Citizen Participation in Public Decision-Making:
Supporting local government to turn words into Practice

THE CASE OF KOSOVO

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I. ABSTRACT

This paper provides an analytical review of the legislative, policy and institutional infrastructure available at local level in Kosovo and evaluates the extent to which citizens participate in public and institution decision-making processes in Kosovo. It also provides a qualitative review and assessment of daily practices in regard to citizen participation in decision-making. The study focuses on five municipalities with diversified ethnic, demographic and territorial characteristics; Podujeva, Obiliq, Gjakova, Prishtina and Kamenica. In each of these municipalities citizen participation within the decision-making process has shown to be far from satisfactory.

On the one hand research indicates that local institutions have a considerable amount of possibilities to organize and facilitate citizen participation in the decision-making process(es). However, while legal, policy and institutional provisions exist to allow citizen participation and help provide for enough space for citizens to actively take part in local decision-making processes, many opportunities are missed. As such local government, civic society and citizens all bear loses.

The aim of this paper is to inform and increase awareness, particularly of Kosovo’s academic and policy-making audience, to share experiences and best practice, and to provide lessons learned on the ground. Failing to understand the current situation or acting upon it means there is no hope; we are simply left with an increasing political and civil apathy, and an increasing disbelief in local policy processes.

The paper concludes that there is a need to diversify access to local government by offering citizens and civil society practical ways in which to influence and participate in local decision-making processes. It recommends that participation in decision-making is made more inclusive and meaningful, and suggests improving municipal interaction and communication through regular public meetings or meetings with local NGOs, amending websites in order to enable interactive communication, improving online access, empowering public relation offices to service citizens, and offering consistent policies regarding citizen engagement within the decision-making process.

This paper shall be presented and discussed with the central and local decision-making authorities to inform them about the existing gaps between legislation and practice. It will also aim to encourage the development of alternative policies and practice in order to promote the use of current mechanisms to strengthen citizen participation. On 10 July 2009 the findings from the research were presented at an International Conference organised by the Kosovo Local Government Institute (KLGI), which focused on citizen participation in Kosovo – ‘Past and Present’
In short, this research paper provides:

- Review analysis in regard to citizen participation in decision-making processes
- Description of situation on the ground – a ‘reality check’
- Identification of provisions and arrangements in regard to citizen participation in decision-making and other forms of public life
- Information dissemination with the aim of increasing the awareness of specific audiences
- Sharing experiences and lessons learned

The paper also offers the following recommendations:

- To civil society
  - Special projects that support citizen participation are needed
  - Active monitoring of citizen participation is taking place in only 5 municipalities therefore MORE has to be done

- To municipalities
  - Set-up of Citizen Participation Departments.
  - Clear development of action plans on citizen participation in municipalities.
  - Work on the empowerment of municipal press and public information offices.
  - Use all additional PR tools for communication
  - Monitoring the local authorities

- To Central Government
  Encourage and support municipal authorities to establish Citizen Participation departments
  - There is a need for establishment of a donor coordination mechanism to only support citizen participation projects

- To Association of Kosovo Municipalities
  - Introduce a common web-portal for all municipalities which would enable active citizen participation
  - Publishing information about the existing legal provisions related to citizen participation

- To Media
  - Emphasis should be on practical examples where citizen participation made decision-making possible
  - Live coverage could increase transparency and willingness to participate, but also media should make it possible for citizens to send their queries and suggestions anonymously
II. INTRODUCTION

When we address the issue of citizen participation in decision-making we also refer to the complexity of factors that drive this process; factors that are cross-thematic and which correlate with each other within the process. Currently, the slow cultural, political, economic, institutional and material developments in Kosovo mean that we can only gradually and partially address the issue of citizen participation in the decision-making process. Furthermore, official and academic documentation on this topic is still at an early stage of development.

Before addressing citizen participation within the decision-making process(es) in today’s Kosovo, it is first necessary to consider the chronological developments at the local government level. The first signs of local self-government in Kosovo appeared with the establishment of the Local Community (Bashkesi Lokale/Mesna zajednica) as a part of municipality structures in Socialist Federal Republic of Yugoslavia with the Constitution of 1974. At this time Kosovo’s municipalities started organizing themselves, attempting to bring more social justice and local feedback for the ruling party. During the 1990s, when Milosevic abrogated Kosovo’s autonomy and took control over all aspects of government, the formal “Local Community” level was also diminished. The parallel system of the 1990s thus allowed life to be organized at a local level. This system enabled a collection of the 3% tax and provision of services such as primary health care and education for the mainly Albanian population of Kosovo.

Following the 1999 conflict and the entry into force of UNSCR 1244 and the United Nations Interim Administration Mission in Kosovo (UNMIK), the Provisional Institutions of Self-Government (PISG) in Kosovo was faced with a legislative gap with regards to local government. On 11 August 2000, UNMIK Regulation 2000/45 was implemented helping to fill this gap by regulating the work of the municipalities. Section 5 of Chapter One foresaw the possibility for the municipality to delegate powers to the sub-municipal, which included “villages, settlements and urban quarters”, when deemed appropriate. The same section also allowed municipalities to make arrangements with the sub-municipal level, and to regulate relations with these elements within their statute.

The entry into force of the Constitution of the Republic of Kosovo on 15 June 2008 has led to new stage of institutional developments that is currently taking place, and builds upon previous UNMIK Regulations. As such, the system of local government in Kosovo is a recent development that has emerged alongside international intervention and administration following the 1999 conflict. With this in mind, the political culture at the local level has not yet developed to its full capacity and the issue of citizen participation in decision-making processes remains heavily dependent on external developments such as structural, financial and functional developments.

There are three important issues to highlight. First, during the one party rule during the former Socialist Federal Republic of Yugoslavia, the system of local self government was more about legitimizing party initiatives and introducing ‘physical’ presence of institutions to citizens
and less about promoting real citizen participation in decision-making. Instead the decision-making process was more political and party based, rather than civic and institutional.

**Second,** with the abrogation of autonomy in the early 1990s, a political parallel system was introduced with the aim of enabling a form of passive ethnic Albanian civil resistance against Belgrade’s political, institutional oppression and dictatorship. Nevertheless, the Albanian parallel system was highly fragmented, disorganized and voluntary-based. It also aimed to seek freedom against oppression rather than attempting to advance any form of government or institutional logical thinking.

