers are obliged to respond to the invitation of the committee, so as to justify or clarify issues regarding laws. When they are not able to appear, they are obliged to authorise deputy ministers or other high officials who have the expertise on the law or field covered by that law.

Interview by
Ramadan Islami, OSCE Mission in Kosovo.

Gender equality is necessary in a democratic country

*Besa Gaxherri, Member of the Assembly of Kosovo,
Democratic League of Dardania (LDD)*



In order to discuss this topic it is necessary to go back for a moment to the painful history of Kosovo. Taking into account that the Kosovo people have gone through many historical and political difficulties, economic flounders, state malfunctions, topped by the Balkan mentality, it was the Albanian woman who for centuries felt the consequences of these processes. Not only was she bypassed, but much pressure and discrimination was exercised upon her for centuries. Often she was victimised and her life ended tragically not only from pressures of the system but also as a result of the Balkan mentality.

If we talk about equal opportunities in policy development since 1999-2000, I could say that in this new century the woman in Kosovo has begun a new period of development. This is not an easy beginning however, but at least her input is given in circumstances of genuine liberty, even though there are many things left to be desired.

Even at this period of historical development of Kosovo, the woman is much more committed to fulfil the people's dream – the Independence of Kosovo - rather than to deal with herself. The Law on Gender Equality, which has already entered into force in Kosovo,

enables many rights and responsibilities for women and also guarantees 30% of participation in Kosovo Assembly and Municipal Assemblies. However, taking into consideration that over 50% of the population is female, and having in mind that according to the statistics from Universities the majority of students are female, we still cannot be satisfied with her participation in the policy development in Kosovo.

I am fully confident and happy to state that there is already a sufficient number of women in Kosovo who are professionally prepared and courageous to take all the responsibilities in development spheres in Kosovo. Most importantly, although they are willing to work for necessary changes in Kosovo, the question is whether there is sufficient room available for their necessary input? In my opinion, no!

In this direction, there are many components that ensure an impact, such as political (historical) developments, severe economic and social conditions, the functioning of the lawful state, the emancipation of the society, and the key factor - woman's stronger persistence to be equal in society.

Among many works and challenges that Kosovo has to go through after Independence, there is going to be additional work for women. Apart from her professional work, she will have to **dedicate even more energy in order to take her place in society.** A lawful and democratic state with a higher level of women's participation in policy-making and its implementation would be more functional, qualitative, with a more rapid economic development, less corruption, more qualitative education, a European health system etc. However, it is important **that among positive developments in general in Kosovo, gender equality is proceeding in the right path.**

My experience as an Assembly Member

*From Safete Hadërgjonaj, Democratic Party of Kosovo (PDK),
Member of the Assembly of Kosovo*



Being Member of the Assembly comes with great responsibilities. I consider to have been an active deputy, and have tried to display commitment and effectiveness in the Committee for Budget and Finance, where I used to be the Second Deputy Chairperson. The amendment of the Rules of Procedure in the previous legislature was a positive development, as it provided an opportunity to have a reserved 50 minute-time "to ask parliamentary questions" as an item of the agenda in every session. **Those amendments have also abridged interpellation procedures, which enabled us to address our and citizens' concerns to the Government.** I have used the opportunity to pose parliamentary questions to the Government (the Prime Minister and Ministers) where I addressed 11 parliamentary questions and got feedback only on two of them.

The main duty of the Assembly that requires

special efforts from the Assembly Members and the Parliamentary Committees, particularly from the Committee for Budget and Finance, is the adoption of budget. Debate on budget is the most noted issue during parliamentary year.

I would like to emphasize that during amendment of the draft budget we were faced with few difficulties. Government's draft budget usually contained synthetic data and we were looking in vain for analytical data, which frustrated our work on giving our recommendations, and we never received it on time.

The Budget and Finance Committee is responsible for scrutinizing periodical and annual reports. According to Article 40 and 41 of the Law on Public Financial Management and Accountability, the Minister of Economy and Finances has to submit quarterly reports to the Assembly, 30 days after the trimester, and an annual

report, 3 months after the end of the year. During the last mandate, communication lines with MFE were not at a satisfactory level, and the Committee did not always receive reports. The Minister did not **respond to the Commission's invitation on revision of those reports and discussion of budget priorities.**

During the last legislature we have not been successful in establishing any kind of partnership with Auditor's Office. The establishment of this relationship will contribute to a more efficient and effective use of the budget, but this remains one of the challenging tasks for the future.

All the adopted laws in the Assembly have passed through the Committee for Economy and Finance, at which stage budgetary implications for the first year and the following years were reviewed, and consequent recommendations were given to the Assembly.

Public debates were organised, whereby our Committee exchanged and received opinions from the participants involved. We have also taken into account recommendations of the international institutions and have attempted to employ the best practices from the region and EU countries. Although support to the Committee by NDI, OSCE, EAR through "Assembly Support Initiative" has been extensive, having a permanently-employed expertise would have greatly facilitated our work.

A good experience from the previous legislature was my involvement in the Inquiry Parliamentary Committee that investigated General Audit Office Report on factual findings in the Assembly of Kosovo. In absence of the Law on Parliamentary Inquiry, the Committee drafted the Rules of Procedure, and the Action Plan with defined timeframe and methodological framework on revision of the key issues. The establishment of this Committee provided an opportunity to talk about transparency and I think that this Committee has provided a comprehensive, professional and logical report performed intensively for three months.

Enhancing oversight of laws and governmental expenses

*Interview with Mr. Naser Osmani, Member Assembly of Kosovo
and ex Chairperson of the Committee for Budget and Finance during legislature 2004-2007*

ASI: Mr. Osmani, what is a role of the Committee for Budget and Finance in the Parliamentary Oversight of the executive?

Naser Osmani: Parliamentary Oversight of the Committee for Budget and Finance is explained in the Constitutional Framework, as a mandatory part of the work and activity of this Committee, which at the same time is the key Parliamentary Committee. In addition, it is anticipated for this Committee to oversee expenses of all Institutions of Kosovo, respectively all budgetary organizations that carry out expenditures from Kosovo budget, including Presidency, Government, Parliament and all other Institutions.

