

# Municipal Transparency Reform Index 2015

# Municipal Transparency Reform Index **2015**



British Embassy  
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# Introduction

Author: Agon Bajrami

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## Introduction

Democracy is widely considered the most superior political system that provides fairer, better, and more effective representation of majority of citizens into governance institutions. The right to elect and be elected without any pressure or interference lays at its foundation. In this way, the modern democracy ensures the governance of majority, with mechanisms that protect the rights of minorities.

But, democracy is not about providing free and fair elections; it is much more than that: the modern understanding of democracy implies not only the right to elect freely but accountability of those elected and mandated by their voters.

The democratic system creates a number of mechanisms to achieve this level of accountability that range from election rules to the rule of law. All these are put in place to prevent the elected from avoiding governance mandate or sinking into corruption.

Nevertheless, these mechanisms do not always suffice to accomplish the goal. Hence the notion of state/government transparency as a tool to increase accountability in a democratic society.

Therefore the transparency of state institutions has essential importance for a democratic process. As a tool, transparency provides the public with access into the performance of senior officials and offers an opportunity to build effective accountability.

Ensuring transparency of state institutions has proven to be the greatest challenge in building a functional democracy in Kosovo. Governance institutions at both local/municipal and central level, independent national institutions, and a number of international mechanisms with executive mandate, have proven weak in being transparent to the public. In its very beginning, the lack of transparency was so present that meetings behind closed doors were a norm rather than an exception.

However, during the last few years the state institutions have been under increasing pressure to act more transparently of their workings, conducted on behalf of the public with public funds. Kosovar civil society and media, and a part of the international community, but also individual citizens, are becoming increasingly demanding and request more information on government's work, institutional decision-making, and all the processes related to services and governance on behalf of citizens.

## Municipal Transparency Reform Index

Municipal Transparency Reform Index has been created as part of efforts to ensure higher transparency. It aims to build evidence on transparency level of local government performance, on measures taken to improve transparency where needed, and evaluate the steps already taken by the municipal authorities to increase transparency.

Municipal Transparency Reform Index has been developed through a participatory process that involved various stakeholders and explored problems regarding transparency on both local and central level. Indicators have been developed with the aim to address larger problems and establish respective quantitative or qualitative evaluations. National and international reports on governance transparency have been the main source of information based on which the most problematic issues were identified and indicators designed. The most relevant reports were those of Transparency International (Spain Mexico USA), EC Ma Ndryshe, Ministry of Local Government Administration, Department for Communities and Local Governments of United Kingdom, and Kosovo Democratic Institute. Less relevant but valuable were the reports of Open Government Partnership, OSCE Mission in Kosovo, Initiative for Progress, and other organizations and institutions. During index development a number of municipal mayors have been contacted and participated its drafting.

The index is a mechanism aimed at measuring relevant indicators that signify transparency level of local government institutions in Kosovo. The first of its kind, the index covers seven municipalities of Kosovo, known also as regional centers: Prishtina, Mitrovica, Peja, Ferizaj, Gjiilan, and Gjakova.

Clearly, an overview of Kosovo municipal governments' transparency can be gained only through monitoring and analyzing data in all municipalities. Nevertheless considering that all seven municipalities are regional centers and the most populated municipalities, the overview deriving from their monitoring will be a very solid indicator of local governments' transparency throughout the country.

EC Ma Ndryshe started implementation of Municipal Transparency Reform Index in May 2015 with the support of the Embassy of the United Kingdom in Prishtina. The project expands through 7 largest municipalities of Kosovo Prishtinë, Prizren, Pejë, Mitrovicë, Gjiilan, Ferizaj and Gjakovë, and includes Suharekë, Rahovec, Malishevë, Dragash, Mamushë and Shtërpçë. Index intends to assist the municipalities to identify the main shortcomings on transparency and provide guidance on how to address and overcome them. It represents a structured attempt in supporting municipalities of Kosovo to comply with standards of good government, required by the Kosovo's local governance reform and European agenda.

The methodology applied to monitor, analyze, and evaluate transparency is built on objective indicators applied equally for all municipalities.

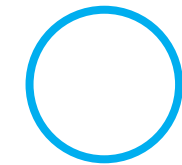
Thus, Index allows municipal administrators to identify and address themselves their transparency shortcomings. Also, it is helpful for the citizens and wider

public of these municipalities, who actively seek improved governance transparency.

Frequently, the central government occupies the national public's attention. Large national projects, important political processes, capital investments, economy, and budget capture the central attention of media reporting and civil society activism.

But, a significant share of decisions and execution that affects the quality of citizens' lives depends much more from local authorities rather than the central ones. In many cases it is required for both levels of governance to cooperate in order to achieve results that benefit citizens. Majority of public services, infrastructure projects, and capital investments demand simultaneous joint responsibility of both central and local governments.

Therefore, while transparency monitoring of the central state institutions remains a highly important task, no less attention should be paid to the municipal transparency, where usually the effects of governance have a more direct impact to the everyday life of citizens.



## Methodology

Before drafting the Municipal Transparency Reform Index, EC Ma Ndryshe conducted an extensive research of the challenges to transparency in overall and municipal governance in Kosovo. The research points that municipal transparency reports were based on poorly designed methodologies that failed to generate relevant and applicable recommendations. Mostly, they evaluation of minimal legal criteria. The research results provided EC Ma Ndryshe with relevant information to design 13 groups of indicators/factors with numerous sub-indicators for each, based on their specific significance to inform evaluation of municipal transparency. Furthermore EC drafted questions, followed with additional information, explaining the meaningfulness of each field. Thus the focus of the research has been on same issues and the evaluations for each municipality were based on the same criteria.

Indicator/factors that were monitored and based on which this report is structured upon are:

- Mayor, Directors, Municipal Assembly Members
- Organization structure and functioning
- Performance of Policy Making and Decision Making Authorities
- Fighting Misbehavior and Misuse
- European integration

- Accounting and Budget
- Public Procurement, Supply and Grant Contracts
- Public Administration and Public Organization/Institution Employees
- Capital and Non-Capital Assets
- Citizen Information and Services
- Cooperation with Civil Society
- Urban planning
- Monitoring of Urban Planning Projects

EC Ma Ndryshe engaged individual monitors in seven municipalities who during the second half of 2015 monitored directly local government developments, attended meetings of decision-making bodies, as well as public discussions. Simultaneously, they visited the municipal website regularly to monitor the publication of announcements, reports, regulations, and other statutory documents. Where available, they monitored adjunct portals as well, created by municipalities. The monitors succeeded to collect relevant information by accessing public documents as well, contacting and directly interviewing the municipal officials, representatives of opposition parties, activists of civil society, and local journalists. The collected information served the authors to write first drafts of monitoring reports.

Findings from the annual monitoring and references of public institutions and civil society organization lay at the foundation of the reports. The authors developed the baseline on normative aspects and practical actions taken by municipalities on various indicators of transparency. They analyzed the content of the reports and the quality of information presented. They also considered static and dynamic approaches of key officials and the realistic difficulties that municipalities are challenged with. Part of analysis looked also into good practices applied by local government to overcome the realistic challenges in an effort to be transparent towards the public.

Following, a team of EC Ma Ndryshe analysts reviewed the draft reports afterwards.

To ensure credibility of presented information and ensure that presented analysis is accurate and valid EC Ma Ndryshe organized focus group discussions in seven municipalities. The draft report for the respective municipality was discussed with local government representatives, opposition advisers, and MLGA, civil society and journalists.

Through the remarks and comments collected during the focus group discussions the authors could test the accuracy of the information, previously generated by secondary research and semi structured interviews with relevant stakeholders. In the following stage the Municipalities were provided with opportunity to comment on the final draft within a given time-frame.

Only after this stage the authors were requested to finalize the reports' contents. EC Ma Ndryshe's team of analysts provided the final review, before reports were edited and proofread.





## Scoring

EC has decided that during the first year of monitoring and implementation Municipal Transparency Reform Index there will be no overall score for municipalities but only the score for each indicator. The scoring was based on possibility to access information, use information, mutual communication, and accuracy of information. EC reserve the right to determine the final score.

The authors have provided narrative explanation for each score, explaining the circumstances of the evaluation.

It is EC Ma Ndryshe's goal to use the indicators, their weight, and scoring methodology as relevant monitoring tool for an extended period of time and make them implementable in different places, allowing for their comparison over time. Resultantly the index can be applied and compared with local governments abroad as well.

## Executive Summary

Municipal Transparency Reform Index presented in this report provides results for seven monitored municipalities: Prishtina, Mitrovica, Peja, Prizren, Ferizaj, Gjiilan, and Gjakova.

Results presented in the municipal reports and tables evaluate municipal transparency on 13 individual indicators. Easy to notice, throughout 7 municipalities certain indicators tend to generate a higher level of transparency, and others a lower one.

For example, there is a relatively 'neutral' trend of transparency when it comes to publishing information on elected and political appointees, ranging from the mayor to the directors and members of municipal assembly members (the first indicators). For the research purpose, this means that there has been an average level of efforts to be transparent.

Based on the index evaluations five municipalities score negatively on indicators related to fight against inappropriate behavior and abuses. Here, Peja has been graded with a neutral score and only Gjakova has gained positive grading. Besides Prizren, all municipalities have been scored positively on indicator 11 which measures cooperation of municipality with civil society.

But analysis of indicator 9, which assess the level of public information regarding municipal authorities' management of public wealth, are dismaying since all monitored municipalities have received negative scores revealing complete lack of transparency.

On few indicators, such as indicator 12 on urban planning, few municipalities fare better than the others e.g. transparency of municipality of Prishtina was

scored positively, that of Peja municipality neutrally, and 5 other municipalities were scored negatively.

As scoring tables of the report show, few municipalities demonstrate a more positive performance than the others e.g. out of 13 indicators, Gjakova municipality received 8 positive, only 2 negative, and 3 neutral scores. Prizren municipality sits on the opposite end with 11 negative, 2 neutral, and no positive score in any of transparency indicators.

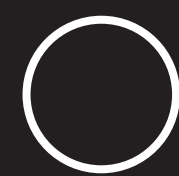


When it comes to European integration all but Gjakova municipality performed poorly.

Among seven monitored municipalities, a number of them have applied good practices. While a number of municipalities complained on technical difficulties with their websites deriving from the centralized system, municipalities of Gjakova and Prishtina have created additional adjunct portals instead, which are easier to navigate and to upload larger information. Municipality of Gjiilan has established the Registry of Administrative Procedures which publishes all information pertinent to municipal procedures that citizens need to know about, explaining legal grounds for each, list of documents required for applications, application fees, tariffs, and timeframe required to respond.

Overall, the MTRI provides evidence on lack of transparency on many important segments of local governance. There are very few aspects where the research can conclude systemic improvement across all municipalities.

Certainly, continued monitoring will be able to provide better information on pace of changes in municipalities' performance and the next Municipal Transparency Reform Index on these seven municipalities may enlighten the reasons behind lack of transparency on certain indicators. However, an obvious trend is evidenced by these seven reports that altogether provide a broader overview of transparency levels in local governments in Kosovo and points where progress might generate good and quick results.