And **third,** since the entry into force of the Constitution of the Republic of Kosovo, Kosovo now faces new circumstances which have both enabled and set in law the establishment and functioning of municipal work. The new political and legislative circumstances have enabled the creation of a functioning efficient system of local self-government as well as increasing opportunities for citizens at a local level. In short, the settlement of Kosovo’s status issue with its democratic form of government that supports political pluralism, grass-root democracy, and provisions of legal, policy and institutional and other administrative arrangements have allowed and encouraged reflection. As such assessing citizen participation in the municipal decision-making process is now possible.

It is within this context that the issue of citizen participation can be now be addressed and analysed as it is no longer set as an expectation. Historically, Kosovo has had low level of citizen participation in local government processes as a result of an extremely centralised administration that reigned throughout the communist period. Furthermore, the repressive system of administration that was increasingly made powerful during 1980’s and 1990’s in effect discouraged citizen participation and deepened the division between citizens and local government.

After the conflict in 1999, UNMIK initiated a process of local government reform and decentralisation. Kosovo has since become increasingly committed to a strongly decentralised framework of governance, culminating in the promulgation of the Law on Local Self Government\(^1\) and other related local government laws.\(^2\) Such laws have encapsulated devolving responsibilities to municipalities over a very broad range of service sectors — including primary and secondary health, social care, education, local economic development within a legal framework.

Despite existing legislation that aims to strengthen local self-government, it continues to be actively supported and promoted by central institutions, as well as international organisations and donors. Bearing this in mind and considering the new responsibilities and

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delivery obligations of municipal and sometimes sub-municipal institutions that affect citizens’ daily life and well-being, two main question arise: what is the level of citizen participation in local government decision-making, and in which ways do the existing mechanisms allow citizens to raise their voice and proactively shape government and governance at the local level?

Although the legal infrastructure currently in place is well advanced, there is a large and serious gap between the blueprint (advanced citizen participation legal mechanisms) and the real situation on the ground (very low citizen participation in public decision-making). This issue will be addressed in more depth throughout the paper.

In summary, when thinking about citizen participation in local decision-making processes, one must consider the following main issues:

- It has been a gradual and partial approach
- Citizen participation in decision-making has strongly been connected with the establishment, functioning and efficiency of a particular system of local self government
- Citizen participation in decision-making has dealt with political and party issues but should be more focused on civic and institutional forms of engagement
- Settlement of Kosovo’s status, i.e. the declaration of independence preceded by an UNMIK administration, has placed the issue of citizen participation onto the policy, legal and institutional agenda. This was not present before 1999
- Local government is responsible for promoting citizen participation in decision-making processes whereas legal provisions enable institutional creativity and use of possibilities in this regard
- All of the above issues were not considered before 1999 by contemporary academic and policy experts
- The challenge remains as to whether or not Kosovo will be able to successfully achieve a system of citizen participation in the decision-making process(es) at the local level
III. RESEARCH METHODOLOGY

Mixed approaches were employed to research this paper. An initial desk review analysing current legal and policy framework was carried out with the aim of identifying existing mechanisms that promote and enable citizen participation at the local government level. In depth semi-structured interviews were then held with Mayors, Directors of Departments, NGO representatives, and other stakeholders at municipal level in order to gain an insight into differing institutional, political and civil society opinions, including the views of school directors, teachers, businesspersons and other citizens, as well as to gain further information from the municipal administration.

Two focus groups discussions were also organized with more than 30 young people and NGOs that mainly represent youth, and face-to-face meetings were held with political party representatives including those of minority communities, in particular the Serb community, in order to obtain and include their opinions. This resulted with sufficient evidence and materials needed for this research paper so as to enable a substantial analysis of trends, opinions and data. Finally, consultations with like-minded scholars took also place.

In brief this research is characterised by:

- Mixed approach, i.e. desk and field research
- Focus on legal, policy and mechanisms in place
- Interviews with institutional, civil, political, and other actors
- Evidence and information gathered from primary and secondary sources
- Consultation with like-minded scholars

Figure 1: Map of Kosovo and the wider region

IV. BACKGROUND OF THE ISSUE

On 10 June 1999 the Interim Administration of United Nation (UNMIK) was established by the UN Security Council resolution 1244. The most urgent task of UNMIK was to create central and local administrative structures. UNMIK regulation 2000/45 established provisional institutions for democratic and autonomous self-government at the municipal level. The regulation concentrated on the establishment of local government structures while continuing to neglect the importance of citizen participation. In section 8 of the regulation, it merely noted that citizens “may participate” in public meetings and initiate petitions. Bearing in mind that citizen participation has historically been minimal and that this regulation was in place for 7 years, it indirectly contributed to continued discouragement of citizen involvement in public decision-making by allowing participation to be optional rather than actively encouraging it.

The figure below illustrates the development phases of Kosovo which has been applied to assessing corporate social responsibility in Kosovo but which is also relevant to the development of citizen participation in decision-making.

**Figure 2: Key phases in Kosovo’s recent history**

![Diagram of Kosovo's development phases](image)

The Republic of Kosovo’s Law on Local Self-Government which was promulgated in June 2008, expands substantially on citizen participation within the decision-making process. Articles 68-72 of the law give citizens the right to: a) public information and participation in the consultation process; b) petition; c) initiate the process of development of municipal regulations; d) call for a referendum on the issue of great importance of citizens and e) to take initiative for removal of the mayor. Although these legal rights and provisions place the citizen as a check-and-balance mechanism at the municipal level, it requires time to be...
rooted in political culture and to be effectively implemented in practical terms. It also requires citizens to be aware of their new rights and to exercise them.

Basing itself on European Charter on Self Government and its Protocols, this law successfully reflects and combines principles that derive from this Charter and adapts it to the needs of the Kosovo context. In line with this, the law sets the municipality as the only formal basis for local self-governance. However, the law also states the principle of subsidiary which can be utilized through sub-municipal actors, nominally villages, quarters (for cities), and settlements, and not just the municipality. Furthermore, municipalities are given full competencies to regulate issues relating to local self-governance and can, when necessary, enter into cooperation with other municipalities. These are just some among many dimensions that complement the law to the level of desirable standard.

Nevertheless, the real question with regards to this point is whether the system will develop towards emphasizing and utilizing the role and capacities of local self-government in order to increasingly accommodate the needs, interests and participation of the local communities in the future. Otherwise, the exercise of power will be only one way, namely top down, and there will be no inclusion of citizens in the decision-making process(es).

