

**Organization for Security and Co-operation in Europe**  
**MISSION IN KOSOVO**

**OSCE Mission in Kosovo Report 03/2010**  
**On the Monitoring of the Assembly of Kosovo**  
**1 May 2010 – 30 June 2010**

**Highlights**

- **Assembly endorses the law on civil service, including the amendment proposed by the Committee on the Rights and Interests of Communities**
- **Assembly endorses the annual report of the Independent Oversight Board**
- **Assembly endorses the law on rights and responsibilities of members of the Assembly**
- **Assembly endorses the Program on Gender Equality in Kosovo**

**1. Background**

This 68<sup>th</sup> monitoring report is drafted in accordance with the terms of reference for UNMIK Pillar III for Institution Building (OSCE) Monitoring of the Assembly of Kosovo, dated 26 November 2002, and is based on compliance with the new rules of procedure adopted at the plenary session on 29 April 2010.

The OSCE Mission in Kosovo monitored six regular plenary sessions, on 13 May, on 27 May, on 4 June, on 10 June, on 17 June and on 25 June as well as seven Presidency meetings, on 6 May, on 18 May, on 1 June, on 8 June, on 15 June, on 21 June, and 29 June. During the reporting period, the OSCE Mission in Kosovo monitored 41 committee meetings and three public hearings.

**2. Overview**

**The 13 May plenary session** was chaired by the President of the Assembly Mr. Jakup Krasniqi (Democratic Party of Kosovo - PDK) and by a member of the Presidency, Mr. Ibrahim Gashi (Alliance for New Kosovo - AKR).

- Seventy-three members of the Assembly were present at the 13 May plenary session.<sup>1</sup>
- Main agenda items of the 13 May plenary session:
  - Questions to the government for oral answer
  - Second reading of the draft law on civil service of Kosovo  
(The draft law was endorsed with 80 votes in favour and one vote against)
  - Second reading of the draft law on salaries of civil servants  
(The draft law was endorsed with 79 votes in favour and no votes against)
  - First reading of the draft law on amending and supplementing the law on expropriation of immovable property  
(The draft law was endorsed in principle with 63 votes in favour and one vote against)

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<sup>1</sup> This is the figure announced by the President of the Assembly at the beginning of the plenary session. Nevertheless, this figure does not correspond with the total number of votes on the agenda items below because it does not include abstentions and number of members that do not declare their vote at all. This remark also applies for the other plenary sessions reported in this document.

- First reading of the draft law on energy efficiency  
(The draft law was endorsed in principle with 68 votes in favour and two against)
- Review of the amendments proposed by the government to the agreement with International Monetary Fund  
(The amendments were endorsed with 83 votes in favour and one vote against)
- Debate on the state of affairs of central public enterprises in Kosovo  
(Mr. Driton Tali (independent) delivered an opening statement, as sponsor of the debate<sup>2</sup>; he was followed by parliamentary group representatives and several other Assembly members. At the end of the debate, Mr. Tali delivered a closing statement.)
- Review of the annual 2009 report of the Office of Energy Regulator  
(The annual report was endorsed with 45 votes in favour and 11 votes against)
- Review of the annual 2009 report of the Kosovo Privatization Agency  
(The annual report was discussed at the session, but its voting was postponed for the next session due to the lack of quorum. See below the section entitled “Quorum” for more details.)
- Review of the government’s Programme on Gender Equality in Kosovo<sup>3</sup>  
(The programme was discussed at the session, but its voting was postponed for the next session due to the lack of quorum. See below the section entitled “Quorum”, for more details.)

**The 27 May plenary session of the Assembly of Kosovo** was chaired by the President of the Assembly Jakup Krasniqi (PDK) and by two members of the presidency Mr. Sabri Hamiti (Democratic League of Kosovo - LDK) and Mr. Eqrem Kryeziu (LDK).

- Seventy-three members of the Assembly were present at the 27 May plenary session.
- Main agenda items of the 27 May plenary session:
  - Declarations of members of the Assembly
  - Questions to the government for oral answer
  - Ratification of the agreement between the government of Kosovo and the International Development Association<sup>4</sup>  
(The ratification of the agreement was rejected, with 68 votes in favour and 15 votes against, as it did not receive the support of 2/3 of all members of the Assembly.)
  - Vote on the annual 2009 report of the Kosovo Privatization Agency

<sup>2</sup> Mr. Driton Tali, supported by 11 other members of the Assembly, submitted a motion calling for a debate on the state of affairs of central public enterprises in Kosovo.