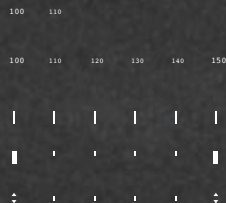
# Wayfinding

	Indicator/factor group
	Indicator/factor type
	Indicator/factor score

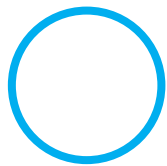


# Ferizaj Municipality

Author: Bekim Kupina



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## I. Organization structure, Composition, Competencies, Documentation, and Functioning

### 1. Mayor, Directors, Municipal Assembly Members

*Volume and quality of published information on elected and political appointees (this category includes the mayor, directors, and municipal assembly members), should be sufficient to assess their credibility, continuously oversee their performance, and to have the best possible accessibility to persons in these positions.*

The Mayor's full biography (<https://kk.rks-gov.net/ferizaj/Home.aspx>) is published on Ferizaj municipality's website. Compared to him, the website presents general biographical data of the Department Directors. In a number of cases, the website does not provide precise information on their tertiary education. There are few cases when the website states completion of undergraduate law studies, but provides no additional complementary information. Neither have the CVs of Assembly Members been published, their profile descriptions are missing,<sup>1</sup> and the only information provided contains their names, last names, phone numbers, and electronic addresses.<sup>2</sup>

Asset declarations forms of the municipal leadership and assembly members are available only on the website of Anti-Corruption Agency<sup>3</sup> (ACA) and no link is provided on the municipality's website. The same practice has been applied when wealth of the same officials is compared between the current and past year. Also, this information is available on the ACA only, but not on municipality's website. Neither does the municipal website provide data on income and additional compensations from the municipality, from other engagements, or declarations on conflict of interest. But there are 15 investigation cases that ACA initiated during 2015 on the grounds of conflict of interest. Decisions on cases of conflict of interest avoidance are published only on ACA's, and not municipality's website, too.

On the other hand, other declarations on other interest related matters have not been published, either.

On contacting the municipal officials and directors, the website provides land-line numbers, cell phone numbers, and electronic addresses. The municipal directors meet with citizens daily, twice, between 10:00 - 12:00 and 13:00 - 15:00. The mayor meets the citizens once a week, and the time-slot is displayed on the municipal building.

<sup>1</sup> For more, see <https://kk.rks-gov.net/ferizaj/Municipality/Assembly/Profilet-e-keshilltarve.aspx>

<sup>2</sup> For more, see <https://kk.rks-gov.net/ferizaj/getattachment/Municipality/Assembly/Asambleistet/Emrat-e-anetareve-te-KK-se-Lista-e-re-e-zgjedhjeve-2013.pdf.aspx>

<sup>3</sup> For more, see <http://www.akk-ks.org/sq/vendimet/date/2015&name=ferizaj>

The information on the mayor's activities are published regularly, including at times the reporting on activities of the municipal assembly. The website describes activities and issues discussed.



### Score: 3 (Neutral)

*Reasoning: Considering that communication with citizens contains the key pillar of a municipality's functioning, Ferizaj has taken solid steps to create opportunities to comply with this function. The published information, in most cases serve the citizens. There is still much to be done to make public specific information, such as e.g. asset declaration or comparison of the municipal officials and publishing/reporting information on conflicts of interest matters.*

### 2. Structure and Functioning

*There should be sufficient information for the public to understand structure, competencies, functioning, decision making, and policymaking of various municipal bodies.*

The organizational chart of Municipality of Ferizaj has been published since 2009.<sup>4</sup> However, this structure has changed since then, and the information has not been updated nor the chart refreshed. The current chart does not present the Department of Inspection, nor changes in other departments, which have been divided by the MA. e.g. the Department of Urbanism, Property, Cadastre, Geodesy, and Environmental Protection has been divided into two departments, one on Urbanism and Cadastre and another one on Property. Nevertheless, the new organizational chart has been presented into the municipal building's hall. The municipal officials justify this shortage on central level obstacles. According to them, this document has been blocked by the Ministry of Public Administration due to a catalogue of job descriptions, which it is currently working on.<sup>5</sup> The job descriptions of other municipal directors and officials are published as required by law, statute, and regulations. However, what is missing is the description of various municipal bodies/institutions, decentralized bodies, and bodies/institutions in which municipal authorities have competences. Information and job descriptions of key positions have been presented in compliance to the law, statute, and regulations. The same practice has not been applied to publish information of people who hold key positions. Beside their telephone numbers and email addresses, important information on these officials' responsibilities are not published.

The Ferizaj municipality has published its statute and it provides legal explanations on law-making, policy-making, and decision-making processes, and avenues to influence such processes. However the municipality does not inform on efficient forms of influencing.

<sup>4</sup> For more, see <https://kk.rks-gov.net/ferizaj/getattachment/Temat/Organogrami-i-Komunes/Organogrami-i-Komunes-se-Ferizaj.pdf.aspx>

<sup>5</sup> Focus Group, Ferizaj, 12 February 2016, Naim Ferati, Director



For efficient communication, the contact details of the key people in the Municipality have been published.

The following strategies, which include goals, activities, and timelines, have been published: the Ferizaj Municipality Mid-term Development Strategy 2014-2017, the Mid-term Budget Framework 2016-2018, and the three-year Habitation Plan 2014-2016. There is a number of policy draft-documents published, such as draft-mid-term budget framework 2016-2018, draft-regulation for own revenue sources, draft-regulations for the adolescents/youth, and phenomenon that damage health and their development.<sup>6</sup>

The general information on the municipality is accessible through a separate link called the Ferizaj's Roadmap, published in Albanian, English, and Serbian. The guide presents Ferizaj's history, geography, culture, economy, and sport in a total of 40 pages.<sup>7</sup>



### Score: 3 (Neutral)

*Reasoning: The chart presenting municipality's new organization has been presented in the municipal halls, but needs to be uploaded in the website as well. Details for efficient communication have been published. The Ferizaj's Roadmap is a good practice. Much remains to be done to provide clear information on public's efficient influencing.*

## 3: Performance of Policy Making and Decision Making Authorities

Public should have detailed, updated and sufficient information to assess key discussed issues and decisions taken by municipality policy making and decision making authorities

This municipality does not provide timely information on assembly's and CBF's meetings. In fact, the CBF meetings frequently take place only 2-3 days before the Assembly meeting. Through this practice, the procedural requirements for organizing of these two meetings and for timely information are not met e.g. the invitation to the 11th regular meeting of the Assembly has been published on 23 December, though it took place on 30 December. The announcement was made 6, instead of 7 days earlier, as required by the Law on Self-Governance<sup>8</sup> and the Ferizaj municipal Assembly's Regulation on Transparency.<sup>9</sup> Invitation to the CBF meeting on December 28 was published only on 23 December. The invitation was published 3, instead of 7 working days earlier, as required by

<sup>6</sup> For more, see: <https://kk.rks-gov.net/ferizaj/Municipality/Assembly/Regulations.aspx>

<sup>7</sup> For more, see: <https://kk.rks-gov.net/ferizaj/getattachment/Home/Udherrefyes-iFerizajt111.pdf.aspx>

<sup>8</sup> Law No. 03/L-040 on Local Self-Governance. For more, see <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2530>

<sup>9</sup> For more on Regulation on Transparency, see below: <https://kk.rks-gov.net/ferizaj/getattachment/2e17e37b-7c08-4818-be88-f194dbf356b3/Rregullorja-per-transparence.aspx>

the Administrative Order No. 03/2014 on procedures for establishment, composition, and competences of municipality's permanent committees.<sup>10</sup> Beside meeting agenda, no additional material had been presented. Besides those for meetings of the Committee for Policies and Finances, agenda and other relevant information have not been published for meetings of other commissions or committees. The municipality did not pay attention to citizens' information either, and this has resulted in low participation. On the other hand, there is a significant participation of civil society organizations that monitor assembly's work, such as INPO and AVONET, including the OSCE. The municipal Assembly's meetings are broadcast live in local media.

The mayor and the directors report to the Assembly or relevant Commissions usually takes place on deadlines required by the law, when required by the Assembly, or Commissions, but not in other occasions.

Strategies, normative acts, policies, and other documents that guide municipality's working are published. The assembly and commissions' minutes are also published, though not in a systemic manner. This is valid for meetings of the Assembly and Committee for Policies and Finances, but not for other Committees, as well. The decisions of the municipal Assembly are published on the webpage, but they are not followed by explanatory notes. The drafts of normative acts and of other documents are not published. Legislative proposals and important legislative initiatives of the assembly are partially published. The regulation on apartments' allocation of apartments is published. An interview with the head of the Municipal Assembly reveals that projects proposed by Assembly members, their short descriptions, proposed amount, and their status are not published.<sup>11</sup> Although the line departments draft the legal explanations for decisions taken, they are not published. Agreements and decisions of the Executive are published. The Assembly sessions are broadcast live, but the recordings are not posted on the municipal website. The voting of the municipal members for the Assembly decisions are presented in the minutes.



### Score: 2.3 (Negative)

*Reasoning: The information on the workings of the policy-making and decision-making bodies meet only minimal criteria. In spite of the good initiatives taken to publish decisions, there is much to be done to incite the public to become part of the decision-making.*

<sup>10</sup> For more, see : <http://mapl.rks-gov.net/getattachment/c49e7fc0-808d-4ae1-9d09-b7a9fee0ebb7/Udhezim-administrativ-%28MAPL%29-Nr-032014-per-proced.aspx>

<sup>11</sup> Monitor's interview with Faruk Guri, Assembly Chair, 18 September 2015

#### 4. Fighting Misbehavior and Misuse

*Municipality should publish important information from which one can easily assess the level of commitment in fighting misbehavior and misuse.*

The municipal statute defines the conflict of interest and the interview with the Director of General Administration shows that Code of Ethics for Civil Servants is not published.<sup>12</sup> Regardless of this fact, a Municipal Disciplinary Commission exists, but there is no information on activities taken by this body.

The number of persons charged to investigate depends on specific cases, as claimed by the Director of General Administration.<sup>13</sup> Therefore, it is not known how many cases have been investigated, or what actions have been taken. During 2015, the municipality did not have a strategy to fight unacceptable behavior. The Strategic Plan of Municipality of Ferizaj to fight and prevent corruption was being drafted.<sup>14</sup>

There was a low level of public information on mechanisms to report potential abuses during 2015. The municipality has not provided sufficient information to explain correctly what does ‘abuse’ entail. The complaints’ box in the premises of municipal administration has been one of the very few channels of communicating with the public. Nevertheless, the municipality does not inform on how many citizens have used this channel to report unacceptable behavior.



**Score: 2 (Negative)**

*Explanation: The municipality has shown low transparency levels on actions it has taken to fight against unacceptable behavior and eventual abuse.*

#### 5. European Integration

*Public should be provided with the opportunity to accurately learn municipal obligations, achievements and challenges in Kosovo's EU integrations.*

Municipality of Ferizaj has not published the list of obligations that derive from European integration process. Nevertheless, the municipal website shows a link

<sup>12</sup> Monitor's interview with Faruk Hyseni, Director, General Administration, 4 September 2015

<sup>13</sup> Monitor's interview with Faruk Hyseni, Director, General Administration, 4 September 2015

<sup>14</sup> Nota bene: This plan has been published in 2016: <https://kk.rks-gov.net/ferizaj/getattachment/e225b370-9cbe-45e3-8c17-221ca9c60e40/Plani-strategjik-i-Komunes-se-Ferizajt-per-trajtim.aspx>

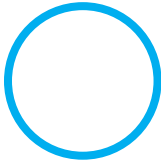
to a video recording that talks against illegal migration to EU countries.<sup>15</sup>

On the other hand, there is no information on status of obligations’ fulfillment, deadlines for meeting certain goals, or information on specific issues related to the European integration (human rights, gender equality, etc.). On repatriation, there is a link which connects to repatriation section of the Ministry of Internal Affairs. Neither are there information on the impact of this process (economy, social issues, public administration, etc).