In summary, these are the main factors which impact on necessary future changes in regard to greater participation of citizens in the decision-making process(es) in Kosovo:

- Although local self government and participation of citizens in decision-making was previously neglected, new developments such as constitutional guarantees promote active citizenship
- There is no doubt that further to constitution, Law on Local Self Government in its core message tends to promote principles of grass-root democracy with municipal institutions taking the lead in this regard
- However, sub-municipal structures play important role in regard to a more active citizenship, including participation in decision making
- Accommodation of needs and interest of communities is a kind of precondition to greater and effective participation in all processes

*Figure 3: Key dates regarding the development of Local Self Government in Kosovo: 1974-2009*
V. OVERVIEW OF CITIZEN PARTICIPATION IN DECISION-MAKING: THE CASE OF 5 KOSOVO MUNICIPALITIES

1. Levels of inclusion of citizens participation in local decision-making
Obiliq: Mr. Rexhep Kelani, From Democratic League of Kosovo
Specificities: Industrial municipality with enormous lignite and coal reserves used by thermo-central plant
Main economic activities: electricity production; agriculture, small and medium enterprises,
Population: 32 Thousand
Geographical position: Central Kosovo.

Podujeva: Mr. Ilaz Pireva, from Democratic League of Kosovo
Specificities: Rural municipality and a trade cross-border point between Kosovo and Serbia.
Main economic activities: agriculture and small and medium enterprises, and compounded by limited commercial activities. 75% of employed people are working in private companies.
Population: 100000?
Geographically populated
Dominantly Albanian community populated
Geographical position: North part of central Kosovo

Gjakova: Mr. Pal Lekaj, from Alliance for Kosovo Future
Specificities: Municipality with urban and rural characteristics
Economic activities: Agricultural activities, service provider companies, trade, and limited production capacities. Employment is mainly based in local public administration and small and medium enterprises including few factories.
Population: 152 Thousand – dominantly Albanian community populated
Geographical position: South-west of central Kosovo

Kamenica: Mr. Begzad Sinani, from Democratic Party of Kosovo
Specificities: Small municipality, mainly with rural characteristics
Economic activities: High unemployment rate as a consequence of limited production and trade capacities.
Population: ?? Albanian, Serbs and Roma
Geographical position: East of central Kosovo

Prishtina: Mr. Isa Mustafa, from Democratic League of Kosovo.
Specificities: Small and medium enterprises, employment in private and public sector, presence of international community and citizens from other municipalities of Kosovo, combination of urban and rural characteristics. Population: Over 6 hundred thousands
Geographical position: Central Kosovo

Although on paper the legislative and constitutional frameworks exist for citizens to participate in local government decision-making it becomes clear when looking at particular municipalities in Kosovo that there is little progress. The table below illustrates the level of participation, inclusion and consideration of citizens by five municipalities. These municipalities cover the centre, east and west of Kosovo and have been chosen as they represent ethnic diversity. By choosing these municipalities we tried to have a combination of examples ranging from municipalities which are over-populated, municipalities with a large number of population and municipalities which count only for few thousands of inhabitants. Per example Prishtina counts from more than half of millions of inhabitants, Gjakova counts somewhere in between 150 thousands and 200 thousands with Podujeva, Obiliq and Kamenica with smaller number of inhabitants. Economies of these municipalities are very diverse when placed in comparison; however, there among these five we have municipalities that bring a combination of urban and rural characteristics, and others which are dominantly rural. In addition, we’ve been careful to choose municipalities which are governed by main political parties in Kosovo in order to see is there any difference or inter-linkages between participation and potential impact that political parties approach may have. Yet, in some cases we have municipalities which are placed at different geographical positions of Kosovo and have different specificities. In short, by choosing these five municipalities we tried to bring best possible picture reflecting different diversities.

**Table 1: Findings of participation levels in 5 municipalities**

<table>
<thead>
<tr>
<th></th>
<th>Participation in public hearings</th>
<th>Participation in decision-making</th>
<th>Consultation of citizen opinions</th>
<th>Public information and outreach</th>
</tr>
</thead>
<tbody>
<tr>
<td>Obiliq</td>
<td>Weak</td>
<td>Inexistent</td>
<td>Weak</td>
<td>Inexistent</td>
</tr>
<tr>
<td>Podujeva</td>
<td>Medium</td>
<td>Inexistent</td>
<td>Medium</td>
<td>Weak</td>
</tr>
<tr>
<td>Gjakova</td>
<td>Strong</td>
<td>Weak</td>
<td>Strong</td>
<td>Medium</td>
</tr>
<tr>
<td>Kamenica</td>
<td>Medium</td>
<td>Inexistent</td>
<td>Medium</td>
<td>Weak</td>
</tr>
<tr>
<td>Prishtina</td>
<td>Medium</td>
<td>Weak</td>
<td>Weak</td>
<td>Medium</td>
</tr>
</tbody>
</table>

*Based on interviews with municipal, sub-municipal level representatives, including heads of local non-governmental organisations, this is overall qualitative assessment in regard to a broader picture of citizens involvement and participation in decision-making and local government issues. This table partially reflects the self-assessment of the municipality structures.*
Although it is expected that the municipal institutions do more for increasing citizen participation, many of the opportunities are not utilised. It seems that these institutions are somehow self-centred and do not pay appropriate attention to community needs, concerns and show no strong commitment to include citizens in the decision-making process(es). As illustrated in the table above the consideration for citizens in the five municipalities on average is weak to medium.

In Obiliq it was found that the political will to include citizens in decision-making ranged from weak to inexistent. The way in which citizens’ involvement has been structured is that the municipal representative acts as a focal point and a bridge between the municipality and the citizen. However, it was found that in Obiliq, there is no strong no interest to include citizens in decision-making but rather the municipal representative serves as a first point of contact.

In Podujeva, the situation is slightly different. Municipal officials, including the Mayor and the special coordinator of the municipality, have attempted to organize public meetings with the aim of consulting public opinion. However, although attempts to increase citizen involvement in the municipal process are made, it could be said that, participation is mainly ad-hoc, issue-based and lacks consistency.

By contrast, there appears to be a strong political will in Gjakova to include citizens at the sub-municipal level. Indeed, Gjakova is exemplary of a municipality where there is strong community involvement due to both municipal understanding and political will on the one hand, and strong community interest and involvement articulated by sub-municipal level leaders, i.e. heads of villages on the other hand. Municipal officials in Gjakova are actively involved in organizing public meetings and when necessary, they conduct field visits to villages in order to communicate directly with the local population or to increase public outreach. In addition to a specific official appointed to deal with community needs, there are also officials who work on a full-time basis in some sub-municipal localities, known as territorial councils. It is perhaps measures such as these that have contributed to the success of increasing citizen involvement in public hearings and allowing opinions to be voiced.