The Committee doesn't have any special oversight mechanism except mandatory obligations emerging from the Government, respectively from the Ministry of Finance and Economy (MFE) required to report to the Parliament, as anticipated in the Law on Management of Public Finance. Also, the Committee receives reports from Office of General Auditor, and based on these reports it reviews and analyzes the reports, makes recommendations to the Presidency, and if the Presidency includes it in the session, afterwards Budget Committee introduces conclusions emerging from any certain oversight.

ASI: What is the role and function of the Budget and Finance Committee in the process of adoption of Kosovo Consolidated Budget?

N.O.: Main role of the Committee is to review and amend the Law on Budget, which is the main legal document adopted every year in the form of the Law by the Assembly. In democratic countries, the Assembly is the final body that adopts annual budget, however in our circumstances, the law apart from being adopted by the Assembly it also has to go through some other procedures as through Fiscal Economic Council, a body that reviews and makes a proposal to SRSG to sign the law as binding.

Apart from taking part in Budget Hearings in MFE, whilst drafting the budget for budgetary organizations, Budget Committee runs Budget Hearings for those Institutions



that considers them important, takes into account their proposals, and in other words reviews draft budget and introduces it to the Assembly for adoption in an amended form.

Basic tasks of the Committee are to monitor implementation of the laws. There some laws that should be treated very carefully because those are specific laws that regulate some negative phenomena, hence must be highly observed by legislative bodies. I would mention Law on Procurement, which has its own particulars within EU standards and it is under oversight.

ASI: How do you assess relationship of the Committee with Independent Institutions?

N.O.: Communication line that could not be developed in the two previous mandates was between the Assembly and Office of Auditor General. We insisted continuously on the promulgation of the law on external audit. This law would adjust better responsibilities of this Institution on reporting to Kosovo

Assembly, where initiative on this law should come from the Office of Auditor General itself.

Yet, European Agency made many efforts in preparing the draft, it withdrew by excusing itself that the competence should remain with the office and not to be transferred to local authorities. As well as, an interference in the laws of regulatory offices, agencies and other authorities should take place, in order to define precisely their independence especially financial independence.

ASI: What would be your recommendations to the new Committee?

N.O.: I would recommend to my Committee colleagues to accelerate promulgation procedure of the law that passed in the Budget and Finance Committee, and couldn't manage to be adopted because of termination of the mandate as it is the Law on Prevention of Money Laundry, since this implies also transfer of powers to locals on this issue, value on the tax, etc. Though, to be more cautious on reviewing draft budget, especially in defining whether provided documents by the government are in conformity to the requirements of the Law on Management of Public Finance, especially the part dealing with capital investments. Simply, to enhance oversight of laws that could regulate negative phenomena and examine governmental expenditures by "magnifying glass".

ASI: What can you say about amendment of the Law on Management of Public Finance?

N.O.: I consider that this Law should be treated cautiously, because we and International Financial Institutions in Kosovo made a very positive assessment. We've been mentioning perpetually that this Law should be supplemented at the moment when we gather to review any law that is not in accordance to this law as it is the issue of not anticipated funds as: pension fund, health insurance fund or road construction fund, etc. Those are issues that are not anticipated by this law in the current form.

Interview by: Lumni Rama, OSCE Mission in Kosovo

Administration Support for the Members of the Parliament

Daut Beqiri, Director of the Legal Department in the Kosovo Assembly

The organization and the overall responsibilities of the Assembly's Administration, and its internal administrative functioning, are determined with the Regulation on the Civil Servants' Status. Kosovo Assembly Administration, under the responsibility of the Secretary, provides legal advisory services – legal and procedural, substantial administration and technical services, and other services for the Kosovo Assembly and its bodies. The Assembly Administration provides additional support services as determined by the Assembly Presidency and the Assembly President.

The organizational structure and responsibilities of the Assembly's Administration

Assembly's Administration has the following structure:

- Office of the secretary with three units: Service for the MPs, Media and Public Relations, and International Relations and Protocol Unit.
- Department for legal and procedural support, and
- Department of Administration.

Responsibilities of the Assembly's Administration

Secretary of the Assembly is the main leader of the Administration of the Assembly. He is appointed by, and responds to the Presidency of the Assembly. He performs his duties in close coordination with the President of the Assembly.

Secretary of the Assembly, inter alia, is responsible for the administration and overall



management of the Assembly's Administration and ensures the implementation of the duties and the approval of administrative instructions dealing with responsibilities of the Assembly, provides accurate, impartial and professional instruction and advice for the Presidency of the Assembly and secures an effective and efficient management of financial means allocated to the Assembly, in accordance with the law and the internal budgetary rules of the Assembly.

Department for procedural and legal services, is responsible for providing support through legal, legislative and procedural advice, to the Assembly bodies, MPs and in plenary sessions via civil servants.

Legal department is composed of three divisions:

Division for plenary and procedural issues with the Unit for proposals and submissions, Unit for plenary and procedural issues and Transcript and editing

Unit. It is responsible for the acceptance, registration and distribution of draft-laws, proposed amendments to the draft-laws, recommendation reports, motions/proposals of MPs, requests for motions, questions of MPs for the Prime Minister and Ministers. Prepares the agenda, takes minutes, and transcripts the meetings of the Presidency and Assembly sessions, materializes decisions and publishes them in the Assembly webpage.

Support unit of the Assembly Committees, is responsible for the provision of verbal legal and procedural advice and written expertise for the parliamentary committees on certain legal or procedural issues about the work of the committees, provision of direct advice and assistance in the drafting of laws and amendments, their order for procedure in the second review, drafting of the legislative agenda for the committees, preparing minutes and recommendation reports for the Assembly.