**Score: 1.5 (Negative)**

*Reasoning: The information collected on this indicator show that the municipality of Ferizaj has made very limited efforts to inform its constituents on European Integration.*



## II. Economic and Financial Management

#### 6. Accounting and Budget

*Different updated data and reports on revenues, budget allocations, expenditures, debts and disputes involving financial implications for the Municipality should be made available to the public in order to have a clear picture of public money management at the local level.*

The mayor has held 9 and the Commission for Procurement and Finances has held 6 town halls on budget planning for 2016. Mid-term draft-framework 2016-2018 has been published on time. Project proposals of the Assembly members have not been published. Neither there is information on status of proposals addressed by community, whether they have been approved or rejected.

The municipality publishes regularly its annual budget, which presents the allocation of budgetary lines. The visual presentation of the budget expenses is done by Institute GAP and INPO,<sup>16</sup> and the Municipality has shared the link on its website. Progress reports on budget expenses are published periodically. There are data presented in tables for capital projects, and their sources of financing. There are no interactive tables on multiannual budget.

The public can be informed on municipality’s best practices and shortcomings on managing public finances based on Auditor General findings, available in

<sup>15</sup> For more, see: <https://www.youtube.com/watch?v=649p63k9G6s&feature=youtu.be>

<sup>16</sup> For more, see: <http://www.institutigap.org/spendings/?ferizaj/2015-TM3#/~ferizaj>



the report already published in municipality’s website. There are no reports on findings of the internal auditor.

It publishes data on revenue sources on draft and later on approved budget.

The citizens will be informed on surplus, deficit, municipal loans, and contingent obligations only through data on annual financial report, as there are no periodically information provided on this aspect.

There are no information on functioning of organizations, even small, to which municipality has outsourced few of its citizen service competences.



**Score: 2.5 Neutral**

*Reasoning: The municipality offers an average amount of information regarding its budget management. With some greater effort, it could improve a number of sub-indicators. Most efforts are required on improving the amount of information on budget surplus and functioning of organizations that provide services to its citizens.*

## 7. Public Procurement, Supply and Grant Contracts

*Contractual relations with financial implications between the municipality and natural and/or legal persons should be carried out in full transparency in order to ensure proper management of public money and appropriate value for services, works and supplies.*

The Municipality of Ferizaj has not published information on how it selects and decides on composition of appraisal commissions. A small number of contract announcements is published on the website. Meanwhile, the Public Procurement Regulatory Commission (PPRC) publishes these announcements regularly on its website.<sup>17</sup> There are no explanations provided to inform on how criteria have been decided upon, and there are no minutes of appraisal commissions’ meetings. The Office of Information owns such minutes, and they are not published. The assessment report for contract granting becomes public on the PPRC website, but not on the municipality’s one. Neither are there manuals on competition process nor principles and code of ethics on bidding processes. The contracting announcements/small amount bids, and information on selection process are published on the announcements’ board, placed at the entrance of municipal administration building. The winner of the bidding process is announced on the PPRC system. There is compliance between the current projects with the list of those approved by the municipal assembly. There is no information published on contract annexes, or on lessons learnt from past contracts.

There was a low level of transparency on projects’ management and contracts. During several sessions, members of the municipal assembly have requested

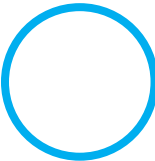
<sup>17</sup> For more, see: <https://krpp.rks-gov.net/>

reports on issues related to public procurement but have never received them.<sup>18</sup> There are no reports published on contractors’ performance based on contracted and predetermined indicators. There is a database of signed contracts in municipality, but contracts are not made public in general. The contracts’ amount, the procedures applied, and the numbers of competitors bidding are mainly available on PPRC’s announcement on granted contract. These data provide only information of the bid winner. There are no reports published on fulfillment of parameters as foreseen by contract, or on oversight during implementation.



**Score: 1.5 (Negative)**

*Reasoning: The information provided for this sector, considered the most sensitive regarding the management of municipal works, is overly minimal.*



## III. Management of Human and Other Resources

### 8. Public Administration and Public Organization/ Institution Employees

*Human resource management should be transparent and benefits from the constant public monitoring of Administration performance.*

Municipality of Ferizaj has a complete organizational structure. In spite of this, the following details have not been published: job and responsibilities’ description for main positions, sectoral reports/analysis of public administration, and the list of all administration staff. The contact details of main persons have been published. The only information available regarding the income level of various positions is the coefficient level, published when the posting is opened for applications.

A brief amount of information on functioning of various municipal organizations/institutions is provided on the Ferizaj Roadmap. The description does not inform on organizational charts, job descriptions for main positions, staff, or explain the competences.

According to municipal officials, the central authorities have not approved the organizational charts, yet. Calls for application, listing the requirements, have been published on Municipality’s website and on local media. The decisions of the complaint mechanisms are not published. There are calls for application to

<sup>18</sup> Visar Demiri, Member of the Municipal Assembly, Focus Group Discussion, 12 February 2016

public positions (especially schools). And, there is a low level of transparency when board members of public companies are appointed.

Code of Ethics and Conduct has not been published at all. The same happens with evaluation reports of activities and consequent decisions on performance and conduct evaluation. However, there are cases when discharges from public positions are announced as a news.<sup>19</sup> There is no report published on conflict of interest matters. Nevertheless, opposition party PDK and a non-governmental organization<sup>20</sup> have accused the mayor Muharrem Sfarqa publicly on nepotism. They have published the names of employed relatives.<sup>21</sup>



**Score: 2.5 (Neutral)**

*Reasoning: Based on information on abovementioned indicators, it is clear that the municipality has made efforts to provide the public with information. However, these are not sufficient, and are just an attempt to open up to the public, while leaving out few essential matters.*

**9. Capital and Non-Capital Assets**

*The public should have complete and up to date information on public property management by the municipal government.*

Ferizaj does not inform publicly on its capital and noncapital wealth. The municipality has never published the list of its properties, buildings it owns, or their values. There is neither an interactive map available. Properties have been registered, but not the buildings, too.

Decisions and justifications on their usage and how they have been leased have never been made public. There is neither a list of properties, let alone decision explanations, that have been transferred from municipal to other people's ownership.

The municipality has developed an inventory list, along with the items' values, but it has not been published. Neither has it published the list of vehicles, including description and value, nor provided description and value of other assets.

There are no information published on shares that municipality holds in various companies.

<sup>19</sup> For more, see: <https://kk.rks-gov.net/ferizaj/News/Shkarkimet-e-fundit-ne-funksion-te-ngritjes-se-e.aspx>

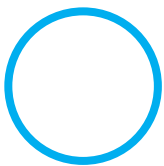
<sup>20</sup> For more, see: <http://koha.net/?id=&l=48011>

<sup>21</sup> For more, see: <http://indeksonline.net/?FaqelID=2&LajmiID=144185>



**Score: 1 (Negative)**

*Reasoning: Overall, there is a lack of comprehensive information on the capital and non-capital wealth.*



**IV. Relations with Citizens and Society**

**10. Citizen Information and Services**

*Municipal transparency can be furthered by enabling public easy access to information; accurate, fast and detailed information on issues related to policies, decisions and services for citizens.*

The municipality has appointed an Information Officer, who is easy accessible. The officer's contact details have been made available on the website. The municipality continues to operate with minimal capacities in the information office as there is only one information officer, who responds whenever possible. The municipality has not published statistical reports on usage of social media, mobile equipment, telephone services, or consultation with citizens and other information services.

Ferizaj has adopted a transparency regulation in November 2014, but has not adopted a strategy or action plan to advance municipality's transparency.

The municipality's website is moderately user-friendly. There are sections into which information are uploaded regularly. Though few attempts were made to restructure it, navigating through the website is difficult. It lacks infographics or similar information. There is no report on the municipality's webpage usage. There is a discussion forum, but it is not functional.

Ferizaj municipality does not operate a mechanism to collect suggestions for improvement of its transparency, nor has it conducted a public poll on the matter.

The municipality operates a profile in the social network "Facebook," which is updated daily with information on its activities.<sup>22</sup> The profile has over 30,000 followers. No infographics, videos, animations, or mobile applications have been developed for municipality's informing.

The material published on the website has been partially translated into Serbian

<sup>22</sup> For more, see: <https://www.facebook.com/KomunaFerizajFaqjaZyrtare/?fref=ts>

language.<sup>23</sup> The language used has largely been copied from the legislation.

The annual report on access to public documents states that the Municipality has approved 46 requests for access. The requesting parties were: businesses (3), civil society organizations (28), individual requests (12), student (1) and media (2). Besides, the municipality informed that it had rejected 5 such requests on the grounds of privacy and protection of other private interests. Opposition representatives have stated that there is a stagnation to respond to requests for access to public documents, but that there are also cases when they have received neither positive nor negative response.<sup>24</sup>

Information on citizen services (health, education, security, public companies, green areas, etc) are presented in a general manner in the Ferizaj Roadmap, but without any interactive map.



**Score: 2.5 (Neutral)**

*Reasoning: The municipality of Ferizaj has a relatively active Office of Information. It keeps the public informed by updating information daily on the website and informing the media directly on municipality's daily activity. It does the same thing with the municipality's social network Facebook profile. Nevertheless, it lags behind in presenting information on other departments and it must increase efficiency in securing access to public documents.*

## 11. Cooperation with Civil Society

*Municipal authorities should be open and committed to transparent governance by deepening the cooperation with civil society.*

The municipality cooperates with NGOs. Nongovernmental organization INPO, NGO network Avonet, and Youth Political Forum monitor regularly its work. Municipal officers inform that it has signed memoranda with these organizations and FOL, but due to technical reasons they have not been published on the website.<sup>25</sup> During 2015, the municipality has published the annex of agreement with Caritas Kosova. The municipality of Ferizaj has not published the guide for citizens' participation and for utilizing various channels for understanding the documents and information published by the municipality.

The monitoring shows that the municipality has held 20 public consultations, though there is hardly any information available on the webpage. The Committee for Policies and Finances has held 6 meetings, and the Mayor has held 9 meetings in both rural and urban zones. Nevertheless, the cooperation with citizens is not consistent. The monitoring shows that the number of citizens

<sup>23</sup> For more, see: <https://kk.rks-gov.net/ferizaj/Services/Sherbimet-Publike.aspx>

<sup>24</sup> Focus Group Discussion, 12 February 2016, Bujar Ukësmajli (LVV)

<sup>25</sup> Focus Group Discussion, 12 February, 2016, Feim Ibrahim, Procurement Officer

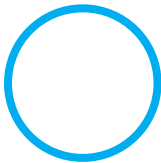
participating these meetings is symbolic and there is no information reporting on the meetings. Nor there is information on local councils' activities.

Consultations with citizens on regulations with public interest take place according to legal procedures, although municipal authorities do nothing to incite a substantial discussion. Public consultations took place before budget approval. No report summarizes the discussions. According to municipal officials the last meeting, which discussed municipal budget, lasted for 3 hours and according to them, it was difficult to publish minutes of 100 pages.<sup>26</sup> They have complained on limitations of the municipal website, which is managed by the Ministry of Local Government Administration. But, the Ministry officials claim that the problem derives from insufficient knowledge of IT personnel, and that the website itself provides for vast opportunities to publish many municipal documents. For this reason, the Ministry has met with IT departments of municipalities to inform them that the current domains are sufficient for publication of any information, including video recordings.<sup>27</sup> The municipality has not established any mechanism to monitor the citizens' request and their status (approval or rejection). Usually, the requests are registered by the respective department and are not published online. To facilitate communication with its constituents, the mayor Muharrem Sfarqa meets the citizens every Thursday.