Although the municipality of Kamenica performs better than Obiliq in regard to citizen participation, it is far from satisfactory. During the research it became clear that Kamenica is a municipality that is more orientated toward openness but fails to support participation with efficient practices. According to Sanije Jahiri, a local civil society actor in Kamenica, more has to be done and it is not enough only to expect input from local communities. She stresses the importance of the enhancement of the role of the sub-municipal structures, especially of the village leaders. Ms. Jahiri from the NGO “Fortesa” suggested that there may be more input by villages leaders and citizens living in villages and less from city blocks because of political self-interest. It was suggested that the current Mayor might believe his constituency is from the rural areas mainly and thus focuses most of his attention in these areas.
Prishtina municipality reflects an average level of citizen participation. In this municipality public participation is assessed as being ‘medium’. This could possibly be due to the fact that Prishtina is an overpopulated city rather than as a result of municipal under-commitment. However, citizen participation in decision-making remains weak nevertheless.

2. **Role of structures in communication and outreach**

Communication and outreach is one of the main factors that pave the way for the solid participation of citizens in the decision-making process(es). As one can see from the table below, within the five municipalities there are about eight hundred thousand inhabitants covering 310 settlements. Despite these high numbers, not more than one thousand citizens have been recorded to request official information from their municipalities. This number best represents the substantial lack of citizen inclusion and accounts for the weak to inexistent participation levels in the decision-making processes of these municipalities.

<table>
<thead>
<tr>
<th></th>
<th>Obiliq</th>
<th>Podujeva</th>
<th>Gjakova</th>
<th>Kamenica</th>
<th>Prishtina</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Area</strong></td>
<td>Northwest</td>
<td>North</td>
<td>West</td>
<td>East</td>
<td>Central part of Kosovo</td>
</tr>
<tr>
<td><strong>Population</strong></td>
<td>30,000</td>
<td>130,000</td>
<td>150,000</td>
<td>63,000</td>
<td>500,000</td>
</tr>
<tr>
<td><strong>Community members, approximately</strong></td>
<td>Albanian 25, 000; Serbian 3,400; Roma 300; Ashkali 70; plus members of other ethnic group</td>
<td>Albanians 129, 280; Roma and Ashkali 720; Serbs 10.</td>
<td>Albanians 141, 000; Roma, Ashkali and Egyptians 8,600; Bosniaks 60; others.</td>
<td>Albanians 51,660; Serbs 10,710; Roma 630.</td>
<td>Albanians 475,000; Serbs, 4,550; Ashkali and Roma, and 450; Bosniaks and Gorani. Other minority communities, including Turks, 3,950.</td>
</tr>
<tr>
<td><strong>Number of settlements</strong></td>
<td>20</td>
<td>77</td>
<td>88</td>
<td>76</td>
<td>49</td>
</tr>
</tbody>
</table>

*Considering the fact there is no population census in Kosovo from 1981, information regarding population is approximate.*
Official structures and mass communication tools could have played a major role to improve the lack of citizen participation and to raise awareness. However, municipalities lack the appropriate structures and tools that encourage citizen participation in decision-making. As such it is understandable that there is a limited level of citizen participation. The communication of rights and opportunities reserved for citizens to participate in local-level decision-making processes is closely connected with the municipal structures, their communication tools and their outreach approaches. In other words, there is a positive correlation between awareness raising, citizen interest in local developments and readiness for involvement where the municipal and sub-municipal structures are adequate and the communication tools are developed.

Communication that has for its focus public outreach is a key component for community participation overall, citizen participation in decision-making processes and in the mobilization of efforts. Nevertheless, across municipal and sub-municipal representative structures there are vague efforts and practices that suggest a variety of tools and resources used for outreach purposes. In this context, although the means for mass communication and outreach are expanding and there are new ways to get messages through, it is difficult to distinguish where the municipality or sub-municipal structures are doing well in reaching the public. The maintenance of communication and the consideration of possibilities for greater public outreach remain premature and somehow pre-modern at this stage in Kosovo. In most cases, communication takes place in ad hoc and in an infrequent manner whereas public outreach is narrow and vague with some irregular public meetings held in some municipalities or villages.

The municipalities of Gjakova, Podujeva and Oblic are case examples of limited outreach. In Gjakova, municipal structures are involved in organizing public meetings in the municipality and when necessary a field visit is organized in order to communicate with the local population or to increase public outreach. In Podujevo, the same process takes place through the municipal coordinator’s visits to villages or through his network of people. It is only rarely that other municipal officials also undertake field visits. In Obiliq, public outreach is somewhat vague, considering the fact that there is no coordinator and municipal officials do not seem interested in the inclusion of sub-municipal structures. Although there are structures in place and there is a need for better communication and outreach, it is obvious that this process is not taking place adequately in these municipalities. All municipalities visited for the purpose of this research topic were able to provide us with the contact list of village leaders but provided no detailed information in regard to the level of citizen participation in decision-making.

The most regular way in which communication occurs is through mobile phones and personal meetings. Other forms of communication are not utilized despite being possible and available due to because of the infrastructure in place. Among these municipalities only Prishtina and Gjakova have the possibility to communicate with their citizens through electronic messages posted on their websites. We saw this as an opportunity for village, settlement and/or city block leaders to communicate with the municipal administration, as well as citizens.
Unfortunately the internet network is not being utilised although it is covering more and more locations, even some very distant ones. Instead mobile phone conversations could also be expensive, and trips to the municipality for these leaders could be even more expensive.

To summarize, although communication and outreach are highly important for municipal and sub-municipal developments, it could be evidenced that there is a lack of advanced communication and very limited outreach. In short, it can be concluded that:

- There is no real progress in regard to the improvement of self government in Kosovo and citizens participation in decision-making
- Municipal institutions are characterized by a lack of engagement to involve citizens in municipality processes and decision-making. In this context, the performance in five municipalities is vague and limited
- However, some municipalities like Prishtina and Gjakova stand better than other municipalities, such as Obiliq, Podujeva and Kamenica
- There is a vague communication and public outreach, and this makes citizens participation in decision-making far from solid
- The utilization of means for mass communication remains premature in Kosovo

3. Legal and practical layout of the challenge of citizen participation in decision-making process

Although the Ahtisaari Comprehensive Status Proposal (UNOSEK, 2007) was mainly modelled in order to protect and promote the interests of minority communities, its laws actually provide more than just a significant layout for a highly interactive decision-making process at the local government level with the active involvement of civil society. The Ahtisaari plan was the basis for the approval of many laws including the Law on Local Self-government. Article 68.1 of the Law on Local Self government specifies clearly that “... [each municipality shall hold periodically, at least twice a year, a public meeting at which any person or organization with an interest in the municipality may participate]...” as well as “...[Municipalities are obliged to inform the citizens of the Municipality of any important plans or programs of public interest]”.