Division for legal standardization, legal advising, research, Library and Archives provides support for the drafting of laws and amendments, ensures linguistic standardization of texts of draft-laws and laws adopted by the Assembly, in Albanian, Serbian and English, provides for the legal standardization with regard to the legal technical aspects and the unique methodology for all draft-laws that are proposed to Kosovo Assembly for

review and adoption, provides for the approximation and harmonization of the legislation with acquis communautaire and international standards, provides for the efficient discharge of services related to the Assembly documentation, library service, magazines, documents and researches from the data centers and other library centers. Ensures the provision of research services upon requests of MPs.

Department of Administration provides professional administrative, technical and support services to the MPs and the Assembly bodies through the officials from the Division of Budget, Technical Division IT Unit, Personnel, Procurement and Language Section.

Budget Division provides for the planning, follow up and the execution of expenditures in compliance with financial rules and the applicable law in Kosovo, and drafts quarterly and annual Assembly budget reports.

Technical Division is responsible for the IT services including database management system, system for distribution, installment and maintenance of all office equipment, supply, transport service, printing services, mailing and other technical aspects.

Personnel ensures the application of statutory rules of the Assembly civil staff, management of recruitment procedures, appointment and retirement of Assembly administration employees,

Induction Program for new Members of the Assembly of Kosovo

By Artan Canhasi, OSCE Mission in Kosovo

provides for disciplinary procedures and employment agreements for the political staff.

Procurement unit is responsible for the initiation and completion of supply procedures or any other activities with regard to any agreement, according to the needs of the Assembly in full compliance with the Procurement law.

International relations and protocol unit is responsible for providing support to the reception of foreign delegation and organizing international visits of the President, Presidency and delegations of MPs.

Media and public relations unit is responsible for the institutional communication of the Assembly, particularly for the legislative actions of Plenary Sessions and Committees, for the launching and publication of information and documents, press releases, information on the activities and organization of Press conferences for the Assembly bodies and the Assembly;

MP support unit is responsible for the management, registration and distribution of documents for MPs, provision of logistical information, organization and management of offices for the meetings of the Assembly bodies and support in the communication with other external public institutions.

The five-day induction program for the newly elected members of the Assembly of Kosovo was organized under the auspices of the President of the Assembly, Mr. Jakup Krasniqi, and supported by the OSCE Mission in Kosovo, the National Democratic Institute (NDI) and USAID.

As the Assembly of Kosovo has half of its members assuming their position for the first time, there was the need for a comprehensive introduction to democratic parliamentary practices and to the reforms and standards achieved by the Assembly in the previous mandates. Therefore, in the last two months the OSCE Mission in Kosovo and its partners in the "Assembly Support Initiative" (ASI) in cooperation with the Assembly Secretariat, have been preparing an induction programme for the new members of the Assembly.

The five-day induction program commenced on 24 January 2008. "The program covers the three main functions of the Assembly: legislative, oversight and representative function as well as a general introduction of how the Assembly carries out its business through Committees, Parliamentary Groups and Presidency with the support of the Secretariat", explained Franklin De Vrieze, the OSCE Mission's Chief of the Central Assembly and Political Parties Section.

On the opening speech of the program, Assembly President Jakup Krasniqi reminded the new Members that "Being a member of the Assembly of Kosovo is not only a privilege, but above all is a responsibility that requires every day commitment to represent the citizens with



dignity". New Members had the opportunity to get first hand information on the role of the President of the Assembly by the former President Kolë Berisha and as well as on the role of the Assembly Presidency by Sabri Hamiti. The role of committees, where most of the work of the Assembly is conducted, was introduced by Fehmi Mujota and Naim Maloku.

A key component in the program was the Assembly's role with regard to government accountability and respect for human rights. Assembly member Hydajet Hyseni stressed that "Parliamentarians should never make difference between communities, they are representatives of all people of Kosovo". As a new member of the Assembly, Slobodan Petrović, President of the Serb Liberal Party SLS, elaborated on the daunting task for the Kosovo-Serb members of the Assembly to increase their legitimacy in the eyes of the Kosovo-Serb people, and therefore of the need for the PISG to reach out to them and deliver concrete policy results, in particular at these sensitive moments in the political development of Kosovo.

During the induction program, also the Secretariat of the Assembly had the opportunity to inform the new members on the support that they will be getting during their mandate.

The OSCE Missions supported the program by providing parliamentary expertise and assisting in the programmatic development. The OSCE Mission also prioritized on the transfer of knowledge from the longer serving Members of the Assembly to the new ones, thus promoting the sustainability of the institution.

Independent Oversight Board of Kosovo to report to the Assembly

Interview with Sevdail Kastrati, chair of the Independent Oversight Board of Kosovo



ASI: What is the Independent Oversight Board (IOB)?

Sevdail Kastrati: The IOB is a board that oversees compliance with the Civil Service Law, including reviewing appointments of department heads and hearing appeals of grievances of civil service employees. We hold hearings and make decisions on cases brought to us by public servants, and we go to the employing authorities to monitor compliance with the law. There are seven members of the Board which reflect gender balance and minority communities representation. Currently the IOB is an autonomous unit funded by the budget of the Ministry of Public Services. However, the original UNMIK regulation foresees that the IOB will be transformed into a completely independent institution that reports directly to Parliament. This amendment to the regulation has been agreed by a working group chaired by the Office of the Prime Minister and is in its final stages of approval.

ASI: What do you see as the

main achievements of the IOB?

SK: The most important function of the IOB is to give civil servants who have a complaint an opportunity to be heard before an independent body. We have been successful in communicating to public servants that there is one body responsible for final appeals on their grievances. We take our decisions entirely according to the law, without any outside pressure. The Board began hearing appeals in 2006, receiving 186 appeals and solving 129. In 2007 our workload increased and we have received 384 appeals and resolved 386 (including some from the previous year). The quick turn-around on decisions is one of the reasons why I think the IOB has developed credibility. In several cases, dismissals of employees were reversed as a result of our decisions.

ASI: What is the process of transformation of the IOB and what do you expect from the Assembly of Kosovo?