**Score: 2.5 (Neutral)**

*Reasoning: There is a symbolic citizen participation in town hall meetings, and the municipality has not taken any steps to improve it and include citizens in debates over issues that deal with improvement of their lives. Civil society monitors municipal assembly actively, but the municipality must publish the guide for citizen participation.*



## V. Urban Planning and Development

### 12. Urban Planning

*Public should have access to important information related to urban planning as this is one of the key principles of good governance.*

Ferizaj provides its citizens with hardly any information on urbanism issues. The municipality's website provides urbanism information very poorly, that would include urban regulatory plans, construction licenses, procedures to

<sup>26</sup> Focus Group Discussion, 12 February 2016, Naim Ferati, Director

<sup>27</sup> Focus Group Discussion, 12 February 2016, Ardita Latifi, MLGA

acquire them, illegal constructions, etc. The existing regulation for urban planning, Urban Development Plan, has expired, and the municipality has published Regulatory Urban Plans only for zones I and VIII. There are no other related information. Consequently, the municipality does not offer any necessary information on how to acquire construction licenses.

Municipality does not have an interactive online map with information on services, activities and resources on its territory, environmental protection plans and natural resources management, and information on water quality in certain areas, gas emissions, or land designation.

During 2015, Ferizaj has issued 72 construction licenses, of which 19 have been collective and 53 individual.<sup>28</sup> But neither of them has been published. Neither have decisions and explanations for issued licenses been published. Commission meetings' minutes, which approved the construction permits have not been published. The assessment for construction license approval is conducted by an engineer, and the director signs it based on the recommendation. The municipal website does not provide any information on compliance of the licenses issued with the current municipal plans.



Score: 1 (Negative)

Reasoning: Ferizaj provides hardly any information to its citizens on urbanism matters, in spite of the sector's importance and its impact on citizens' lives.

13. Monitoring of Urban Planning Projects

Municipality should inform the public continuously on the flow of projects impacting urban planning and development.

Municipality of Ferizaj has published neither symbolic information on its inspectors' interventions, results, efficiency, engagement reports, Inspectorate's activity database, mechanism to monitor cases reported by public, nor mapping of violations.

During 2015, beside on-site billboard, the public has not been informed on the names of companies that completed the main projects of urban development, on monitoring mechanism for ongoing works, nor on main infrastructure projects, their goals, overseeing municipal representatives, contractors, budget and implementation period.



Score: 1 (Negative)

Reasoning: On this indicator, the municipality of Ferizaj has totally disregarded the public, and deprived it of any kind of information related to monitoring of the urban projects.

28 Monitor's interview with Faik Grainca, Director for Urbanisms and Environment, 13 October 2015

VI. Scoring

	Weight	%	Score	%
Organizing, Composition, Attitudes, Documentation, and Function				
1. Mayor, Directors and Assembly Members	3	5.56%	3	3%
2. Organizing and functioning	2	3.70%	3	2%
3. The work of decision making and policy making bodies	4	7.41%	2.3	3%
4. Fighting misbehavior and misuse	3	5.56%	2	2%
5. European Integration	2	3.70%	1.5	1%

Financial and Economic Management

6. Accounting and the Budget	5	9.26%	2.5	5%
7. Public procurement, supply, and grants, contracts	5	9.26%	1.5	3%

Human Resource and Other Resource Management

8. Employees of public administration and organizations / public institutions	5	9.26%	2.5	5%
9. Capital and non-capital assets	5	9.26%	1	2%

Public Relations

10. Information and service to its citizens	5	9.26%	2.5	5%
11. Cooperation with Civil Society	5	9.26%	2.5	5%

Urban Planning and Development

12. Urban Planning	5	9.26%	1	2%
13. Monitoring Urban Projects	5	9.26%	1	2%

54

100%

40%

	Weight	%	Score	%
1. Mayor, Directors and Assembly Members				
1. What is the quality of information that the resumes contain?	5	20%	3	12%
2. How complete are the wealth statements?	5	20%	2	8%
3. How understandable, complete and accessible are the information on personal interests	5	20%	1	4%
4. How efficient are the channels of communications that are used by the elected individuals and political nominees?	5	20%	4	16%
5. How updated and complete are the information's on activities organized by the Mayor, Assembly, and other elected and appointed individuals?	5	20%	3.5	14%

25

100%

13.5

54%



	Weight	%	Score	%
<b>2. Organizing and functioning</b>				
6. How complete and easy understandable are the information's on Municipal organizing and its responsibilities?	5	20%	2.5	10%
7. Do citizens have sufficient information on effective and efficient ways to influence policy and decision making?	5	20%	2	8%
8. How useful are the channels of communication?	5	20%	3	12%
9. What is the quality of information on future plans?	5	20%	3	12%
10. Are there data on municipality?	5	20%	4	16%
	25	100%	14.5	58%
	Weight	%	Score	%
<b>3. The work of decision making and policy making bodies</b>				
11. How encouraged is the public to be an active observer of debates and decision making processes?	5	33.33%	2	13%
12. Is the reporting of the Executive complete and regular at the Assembly?	5	33.33%	2	13%
13. What are the possibilities that the citizens are informed about the work of the Municipality, policy making and other normative acts?	5	33.33%	3	20%
	15	100%	7	46.67%
	Weight	%	Score	%
<b>4. Fighting misbehavior and misuse</b>				
14. Does the Municipality have proper mechanisms to investigate and convict misbehavior and other misuse?	5	33.33%	2	13%
15. Is Municipality transparent in its activities to fight corruption and misuse?	5	33.33%	2	13%
16. How informed / what is the level of knowledge of the general public in terms of existing mechanisms for reporting possible misuse?	5	33.33%	2	13%
	15	100%	6	40%
	Pesha	%	Notimi	%
<b>5. European Integration</b>				
17. Does the public have sufficient information on Municipalities duty on the process of EU integration?	5	50%	2	20%
18. Does the public have sufficient information on the possible influence it could have in the EU integration process?	5	50%	1	10%
	10	100%	3	30%

	Weight	%	Score	%
<b>6. Accounting and the Budget</b>				
19. Is the public well informed on budget planning processes?	5	16.67%	3	10%
20. Is there sufficient data published on allocation and budget spending of the Municipality?	5	16.67%	3	10%
21. How well informed is the public on good practices and shortcomings of the Municipality related to managing of public finance?	5	16.67%	3	10%
22. Is there sufficient information to understand the income resources of the Municipality?	5	16.67%	3	10%
23. How well informed are the citizens on Municipality surplus, deficit and debt?	5	16.67%	2	7%
24. How transparent are the organizations and its function, who offer services for citizens, where the Municipality has oversight (even if the oversight is small)?	5	16.67%	1	3%
	30	100%	15	50%
	Weight	%	Score	%
<b>7. Public procurement, supply, and grants, Contracts</b>				
25. How transparent is the selection process and conclusion of contractual relations, in specific the evaluation process prior to entering into agreement? kontraktuale me palën e caktuar?	5	50%	2	20%
26. Is there a transparent process in managing projects and contracts?	5	50%	1	10%
	10	100%	3	30%
	Weight	%	Score	%
<b>8. Employees of public administration and organizations/ public institutions</b>				
27. Is it evident / clear the organizing of the municipal administration and responsibilities of key personnel?	5	25%	3	15%
28. How clear are informations on organizational structure and functions of different organizations / institutions in Municipality?	5	25%	2	10%
29. Are best practices applied in recruiting and hiring of the personnel?	5	25%	3	15%
30. Are there public information accessible related to performance of the administration?	5	25%	2	10%
	20	100%	10	50%

	Weight	%	Score	%
<b>9. Capital and non-capital assets</b>				
31. Has the municipality published the list of its all real estate?	5	25%	1	5%
32. Is there information or decisions that are published, which aim at justifying that their use is in for the public good?	5	25%	1	5%
33. Has the municipality published the list of it assets (inventory, cars, paintings, other valuable assets)?	5	25%	1	5%
34. Has the municipality declared its shares in different companies?	5	25%	1	5%
	20	100%	4	20%

	Weight	%	Score	%
<b>10. Information and service to its citizens</b>				
35. How efficient is the information office?	5	12.50%	3	8%
36. Does the Municipality has any plan or strategy on transparency?	5	12.50%	2	5%
37. How useful is the web-site?	5	12.50%	3	8%
38. Does the Municipality offer the possibility to receive citizens' opinion on how to improve transparency?	5	12.50%	1	3%
39. Are innovative means (social media) of communication used to improve communication with the public?	5	12.50%	3	8%
40. Is the the information provided to citizens sufficient and understandable?	5	12.50%	2.5	6%
41. Does the Municipality offer access to public documents?	5	12.50%	2.5	6%
42. What is the quality of information related to services offered to citizens?	5	12.50%	2.5	6%
	40	100%	19.5	48.75%

	Weight	%	Score	%
<b>11. Cooperation with Civil Society</b>				
43. Are there any formal cooperation's with civil society created?	5	33.33%	3	20%
44. Are the public meeting being held?	5	33.33%	2	13%
45. Are citizens consulted, prior to approval of documents considered to be with interest?	5	33.33%	2.5	17%
	15	100%	7.5	40%

	Weight	%	Score	%
<b>12. Urban Planning</b>				
46. How informed is the public related to normative acts and strategic documents in the area of urban planning?	5	33.33%	1	7%
47. Is municipality using more advanced means to allow the public to observe on issues / developments that are related to urban planning?	5	33.33%	1	7%
48. How transparent municipality is when it comes to building permits and using the public space?	5	33.33%	1	7%
	15	100%	3	20%

	Weight	%	Score	%
<b>13. Monitoring Urban Projects</b>				
49. How efficient is the municipality to report on its monitoring activities that are related to urban planning?	5	50%	1	10%
50. Is public informed (if yes, how well informed) on the performance of contracted companies to develop certain urbanistic projects?	5	50%	1	10%
	10	100%	2	20%

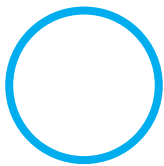
# Gjakova Municipality

Author: Dren Pozhegu



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# I. Organization Structure, Composition, Competencies, Documentation, and Functioning

## 1. Mayor, Directors, Municipal Assembly Members

*Volume and quality of published information on elected and political appointees (this category includes the mayor, directors, and municipal assembly members), should be sufficient to assess their credibility, continuously oversee their performance, and to have the best possible accessibility to persons in these positions.*

Brief CVs of all municipality executive staff, including the mayor, deputy mayors, and directors of directorates, are published, thus providing citizens with information on their professional background. An exception is the Directorate on Urbanism and Environment Protection, as its director has resigned in September 2015.<sup>1</sup> But the situation stands completely different with the Municipal Assembly. Ironically, not only does its Chairman have no information, he does not even have any photo.<sup>2</sup>

