

GOOD GOVERNANCE

To establish good governance that upholds principles of responsiveness to citizens' needs and accountability, one must first create effective government institutions at all administrative levels.

Following the establishment of the UN's interim administration in 1999, domestic bodies governing Kosovo needed to be built from scratch. The only functional domestic body at that time was a self-appointed Provisional Government of Kosovo.

Charged with organizing elections and institution building, the OSCE Mission had a key role to play in setting up new institutions of self-government. The first municipal elections were held in autumn 2000 and the first Kosovo Assembly election took place in November 2001.

The Provisional Institutions of Self-Governance (PISG), the youngest democratically elected and appointed administrative bodies in Europe, had to become familiar with their tasks and develop their own structures and rules of procedures. They also had to become familiar with and apply democratic and human rights compliant practices all while serving the people – the basic principles of good governance.

Providing assistance in all these fields, the OSCE Mission works to bring Kosovo's governmental institutions to a level compatible with developed European societies, and to ensure that citizens are included in decision making processes. The OSCE monitors the PISG's work, providing advice and training to help build their capacity towards better serving the public.

Assistance to the Assembly of Kosovo includes providing technical expertise, support with developing rules of procedure, development of legislative capabilities, co-ordination of donor assistance, and support towards ensuring that all Assembly documents and legislation are consistent in their translation to official languages (in addition to local languages English language versions are also required).

The Government is supported through advisors assigned to the Prime Minister's Office and assistance in implementing the Standards for Kosovo. The Mission also works with municipal governments, building the capacities of their executive and legislative branches by providing professional training and helping establish and make effective both mandatory and non-mandatory committees.

To ensure self-sustainable professional development of public servants, the OSCE Mission also helped create the Kosovo Institute for Public Administration that has now become an independent body which continues to enjoy the Mission's support.



Responsiveness to citizens' needs is the essence of good governance.

Assembly Support Initiative – ASI

Following the first Kosovo-wide parliamentary election in November 2001, the Assembly of Kosovo began its work as the youngest democratic parliament in Europe. Being a new institution it needed to establish its structures, familiarize itself with the basic principles of a democratic parliamentary system, and begin functioning according to these principles. The OSCE Mission, the Institution Building Pillar of the UN interim international administration, was there to help.

A group of bilateral and multilateral donors - ten European, American

and UN-affiliated partner organizations - gathered in the OSCE Mission driven Assembly Support Initiative (ASI) to provide and co-ordinate extensive support to the Assembly.

"Thanks to ASI, many difficulties of the start-up phase were overcome," said Dr. Friedhelm Frischenschlager, who served as a Director of the Mission's Democratization Department from September 2002 till March 2004. Increased adherence to procedures and established processes has gradually replaced "ad-hocism" and improvisation in the work of the Assembly.

Over the last four years, the Mission has worked with all the Assembly structures (presidency, parliamentary groups, committees and secretariat) to accomplish increased efficiency and compliance with the rules of procedure and democratic practices, and to improve legislative capabilities. It placed special attention on creating opportunities for all members to actively participate in Assembly proceedings and represent the interests of their communities.

According to Franklin De Vrieze, Mission's Central Government Support Team Leader and ASI Coordinator, the OSCE's work with the Assembly consists of monitoring and advising, but also implementing capacity building programmes, such as workshops, seminars and study visits, and technical assistance projects. These activities are to increase the professionalism of Assembly members and staff at the Assembly. The ultimate result would be enhancing transparency and promoting civic society involvement in parliamentary work.



The Assembly of Kosovo is the youngest democratic parliament in Europe.

GOOD GOVERNANCE

With ASI's support the first Assembly of Kosovo became an institution that, despite its objective shortcomings, managed to show progress and achievements in its three years of work such as passing an impressive number of laws, exercising legislative initiative, organizing public hearings on draft laws, and compiling Committee end-of-mandate reports.