SK: Under the current regulation we are formally

located within the Ministry of Public Services (MPS) and completely reliant on the MPS for our budget, staff and resources. Even if the connection with the Ministry is only nominal, it can create obstacles for us in being perceived as completely independent from the employing authorities. It also can cause confusion between Ministries, because some Ministries ask why there is a control and review by one Ministry over the others. When the transformation is complete we will report to Parliament. This will give us more legitimacy because instead of reporting to one party or one Ministry, we will be reporting to a body that is made up of all parties. The Parliament will be able to review and debate our reports, including cases of non-compliance with our decisions, and make recommendations for actions to be taken by the government. The Assembly committees can also help to guarantee our independence by ensuring that we will have sufficient finances and staff to do our work effectively.

ASI: What are your hopes and plans for the future?

SK: We hope that the process of transformation will occur as soon as possible. We will have enhanced credibility with both public servants and the employing authorities as an impartial and fair arbiter of differences. We have had a number of trainings and regular coaching, including a study visit to Canada sponsored by OSCE. We are eager to begin to apply our knowledge, through expanding our work to include mediation and other forms of dispute resolution. By ensuring that public servants are selected and retained based on merit, we will also be providing a better basis for good governance in Kosovo, because those who administer and serve the people of Kosovo will be well qualified and free from political pressures. I think the IOB is a good news story at the moment in how Kosovo institutions are developing along international democratic and good governance standards.

Interview by
Anita Vandenberg,
OSCE Mission in Kosovo

End of the EU-funded Project "Further Support to the Assembly of Kosovo"

Hugues de Courtivron, Team Leader of the Project "Further Support to the Assembly of Kosovo"

The European Union has funded 1.5 millions euros for a second Project to support the Assembly of Kosovo. This Project managed by EAR was entrusted to a consortium led by the French Assemblée Nationale with the German Bundestag, the Belgian Chambre des Représentants, the National Assembly of Slovenia, and a French NGO, the Institut International de Paris La Défense). This Project began in January 2006 and ended in January 2008.

Some lessons

The concept of using a pool of civil servants from European Parliaments, working as Secretary and Presidency advisors, may be considered as extremely efficient to address the issue of parliamentary institution building. All short term experts who came to advice, held a permanent position in the same area they were dealing with in their own Parliament.

The good working relations established with the MPs and Administration staff, particularly the work done with the Secretary and the former Presidency member Mr. Gazmend Muhaxheri, are considered very important elements for the success of the Project.

One of the key points in the achieved goals and in the reinforcement of the authority of the Secretary was the decision of the Presidency to ask some of its members to oversight key areas of the Administration.

Building a democratic assembly is a long process, but the basis

has now been established and the Assembly can be proud of what has been achieved.

Main achievements

The key reform of the Organization of the Administration was passed in April 2007. 22 new staff have been recruited, for the first time in a transparent way. The Statute of the Assembly civil servants is now established; it remains to be completed with detailed job descriptions.

The coordination with the Government and UNMIK has improved: regular contacts exist, particularly in order to review the 40 laws which are not yet promulgated by the SRSG.

The preparation of the plenary Agenda has improved even if there is still a pending question to find a consensus between the political groups on time distribution.

The Project has also supported the Secretariat in the preparation and review of a number of regulations for the Table Office, on publishing minutes, for the budget, procurement and management, for documentation management, on Media and Protocol work, and on archiving and library.

A main objective of the Project has been to reinforce the management capacity of the Secretariat authorities to take decisions according to their fields of competence, under the oversight of the Presidency, but without inappropriate political interventions.

The Project supported the strengthening of the authority of the Secretary in his day to day work, and suggested decisions

to be taken to improve the functioning of the Secretariat. Most of these decisions have entered into force.

The IT system of the Assembly is still under control of the Public Services Ministry. The Assembly must have more autonomy in this matter.

The Project concluded with key recommendations, in order to insure the sustainability of the reform.

In the field of the Presidency:

- To pass the internal regulation for the work Presidency in order to insure the sustainability of the reform which could allow for a more focused organization of the Presidency on its primary tasks (coordination of the Assembly work and oversight of the Secretariat).
- To support the Secretary by giving him more autonomy in the overall management of the Secretariat.
- To define the division of responsibility between the political power and the Secretariat in the preparation and implementation of the Budget under Presidency monitoring.
- To pass the draft Presidency decision on the Interpretative Directive on the Regulation on the Statutory Rules for the Civil Service of the Secretariat, the draft Administrative Instruction on Rules of Promotion based on Seniority and Merit, and the draft Administrative Instruction on the Code of Conduct of the Civil Staff.
- To regulate the statute

of the Assembly political staff by passing the draft administrative instruction.

- To help along the process to give to the Assembly its autonomy for payments of salaries.

In the field of the Secretary:

- To make sure that the new recruitment system based on neutral and transparent criteria is strictly implemented.
- To adopt a 3 years recruitment plan.
- To fulfill the positions still vacant.
- To avoid derogations to the principles of the Statute.
- To implement the new salary scale and the yearly training program.
- To establish a system of payment of salaries within the Assembly.
- To prepare a plan for a reliable and modernised IT system.
- To develop efficient managerial capacities in all organizational units.
- To check the strict implementation of the budget and procurement procedures now in place.
- To check the implementation of the procedures now in place for Library, Archives and Document management.
- To support the training of the newly recruited staff, especially in the Unit for Legal Standardization, Harmonization and Legal Advising.
- To speed up the improvement of the Assembly Website.



Welcome to Ian Perkins, NDI Legislative Director

Ian Perkins has more than 20 years of experience in legislative operations and politics in Canada, holding senior staff positions at federal and provincial levels, and running election campaigns for a wide variety of party and government offices. Through his work, he has traveled extensively in Europe, Asia, and Africa; observed elections in Serbia, Kosovo, and Somalia; and holds dual British and Canadian citizenship.