Most of the asset declarations of senior staff of Gjakova local government are published on the the Anti-Corruption Agency (ACA) website, but not on the Municipality website.<sup>3</sup> Only the declaration of the Director of the Directorate on Budget and Finance is missing. The situation does not stand the same for the Municipal Assembly. From the total of 36 Municipal Assembly members, 8 have not declared their assets. However, in some cases responsibility is not clear, since some declarations did not appear during a certain period of time, but were then published by the end of the year. In addition, there is a case where the name of the municipal assembly member declaring the asset does not match the asset declaration, indicating that the municipal member has submitted her asset declaration, but ACA has mistakenly uploaded a statement belonging to another person to her name.<sup>4</sup> In general, asset declarations do not provide periodical information needed for comparing assets during the term of office, and in some cases the statements are confusing and incomplete. The Mayor here is an exception, whose statement appears on the platform of Lëvizja FOL, thus making it possible for assets declarations to be compared in different years.<sup>5</sup> In relation

1 Komuna e Gjakovës e konfirmon dorëheqjen e Hoxhës <http://www.gazetaexpress.com/lajme/komuna-e-gjakoves-e-konfirmon-doreheqjen-e-hoxhes-132267/>

2 The link of Presiding member of Municipal Assembly in the website <https://kk.rks-gov.net/gjakove/Kuvendi/Kryesuesi-i-Kuvendit.aspx>

3 Asset Declarations may be found in ACA website [http://www.akk-ks.org/sq/deklarimet?path=declaration\\_assets%2F2015%2FKomunat%2FKomuna\\_e\\_Gjakoves#indexmain](http://www.akk-ks.org/sq/deklarimet?path=declaration_assets%2F2015%2FKomunat%2FKomuna_e_Gjakoves#indexmain)

4 Case of Ndue Muqa or Xhavit Uka, [http://akk-ks.org/declaration/2015/Komunat/Komuna\\_e\\_Gjakoves/Ndue\\_Muqaj.pdf](http://akk-ks.org/declaration/2015/Komunat/Komuna_e_Gjakoves/Ndue_Muqaj.pdf) ; [http://akk-ks.org/declaration/2015/Komunat/Komuna\\_e\\_Gjakoves/Xhavit\\_Uka.pdf](http://akk-ks.org/declaration/2015/Komunat/Komuna_e_Gjakoves/Xhavit_Uka.pdf)

5 Asset Comparison Platform, FOL Movement, <http://deklarimi.levizjafol.org/Zyrtaret/Pasuria/1487/Mimoza-Kusari-Lila>

to the clarity and quality of asset declarations, in vast majority of cases, salaries are declared but not other compensations, such as per diems, supplements, etc.

With regards to the conflict of interest, no information on any of the senior political staff of the municipality and the Municipal Assembly appear. Based on the Municipality Statute, prior to the first Municipal Assembly meeting, the members of the assembly are obliged to draft a complete and open declaration of their financial interests, but such documents have not been published. Based on internal information of ACA, the ACA has notified the Mayor, several directors and members of the municipal assembly on conflict of interest. Following ACA notification, they have undertaken measures for preventing conflict of interest.

Even in the communication channels with citizens there is big contrast between the executive and the Assembly. The members of the executive have published only their e-mail addresses. The Mayor has not published any contact information, however all members of her cabinet have published detailed contact information. On the other hand, no member of the assembly, including the chairperson, has published any contact information. With regards to meetings with citizens, directors of directorates hold regular meetings three times per week at a set period of time, whilst the Mayor meets with citizens on a daily basis. In general it is easy to contact members of the executive.

As stipulated by the law, notification for Assembly sessions are published on the web and public notice boards seven days prior to the meeting, with the agenda included. The Municipal Assembly publishes minutes, decisions, and sessions are broadcasted live in the local television channel Syri Vision.<sup>6</sup> No calendar with complete information on the activities of the Mayor is published, it is only internal. Notifications are sent to journalists and the civil society. Most of them are published in news format and on the website.



Score: 2.5 (Neutral)

*Reasoning: There is big difference between the executive and the assembly of the municipality. CVs of members of the municipal Assembly are completely missing, whilst CVs of the executive are completely present. Asset declarations are published for almost all the members of the executive, but one fourth of the members of the Assembly have not published such declarations. Non-declaration of the conflict of interest by senior public officials is a very negative practice. Contact information is available for all political staff members, but there is no information on Municipal Assembly members.*

6 Syri TV can be followed online on its website, and Assembly sessions can also be followed through this website <http://www.syri-vision.tv/tv/live.html>



## 2. Strucure and functioning

*There should be sufficient information for the public to understand structure, competencies, functioning, decision making, and policymaking of various municipal bodies.*

The general organizational chart of the Municipality of Gjakova is published on the municipality website. There is discrepancy between the organizational chart and the description of the Assembly with regards to the members of the Assembly (the organizational chart shows 35 members, whilst the description says there are 42 members), but the organizational chart includes updated information, whilst information about the Assembly are wrong. Apart of the organizational chart, the competences of the Assembly, Assembly commissions, directorates, offices, and the mayor, are defined in the Statute, as well as on the website. However, there is no description of obligations of directorates and dependent institutions. The official municipality website contains no information on the decentralized bodies and institutions over which municipal authorities have competencies. Nevertheless, the Municipality of Gjakova has created another website, that of [www.gjakovaportal.com](http://www.gjakovaportal.com), which is not within the Ministry of Public Administration domain. This website contains plenty of information, including information on decentralized bodies and institutions over which the municipality has competencies. Such information are either contained on the website, or the website redirects the user to the websites of other institutions.

The most efficient ways for impacting policymaking and decision making are not clearly disclosed for the public. Apart of information contained in the statute of the municipality, no other information on the policymaking process is available. The website contains adopted regulations, Assembly decisions, and minutes, thus helping with knowledge about policymaking procedures and applicable policies. Nevertheless, such documents do not help much the citizens in process of making policies, drafting strategies or adopting legislation, or about the ways decisions are taken at the municipal executive or assembly.

Official communication channels are published and encouraged for the municipality executive staff. Apart of contact information of the executive staff, the website also contains the phone numbers of all directors. Moreover, contact information of all municipality dependent institutions and institutions over which the municipality has competences, such as museums, theatres, schools, healthcare institutions, water companies, etc. are also published. Despite all this, communication is more efficient on personal basis with municipal officials. Although communication might be easy, lack of contact information of members of the assembly makes it difficult to access them.

Most of mid-term and long-term plans, as well as draft documents are published. All directorates have space for publishing their annual work plans, even though not all directorates have published them. Past, current, and forecasted municipal projects are also published. Strategic budget documents, urban development documents, as well as other strategies are also published.

Information on the municipality is sufficient qualitative and updated. The website [www.gjakovaportal.com](http://www.gjakovaportal.com) is no less than a guide for the municipality. It contains general information on the demographics, geography, history, and economy of the municipality, as well as information on businesses, NGOs, cultural heritage, and

recreational places. Apart of such detailed information, Gjakova municipality has also published an interactive map with street names, municipality geography, locations and contact information of institutions, NGOs, businesses, cultural, religious, sports, etc. All this information is available in three languages, including Albanian, English, and Serbian.



### Score: 4 (Positive)

*Reasoning: The current information provided by the municipality enable the general public to easy understand the organization, competencies, and functioning of the municipality. Except for the members of the Assembly, the rest of the municipality is easily accessible, as far as communication is concerned. There is plenty information on the municipality, and such information is well organized. Strategic documents, work plans, planned projects, budgets, and urban plans are all published, making it possible for the citizens to understand the municipality targets. However, the most efficient ways to influence policymaking and decision making are not clearly disclosed for the public.*

## 3. Performance of Policy Making and Decision Making Authorities

*Public should have detailed, updated and sufficient information to assess key discussed issues and decisions taken by municipality policy making and decision making authorities*

The municipal authorities of the Municipality of Gjakova have applied regular practices for encouraging citizens to become active observers of debates and decision making processes. Citizens get timely information on meetings, and meeting minutes and agendas are published. Citizens participate at debates, sessions and other meetings, though not in satisfactory numbers. Except for the citizens, also other observing organizations, such as OSCE, KFOR, or other civil society organizations take part. The Assembly meeting sessions are broadcasted live in the local TV channel. However, relatively low participation of citizens at Assembly commission meetings remains a challenge.

The executive reports to the Assembly on regular basis. The Mayor reports to the Assembly and the commission at the same time, and such reports are published. Also the directorates report on their work and such reports are published on the website.

In general, citizens are informed about the municipality work. Financial statement, municipal plans, regulations, decisions of the assembly, of the mayor and of the Board of Directors, the minutes, the development and urban plans, and other documents are published on the website. Despite all these published documents, there are some gaps that hinder an easy access. For instance, decisions can be found published, but not their reasoning; legislative proposals and other initiatives are published, but only as parts of minutes, thus making access to them very difficult. Assembly reports covering the period 2013-2015 are missing. Moreover, these documents have the tendency to be disorganized, thus making

it very difficult to effectively access them. The search option does not function, whilst documents are often not categorized. On the other hand, there is lack of a database with the revised and adopted regulations, including information on the votes voting pro, against, and those that abstained. There are also no video recordings of meetings. In relation to the work of the Assembly committees, there is lack of information on their work – starting from the meeting schedules up to the work reports, and the list of committee members is often not updated.



**Score: 4 (Positive)**

*Reasoning: The municipality has applied good practices with regards to contact with citizens and citizen participation at public debates, despite a relatively low number of participating citizens. The executive staff of the municipality regularly reports to the Assembly. In general, citizens may be informed on the work of the municipality, but there is lack of a good organization that would facilitate a more effective access to information.*

**4. Fighting misbehavior and Misuse**

*Municipality should publish important information from which one can easily assess the level of commitment in fighting misbehavior and misuse.*

In the municipality of Gjakova, the conflict of interest of members of the Assembly, of the Mayor, deputy mayors, directors and municipal administration employees are defined by the Municipality Statute<sup>7</sup> and the administrative instruction on responsibilities at work. In addition, to these two documents, there is also the Code of Ethics, both published. A disciplinary committee composed of five members has been established for implementing these documents.

Level of transparency for activities in the fight against fraud and misuse stands at a middle level. Decisions are placed in reports and provided to the applicant and the relevant offices, but they are not published. Furthermore, the administrative instruction on responsibilities at work has not been published on the municipality website. There have been a total of three investigated cases. A three-member working group within the department of administration serves as tracking mechanism.

The level of informing the public about the mechanisms to report any potential misuse is relatively high, since the municipality provides a number of ways to report misuse. At the municipality notice boards there are notifications of ways to report corruption cases, misconduct and complaints about services provided. In addition, there are two free of charge telephone numbers for reporting such cases. Apart of these means, the municipality website provides for a link to the website kallxo.com, where citizens can submit complaints of any potential misuse, but this link does not function. To present, the general practice included only verbal warnings to superiors or to the mayor.

<sup>7</sup> Municipality Statute, Conflict of Interest, Article 26 <https://kk.rks-gov.net/gjakove/getattachment/Assembly/Statut/statuti-i-komunes.pdf.aspx>



**Score: 4 (Positive)**

*Reasoning: Based on applicable legislation and the practices, it results that Gjakova Municipality has relatively good mechanisms in place with regards to fighting misconduct. The level of informing the public about reporting mechanisms is relatively good, but the current practices are chiefly informal, thus avoiding the institutional procedures. With regards to transparency, the municipality is relatively transparent.*

**5. European integration**

*Public is provided with the opportunity to accurately learn municipal obligations, achievements and challenges in Kosovo's EU integrations.*

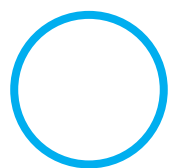
With respect to European integration, the Municipality of Gjakova has mainly published information on obligations and processes. The municipality has published the list of obligations stemming from the EU integration process. The public is informed about the obligations, current status, and the objectives in various areas, such as repatriation, human rights, gender equality, domestic violence, community rights, use of languages and other matters. However, there is no information on the current state of affairs and the status of obligations that the municipality should meet with regards to such processes.