In October 2004 the second parliamentary elections were held. ASI partners continued their efforts and now work to further strengthen the elected Assembly and improve its functioning.

"Immediately following the 2004 elections a comprehensive orientation programme was delivered to the new Assembly members while a support programme was delivered for both members and the staff," said De Vrieze. To avoid a long period of stagnation, which occurred in the formation of the first Assembly's mandate, the Mission assisted the new Assembly with setting up its structures and becoming functional in a reasonable time. "The Mission also provided assistance to the Assembly secretariat to fulfill its post-election responsibilities and successfully hand over duties to the next Assembly," added De Vrieze.

To help address the challenges posed by the legal requirement for the use of two official languages, Albanian and Serbian, and to help facilitate the implementation of the legal acts issued and promulgated by the international administration, in 2005 the OSCE

published a tri-lingual (Albanian, Serbian and English) Glossary of Parliamentary and Legal Terms. The Glossary is also helping absorb the international legal assistance with drafting the laws that is normally delivered in English language.

In June 2005 the OSCE also helped the Assembly organize the first regional inter-parliamentary event in Prishtinë/Priština that focussed on parliamentary oversight of government work. Mr. Peter Vanhoutte, former member of the Belgian Parliament who currently advises the President of the Kosovo Assembly on behalf of the OSCE, said that this event was an historic one. These are hopefully the beginnings of bilateral and multilateral processes between elected governmental bodies that will assist in the region's development.

However, certain institutional constraints remain. Even though there was improvement in areas such as setting the agenda, voting, distribution of documents, interpretation and translation of documents, there was still a lack in the transparent management of the Assembly Secretariat and the endemic lack of quality legal translation capacity in the PISG. Expert staff and institutionalized procedures for establishing and maintaining inter-parliamentary contacts are missing. Continued international support, therefore, remains critical in overcoming the political, procedural and administrative challenges that lie ahead of Assembly.

To reflect on challenges and progress, as well as on the various types of assistance provided to the Assembly of Kosovo and the Government, the Mission issues the ASI Newsletter. Printed in four languages – Albanian, Serbian, Turkish and English – it is distributed throughout Kosovo and forwarded internationally since July 2002.

From OSCE training to a Kosovo Institute of Public Administration

The OSCE Permanent Council in its Decision 305 of July 1999 tasked the OSCE Mission with the education of civil servants in Kosovo.

As new Provisional Institutions of Self-Government were being established and many of its staff had little or no previous experience in administration, their training was imperative. A functioning civil administration was seen as a prerequisite for the development of democratic institutions and the realization of human rights.

"In 2000 the Mission created the Institute of Civil Administration and it initiated the delivery of basic training to municipal and central government employees," said Katja Salsbäck, the Mission's public administration officer.

Accordingly, the OSCE led Institute decreased its engagement. In August 2003 a Kosovo Institute of Public Administration (KIPA) was established as an Executive Agency of the Ministry and ever since it functions from its own premises being headed by a Kosovan Chief Executive Officer (CEO), Naim Rrustemi.

The OSCE intensively supported KIPA in its first days. With new staff being recruited they needed to develop their own expertise in providing training, planning and delivering professional development courses. OSCE experts worked closely with the CEO in developing the institute's strategic vision and programmes. "Our trainers educated KIPA's staff in their respective areas of responsibility," Salsbäck noted.

Through international conferences on public administration, KIPA established regional contacts and was able to further share and absorb expertise. With OSCE's help they also established a rich library of public administration literature depicting the latest international trends.

Today, KIPA is a dynamic Executive Agency of the Ministry of Public Services. A European Commission study showed that KIPA was one of the only two civil service training centres in the Balkans with a well-established management that works with a long-term strategic plan.

In its first year alone, training sessions provided by KIPA were attended by 2,800 participants from the civil administration sector. That number increased over 2004 and 2005. In 2006, KIPA will expand its outreach to civil servants belonging to ethnic minority groups and will aim to further improve the quality of its trainings and strengthen its human resources network. The OSCE Mission will continue to support KIPA in its efforts, both in-kind and with advice.