The evidence however, shows that in cases when the municipality holds a meeting, the attendance of the citizens is very low with little or no impact on the decision-making authorities. Regardless of the fact that the municipality has attempted to announce public meetings through different means and channels (such as radio outlets, local newspapers and municipal information boards), participants were in fact mainly municipal servants and other municipal officials. This piece of legislation has other flaws. Article 68, paragraph 1 says for example: “...[The date and the place of the meeting shall be publicised at least 2 weeks in advance.]...” referring to the twice a year mandatory informative meetings with citizens and civil society alike. This kind of formulation means that the form or the scope of publication is not specified and it is left to the local government to decide how they will proceed. This could
hypothetically be misused by publishing the information through a certain channel targeting
only a certain population, such as party members or a certain interest group, or just publishing
the information through a media outlet that does not really have any impact on the wider local
population. Furthermore, Article 68, paragraph 4 of the same law states that “the Ministry
responsible for Local Government” has the possibility issuing an “administrative instruction on
municipal transparency”. However it does not mention the key role that could be played by civil
society and their role in drafting or amending such a sub-legal act.

During the planning of the municipal budget, often the involvement of citizens is
unsatisfactory. In addition, where municipalities insisted in holding public debates with citizens,
such as during the development of the Prishtina Municipal Statute, where the meeting lasted
40 minutes with the participation of only 25 citizens. During this meeting the participating
citizens were completely disinterested in the topic and used the event to complain about harsh
living conditions and the lack of employment opportunities. This could also be related to the
case of lack of proper information and lack of proper distribution of information.

The Law on Access to Official Documentation, put in force since 2003, guarantees
access to legal documents and information for all citizens except in cases when the required
information or document is regulated by article 4 as an exception or by article 8 when the
document or the information is of sensitive nature. Article 6, Paragraph 1 sets the responding
time to the registered request to 15 days. According to the same paragraph, the access to
document or information or a copy of the document or the information have to be provided, or
at least a written explanation that explains that the requested documents or the information
can not be provided since it falls under exception or is classified as sensitive information, has to
be given within the same timeframe. Research has shown that only 5% of Kosovar institutions
fully adhere to the Law on Access to Official Documents. Also, citizens are not familiar with
this law, although it was adopted years ago. This severe finding is very much a worrying issue
requiring further examination. Similar research would be welcome and would provide some
basis to establish longitudinal relations to the development with regards to the full
implementation of this law.

As per the topic of access to official documents, the paper now moves beyond the 5
municipalities so that the reader can get a full picture of citizens’ access to official documents.
According to the report published by the Ministry for Local Government Administration
(MLGA) for the year 2008, most municipalities were shown to have received no request for
access to official documents. The following municipalities got the following number of requests:
Municipality of Kaçanik received 95 requests; Klina (16); Prishtina (9); Ferizaj/Uroševac (2);

10 Koha Ditore newspaper, 26 February 2009; “Debate on capital’s statute deviates”
GOVERNMENT OF THE REPUBLIC OF KOSOVO
Kamenica (5); Mitrovica, Suhareka/Suva Reka and Prizren all received 7 requests; and Gjilan/Gnjiljane and Peja/Peč received 3; and Vitia/Vitinna, Shterpca/Štrpce, Skenderaj/Srbica and Lipjan/Ljipljane all received 1; while the municipality of Gjakova/Đakovica received 1 request from and NGO. Other municipalities have not received any request for access to official documents. Providing that these requests (all 156) have been answered, there is still a need for similar research in addition to the one implemented by the Youth Initiative for Human Rights (YIHR) during 2006. The research should focus on the requests that never get recorded as requests by local government administration. With this information from different municipalities we want to highlight how little citizens are interested in pressing forward their own agenda that may influence local level decisions.

Another research shows that citizens are willing to present their case on behalf of their community when given a proper opportunity to do so\textsuperscript{14}. In this case there was a free hotline phone number provided, where voters could report broken promises from local governments as well as any pre-election campaign complaints and issues. Some 1052 calls were made from 28 municipalities addressing different issues. Concerns ranged from electrical outage, followed by problem of unpaved roads, unemployment, nepotism, water supply cuts, poverty, inadequate sewage system, poor health care and pollution. While some fell under the competencies of the central government, many fell under the competencies of local government. This research shows that there are problems that citizens face everyday and would be willing to report them given the possibility of anonymity. Yet the question remains why these issues do not come up in formal meetings with citizens and why is there a low turnout?

4. Lack of citizens’ participation in decision-making means exclusion and marginalisation – and illustration story from the ground.

The country of Kosovo can be presented by some human personal stories that illustrate identified social exclusion, thus there’s a little space to elaborate on genuine participation in decision-making in municipalities. In the stories below, the experience of citizens with disabilities have been chosen in order to illustrate vulnerable peoples access, or non-access to local government structures and their chances of being included within the local level decision-making structures.

While conducting the research interviews, the author met with a group of people with disabilities visiting the municipality of Kamenica. The author asked for their understanding to discuss the issue of citizens’ participation in decision-making, but it became clear that they not only think that they have no say in decision making, but also that they feel excluded from all decision-making processes. After this discussion, the author got their consent to use their stories as case studies but to anonymize them in the report.

\textsuperscript{14} \url{http://www.womensnetwork.org/otherreports/75votersvoicereport_english.html} Voter’s Voice- Research conducted by Kosovo Women’s Network, September 2008- March 2009
a. A story about access to information for persons with disabilities

A deaf-mute person, a woman that is both an interpreter of sign language and a teacher of children with special needs, a person with disabilities that is an NGO activist and retired worker offer insights on the day-to-day challenges from a real life somewhere in Kosovo. Access to information, media and public administration is simply a right that the deaf-mute does not enjoy in Kosovo. Five minutes per day of interpreted sign language news at the public television Radio Television of Kosovo are not enough for them to be informed properly. The deaf-mute cannot get access to community or health services because there are not enough sign language interpreters. In terms of citizen participation the deaf-mute would thus be excluded from expressing or communicating any concerns, thereby excluding him from any decision-making processes. Just like the deaf-mute, many marginalized groups are neglected from public administration, health care, TVs and the community at large. As such they feel left out and do not fit in line with the mainstream population.