The municipality has published information on the impact of European integration process on economy, social, public administration and other affairs. Much of such information is available in forms of leaflets, reports, and guidelines. However, many of such documents talk from European perspective and experience, what the citizens might find difficult to sympathize with. Thus, there is lack of documents translating such information into the local context.



**Score: 3 (Neutral)**

*Reasoning: The Municipality of Gjakova has in general done a good work in distributing reports, leaflets, guidelines, and other documents on the European integration process topic. However, much of these documents need to be 'translated' into the local context. In addition, the municipality has published the municipal obligations in the European integration processes, but has not provided detailed information on meeting such obligations.*



## II. Economic and Financial Management

### 6. Accounting and Budget

*Different updated data and reports on revenues, budget allocations, expenditures, debts and disputes involving financial implications for the Municipality should be made available to the public in order to have a clear picture of public money management at the local level.*

The Municipality of Gjakova has undertaken some steps towards including the public in budgetary planning. In 2015, the municipal authorities have realized 6 public debates with citizens related to the 2016 budget - 4 in rural areas and 2 in urban ones. Reports from these debates are with the Assembly. Nevertheless, the number of debates might not be sufficient considering the big number of the municipality population. The draft budget is not published online, but printed copies have been distributed. Based on statements given by municipal officials and members of the Assembly, there have been proposals and ideas from citizens and members of KPF that have been accepted.<sup>8</sup> But, the municipality has still not established a mechanism for registering proposals coming from the citizens, and for publishing decisions on whether proposals were supported or dismissed.

Data on budgetary allocations and spending are published online within the section 'How does the state spend our money / *Si i shpenzon shteti paret tona?*'<sup>9</sup> a platform of GAP Institute with a link on the municipality website. Data on budgetary allocations and spending is published through annual and quarterly reports. The budget document includes information on the project, amount planned to be spent and sources, whether they are from the government grant or own-source revenues, and the year projects are to be realized. There is no explanation on project objectives. In most cases they are reflected on proposals addressed to the mayor for allowing tender announcements. Such proposals are accessible to the journalists and the civil society. The Mid-Term Budgetary Framework applies a practice similar with that of the annual budget, that includes the list of projects. The municipality has achieved to develop a multi-year budget interactive table, and such tables are published.

Similar to other municipalities, the Municipality of Gjakova is regularly audited by the Office of the Auditor General (OAG).<sup>10</sup> The OAG Report is published on the municipality website and is accessible on OAG website. From this report, the citizens can be informed of public financial management practices. Apart of this, the municipality has established a special commission for addressing the

<sup>8</sup> Armend Vokshi, Director of Administration in the Focus Group held on 9 February 2016.

<sup>9</sup> Si i shpenzon shteti paret tona?/How State Spends our Money?/, Instituti GAP, <http://www.institutigap.org/spendings/?gjakove/2014#/~gjakove/shpenzimet-komunale>

<sup>10</sup> See Auditor's reports through this link <http://oag-rks.org/sq/Komunat?date=2014>

OAG audit report findings.<sup>11</sup>

As is the case with the budgetary planning, the reports on municipality income sources are published through annual and quarterly reports. In general, it can be concluded that there are satisfactory information for understanding municipality income sources. However, in most cases, tables are published in scanned or PDF formats, making numerical analysis difficult.

In the budgetary document, the municipality also provides information on the budget surplus/deficit or its debt, receivables, or contingent liabilities. Information on municipality debts to various operators and receivables, including contingent liabilities is usually published in general in financial annual reports, without any detailed explanation.

The municipality does not provide direct information on the function of citizen service providing organizations under the competence of the municipality or budgetary information on such public organizations. However, the municipality website provides links to the websites of such organizations, where annual reports, budget schedules, audit reports, and other relevant information on sound public financial management can be found. In most cases, information is not detailed to the extent required for municipality information.



**Score: 3.6 (Positive)**

*Reasoning: In 2015, the Municipality of Gjakova has applied policies and practices for including the public in budget drafting. However, quite a gap remains to be filled in for achieving a satisfactory transparency, and publishing citizens' proposals and information on whether such proposals were taken into consideration, despite progress made in such area. On the other hand, the municipality is relatively transparent when it comes to publishing data on municipality expenditures and revenues, and best practices and shortcomings in public financial management.*

### 7. Public Procurement, Supply and Grant Contracts

*Contractual relations with financial implications between the municipality and natural and/or legal persons should be carried out in full transparency in order to ensure proper management of public money and appropriate value for services, works and supplies.*

The Municipality of Gjakova has demonstrated a relative transparency when it comes to disclosure of information on evaluating suitability of operators to enter into contracts, despite there being plenty of room for transparency improvement. There is no published information on the ways for selection and evaluation committees composition, although to present it has been a general practice for this to be under the discretion of the Mayor, after which the inter-

<sup>11</sup> Decision on Auditor's findings, <https://kk.rks-gov.net/gjakove/getattachment/c7920c8a-9add-4095-b9c2-91ad7136d962/Vendim-per-te-gjeturat-e-auditorit-dt-24-07-2015.aspx>



ested parties could be informed at the Procurement Office. Contract notices from the Procurement Sector are published at the PPRC<sup>12</sup> and the Municipality website.<sup>13</sup> The reasoning for setting criteria are usually published in the tender dossier at the PPRC. Minutes of evaluation committees exist, but not are published unless there is an official request. Competition process manuals, principles and code of conduct for contract processes exist at the PPRC. Contract notices and small amount tenders are published at the PPRC and the municipality website. All projects pass through the municipal assembly, thus ensuring compliance of current projects with projects approved by the municipal assembly. With regards to market research for setting approximate prices, the municipality uses the draft regulation of the PPRC.

As part of the UNDP Open Data project, the Municipality of Gjakova has established a database with procurement data. This database includes all contracts since 2011. These data include the name of the winning company, contract date, contract estimated value, key deadlines, start and end dates, reports on terms and conditions met as per the contract, etc. Despite publishing the database with detailed data, the municipality publishes reports, even though not much detailed, on performance of contractors based on indicators set under the contract. However, such reports are published by relevant directorates in an disorganized manner, with some basic information also published on Gjakova Portal.

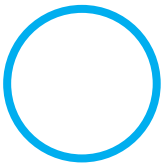


Score: 3.5 (Positive)

Reasoning: The Municipality of Gjakova applies relatively good practices – being standard procedures of the PPRC – with regards to the procurement process. Establishment of the database with all contracts entered into through procurement process has increased the level of transparency for past contracts. By continuing with such a practice, the municipality will provide for future transparency. Despite positive progress, the Municipality should also publish reports on contractor performance based on indicators set under contracts.

12 For more information, see [http://krpp.rks-gov.net/Default.aspx?PID=Home&LID=1&PPRCMenu\\_OpenNode=60](http://krpp.rks-gov.net/Default.aspx?PID=Home&LID=1&PPRCMenu_OpenNode=60)

13 For more information, see <https://kk.rks-gov.net/gjakove/Prokurimi/Njoftim-per-kontrate.aspx>



III. Management of Human and other Resources

8. Public Administration and Public Organization/  
Institution Employees

*Human resource management should be transparent and benefits from the constant public monitoring of Administration performance.*

Municipal Administration in Gjakova Municipality is structured in directorates and offices. Each directorate and office is headed by the director and chief respectively. Directors are appointed and discharged by the Mayor. Pursuant to the law, files of each municipality staff member are accessible upon official request. Directorate of Administration performs analysis and drafts reports; however these reports are not published. Contact information for key staff mainly is not available, and the salaries are not made public.

Information on the work of various municipal organizations/institutions is not always clear for the public. The descriptions of functions and organizations are available. They show links, responsibilities and competencies; nevertheless, these descriptions are chiefly of general nature or are not available in all directorates.

Recruitment/employment practices are in line with legal requirements. Vacancy announcements are published in several newspapers, as well as in the website and social networks. During the recruitment of staff in the field of education, names of all interviewed candidates and winners were published. However, the complaint mechanisms in case of disagreements by applicants are missing.

Directorate of Administration drafted a report on the activities and decisions of performance and conduct appraisal mechanisms of Administration, but this report was not published. Code of Ethics and Conduct is available, and is distributed to staff members on their first days of work. The Code of Ethics is also published in the Information Office, which is located at the entrance of Municipality building. The reporting of conflict of interest is done to ACA, which then undertakes its procedures to resolve the problem.



Score: 3.4 (Positive)

Reasoning: Directorate of Administration drafts reports aimed at the performance improvement of Administration. Publishing of Code of Ethics is a good step in this direction. Generally speaking, recruitment practices follow standard procedures, nevertheless lack of complaint mechanisms contributes negatively to transparency level.



## 9. Capital and Non-Capital Assets

*Public has updated and complete information on public asset management by the municipal authorities.*

Municipality of Gjakova is chiefly transparent in publishing its immovable properties. List of all premises owned by it is published together with their estimated value, though not all properties are included in the list. These properties are also displayed in a map, where one can clearly see their locations; however this map is in pdf version that limits its quality. Municipal authorities are working on GIS maps, where these properties will be displayed much more interactively. In addition, this list describes the use, surface and the number of parcels.

Concerning the Municipality decisions and rationales for using or renting these properties, they exist in the Municipality, but cannot be found in the website. The list of properties transferred from the Municipality to other users/owners together with rationale for these decisions are not published, despite the fact that this list is available in the Municipality.

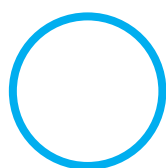
Municipality did not publish a list of non-capital assets, such as furniture, vehicles, etc, even though such a list can be found in the Directorate of Administration.

Municipality did not publish information on its shareholdings in different companies, even though such a list can be found in the Directorate of Administration.



### Score: 2 (Negative)

*Reasoning: Municipality is relatively transparent in the publication of immovable properties list. Nevertheless, this transparency is counterbalanced with the total lack of transparency in the list of non-capital assets and information on municipality shareholdings in different companies.*



## IV. Relations with Citizens and Society

### 10. Citizen Information and Services

*Municipal transparency can be furthered by enabling public easy access to information; accurate, fast and detailed information on issues related to policies, decisions and services for citizens*

Municipality of Gjakova has its Information Office, and one can easily set contacts with it. The Office is effective in responding back mainly within the legally prescribed timeframe. There are basic statistics on the requests for access to official documents. For example, in 2015 the access was granted for 38 requests, and no request was refused partially or completely. No statistic on the use of social, mobile networks and telephone services is published. In addition, there are no statistics on advice and information services provided to citizens.

The Municipality Action Plan to further the transparency at the municipal level is available in the shape of a regulation. This Regulation determines the principles, conditions and criteria aimed at strengthening the transparency of Gjakova Municipality authorities, improving public participation in decision making, easing the access of the public to official document and encouraging best administrative practices on access to official documents.

Municipality of Gjakova website has a considerable amount of information. The website is relatively well organized, though there is room for improvement. Other municipal website, gjakovaportal.com, is also abundant with data and information, and is also much better organized and user friendly. Information is updated. There is no info graphics in the traditional meaning of the word, but there is an interactive map with information on state, cultural and recreational authorities of Gjakova Municipality. No reports of the website popularity are available. There is no any promotion measure to increase the number of visitors and service users.