Perkins amassed two decades of parliamentary experience in Canada, most notable for his contributions during two years as Senior Policy Advisor to the Minister of Veterans Affairs and 16 years as Chief of Staff to a member of the federal parliament, who also served for two of those years as Parliamentary Secretary to the Minister of Transportation. Through his work in the legislature, Perkins has amassed extensive experience in legislative procedures, committee and caucus activities, constituent outreach, budget drafting and issues of gender equality. Through his role in the Liberal Party of Canada, Perkins has served as a national campaign director and a canvassing and voter identification organizer.

Outside of his legislative and campaign work, Perkins was treasurer of the National Press Club of Canada, a position which allowed him access and insight into the workings of the Canadian national press corps. In light of his outstanding qualifications, international experience, and extensive legislative, management, and political expertise, Perkins is well-prepared to take on the responsibilities of NDI's Legislative Director in Kosovo.

By Carlo Binda, NDI Director

Supporting the work of the Assembly of Kosovo

By Franklin De Vrieze, OSCE Mission in Kosovo

Since the creation of the Assembly of Kosovo in 2001, the OSCE Mission has provided substantial assistance to the Assembly. In this article, we will examine the types of OSCE assistance during the last couple of months as well as elaborate on the cooperation with other organizations assisting the Assembly.

Working with the Assembly in partnership, there were three main programs supporting the Assembly during its second mandate: the National Democratic Institute (NDI), the EU-funded Consortium of four European parliaments (France, Germany, Belgium and Slovenia) and the OSCE Mission in Kosovo. They coordinate their work under the umbrella of the "Assembly Support Initiative" (ASI). The ASI approach is based on a system of regular consultation on specific issues of parliamentary support without a centralized system of imposed decision-making. The objective of ASI is to avoid overlap and competition and to contribute to shared and complementary assistance to the Assembly. Coordination on the timing of workshops or conferences helped to avoid conflicting agendas. After some time, a division of labour and inter-agency cooperation on the assistance given to parliament has been established. It has led to the practice that specific projects or organizations provide support to specific parliamentary committees in agreement with other projects and organizations give assistance to other parliamentary committees. Sometimes, the coordination included inter-agency cooperation in the area of needs assessment. On a number of occasions, organizations developed joint recommendations or proposals for reforms in the Assembly. The June 2006 "Assembly Standards Plan", the consultations on the issue of open, recorded voting and the 2008 induction program for the newly elected members of the Assembly are examples of the most intensive "merging of resources" between separate organizations and programs working for the Assembly. Although the coordination approach sometimes had to cope with differing interests, it is fair to say that the capacity development programs working within the Assembly were more successful than agencies working in other sectors of public life in avoiding overburden of the beneficiary with conflicting activities

and recommendations.

Elaborating on some of the specific OSCE programs with the Assembly during the last six months, there are several accomplishments worth mentioning.

* Committees review and revise draft legislation in a timely manner, resulting in fewer laws being returned to the Government than in any previous year. Five committees – the Legislative, Budget, Communities, Security and Environment Committee -- draft and implement work plans, including regional parliamentary cooperation. Assembly legal office, committee staff and Ministry human rights officers received legal training. The Committee on Rights and Interests of Communities completed more field visits than in any other year. **Parliamentarians participated in meetings** with secondary school students (including those from minority communities) to discuss the role of the Assembly and to answer students' questions about education and minority language rights.

* The heads of independent agencies and the Committee on Budget and Finance engaged in a first and intensive debate related to the budget needs of the independent agencies.

* An in-depth procedural assessment of the work of the Assembly covering the period from August 2006 to November 2007 was published, including recommendations to the newly inaugurated Assembly to improve the functioning of the Assembly. Tools for greater efficiency in the legislative process, including a Glossary of parliamentary terms and several other parliamentary publications were provided.

* Parliamentary groups were assisted through an internship program. The women Caucus in the Assembly of Kosovo received technical advice and support.

* The Secretary benefited from regional cooperation and exchange of experiences

through a visit to neighbouring parliaments. A training on use of information technology contributed to make the Assembly more transparent.

* ASI partners coordinated an induction training for newly elected Members of the Assembly with the Assembly Secretariat.

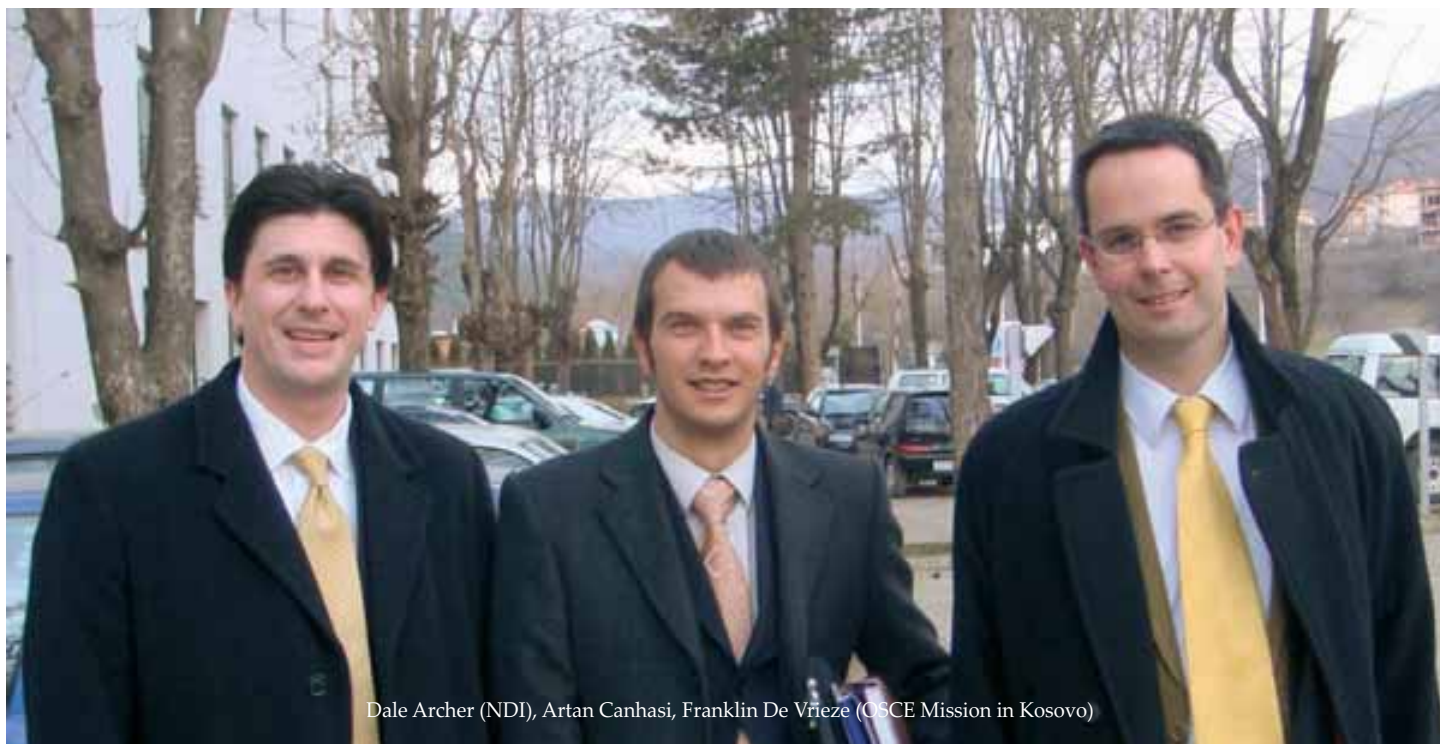
Evaluating the work of the Assembly of Kosovo during the second mandate, one can identify three distinct trends: (1.) moving from merely adopting legislation to reviewing the implementation of legislation; (2.) increased knowledge and the use of the Rules of Procedure during political debates and a self-correcting review of compliance with the Rules of Procedure; and (3.) increased assertiveness on the part of the Assembly to exercise its role in budget review, although the development of the Kosovo Consolidated Budget remained under the authority of the Economic Fiscal