Professional and knowledgeable public servants ensure the effectiveness of central and local governments. Kosovo Institute of Public Administration is helping build their capacity.

Beginnings of municipal governance

Prior to the first democratically held Municipal Elections organized in October 2000, the OSCE Mission mainly monitored the work of the municipal institutions of the so called "Provisional Government of Kosovo". Its interventions were marginal as these institutions were self-appointed and not democratically representative.

Governance at the municipal level is not a new concept in Kosovo. However, the 2000 Municipal Elections were the beginning of a new era in many municipalities. UNMIK Regulation 2000/45 on the Self-Government of Municipalities in Kosovo, based on the principles of the European Charter on Local Self-Government, gave municipalities a comprehensive range of responsibilities. It was now the role of the OSCE Mission, the Institution Building Pillar, to assist the newly elected Municipal Assemblies in fulfilling these responsibilities.

"Following the first Municipal Elections the Mission launched a training programme called Post-Election Municipal Assembly," said Hartmut Purner, Deputy Director of the Mission's Democratization Department. The programme was carried out in most of Kosovo's municipalities. It aimed to build the capacities of the newly elected Assembly Members in carrying out their responsibilities, as the majority of the nearly 900 assembly members had never held elected office before.

After the second Municipal Elections held in 2002, a more comprehensive training programme, known as the Municipal Assembly Starter Kit (MASK), was designed to build upon experience already present in the Municipalities. According to Purner, the programme encouraged a more effective and representative legislature. Local Mission staff members were the primary deliverers of the MASK. "This allowed a more direct interaction between the trainers and the trainees," he added.

The training was designed to both acquaint the Members with the applicable law and the democratic principles on which it is based, as well as to assist them with the implementation of the law. "This way we could openly discuss some of the key issues, such as the separation of powers, the potential politicization of civil service, access to information, and the role of the opposition," said Arian Dragaçina, an Assistant Democratization Officer at the Mission.

During the period of November 2002 through June 2003, a total of 1,931 participants from all municipalities and all their communities participated in the MASK. The full effect of the trainings is still being assessed. "Many Municipal Assemblies have since shown greater respect for rules and procedures, and they are chaired more effectively," said Dragaçina. According to him, Assemblies are also demonstrating shift towards having a constructive relation between ruling and opposition parties and are consequently enjoying more fruitful debates.

The OSCE has further developed the concept of MASK and has

implemented a successor training programme, covering policy related issues, such as the work of municipal committees and the budgeting processes.

Currently, the Mission is developing its capacity building initiatives that are specific to the need of regions or municipalities.

In parallel to capacity building the OSCE Mission is also playing an active role in the process of devolution of powers from central to municipal level of government. This process is often being referred to as "decentralization", or more precisely, local government reform.

Initially, in November 2003, the Mission organized a conference to, for the first time discuss the decentralization concept with all relevant PISG and UNMIK actors. It also worked in a mixed local-international Working Group that has drafted in 2004 the Framework Document for the Local Government Reform. Once the Ministry of Local Government Administration was created to support the decentralization process the Mission supported its activities, most notably by hosting capacity building sessions for the Provisional Assemblies in the Pilot Municipal Units (PMUs).

PMUs are now being used to test the functionality of municipalities that would in future hold greater competencies in fields of education, health care, and infrastructure, among many powers, and would be responsible for securing their own financial sustainability. Pilot Municipal Units are also being used to test potential changes in the territorial reorganization of Kosovo municipalities. The Mission will remain involved to ensure adequate local capacity is built to carry out the process.



Quick and effective provision of services should be the goal of every administration. Malisheva/Mališevo Municipality created a "one-stop-shop" where citizens can obtain full service.