<sup>3</sup> On 13 May, the Assembly discussed the Kosovo Program on Gender Equality for the period 2008- 2013, proposed by the government. The program focuses on six specific areas: (i) integration of women in economy, (ii) integration of women in labour market and their social welfare, (iii) women in decision-making process, (iv) health care for women and access to health care services, (v) women education and (vi) women representation in culture and media. The programme strives to ensure equal participation of men and women in social, economic and political life in Kosovo. The Assembly Committee for Human Rights, Gender Equality, Missing Persons and Public Petitions, as the responsible committee, supported the programme and recommended that it should include women representation in security agencies and establishment of gender equality offices in municipalities in accordance with the Law on Gender Equality, promulgated by UNMIK Regulation 2004/18. All parliamentary groups supported the program and Committee’s recommendations.

<sup>4</sup> The International Development Association (IDA) is the part of the World Bank that helps countries in development by providing low or interest-free credits and grants for programmes that boost economic growth and improve people’s living conditions. The IDA complements the World Bank’s other lending arm – the International Bank for Reconstruction and Development (IBRD) – which serves middle-income countries with capital investment and advisory services. The purpose of the agreement between the government of Kosovo and the IDA is the funding of a project for the modernization of the public sector and the funding of a project for the registration of immovable property and cadastre. According to the agreement, the IDA offered € 5,200,000 to the government consisting of a financial contribution of up to € 2,300,000 and a loan of up to € 2,900,000.

- (The annual report was endorsed with 47 votes in favour and 18 votes against)
- Vote on the government's Program on Gender Equality in Kosovo  
(The program was endorsed with 62 votes in favour and eight votes in opposition.)
- Debate on the "violation of Kosovo's territorial integrity and sovereignty by Serbia"  
(The debate was held at the request of the parliamentary group of the Democratic League of Dardania (LDD). At the beginning of the debate, the sponsor of the debate, Mr. Lulzim Zeneli (LDD), delivered an opening statement; he was followed by parliamentary group representatives and several other Assembly members. At the end of the debate, a declaration was adopted with 58 votes in favour and no votes against<sup>5</sup>.)
- First reading of the draft law on amending and supplementing the law on Ministry of Foreign Affairs and diplomatic service of Kosovo  
(The draft law was endorsed in principle with 58 votes in favour and no votes against)
- First reading of the draft law on readmission  
(The draft law was endorsed in principle with 61 votes in favour and no votes against)
- First reading of the draft law on amending and supplementing the law on commercial companies  
(The draft law was endorsed in principle with 62 votes in favour and no votes against)
- First reading of the draft law on Central Bank of Kosovo  
(The draft law was endorsed in principle with 63 votes in favour and no votes in against)
- First reading of the draft law on protection of nature  
(The draft law was endorsed in principle with 55 votes in favour and two votes against)
- Review of the annual 2009 report of the Legal Aid Commission  
(The annual report was endorsed with 65 votes in favour and no votes against)
- Review of the annual 2009 report of the Kosovo Competition Commission  
(The annual report was endorsed with 55 votes in favour and five votes against)
- Review of the recommendation of the *ad hoc* Committee with regard to the appointment of two members to the Council of the Independent Media Commission  
(The appointments were endorsed with a majority votes in favour and no votes against<sup>6</sup>)
- Review of parliamentary group proposals with regard to the replacement of their committee members<sup>7</sup>

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<sup>5</sup> The debate was focused on the Belgrade-organized municipal elections in northern Kosovo municipalities, which was considered as violation of Kosovo's territorial integrity and sovereignty. At the end of the debate, the Assembly adopted a declaration calling on the government of Kosovo, in co-operation with international community, to ban the organization of municipal elections and other activities of the government of Serbia in the territory of Kosovo, to ban the visits of Serbian government officials without the permit of Kosovo institutions, and to draft an action plan for the dissolution of parallel structures in the northern municipalities of Kosovo.