b. A story about access to education for persons with disabilities

When it comes to children with disabilities and special needs access to education is difficult and most often discriminatory. The existence of parallel classrooms in some schools, dedicated to children with special needs, face significant challenges. Instead of being a transitional instrument these classes have become permanent. There is a lack of capacity or infrastructure in the education system to systematically help children with disabilities. All children with special needs are put together in the same class – no matter of their level of disability - and as a result smart children with some physical disability are taught together with children with downs syndrome. A system of criteria, which could categorize the level, and stage of disability could facilitate mainstreaming of children with minor disabilities, the educational opportunities and the quality of education. In absence of such system or the system of inclusion criteria, many of the children with disabilities who could otherwise excel in the level of education remain little or not advanced. “There are some that have a strong intelligence but because of a physical problem, they are not allowed to go to normal classes. They should not be put all in the same classroom. Each child has a right to receive quality education.”

c. Access to employment for persons with disabilities

Further to that, persons with disabilities find it difficult to find employment. They become a burden to the society, which often is in a hard situation to sustain itself. A person with disability from the region of Kamenica is married and has two children under five. He lives at his brother’s house. He has been unemployed for several years and got rejected access to social assistance three times already. The basis for refusal have been because the house of his brother is considered to be at an economically well off state. “But the walls of the house of my brother do not give my family to eat.” Another person with disability (no hands) was not eligible for social assistance due to owning a hectare of land, which he obviously cannot work on.
“Eligibility criteria for social assistance should be more comprehensive, adequate and allowing certain level of flexibility.”

d. Lessons from the stories

So, which are the lessons we can draw from this? First not only mainstream population but also marginalized, groups have been excluded from the local decision-making processes. Second, citizen participation in the decision-making process brings changes on the ground, however, the above examples show that people are not consulted by or included within institutional structures. As such they face extraordinary situations in their daily lives. And third, if there was a better communication and outreach approach by local institutions, marginalized groups would not face such exclusion. However the fact remains that they feel the everyday challenges that result from not having been affiliated or consulted in policy decision-making or implementing processes. That’s status quo situation in regard to citizens’ participation in public life.

5. Summary of Section

- The current involvement of citizens in various local processes is low or has no impact in decision making whatsoever
- Participation of citizens in decision-making is often an organized ‘show’, because sometimes we cannot seek a genuine citizens’ participation but more municipality officials and civil servants who pretend to take part in this meetings as common citizens
- Sometimes citizen’s participation in the municipal processes is completely off the agenda for certain public meeting held
- Citizens are not informed about their rights, including the right to get information, and they have low awareness about municipality obligations
- Citizens if granted certain anonymity they would report their concerns to competent authorities
- It should be emphasized that lack of citizens participation in decision-making is closely connected with exclusion and marginalization of different social groups and also mainstream society
VI. REVIEW AND ANALYSIS

1. General Review and Analysis

While the current legal framework on the local self-government provides a wide range of opportunities for citizen participation and obliges the local authorities to reach out and consult with its constituency, it is apparent from the early research findings that the current situation in this regard is facing serious problems and obstacles relating to citizen participation. There is an evident lack of genuine interest of citizens to fully engage in the public decision-making, which almost justifies the non-adequate responses by municipal authorities. In contrast, municipalities work to fulfil their legal obligations for the sake of reporting without approaching the situation in the most honest manner, thus not taking into account the voices of their citizens.

On a conversational level there is an acknowledgement of low level of participation of citizens in decision-making, but there are only few creative and genuine efforts to change this. Research findings show little NGO engagement and weak interaction to mobilise citizens to exercise their rights. NGOs mainly implement projects that are supported financially by donors and are therefore donor-driven. These projects are often planned by the donors and hold less local ownership, which is necessary for real change to occur in a sustainable manner. Hence, the implementation of these projects does not necessarily act as a watchdog that would make public any negative, or positive, examples of municipal relationships vis-à-vis its citizens through the media and other forms of communication. One of the major donors in Kosovo (UK Government through DFID) has recently published a three-year strategy of engagement in Kosovo. This strategy presents clear UK priorities and all those applying for funds are obliged to present project proposals based on the UK priorities (see table below).

While conducting interviews and focus group discussions between December 2008 – March 2009, the findings of the research highlighted outline that on the one hand citizens complain that their voice is not heard and their impact on the decision-making processes is insignificant. On the other hand, research showed that municipal authorities are firm in their statements that outreach to the citizens is broad and inclusive but that it is the citizens who lack interest and offer no solution-driven ideas for moving processes forward and influencing decision-making processes. The Mayor of Podujeva stated in the discussion that he is implementing an open door policy for all citizens, but in almost all cases, visits of the citizens are linked with personal requests and favour calls for job opportunities. He has not noted a case when an individual or a group of citizens has discussed with him an idea of a public interest.
Nonetheless, during the focus group discussion with 15 young people from Podujeva, most of them criticised the local government stating that public meetings are false initiatives and whenever the attempt is made and proposal is put forward local government does not take it seriously. For example, an NGO gathering young artists had proposed the creation of a gallery building, but was turned down without extensive discussion or explanation.

The low level of citizen participation is noted also in a recent report by Kosova Women’s Network “Monitoring of UNSCR1325 IN KOSOVO”. In this report it states that citizens participation is generally low, especially when it comes to participation of the women, when this participation falls-short in much wider aspects. This, according to the same source is because of the legacy of the last two decades when women were excluded from much of the political events. Similarly, Kosovo Democratic Institute’s (KDI) scorecards from 2008, shows that there is a lack of transparency in Kosovo municipalities, along with low level of interest of citizens to participate in open municipal assembly sessions. Low attendance of public meetings that are required by law is also noticeable. Further the report mentions complaints of civil society organizations and their disregard by the local government of some municipalities.

In order to avoid such a situation there is the need to use some of the existing tools such as The Guiding Manual for Public Consultations\(^{15}\) that is available online in all three languages and provides detailed explanations and tools for improvement of the planning for such events. Our research findings indicate that the “Manual” is not being utilised in the proper manner. Also this case shows that more has to be done to change the mentality of government authority towards a more partnership approach. After all the decentralisation and empowerment of local government is about bringing the citizens and government closer together, not just physically or on paper, but practically and meaningfully.

During the research, few mayors and municipal officials suggested more activities such as talk shows and open discussions with mayors and other municipal officials, participation of municipal officials and mayors in particular in civil society activities. They also suggested that support of various kinds, not necessarily financial support, would foster civil participation in the decision-making process with the municipalities. Furthermore, ‘open hours’ with mayors, both individual and institutional to include meeting with different school officials, supermarket chains, other small and middle businesses, would also increase the public interest to participate in local level issues whilst also and building-up the feeling that the municipality is there for them and not the other way around. All these initiatives were seen as something that could serve and foster citizen participation in the decision-making process at local government level.