Council.

Challenges ahead include the need to stronger **develop the parliamentary oversight in areas** of security sector, budget review, economic and environmental issues. A specific area of attention is the standardization of legislation and its harmonization with EU “acquis communautaire” as well as the development of a comprehensive legislative framework where existing and new legislation are in accordance with the new constitution for Kosovo. The new Assembly is expected to play a key role in overseeing the implementation of the status settlement, including the oversight over the new political structures and competencies foreseen in the status settlement, implementing the new safeguards for the rights and interests of communities.

Other challenges ahead are the establishment of regular meetings between the Budget

Committee and the heads of independent agencies to address budgetary problems and to safeguard the independence of these agencies. The newly created Committee on Security and Internal Affairs will need particular attention to strengthen its role in oversight, policy setting and facilitating greater interaction with the public through hearings and working groups. **The Assembly has possibilities to enhance** the capacity of the library to provide more professional support to Members of the Assembly. The Assembly also has opportunities to enhance the transparency through “Open Days” (when the Assembly premises are open to the public for tours), use of communication technology to reach out to the general public. By strengthening its role in the legislative, oversight and representative function the Assembly of Kosovo will increase its authority for the years to come.



Dale Archer (NDI), Artan Canhasi, Franklin De Vrieze (OSCE Mission in Kosovo)

Civil Society and the Legislative Process in Kosovo

By Armend Bekaj, OSCE Mission in Kosovo

A recent analytical study offers some key recommendations as to how the Assembly of Kosovo in the new mandate could better their cooperation with civil society as a way of improving transparency and legitimacy for the laws that are being passed



The OSCE Mission in Kosovo commissioned the Kosovar Research and Documentation Institute (KODI) to undertake a survey on “Civil Society Participation in Legislation at Central Assembly Level.” The resulting recommendations speak of a clear need to increase the level of cooperation with civil society as a way of ensuring greater civic participation. The study is comprised of a survey of questionnaires which was distributed throughout Kosovo amongst civil society actors, as well as semi-structured interviews with stakeholders from the Assembly of Kosovo and civil society organisations. The following offers a brief outline of some of the main recommendations which have been addressed to the Assembly of Kosovo.

An urgent need has been identified to raise awareness about civil society as a governmental partner, as well as to develop and update a Guide for public officials, particularly within the Assembly of Kosovo, on how to effectively incorporate civil society organisations into the legislative process. The study also calls for the creation of a roster of active civil society organisations by area of expertise to serve as a reference to both drafters in the cabinet and committees in the Assembly. In addition to administrative measures, the Assembly of Kosovo should consider instituting a safeguard, or an interpretive clause in law, for public participation, which may be done

through a simple statement affirming the framers’ intent to consult the public in the development of public policy. It should also create specific legislation to mandate the participation of civil society organisations in the development of public policy. The study maintains that a law detailing civic consultation has a positive normative effect on inclusive decision making as it standardizes procedures and requires, rather than allows, public consultation.

Another key recommendation speaks of investigating the possibility of introducing the “right to initiative” clause in relevant legislation. This would allow people to petition the Assembly to initiate legislative regulation of an issue they deem crucial. The ‘right to initiative’ is generally exercised through the collection of signatures. Moreover, draft legislation should not be treated as confidential, unless specified by relevant legislation. Also, the Assembly of Kosovo should publicise the legislative agenda with all the draft laws scheduled for deliberation on its website; in addition to the current practice of publishing committee minutes, agendas and meeting times, notes from Assembly proceedings and a list of laws planned to come onto the agenda should be published also.

The underlying message of the study for the newly-mandated Assembly is that there is a need to transform a more inclusive system of developing the legislative agenda into a standard operating procedure, as this would ensure that more interests than the few from government are represented in the key policy document for the next legislative year. It will also enhance the legitimacy of the legislature as it will appeal to a boarder base in society and demonstrate responsiveness that is required from elected officials.