<sup>6</sup> Mr. Daut Demaku and Ms. Venera Hajrullahu, were appointed as members of the Council of the Independent Media Commission for a two-years mandate.

<sup>7</sup> The PDK parliamentary group made following replacements in committees: Rexhep Hoti replaced Zafir Berisha, as member of the Committee on the Rights and Interests of Communities and Return; Arsim Bajrami replaced Edita Tahiri, as member of the Committee for European Integrations; Adem Grabovci replaced Nerxhivane Dauti, as member of the Committee for Economy, Trade, Industry, Energy, Transport and Communications; Ismail Kurteshi replaced Memli Krasniqi, as member of the Committee for Education, Science, Technology, Culture, Youth and Sports; Abdyl Ymeri replaced Hajdin Abazi, as member of the Committee for Public Administration, Local Self-Government and Media; and Basri Musmurati replaced Zafir Berisha, as member of the Committee for Internal Affairs and Security.

(The Assembly endorsed the replacement of committee members with a majority of votes)

**The 4 June plenary session of the Assembly of Kosovo** was chaired by the President of the Assembly, Mr. Jakup Krasniqi (PDK), and by a member of the presidency, Mr. Naim Maloku (Alliance for the Future of Kosovo – AAK).

- Seventy-two members of the Assembly were present at the 4 June plenary session.
- Main agenda items of the 4 June plenary session:
  - Declarations of members of the Assembly
  - Questions to the government for oral answer
  - Ratification of the agreement between the government of Kosovo and International Development Association  
(The item was postponed due to the lack of quorum.)
  - First reading of the draft law on labour  
(The draft law was endorsed in principle with 74 votes in favour and no votes against)
  - First reading of the draft law on reserve component of Kosovo security force  
(The draft law was endorsed in principle with 63 votes in favour and no votes against)
  - First reading of the draft law on environment impact assessment  
(The draft law was endorsed in principle with 62 votes in favour and six votes against)
  - Review of the law on rights and responsibilities of members of the Assembly  
(The law was endorsed with 74 votes in favour and two votes against)
  - Second reading of the draft law on parliamentary investigation  
(The draft law was endorsed with 74 votes in favour and one vote in opposition.)
  - Second reading of the draft law on official gazette  
(The draft law was endorsed with 76 votes in favour and one vote in opposition.)

**The 10 June plenary session of the Assembly of Kosovo** was chaired by the President of the Assembly Jakup Krasniqi (PDK) and by a member of the presidency Mr. Xhavit Haliti (PDK).

- Sixty-seven members of the Assembly were present at the 10 June plenary session.
- Main agenda items of the 10 June plenary session:
  - Declarations of members of the Assembly
  - Questions to the government for oral answer
  - Second reading of the draft law on Red Cross  
(The draft law was endorsed with 64 votes in favour and three votes against)
  - Second reading of the draft law on Red Cross emblem and other distinctive emblems and signals  
(The draft law was endorsed with 28 votes in favour and six votes against)
  - Second reading of the draft law on determining the rights and protection of topographies of integrated circuits  
(The draft law was endorsed with 70 votes in favour and one against)
  - Second reading of the draft law on prevention and fighting of cyber-crime  
(The draft law was endorsed with 65 votes in favour and one vote against)

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The LDK parliamentary group made following replacements: Fatmir Rexhepi replaced Ismet Beqiri, as chairperson of the Committee for Human Rights, Gender Equality, Missing Persons and Public Petitions; Njomza Emmini replaced Bujar Bukoshi, as first vice-chairperson of the Committee for European Integrations. The AAK parliamentary group made following replacements: Melihate Tërmkolli replaced Ahmet Isufi, as member of the Committee for Public Administration, Local Self-Government and Media.

- Review of the financial report on the Kosovo budget for 2009  
(The report was endorsed with 44 votes in favour and nine votes against)
- Review of the 2009 annual report of the Office of the Auditor General  
(The report was endorsed with 55 votes in favour and one vote against)

**The 17 June plenary session of the Assembly of Kosovo** was chaired by the President of the Assembly Jakup Krasniqi (PDK) and by a member of the presidency, Mr. Slobodan Petrović (Independent Liberal Party - SLS).