Another example of this kind is the development and subsequent adoption of the Prishtina Municipal Statute when during the meeting the participating citizens were

completely uninterested in the topic and used this event to complain about harsh living conditions and lack of employment opportunities. However, there are cases such as the example of Municipality of Gjakova, where in comparison with Prishtina citizens more actively participate in decision-making through formal and informal efforts. Cases of implementation of ‘open door’ policies and public meetings seem to be not only well attended, but smoothly utilized as well, to the satisfaction of parties involved. This particular administration has developed internal locust of control, and at the same time maintains frequent relations with civic groups and organizations by holding monthly meetings, whilst maintaining its open door policy and delivering a high level of transparency.

This kind of managing style enjoys highly cooperative and elicits positive reactions from all parties involved. Yet, the success of the administration does not shade the expectations of other parties but rather reinforces their positive attitude and further cooperation. All this is actually what makes the style of this administration different and much better than the other usual local administrations elsewhere in Kosovo. One such case happened on the 3 March 2009, where upon the request of fans and the sports association, the Municipality of Gjakova decided to subsidies FC “Vëllaznimi” (a local football club, competing on the first division) with 53.000 euro for the rest of the championship, and is actively engaged in search of other donors. This is a clear case where citizens’ participation has influenced decision-making while institutionalizing partnership between municipality and citizens.

To summarize:

- Law on Local Self-Government in Kosovo enables expansion of citizen participation in decision-making
- There is a lack of citizen interest in participation in decision-making
- NGOs are not sufficiently playing their role for the benefit of community, but more for financial benefiting
- There is a lack of transparency and accountability from the municipality

Article 70 (of Law of Local Self Government)  
Citizens’ Initiative

70.1. The citizens may take initiative to propose regulations, within the competencies of the municipality, for adoption by assembly or by a vote of the citizens in accordance with the applicable law.

70.2. The proponents shall submit a draft of the proposed regulation to the Chairperson of the Municipal Assembly.

70.3. The draft regulation proposed shall be signed by 15% of the registered voters for consideration by the Municipal Assembly.

70.4. The Municipal Assembly is obliged to consider the proposed the regulation and take action upon it within 60 days of the receipt.
2. Citizens and the measures that could be undertaken on local government level

The Law of Local Self Government provides additional possibilities for individuals and citizen initiatives. The draft proposed by citizens is to be signed by 15% of the registered voters for consideration by the municipal assembly. While this might be easy for smaller municipalities like Obiliq, where there will be a need for logistical support to gather some 3000 signatures, this becomes quite complex in bigger municipalities like Prishtina where for the same percentage there is a need to collect some 50000 signatures. In the last paragraph of this article the municipal assembly is obliged to take action upon the receipt of the proposed regulation within 60 days, however a provision that obliges municipality to actually respond in written form would make much more sense. One of the provisions that this law could use would be a provision with regards to incentives for citizen participation. Incentives could be provided for citizens as well as for the local governance and administration. As an incentive could be offered a program that would measure the level of citizen participation that would clearly define which municipality has the highest rate of citizen participation, and allocate additional financial means for the municipality.

3. Support and capacity building for citizen initiatives

The 2007 Annual Local Governance and Decentralization Support project – LOGOS, financed by the Swiss Cooperation Office Kosovo, finds that there are some capacity building projects at local government level working with citizens and local government to enhance citizen participation in decision-making. The same source argues that these efforts have a short life span and mainly target one or few municipalities. Apparently there is (the Swiss-Kosovo Local Governance and Decentralisation Support n.d.) a need for a more continuous presence of such projects, especially now with the new legal framework and new circumstances.

A report compiled in 2004 by KIPRED entitled “Local Government and Administration in Kosovo” claimed that the chance for a local government employee to loose a job because of their low work performance is virtually impossible, hence the level of responsibility of local government officials is very low. In this case the participation of citizens could become a motivating tool; an engine for improvement of the performance of individuals and local government in general.
VII. CONCLUSIONS/RECOMMENDATIONS

While the current local self government legal framework provides a wide range of opportunities for citizen participation and obliges the local authorities to reach out and consult with their constituency, it is apparent from what is described above that the current situation is riddled with serious problems. It is the evident lack of genuine interest from citizens to fully engage in the public decision-making that helps municipal authorities to justify their inadequate responses. In contrast, while fulfilling their legal obligations for the sake of reporting, municipalities fail to approach the situation in an honest way and take into account the voices of the citizens. It should be noted here that there are some exceptional cases such as Gjakova Municipality.

The Association of Kosovo Municipalities (AKM), established to represent the general interest of municipal authorities, should develop concrete programmes to promote citizen participation at the local level. These programmes must be developed by seriously taking into account the core issue of inadequate citizen participation, and treating it as a problem. Such programmes should not be token measures. The Line Ministry and AKM should develop a tailor-made programmes targeting Mayors and Directors of Departments to raise awareness of the importance of citizen engagement.

1. To Municipal Authorities

- Preparation of citizen participation action plans, which includes:
  - Clear development of action plans in municipalities with regards to citizen participation so that the municipalities can take the ownership and incorporate citizen participation in the decision-making procedures and developments of their communities.

The word “action plan” might sound a bit confusing, but the idea here is to ensure that there is a clear set of possibilities to meet with the individuals and communities. It is not irrelevant if this will be done through a more interesting modality, like the field visit to a village. Hence the plan should contain some field visits, some roundtables and the possibility to utilize modern means of communication through tools such as the internet – for example forums and social networks like facebook. The combination of all these approaches could be in vain if there are no results, so it would be highly recommendable for the local authorities to include some meaningful feedback, where they could stipulate the opinions that were approved for the actual work implemented by the municipality.

- Empowerment of Municipal Press and Public Information Offices
  - Awareness Campaigns on the importance of citizen participation.

Often this is misunderstood as just a call for participation. Many campaigns come and go in vain because of this misunderstanding. In reality campaigns should be much more that just open
calls. It could contain the examples of real cases where citizen opinions were heard and have made a difference. In fact an awareness campaign could be also an introduction of some sort of community prize for the “best idea”. These kind of small rewards could prompt a rich source of information flow from especially young and vibrant members of the society which are often forgotten.

- Encourage the attendance of citizens in ‘open meetings’.

This is a particularly tricky issue because ‘open meetings’ have already earned the image of a farce that is used by municipal authorities to justify their actions. Often the same people that are somehow related to the municipality and their staff attend these meetings. In this particular case municipal press and public information offices could do more to encourage critical thinking by including civil society in the process. If such a strong civil society does not exist in the municipality people from other municipalities and even from Prishtina could be invited in order to encourage participation.

❖ Additional PR tools like:

- Regular meetings with local organisations, NGOs, local business in a form of coordination meetings.