The full text of the analytical study can be found at: <http://www.osce.org/kosovo/documents.html>

1. Committee for Budget and Finance, composed of 12 members:

1. Gani Koci, Chairperson, from PG (Parliamentary Group) PDK,
2. Haki Shatri, First Deputy Chairperson, from PG LDK,
3. Kosara Nikolić, Second Deputy Chairperson, from PG SLS,
4. Safete Hadërgjonaj, Member, from PG PDK,
5. Hajdin Abazi, Member, from PG PDK,
6. Armend Zemaj, Member, from PG LDK,
7. Myrvete Pantina, Member, from PG LDK,
8. Behxhet Pacolli, Member, from PG AKR,
9. Xhevdet Neziraj, Member, from PG AAK,
10. Besa Gaxherri, Member, from PG LDD,
11. Müfera Şinik, Member, from PG 7+ and
12. Driton Tali, Member, from PG AKR.

2. Committee for Community Rights and Interests and for Return, composed of 13 members:

1. Bojan Stojanović, Chairperson, from PG SLS,
2. Sanije Aliaj, First Deputy Chairperson, from PG LDK,
3. Müfera Şinik, Second Deputy Chairperson, from Turkish Community,
4. Zafir Berisha, Member, from PG PDK,
5. Kosara Nikolić, Member, from Serb Community,
6. Sadik Idriz, Member, from Bosnian Community,
7. Numan Baliq, Member, from Bosnian Community,
8. Hafize Hajdini, Member, from Ashkali Community,
9. Hetem Arifi, Member, from Ashkali Community,
10. Zylfi Merxha, Member, from Roma Community,
11. Mursej Hajlilj, Member, from Gorani Community,
12. Enis Kervan, Member, from Turkish Community and
13. Xhevdet Neziraj, Member, from Egyptian Community.

3. Committee on Legislation and Judiciary, composed of 11 members:

1. Bahri Hyseni, Chairperson, from PG PDK,
2. Adem Salihaj, First Deputy Chairperson, from PG LDD,
3. Branislav Grbić, Second Deputy Chairperson, from PG SLS,
4. Ramadan Gashi, Member, from PG PDK,
5. Selvije Halimi, Member, from PG PDK,
6. Kolë Berisha, Member, from PG LDK,
7. Melihate Tërmkolli, Member, from PG LDK,
8. Riza Smaka, Member, from PG AKR,
9. Bajram Kosumi, Member, from PG AAK,
10. Adem Hajdaraj, Member, from PG LDK and
11. Džezair Murati, Member, from PG 7+.

Parliamentary Committees in the Assembly of Kosovo

The Assembly of Kosovo at its plenary session held on 31 January 2008 established thirteen (13) parliamentary committees, under the following denomination and composition:

4. Committee on Human Rights, Gender Equality, Missing Persons and Petitions, composed of 11 members:

1. Ismet Beqiri, Chairperson, from PG LDK,
2. Hajredin Hyseni, First Deputy Chairperson, from PG PDK,
3. Radmila Vujović, Second Deputy Chairperson, from PG SLS,
4. Nerxhivane Dauti, Member, from PG PDK,
5. Naim Rrustemi, Member, from PG PDK,
6. Sanije Aliaj, Member, from PG LDK,
7. Luljeta Shehu, Member, from PG LDK,
8. Ibrahim Makolli, Member, from PG AKR,
9. Vezira Emruš, Member, from PG AAK,
10. Naser Rugova, Member, from PG LDD and
11. Špresa Murati, Member, from PG 7+.

5. Committee on Foreign Affairs, composed of 11 Members:

1. Sabri Hamiti, Chairperson, from PG LDK,
2. Xhavit Haliti, First Deputy Chairperson, from PG PDK,
3. Enis Kervan, Second Deputy Chairperson, from PG 7+,
4. Ramë Buja, Member, from PG PDK,
5. Ramadan Avdiu, Member, from PG PDK,
6. Eqrem Kryeziu, Member, from PG LDK,
7. Lutfi Haziri, Member, from PG LDK,
8. Ibrahim Gashi, Member, from PG AKR,
9. Ardian Gjini, Member, from PG AAK,
10. Nexhat Daci, Member, from PG LDD and
11. Dragiša Mirić, Member, from PG SLS.

6. Committee on European Integrations, composed of 11 members:

1. Zylfije Hundozi, Chairperson, from PG AAK,
2. Lutfi Haziri, First Deputy Chairperson, from PG LDK,
3. Džezair Murati, Second Deputy Chairperson, from PG 7+,
4. Hydajet Hyseni, Member, from PG PDK,
5. Edita Tahiri, Member, from PG PDK,
6. Sabri Hamiti, Member, from PG LDK,
7. Fatmir Rexhepi, Member, from PG LDK,
8. Njomza Emini, Member, from PG AKR,
9. Nait Hasani, Member, from PG PDK,
10. Drita Maliqi, Member, from PG LDD and
11. Branislav Grbić, Member, from PG SLS.

7. Committee for Education, Science, Technology, Culture, Youth and Sports, composed of 11 members:

1. Agim Veliu, Chairperson, from PG LDK,
2. Drita Kadriu, First Deputy Chairperson, from PG

- PDK,
3. Enis Kervan, Second Deputy Chairperson, from PG 7+,
4. Memli Krasniqi, Member, from PG PDK,
5. Vlora Çitaku, Member, from PG PDK,
6. Adem Hajdari, Member, from PG LDK,
7. Fatmire Berisha, Member, from PG LDK,
8. Arsim Rexhepi, Member, from PG AKR,
9. Donika Kada-Bujupi, Member, from PG AAK,
10. Mark Krasniqi, Member, from PG LDD and
11. _____ Member, from PG SLS.

8. Committee for Economy, Trade, Industry, Energy, Transport and Telecommunication, composed of 11 members:

1. Myzejene Selmani, Chairperson, from PG AKR,
2. Et'hem Çeku, First Deputy Chairperson, from PG AAK,
3. Slobodan Petrović, Second Deputy Chairperson, from PG SLS,
4. Kaqusha Jashari, Member, from PG PDK,
5. Safete Hadërgjonaj, Member, from PG PDK,
6. Haki Shatri, Member, from PG LDK,
7. Fatmir Rexhepi, Member, from PG LDK,
8. Sala Berisha-Shala, Member, from PG PDK,
9. Zef Morina, Member, from PG LDK,
10. Berim Ramosaj, Member, from PG LDD and
11. Müfera Šinik, Member, from PG 7+.