- Seventy-four members of the Assembly were present at the 17 June plenary session.
- Main agenda items of the 17 June plenary session:
  - Declarations of members of the Assembly
  - Questions to the government for oral answer
  - First reading of the draft law on access to official documents  
(The draft law was endorsed in principle with 56 votes in favour and eight votes against)
  - First reading of the draft law on establishment of a deposit insurance system for financial institutions  
(The draft law was endorsed in principle with 61 votes in favour and no votes against)
  - Review of the 2009 annual report of the Kosovo Property Agency  
(The report was endorsed with 44 votes in favour and 11 votes against)
  - Review of the 2009 annual report of the Civil Aviation Authority  
(The report was endorsed with 66 votes in favour and no votes against)
  - Review of the 2009 annual report of the Independent Commission for Mines and Minerals  
(The report was endorsed with 45 votes in favour and 11 votes against)
  - Review of the 2009 annual report of the Independent Oversight Board (IOB)  
(The report was endorsed with 53 votes in favour and two votes against)
  - Review of the request for remuneration of board members of Railways Regulatory Authority  
(The item was postponed due to the lack of quorum.)

**The 25 June plenary session of the Assembly of Kosovo** was chaired by the President of the Assembly Jakup Krasniqi (PDK) and by two members of the presidency, Mr. Sabri Hamiti (LDK) and Mr. Xhavit Haliti (PDK).

- Seventy-five members of the Assembly were present at the 25 June plenary session.
- Main agenda items of the 25 June plenary session:
  - Declarations of members of the Assembly
  - Questions to the government for oral answer
  - Second reading of the draft law on readmission  
(The draft law was endorsed 64 votes in favour and two votes against)
  - First reading of the draft law on amending and supplementing the law on travel documents  
(The draft law was endorsed in principle with 60 votes in favour and six votes against)
  - Vote on the request for remuneration of board members of Railways Regulatory Authority  
(The request was approved with 34 votes in favour and 25 votes against)

- Review of the request of the Committee for Agriculture, Forestry, Rural Development, Environment and Spatial Planning with regard to the draft law on protection of nature  
(The request was approved with 52 votes in favour and seven votes against)
- Review of the request of the Committee for Public Administration, Local Self-Government and Media with regard to the draft law on amending and supplementing the law on administrative procedure  
(The request was approved with 58 votes in favour and three votes against)
- Review of the recommendation proposed by the Supreme Court with regard to the appointment of members of the Media Appeals Board (MAB)<sup>8</sup>  
(The recommendation was rejected with 66 votes in favour and no votes against)

### 3. Parliamentary practices and proceedings of Assembly sessions

#### Legislative process

- During the review period, the Assembly approved nine laws as follows:

<b>Name</b>	<b>Functional committee</b>	<b>First reading</b>	<b>Second reading</b>	<b>Timeframe</b>
Law on determining the rights and protection of topographies of integrated circuits	Committee for Economy, Trade, Industry, Energy, Transport and Communications	24 July 2009	10 June	10 months
Law on prevention and fighting of cyber-crime	Committee for Economy, Trade, Industry, Energy, Transport and Communications	24 July 2009	10 June 2010	10 months
Law on salaries of civil servants <sup>9</sup>	Committee for Public Administration, Local Self-Government and Media	29 October 2009	13 May 2010	6 months
Law on civil service	Committee for Public Administration, Local Self-Government and Media	29 October 2009	13 May 2010	6 months
Law on parliamentary investigation	Committee for Legislation and Judicial Affairs	19 November 2009	4 June 2010	6 months

<sup>8</sup> MAB is the body that adjudicates appeals of parties that are directly affected by decisions of the Independent Media Commission (IMC). According to the Article 22.4 of the Law on the Independent Media Commission, promulgated by UNMIK Regulation 2005/34, the two local members of the MAB have to be nominated by the Supreme Court and appointed by the Assembly after a public solicitation of nominations by the IMC Council. Pursuant to the IMC law, the Supreme Court nominated Mr. Avdi Dinaj and Ms. Fllanza Kadiu. However, as the sister of Ms. Kadiu is presently holding a senior managerial post at the Radio and Television of Kosovo, the IMC Chief Executive requested two Assembly Committees give an opinion whether the nomination was indeed creating a conflict of interest situation. The Committee for Legislation and Judicial Affairs and the Committee for Public Administration, Local Self-Government and Media have recommended the Assembly *not* to endorse the nomination of Ms. Fllanza Kadiu to the Media Appeals Board (MAB) in order to avoid a conflict of interest situation. Accordingly, the Assembly rejected the nomination.