Local development

In the autumn of 2004 the OSCE Mission, in partnership with the Kosovo based Regional Enterprise Agency, began the implementation of an ambitious project called Participatory Budget and Public Financial Management. It aimed to enhance the capacities of six Municipal Policy and Finance Committees in the Prishtinë/Priština region.

The project catered to both training and technical assistance. It emphasized the need to introduce effective and transparent decision making processes that would provide for citizen participation. "The project's aim was to assist municipalities in managing the challenges of the region's rapid modernization and development," said Michael Walker, Democratization Team Leader at OSCE Office Prishtinë/Priština.

Training modules were designed and delivered from September to November 2004. They addressed the challenges of each particular municipality and included sessions on capital investments, local revenue generation and mobilization of financial resources.

The "Policy and Priorities" roundtable followed shortly after. It allowed participants to promote municipal investments and projects that they believed other municipalities could learn from – a Peace Park in Podujevë/Podujevo and a Business Incubator in Shtimë/Štimlje to name a few. The roundtable turned into a team building exercise and grounds for a more collective approach to regional governance.

GOOD GOVERNANCE

“The project’s final component included creating a public information brochure designed to explain municipal spending in an easy and understandable way,”

said Walker. “The brochure also promoted the importance of paying taxes.”

Municipal Information Officers were engaged in the design, writing and distribution of the brochures. For many of them it was the first time they ever conducted such a campaign.

It was encouraging to see all the enthusiasm and dedication demonstrated by the participants through out all project phases. The PDK Group Leader for Prishtinë/Priština thanked the OSCE for its efforts and said: “We, the Policy and Finance Committee Members are experienced in our own professions but indeed needed training like this one to understand and evaluate the reports forwarded to us by officials.”

It is hoped that the contacts and confidence developed through these trainings will help pave the way for the future monitoring and capacity building work of the OSCE Mission in all Kosovo’s municipalities.



A Participatory Budget and Public Financial Management project aimed to enhance capacity of six municipal policy and finance committees through training and technical assistance.

Listening to people

The interests and needs of all communities and inhabitants of Kosovo must be fully and fairly represented in all government branches and institutions.

To promote this principle the OSCE Mission organized a series of field trips for senior representatives (Assembly Members, senior civil servants, UNMIK officials and media) of Ferizaj/Uroševac, Kaçanik/Kaçanik and Štrpce/Shtërpçë municipal administrations.

“The visits were aimed to give the local politicians an opportunity to see local standards of living, first hand, and also to give citizens an opportunity to express their concerns directly to their local leaderships,” said Marc Kalmbach, Democratization Officer at the OSCE Office in Štrpce/Shtërpçë. The socio-economic situation, municipal services provided to the people, road infrastructure and employment were main issues discussed. The visits mainly targeted the most remote and deprived communities in each of three municipalities.

The visits in Ferizaj/Uroševac specifically included the return area of Babljak/Bablak. According to Kalmbach, Municipal leadership was for the first time confronted with issues troubling the recently returned Kosovo Serb population, as well as the opinions of the Kosovo Albanian receiving community.

“The visits and meetings with local population were well attended and appreciated,” said Mohamed Sagdati, Assistant Democratization Officer who also works at the OSCE Office Štrpce/Shtërpçë. During the discussions, as well as during the site visits, the villagers did not hesitate to voice their concerns, complaints and anger.

“They did show, however, an understanding for limitations posed by insufficient municipal budgets,” added Sagdati.

The politicians as well as the general public agreed that events of the same kind should be organized by municipal officials on a regular basis. As a result of these visits a number of infrastructural projects, such as development of sewage systems and water supply, were implemented, or are in the pipeline.

Experiences for Ferizaj/Uroševac, Kaçanik/Kaçanik and Štrpce/Shtërpçë should encourage other municipal administrations to follow the same example and better serve their population.



The OSCE mission supports municipal bodies in establishing good co-operation with general public.