There is no discussion forum in the Municipality website, from which the citizen opinions can be received. Municipality also did not perform any research of public opinion on the municipal transparency. Nevertheless, a transparency research was carried out by the Democratic Institute of Kosovo that declared the Municipality of Gjakova as the most transparent one in 2014.<sup>14</sup>

Municipality of Gjakova also uses Facebook for presenting its activities that is followed by more than 15,000 people.<sup>15</sup> With such popularity, Municipality Facebook account became an important public information tool. Social networks are also used by the Mayor – which is even more popular with 150 thousand followers on Facebook and around 4,500 on Twitter. Through these social network accounts citizens are informed about her activities in the Municipality. Social network accounts mainly have the same news and information with those from the website, which does not have any info graphics, videos or animations. There are no smartphone applications that would provide information about the Municipality.

Materials are translated in all official languages but they are not published in the old website, while in gjakovaportal.com all information is provided in three languages: Albanian, English and Serbian. According to the municipal authorities, lack of materials in three languages in its primary website happens due to technical problems, which was also the reason for the creation of a new website.

Access to public documents is fully granted. In 2015, the access was granted for all 38 requests, and no request was rejected be it partially or completely.

<sup>14</sup> Transparometri Komunal /Municipality Transparency Meter/. Kosovo Democratic Institute. 2014. [http://www.kdi-kosova.org/publikime/14-kdi\\_transparometri-komunal.pdf](http://www.kdi-kosova.org/publikime/14-kdi_transparometri-komunal.pdf)

<sup>15</sup> For more details, see <https://www.facebook.com/KuvendiKomunalGjakove>

Upon the launching of new portal in December 2015, [www.gjakovaportal.com](http://www.gjakovaportal.com) numerous citizen services were enabled. The old website used to provide scarce information. While now, there are versatile information, starting from the administrative services (possibility to obtain certificates online), waste collection schedules, central city heating schedules, information on local emergencies, etc. Most of this information is included in interactive map. Despite the upgrades in the new website, numerous information remains missing, such as: air pollution control, information on essential medication, online job application opportunities, etc. In the near future, most of these services are expected to be provided online. As this Report deals only with 2015, despite the end-year improvements in 2015, this year was generally speaking poor in this domain.



### Score: 3.3 (Positive)

*Reasoning: Scoring for citizen information and services is chiefly positive. Municipality approach on the issues of information and services provided to citizens was mainly positive, with significant improvements achieved, especially with the launching of a new portal. Municipality also took benefit of innovative tools, such as social networks, aiming to improve its transparency.*

## 11. Cooperation with Civil Society

*Municipal authorities should be open and committed to transparent governance by deepening the cooperation with civil society.*

Municipality of Gjakova authorities pointed out that they have MoUs with civil society organizations; however, these MoUs are not published. Municipality also selected new members of the Local Youth Action Council, thus re-activating this body that gathers the youth organizations. There are also several consultative committees, but they are almost dysfunctional, and are not composed only of civil society members as they are supposed to. Except for individual memorandums with different civil society organizations, there are no guidelines for civic participation and for the use of different channels to better understand the documents and information published by the Municipality.

Municipality holds meetings with citizens aimed at reporting the work of the executive and at receiving comments from citizens on municipal policies and projects. According to the municipal authorities, the number of these meetings was 12. However, the participation of citizens in these meetings is not always satisfactory, even though it seems better compared to previous instances.<sup>16</sup> Municipality reporting and interaction with citizens is mainly done in writing, through leaflets and reports, but direct conversations are also present. Information on local councils are not published.

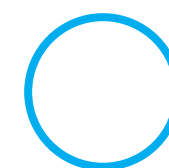
<sup>16</sup> Based on some reports from the past, such as "Praktikat e Buxhetimit në Gjashtë Komuna të Kosovës" / Budgeting Practices in Six Kosovo Municipalities/ by GAP Institute, and general assessments from interviews held over the last year.

Municipality of Gjakova applied some citizen consultation practices on documents of interest prior to their approval. In total, 25 public consultations were held in 2015. Budgets are amongst the approved documents after the consultation with citizens. Proposals made by citizens are documented in minutes even though the monitoring mechanism remains not clear. The Mayor meets citizens on daily basis, but there is no regular schedule.



### Score: 3.3 (Positive)

*Reasoning: On a negative note, Municipality still did not initiate any process for establishment of new or improvement of existing consultative mechanisms that would improve the cooperation with civil society organizations. Despite this, Municipality has several MoUs with individual civil society organizations. Municipality also organizes meetings with citizens be it through directorates or territorial units, and the Mayor does not have any set schedule, but rather meets citizens on daily basis at times of convenience.*



## V. Urban Planning and Development

### 12. Urban Planning

*Public should have access to important information related to urban planning as this is one of the key principles of good governance.*

The public is relatively well informed about normative and strategic documents of urban planning. Regulatory plans, urban development plan and environmental plans and programmes are posted on the website. However, documents required to obtain construction permit and detailed information on opportunities, limitations and responsible urban planning authorities are missing.

Municipality has interactive maps on its website containing information on services, activities and resources of the territory, environmental protection and water resource management plans, water quality in certain areas, gas emissions, accurate information on land destination or other advanced tools. Municipal authorities say that they are working in a GIS map that would have all above-mentioned features.<sup>17</sup>

Municipality of Gjakova is relatively poorly transparent when it comes to construction permits and permits for the use of space. The number of construction permits to be issued is decided on yearly basis, but that number is not posted on

<sup>17</sup> Armend Vokshi, Director of Administration, in the Focus Group held on 9 February 2016.

the website. Construction permits are not published. Minutes of committee meetings approving the construction permits are not published, too. All issued construction permits are in compliance with current urban plans of the municipality.



Score: 2 (Negative)

Reasoning: Municipality of Gjakova is relatively poorly transparent in issues pertaining to urban planning. Some normative documents are posted on the website, and numerous important documents are missing. Interactive maps or other advanced tools are not public. Municipality of Gjakova shows very small transparency when it comes to the construction permits.

13. Monitoring of Urban Planning Projects

Municipality should inform the public continuously on the flow of projects impacting urban planning and development.

Municipality of Gjakova is relatively effective in reporting its activities on urban planning monitoring and implementation. Cases of inspector intervention, their results and effectiveness are published in annual reports. This reports also provide data on the Inspectorate’s performance, which are extracted from the data base for the work and activities of the Inspectorate. Nevertheless, there is still room for improvement of these reports, both from the aspect of their data and structuring. Toll free telephone and official Facebook account are used as means of the public for reporting the cases.

Public has relatively sufficient information on the contracted companies by the Municipality to develop urban planning projects. Municipality also developed an interactive map clearly marking the location of urban planning projects, together with information about the contracted entity. Other information about the contracted entity and project are also available through the “Open Data” Project.<sup>18</sup> For additional information, big projects are also available in MTEF and other strategic documents. However, interactive maps or other data no not provide for violations; except in the cases when the entire contracted is annulled. Directorate of Public Services and municipal construction engineers are responsible to monitor the works.



Score: 3 (Neutral)

Reasoning: Through the publication of annual reports of inspectorates, Municipality of Gjakova is relatively effective in reporting its activities related to urban planning monitoring. In addition, through interactive map and “Open Data” project, Municipality enables the public to obtain significant amount of data on the performance of contracted companies by the Municipality for development of urban planning projects. Nevertheless, failing to report the violations makes the transparency level incomplete.

<sup>18</sup> For additional details on “Open Data” Project, see <http://opendatakosovo.org/>

VI. Scoring

	Weight	%	Score	%	
Organizing, Composition, Attitudes, Documentation, and Function					
1. Mayor, Directors and Assembly Members	3	5.56%	2.5	3%	
2. Organizing and functioning	2	3.70%	4	3%	
3. The work of decision making and policy making bodies	4	7.41%	4	6%	
4. Fighting misbehavior and misuse	3	5.56%	4	4%	
5. European Integration	2	3.70%	3	2%	
Financial and Economic Management					
6. Accounting and the Budget	5	9.26%	3.6	7%	
7. Public procurement, supply, and grants, contracts	5	9.26%	3.5	6%	
Human Resource and Other Resource Management					
8. Employees of public administration and organizations / public institutions	5	9.26%	3.4	6%	
9. Capital and non-capital assets	5	9.26%	2	4%	
Public Relations					
10. Information and service to its citizens	5	9.26%	3.3	6%	
11. Cooperation with Civil Society	5	9.26%	3.3	6%	
Urban Planning and Development					
12. Urban Planning	5	9.26%	2	4%	
13. Monitoring Urban Projects	5	9.26%	3	6%	
		54	100%	63%	
	Weight	%	Score	%	
1. Mayor, Directors and Assembly Members					
1. What is the quality of information that the resumes contain?	5	20%	2	8%	
2. How complete are the wealth statements?	5	20%	2	8%	
3. How understandable, complete and accessible are the information on personal interests	5	20%	1	4%	
4. How efficient are the channels of communications that are used by the elected individuals and political nominees?	5	20%	4	16%	
5. How updated and complete are the information's on activities organized by the Mayor, Assembly, and other elected and appointed individuals?	5	20%	4	16%	
		25	100%	13	52%

	Weight	%	Score	%
<b>2. Organizing and functioning</b>				
6. How complete and easy understandable are the information's on Municipal organizing and its responsibilities?	5	20%	4	16%
7. Do citizens have sufficient information on effective and efficient ways to influence policy and decision making?	5	20%	2	8%
8. How useful are the channels of communication?	5	20%	4	16%
9. What is the quality of information on future plans?	5	20%	5	20%
10. Are there data on municipality?	5	20%	5	20%
	25	100%	20	80%
	Weight	%	Score	%
<b>3. The work of decision making and policy making bodies</b>				
11. How encouraged is the public to be an active observer of debates and decision making processes?	5	33.33%	4	27%
12. Is the reporting of the Executive complete and regular at the Assembly?	5	33.33%	5	33%
13. What are the possibilities that the citizens are informed about the work of the Municipality, policy making and other normative acts?	5	33.33%	3	20%
	15	100%	12	80%
	Weight	%	Score	%
<b>4. Fighting misbehavior and misuse</b>				
14. Does the Municipality have proper mechanisms to investigate and convict misbehavior and other misuse?	5	33.33%	5	33%
15. Is Municipality transparent in its activities to fight corruption and misuse?	5	33.33%	3	20%
16. How informed / what is the level of knowledge of the general public in terms of existing mechanisms for reporting possible misuse?	5	33.33%	4	27%
	15	100%	12	80%
	Weight	%	Score	%
<b>5. European Integration</b>				
17. Does the public have sufficient information on Municipalities duty on the process of EU integration?	5	50%	3	30%
18. Does the public have sufficient information on the possible influence it could have in the EU integration process?	5	50%	3	30%
	10	100%	6	60%