<sup>9</sup> On 26 January 2010, at the request of the Committee for Public Administration, Local Self-Government and Media, the Assembly presidency extended the deadline for the review of the draft law on salaries of civil servants and the draft law on civil service for additional 15 days. The committee however exceeded the deadline by three months.

Law on official gazette	Committee for Legislation and Judicial Affairs	11 February 2010	4 June 2010	4 months
Law on Red Cross emblem and other distinctive emblems and signals	Committee for Health, Labour and Social Welfare	28 January 2010	10 June 2010	4 months
Law on Red Cross	Committee for Health, Labour and Social Welfare	28 January 2010	10 June 2010	4 months
Law on readmission	Committee for Internal Affairs and Security	27 May 2010	25 June 2010	1 month

*Comment: All of the above-referenced draft laws, except the draft law on readmission, were approved by the Assembly beyond the deadline required by article 57.6 of the new rules of procedure, which provides that a “functional committee shall present to the Assembly a report with recommendations on the draft law within two months from the first reading.” Many previous monitoring reports had likewise noted that committees are continuously having difficulties to review and report their recommendations on draft laws in accordance with the timeframe set forth in article 57.6. On 24 March, following the approval by the presidency, the Assembly advertised 13 vacancies for experts to support committees in their work. It is therefore recommended that committees utilise the expertise, which will be soon available to them, and strive to review the draft laws within the required timeframe in order to increase the effectiveness of the legislative process.*

- At its 29 June meeting, the presidency received a motion submitted by Mr. Emrush Xhemajli (Socialist Party-PS), and supported by 66 other members of the Assembly, in which he proposed that the Assembly should instruct the government to amend the Law on the Status and the Rights of Families of Heroes, Invalids, Veterans and Members of KLA and of the Families of Civilian Victims of War.<sup>10</sup> The presidency decided to request the government to accelerate the process of amending the law in question and submit it soon to the Assembly, because the government had already included the new draft law on status of families of KLA martyrs, invalids and veterans and families of civilian victims in its legislative agenda for 2010.

*Comment: The decision of the presidency was in conformity with article 53.2 of the new rules of procedure, which provides that “the draft law introduced by the president, members of the Assembly, parliamentary committee, parliamentary group, voters shall be sent to government, through the Presidency of the Assembly, for an opinion.”*

- On 15 June, the Committee for Public Administration, Local Self-Government and Media submitted to the Table Office a draft law on the Independent Media Commission and broadcasting, drafted by the Committee itself. At its 21 June meeting, the presidency received the draft law in question and decided to request the government to present its opinion, including a statement on budgetary implications of the draft law, within one month deadline.

*Comment: The decision of the presidency was in accordance with article 53.2 of the new rules of procedure, which provides that a draft law proposed by a parliamentary committee shall be sent to the government for an opinion. Furthermore, article 53.3 stipulates that the government must present its opinion no later than one month from the*

<sup>10</sup> This law was adopted by the Assembly of Kosovo on 23 February 2006, however neither UNMIK Regulation 2006/29 that promulgated it nor the law itself were published. Since the publication of a law is a mandatory prerequisite, this law never entered into force.

*day it received the draft law, and that after this deadline, the draft law should be proceeded to the Assembly for consideration.*

#### Distribution of draft laws

- The draft law on amending and supplementing the law on expropriation of immovable property was distributed on 20 April. Thus, the draft law was distributed 15 working days prior to its first reading at the 13 May plenary session.

The draft law on amending and supplementing the law on Ministry of Foreign Affairs and diplomatic service of Kosovo, the draft law on readmission and the draft law on amending and supplementing the law on commercial companies were distributed on 4 May, the draft law on Central Bank of Kosovo was distributed on 6 May, and the draft law on protection of nature was distributed on 7 May. Thus, the above-mentioned draft laws were distributed, respectively, 15, 13 and 12 working days prior to their first reading at the 27 May plenary session.