Coordination meetings are especially important with the actors from the sector of development. Local businesses often tent to complain informally, but are never formally heard. A drastic example of really bad PR in this regard is the newly established municipality of Han i Elezit. Following a complaint by customs and private import agencies that their municipal tax was raised rapidly twice and is now higher than if the agencies worked in Prishtina, each and every complaint received the same answer- a refusal. This letter of refusal was similar in each case except for the names of the companies. This made the companies so mad, as they saw this as an act of disrespect, and non-consideration of their particular requests. Local people own some of these agencies, and most of them employ local forces. No other explanation was provided as to why the tax is so high. Explanations could easily be provided during a coordination meeting.

- Widely advertised free hotline numbers in each municipality.

Being able to contact authorities at any time is of crucial importance to the functionality of the municipality in general. It might be that only bigger and richer municipalities can afford to establish these hotlines, but two or more smaller municipalities could also share the cost of such an establishment.

- Regular public debates on different areas of concern for citizens.

Debates are often seen as not being so important, however in case the topics are of local interest there might be a higher response from citizens. Hence a combination of topics that might interest and some of those that might not seem so “sexy” at the beginning could elicit a higher response rate.
2. To Ministry of Local Government Administration

❖ Establishment a donor coordination mechanism to only support citizen participation projects.
Such a thing can be done through an officer within the MLGA or even the PM’s office. An external think-tank of professionals could serve as a practical tool to handle the caseload and help when necessary.

❖ Support to Association of Kosovo Municipalities to:
  • Introduce a common web-portal for all municipalities which would enable active citizen participation
  • In partnership with Association of Kosovo Municipalities, MLGA could produce and disseminate information about the existing laws in particular provisions related to citizen participation.
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• Shala Zef, Executive Director of Mother Theresa NGO, interview by Besnik Tahiri (15 April 2009)


ANNEX I: Detailed activities

- 12 January 2009 – Meeting with Mr. Pal Lekaj, Mayor of Gjakova
- 14 January 2009 – Meeting with Mr. Faik Muciqi, senior advisor to the Mayor of Podujevo (also member of the Municipal Assembly)
- 19 January 2009 – Meeting with Mr. Bajrush, Mayor of Novoberdo
- 23 January 2009 – Podujevo Focus Group (15 young graduates)
- 30 January 2009 – Gjakova Focus Group (20 young graduates) – Mayor participated in the discussion
- 1 February 2009 – Meeting with Minister Sadri Ferati, Minister of Local Self-Government
- 3 February 2009 – Meeting with Mr. Krenar Loshi, UNDP and Ms. Arjeta Emra, British Council
- 25 February 2009 – First Public Debate on Prishtina Municipal Statute
- 2 March 2009 – Second Public Debate on Prishtina Municipal Statute
- 3 March 2009 - interview with Vice-Mayor of Obilic Municipality and the Chair of the Municipal Assembly
- 3 March 2009 - Interview with Mayor of Podujevo, Ilaz Pireva and his Principal Advisor Mr. Faik Muciqi
- 4 March 2009 - Mr. Pal Lekaj, Mayor of Gjakova
- August 2009 – Additional field visits to Gjakova, Peja, Kacanik, Elaz Han, Kamenice, and Gjilan municipalities.
ANNEX II (From the Law Law Nr. 03/L-040 On Local Self Government)

CHAPTER IX
DIRECT DEMOCRACY AND CITIZEN PARTICIPATION MECHANISMS

Article 68
Public Information and Consultation

68.1. Each municipality shall hold periodically, at least twice a year, a public meeting at which any person or organization with an interest in the municipality may participate. The date and place of the meeting shall be publicized at least two weeks in advance. One of the meetings shall be held during the first six months of the year.

68.2. At the meeting municipal representatives shall inform participants about the activities of the municipality and participants may ask questions and make proposals to the elected representatives of the municipality.

68.3. In addition to the public meetings noted above, Municipalities are obliged to inform the citizens of the Municipality of any important plans or programs of public interest, which shall be regulated by the Municipal Statute.

68.4. The Municipal Assembly shall adopt municipal regulation promoting the transparency of the legislative, executive and administrative bodies of the municipalities, enhancing the public participation in the decision making at the local level, and facilitating the public access to official documents of the municipalities. The ministry responsible for local government may issue administrative instructions on municipal transparency.

68.5. Any person may inspect any document held by the Municipality, unless such disclosure is restricted in accordance with the Law on Access to Official Documents.

Article 69
Right of Petition

Any person or organization with an interest in the municipality shall have the right to present a petition to the Municipal Assembly about any matter relating to the responsibilities and powers of the municipality. The Municipal Assembly shall consider the petition in accordance with its Statute and Rules of Procedure.

Article 70
Citizens’ Initiative

70.1. The citizens may take initiative to propose regulations, within the competencies of the municipality, for adoption by assembly or by a vote of the citizens in accordance with the
applicable law.

70.2. The proponents shall submit a draft of the proposed regulation to the Chairperson of the Municipal Assembly.

70.3. The draft regulation proposed shall be signed by 15% of the registered voters for consideration by the Municipal Assembly.

70.4. The Municipal Assembly is obliged to consider the proposed the regulation and take action upon it within 60 days of the receipt.

**Article 71**
**Referendum**

71.1. The citizens of a municipality may request that a regulation of the Municipal Assembly adopted by the Municipal Assembly, be submitted to a referendum by the citizens.

71.2. The request must be submitted to the Chairperson of the Municipal Assembly within 30 days from the date of adoption of the regulation and must be signed by 10% of the registered voters.

71.3. The Municipal Assembly shall consider and act upon the request within the thirty days after the receipt of a valid petition in accordance with applicable law.

**Article 72**
**Recall of the Mayor**

72.1. The Municipal Assembly shall establish consultative committees within sectors for the purpose of enabling citizen participation in the decision making process.

72.2. A request to this effect shall be signed by twenty (20) percent of the registered voters and shall be submitted to the Chairperson of Municipal Assembly who shall refer the matter to the appropriate institution for the administration of voting.

72.3. If the majority of the registered voters vote in favor of the Mayor’s removal, new mayoral elections shall take place in accordance with the law on elections.

**Article 73**
**Consultative Committees**
73.1. The Municipal Assembly shall establish consultative committees within sectors for the purpose of enabling citizen participation in the decision making process.

73.2. The membership of the committees shall include citizens and representatives of nongovernmental organizations.

73.3. The consultative committees may submit proposals, conduct research and provide opinions on municipal assembly initiatives in accordance with the Municipal Statute.

(Association of Kosovo Municipalities)