9. Committee for Agriculture, Forestry, Rural Development, Environment and Spatial Planning, composed of 11 members:

1. Lulzim Zeneli, Chairperson, from PG LDD,
2. Ibrahim Selmanaj, First Deputy Chairperson, from PG AAK,
3. Zylfi Merxha, Second Deputy Chairperson, from PG 7+,
4. Berat Luzha, Member, from PG PDK,
5. Elheme Hetemi, Member, from PG PDK,
6. Ali Lajci, Member, from PG LDK,
7. Zef Morina, Member, from PG LDK,
8. Hesel Cakolli, Member, from PG AKR,
9. Selvije Halimi, Member, from PG PDK,
10. Myrrete Pantina, Member, from PG LDK and
11. Kosara Nikolić, Member, from PG SLS.

10. Committee for Health, Labour and Social Welfare, composed of 11 members:

1. Sadik Idriži, Chairperson, from PG 7+,
2. Rita Hajzeraj, First Deputy Chairperson, from PG AKR,
3. Slobodan Petrović, Second Deputy Chairperson, from PG SLS,
4. Teutë Hadri, Member, from PG PDK,
5. Flora Brovina, Member, from PG PDK,

6. Nurishahe Hulaj, Member, from PG LDK,
7. Bujar Bukoshi, Member, from PG LDK,
8. Armend Zemaj, Member, from PG LDK,
9. Gjylnaze Sylja, Member, from PG AAK,
10. Qamile Morina, Member, from PG LDD and
11. Mimoza Ahmetaj, Member, from PG PDK.

11. Committee for Public Services, Local Administration and Media, composed of 11 members:

1. Esat Brajšhori, Chairperson, from PG AKR,
2. Fehmi Mujota, First Deputy Chairperson, from PG PDK,
3. Špresa Murati, Second Deputy Chairperson, from PG 7+,
4. Gani Buçinca, Member, from PG PDK,
5. Hajdin Abazi, Member, from PG PDK,
6. Melihate Tërmkolli, Member, from PG LDK,
7. Ali Lajci, Member, from PG LDK,
8. Anita Morina, Member, from PG LDK,
9. Rasim Selmanaj, Member, from PG AAK,
10. Synavere Rysha, Member, from PG LDD and
11. Radmila Vujović, Member, from PG SLS.

12. Committee on Internal Affairs and Security, composed of 11 members:

1. Rrustem Mustafa, Chairperson, from PG PDK,
2. Shkumbin Demaliaj, First Deputy Chairperson, from PG AKR,
3. Bojan Stojanović, Second Deputy Chairperson, from PG SLS,
4. Emrush Xhemajli, Member, from PG PDK,
5. Zafir Berisha, Member, from PG PDK,
6. Eqrem Kryeziu, Member, from PG LDK,
7. Bujar Bukoshi, Member, from PG LDK,
8. Agim Veliu, Member, from PG LDK,
9. Naim Maloku, Member, from PG AAK,
10. Gani Geci, Member, from PG LDD and
11. Zylfi Merxha, Member, from PG 7+.

13. Committee on Mandates, Immunities and Rules of Procedure of the Assembly, composed of 11 members:

1. Ahmet Isufi, Chairperson, from PG AAK,
2. Kolë Berisha, First Deputy Chairperson, from PG LDK,
3. Džezair Murati, Second Deputy Chairperson, from PG 7+,
4. Hydajet Hyseni-Kaloshi, Member, from PG PDK,
5. Fehmi Mujota, Member, from PG PDK,
6. Ramadan Gashi, Member, from PG PDK,
7. Fatmire Berisha, Member, from PG LDK,
8. Suzan Novobërdaliju, Member, from PG AKR,
9. Ismet Beqiri, Member, from PG LDK,
10. Besa Gaxherri, Member, from PG LDD and
11. _____ Member, from PG SLS.



The newly elected President of Kosovo, Prime Minister, Government and President of Assembly. 9 January 2008

ASI Mission Statement

The Assembly Support Initiative (ASI) is the inter-agency co-ordination mechanism of democratization programmes in support of the Assembly of Kosovo, seeking to strengthen and professionalize the Assembly of Kosovo. The work of ASI focuses on a democratic political culture based upon acknowledge of and respect for democratic rules of procedure, transparency and accountability to the public, developing and implementing a legislative agenda, oversight over the Executive, respect for the multi-linguality and participation in regional and inter-parliamentary contacts.

ASI partners work to bring resources together, share information and coordinate programs while identifying needs in direct interaction with the Assembly. As coordinator of the ASI, the OSCE Mission in Kosovo liaises with all ASI partners and calls regular coordination meetings in consultation with Assembly representatives. A regular ASI Newsletter informs a broad domestic and international public on the developments in the Assembly of Kosovo as well as the ASI support programmes.

Currently participating in ASI:

Friedrich Ebert Stiftung (FES), Friedrich Naumann Stiftung (FNSt.), Konrad Adenauer Stiftung (KAS), East West Parliamentary Practice Project (EWPPP), European Agency for Reconstruction (EAR) in cooperation with the Consortium of the parliaments of France, Germany, Belgium, Slovenia and the Institut International de Paris la Defense, United States Agency for International Development (USAID) in cooperation with the National Democratic Institute (NDI), United Nations Development Program (UNDP) in co-operation with the Inter-Parliamentary Union (IPU), OSCE Mission in Kosovo and the Assembly of Kosovo



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The views expressed by the contributors to this Newsletter are their own and do not necessarily represent the views of the Assembly, OSCE Mission in Kosovo or the ASI partner organisations.

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Hasan Sopa/OSCE: 5, 7, 8, 9, 10, 11, 13, 15, 17, 20.