The draft law on reserve component of Kosovo security force was distributed on 13 May, the draft law on labour was distributed on 14 May, and the draft law on environment impact assessment was distributed on 19 May. Thus, the above-mentioned draft laws were distributed, respectively, 15, 14 and 11 working days prior to their first reading at the 4 June plenary session.

The draft law on access to official documents and the draft law on establishment of a deposit insurance system for financial institutions were distributed on 1 June. Thus, the above-mentioned draft laws were distributed 11 working days prior to their first reading at the 17 June plenary session.

The draft law on amending and supplementing the law on travel documents was distributed on 8 June. Thus, the draft law was distributed 12 working days prior to its first reading at the 25 June plenary session.

*Comment: Article 56.1 of the new rules of procedure requires that the “first reading of a draft law shall take place no earlier than two working weeks and no later than four working weeks from the day of its distribution”. Thus, all of the above-mentioned draft laws were reviewed in first reading in compliance with article 56.1, which represents an improvement over the previous reporting periods.*

#### Assembly endorses the annual reports of nine independent institutions, including the Independent Oversight Board (IOB)

- During May and June, the Assembly discussed and endorsed the 2009 annual reports submitted by nine independent institutions and agencies, including the Office of Energy Regulator, the Kosovo Privatization Agency, the Legal Aid Commission, the Kosovo Competition Commission, the Office of the Auditor General, the Kosovo Property Agency, the Civil Aviation Authority, the Independent Commission for Mines and Minerals and the Independent Oversight Board (IOB).

At the 17 June plenary session, during the discussion of the IOB annual report, the members of the Assembly expressed concern regarding the failure to comply with IOB decisions by public institutions, as noted in the IOB report. In 2009, the IOB received 288 appeals from civil servants, of which 163 were filed against municipalities, 81 against ministries and 44 against other independent agencies and institutions. According to the report, despite the fact that the IOB decisions are final, the employment authorities did not execute 76 decisions, which for IOB and members of the Assembly presented a concern.



*Comment: There appears to be a positive trend among independent institutions in submitting their annual reports in a timely manner and for the Assembly to discuss and thoroughly review them and offer recommendations. It has been observed that the Assembly is also taking a more proactive stance in liaising with independent institutions and agencies in fully exercising its oversight role.*

*According to the IOB report, the main operational challenge for this institution remains the lack of will by executive authorities to enforce the IOB decisions. The OSCE Mission in Kosovo therefore provides support to IOB by strengthening its internal capacities in order to ensure the successful implementation of its mandate.*

### Quorum

- During the 13 May plenary session, at the end of the debate on the 2009 annual report of the Kosovo Privatization Agency (KPA) and the Program on Gender Equality in Kosovo, the chairperson of the session announced that 59 members of the Assembly were present in the plenary hall, which was not sufficient number to vote on these two documents. The chairperson therefore postponed the voting on the KPA report and on the Program on Gender Equality for the next plenary session, due to the absence of quorum. At the beginning of the 27 May plenary session, the Assembly voted upon and endorsed the KPA's report and the Program on Gender Equality.

*Comment: The decision of the chairperson to postpone the voting on KPA's report and the Program on Gender Equality was in compliance with article 51.3, which stipulates that "the decisions taken in the meetings of the Assembly are valid if more than half of the total number of Members of the Assembly were present at the time the decision was taken". Earlier monitoring reports have also noted similar situations, when agenda items have been postponed as a result of lack of quorum, causing difficulties in managing plenary sessions. It is recommended that the Assembly presidency and parliamentary group leaders address the issue of absence of members of the Assembly in plenary sessions in order to ensure better presence of their members and avoid situations, as above.*

### Assembly applies new provisions on parliamentary questions

- During the question period at the 13 May plenary session, 13 out of 17 questions received a response by the government, and four questions were postponed for the next session. At the 27 May, nine out of 13 questions received a response, and four questions were postponed for the next session. At the 4 June plenary session, eight out of 18 questions received a response, and ten were postponed for the next plenary session. At the 10 June plenary session, 12 questions had been asked by members of the Assembly, where only four questions received a response, while nine remained unanswered because of the absence of respective ministers and members, who submitted questions. The remaining questions were postponed for the next plenary session. At the 17 June plenary session, 16 questions had been asked by members of the Assembly, of which 14 received a response and two questions were postponed for the next session. At the 25 June plenary session, eight out of nine questions received a response, and one question was postponed for the next session. The President of the Assembly stated that questions which had not received a response in two plenary sessions would be published in the Assembly bulletin.

*Comment: Question periods during the reporting period were carried out by the Assembly in compliance with article 45 of the new rules of procedure on "Questions to the government for oral answers", which provides that the agenda of each session shall include a period of up to 60 minutes for members' questions to the government, with two*

*minutes for the question, three minutes for the minister's answer, one minute for a follow-up question and two minutes for the response to the follow-up question, and that a member of the Assembly may ask a maximum of two questions per plenary session.*

*Many previous monitoring reports have noted that all questions could not be processed during the 50 minutes period, as it was provided by the old rules of procedure, because of the high number of questions submitted by members. The Committee for Rules of Procedure had therefore included new provisions in the new rules of procedure, according to which the question period lasts up to 60 minutes and a member of the Assembly has the right to ask only two questions per plenary session. New provisions intend to make the question period more effective by giving to members who submit questions a better opportunity to receive a response in a timely manner. Nevertheless, the absence of the government to respond to questions in timely manner creates difficulties to the Assembly in managing properly the question periods. The Assembly should therefore make more efforts and use its authority to ensure the government's accountability, which is a key parliamentary democratic standard.*

#### **4. Equal access and participation of communities**

##### Assembly approves the draft law on civil service, including an amendment on representation of members of non-Albanian communities

- On 14 May, the Assembly of Kosovo approved the draft law on civil service including an amendment proposed by the Committee on Rights and Interests of Communities and Returns, which defines more precisely the representation of members of non-majority communities in the civil service. Through its amendment, the Committee proposed that at least 10% of posts in the central institutions of civil service be set-aside for members of non-Albanian communities. In addition, the amendment proposed that at the municipal level, members of communities in a minority position should be represented proportionally to the percentage communities in the given municipality.

*Comment: The second reading of the draft law on civil service had been scheduled for consideration by the Assembly at the 29 April session. However, its second reading was postponed for 13 May plenary session, because the Committee for Legislation and Judicial Affairs had disagreed with the amendments, proposed by the functional Committee for Public Administration, Local Self-Government and Media. As a result of differences between two committees, the Assembly decided to postpone discussions for the 13 May plenary session in order for two committees to resolve their differences. Later, the two committees met and reviewed again the amendments proposed by the functional committee and resolved their differences. The functional committee had initially proposed 203 amendments, but after the meeting with the Committee for Legislation and Judicial Affairs agreed to propose only 67 amendments, which were all approved by the Assembly.*

#### **5. Access**

- During the reporting period, the OSCE Mission in Kosovo continued to have access to plenary sessions, presidency meetings, committee meetings and public hearings. The OSCE Mission in Kosovo also received copies of documents considered by the Assembly and transcripts of plenary sessions.

#### **6. Transparency**

- The Assembly did not publish the records of electronic votes of plenary sessions, which took place during the reporting period.

*Comment: According to article 51.7 of new rules of procedure, the records of electronic votes of members of the Assembly shall be published within three working days from the plenary session. The Assembly however did not publish the records of electronic votes of any plenary session, during the reporting period, which was not compliant with article 51.7. It is strongly recommended that the Assembly publishes the records of electronic votes, as required by the new rules of procedure, in order to enhance the transparency of the Assembly, especially the accountability of the members of the Assembly towards their constituents.*

- Radio Television of Kosovo provided live television coverage of the plenary sessions under review. Members of the public and institutional monitors were granted admission to the plenary sessions. The Assembly has a website ([www.kuvendikosoves.org](http://www.kuvendikosoves.org), [www.skupstinakosova.org](http://www.skupstinakosova.org), [www.assembly-kosova.org](http://www.assembly-kosova.org)) containing biographical details of members of the Assembly, information about the structure and functioning of the Assembly, minutes and transcripts of Assembly sessions and committee meetings, copies of laws and resolutions adopted by the Assembly, along with other information.

ENDS.