	Weight	%	Score	%
<b>6. Accounting and the Budget</b>				
19. Is the public well informed on budget planning processes?	5	16.67%	3	10%
20. Is there sufficient data published on allocation and budget spending of the Municipality?	5	16.67%	4	13%
21. How well informed is the public on good practices and shortcomings of the Municipality related to managing of public finance?	5	16.67%	4	13%
22. Is there sufficient information to understand the income resources of the Municipality?	5	16.67%	4	13%
23. How well informed are the citizens on Municipality surplus, deficit and debt?	5	16.67%	3	10%
24. How transparent are the organizations and its function, who offer services for citizens, where the Municipality has oversight (even if the oversight is small)?	5	16.67%	4	13%
	30	100%	22	73.33%
	Weight	%	Score	%
<b>7. Public procurement, supply, and grants, Contracts</b>				
25. How transparent is the selection process and conclusion of contractual relations, in specific the evaluation process prior to entering into agreement? kontraktuale me palën e caktuar?	5	50%	3	30%
26. Is there a transparent process in managing projects and contracts?	5	50%	4	40%
	10	100%	7	70%
	Weight	%	Score	%
<b>8. Employees of public administration and organizations/ public institutions</b>				
27. Is it evident / clear the organizing of the municipal administration and responsibilities of key personnel?	5	25%	4	20%
28. How clear are informations on organizational structure and functions of different organizations / institutions in Municipality?	5	25%	2	10%
29. Are best practices applied in recruiting and hiring of the personnel?	5	25%	3	15%
30. Are there public information accessible related to performance of the administration?	5	25%	4	20%
	20	100%	13	65%



	Weight	%	Score	%
<b>9. Capital and non-capital assets</b>				
31. Has the municipality published the list of its all real estate?	5	25%	4	20%
32. Is there information or decisions that are published, which aim at justifying that their use is in for the public good?	5	25%	2	10%
33. Has the municipality published the list of it assets (inventory, cars, paintings, other valuable assets)?	5	25%	1	5%
34. Has the municipality declared its shares in different companies?	5	25%	1	5%
	20	100%	8	40%

	Weight	%	Score	%
<b>10. Information and service to its citizens</b>				
35. How efficient is the information office?	5	12.50%	4	10%
36. Does the Municipality has any plan or strategy on transparency?	5	12.50%	3	8%
37. How useful is the web-site?	5	12.50%	4	10%
38. Does the Municipality offer the possibility to receive citizens' opinion on how to improve transparency?	5	12.50%	3	8%
39. Are innovative means (social media) of communication used to improve communication with the public?	5	12.50%	4	10%
40. Is the the information provided to citizens sufficient and understandable?	5	12.50%	2	5%
41. Does the Municipality offer access to public documents?	5	12.50%	4	10%
42. What is the quality of information related to services offered to citizens?	5	12.50%	2	5%
	40	100%	26	65%

	Weight	%	Score	%
<b>11. Cooperation with Civil Society</b>				
43. Are there any formal cooperation's with civil society created?	5	33.33%	3	20%
44. Are the public meeting being held?	5	33.33%	3	20%
45. Are citizens consulted, prior to approval of documents considered to be with interest?	5	33.33%	4	27%
	15	100%	10	67%

	Weight	%	Score	%
<b>12. Urban Planning</b>				
46. How informed is the public related to normative acts and strategic documents in the area of urban planning?	5	33.33%	3	20%
47. Is municipality using more advanced means to allow the public to observe on issues / developments that are related to urban planning?	5	33.33%	1	7%
48. How transparent municipality is when it comes to building permits and using the public space?	5	33.33%	2	13%
	15	100%	6	40%

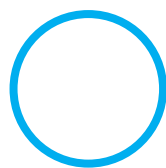
	Weight	%	Score	%
<b>13. Monitoring Urban Projects</b>				
49. How efficient is the municipality to report on its monitoring activities that are related to urban planning?	5	50%	3	30%
50. Is public informed (if yes, how well informed) on the performance of contracted companies to develop certain urbanistic projects?	5	50%	3	30%
	10	100%	6	60%

# Gjilan Municipality

Author: Bekim Kupina



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## I. Organization structure, Composition, Competencies, Documentation, and Functioning

### 1. Mayor, Directors, Municipal Assembly Members

*Volume and quality of published information on elected and political appointees (this category includes the mayor, directors, and municipal assembly members), should be sufficient to assess their credibility, continuously oversee their performance, and to have the best possible accessibility to persons in these positions.*

During 2015, Gjilan Municipality management authorities have implemented minimal transparency in publishing resumes and professional background information on the Mayor and his team of directors on the official website of the municipality: <http://kk.rks-gov.net/gjilan/Municipality/>. Thus, of the 10 departments of Gjilan municipality resumes of only 4 directors have been made public, whereas on the remaining 6 there is no detailed information provided on their professional background or resume. The municipal Information Office justifies this with the fact that very few municipal officers have positively responded to the request for resumes for website posting. They claim this is the reason why several are missing on the website. Short resumes were uploaded before the report was published, however not in single custom format. In contrast to the directors, a broader comprehensive resume of the Mayor, Lutfi Haziri, has been posted.<sup>1</sup> There was no information on the Deputy Mayor Rexhep Kadriu either,<sup>2</sup> which was rectified prior to the publication of this report. Whereas, as it pertains to the composition of the Municipal Assembly there was no information, except for roles and responsibilities. There used to be no photographs or any other relevant information posted on MA members. The photographs and e-mail addresses of MA members were published before the publication of the report.

On the website of the municipality there is no public information on the declaration of assets by the Mayor or other public officials. Such information is available only on the website of the Kosovo Anti-Corruption Agency.<sup>3</sup> With regards to the assets of Mayor of Gjilan, the wealth of his declared assets was published in the respective FOL Movement platform, which also provides for a comparison in relation to previous years.<sup>4</sup>

There is no public record on income and additional compensation for work in

<sup>1</sup> Web page of the Gjilan Municipality, Mayor <http://kk.rks-gov.net/gjilan/Municipality/President/President-profile.aspx>

<sup>2</sup> Web page of the Gjilan Municipality, Mayor's Office <http://kk.rks-gov.net/gjilan/Municipality/Kabineti/Major%60s-profile.aspx>

<sup>3</sup> Anti-Corruption Agency, Asset Declaration, [http://www.akk-ks.org/declaration/2015/Komunat/Komuna\\_e\\_Gjilanit/Nazim\\_Gagica.pdf](http://www.akk-ks.org/declaration/2015/Komunat/Komuna_e_Gjilanit/Nazim_Gagica.pdf)

<sup>4</sup> FOL Movement, Asset Comparison Platform, Lutfi Haziri, <http://deklarimi.levizjafol.org/Zyrtaret/Pasuria/1478/Lutfi-Haziri>

the Municipality or other jobs. The same approach was applied to the declaration of conflict of interest or any other kind of conflict.

Landline telephone numbers for the Mayor, departments and several other municipal offices appear in “Contact” section on the website. However, communication channels used by elected persons and political appointees have not been very effective. Based on research conducted by KCIC in 2015, over 75.7 percent of respondents stated that they did not have any opportunity to address current problems with the Mayor or the Executive Directors, in contrast to 24.3 percent of respondents that had been provided with such an opportunity.<sup>5</sup> However, municipal officials claim that individual meetings with parties are organized on a daily basis.<sup>6</sup>

Notices of Municipal Assembly and PFC meetings are published primarily on the website of the Municipality. Notices have not always been posted in areas frequented by citizens, neither in urban nor in rural areas. Findings indicate that notices are primarily posted in the premises of Citizen Services and Mayor's Office.<sup>7</sup> There is exhaustive Information provided on the calendar of activities conducted by the Mayor, however there is no advance notice on the upcoming activities on his agenda.



**Score: 2.2 (Negative)**

*Reasoning: The information available to the public at the Municipality of Gjilan is minimal in contrast to taxpayers' needs. Conflict of interest data is missing. Communication channels used by elected and politically appointed persons have not been very effective.*

### 2. Structure and Functioning

*There should be sufficient information for the public to understand structure, competencies, functioning, decision making, and policymaking of various municipal bodies.*

The organizational structure of the Municipality of Gjilan is published by means of an organizational chart on the website, however it has not been displayed in the municipal administration building. Powers of the Mayor and powers of departments are described, however there is no such description provided on the various municipal bodies, decentralized bodies or municipal institutions where the municipality has jurisdiction. There were neither job descriptions for key positions, nor information on persons holding those positions. Before

<sup>5</sup> “Përfshirja e publikut në vendimarrje në Komunën e Gjilanit”, Monitoring Report, KCIC December 2015, [http://behupjese.org/docs/Perfshirja\\_e\\_publikut\\_ne\\_vendimarrje\\_ne\\_Komunen\\_e\\_Gjilanit\\_-\\_KCIC\\_dhjetor\\_2015.pdf](http://behupjese.org/docs/Perfshirja_e_publikut_ne_vendimarrje_ne_Komunen_e_Gjilanit_-_KCIC_dhjetor_2015.pdf)

<sup>6</sup> Muhammad Pajaziti, Information Officer, Focus Group, Gjilan, February 5, 2016

<sup>7</sup> Ibid



the publication of the report, some improvements were implemented in this regard. Nevertheless, there are still shortcomings, i.e. where for the Department of Procurement, the resume of the director has been published, however no other relevant information is provided.<sup>8</sup> The information provided is not easy to understand for the citizens.

Regardless of the fact that the Municipal Assembly is an institution that is responsible for improving citizens' lives, its website does not provide clearly elaborated information on law-making, policy-making, decision-making and how to influence these processes. Such information can only be found on the Statute of the Municipality. Additionally, there are no explanatory notes on decision-making procedures at the Executive branch.

Contact information for key persons at the municipality has been partially published. Complete information is available for the Mayor's Chief of Staff only. There is no such information available for the other important municipal units and offices. Thus, the only information made public is the telephone number and person responsible for five units and five offices at the municipality. The description of other positions is missing.

Gjilan Municipality has not published, on its website or otherwise, any strategy and relevant implementation timeline. It has, however, published the Draft Budget 2016-2018, Medium Term Framework, Assembly Work Plan, and such similar documents.<sup>9</sup> The Municipality has released the Draft Regulation on the Organization of Municipal Administration Bodies. Whereas the Draft Regulation on the Supplementation and Harmonization of the Regulation on Municipal Fees, Charges and Fines has not been made public, though having been through adoption proceedings.

General data on the municipality, such as number of inhabitants, gender and ethnic breakdown are published on the website, whereas municipal birth and death rate data is missing. This municipal data overview also lacks information on the state of infrastructure in the municipality, such as the extent of water and sewage network coverage and paved roads. Additionally, there was a lack of information about the economic situation in the municipality, cultural heritage or other inclusive information.



**Score: 2.5 (Neutral)**

*Reasoning: Information currently provided by the municipality of Gjilan allows sold public access to basic information of interest. However, this does not constitute a sufficient basis for qualitative information, because there is no breakdown of information according to sector, thereby not providing an equivalent representation of information by sector, person or job description.*

<sup>8</sup> Web page of the Gjilan Municipality, Department of Procurement <http://kk.rks-gov.net/gjilan/Zyret/Departamenti-i-Prokurimit.aspx>

<sup>9</sup> Web page of the Gjilan Municipality, Budget, <http://kk.rks-gov.net/gjilan/Projects/Budget.aspx>

**3. Performance of Policy Making and Decision Making Authorities**

*Public should have detailed, updated and sufficient information to assess key discussed issues and decisions taken by municipality policy making and decision making authorities*

Practices implemented by the local government in Gjilan in 2015 to encourage the public to become active observers of municipal debates and decision-making processes have not been positive. Monitor specific notices of meetings of the Municipal Assembly and PFC are published primarily on the website of the Municipality. Notices are not always posted in areas frequented by the citizens, whether in urban or rural areas. This issue has been addressed by posting information on social networking sites, specifically "Facebook".<sup>10</sup> MA has developed the Work Plan for 2015, however the calendar of scheduled Assembly sessions has not been published. The same applies for the Policy and Finance Committee.<sup>11</sup> There are cases where even MA members had not received all documents on the agenda items that were discussed during the session.<sup>12</sup> However, in general, they are shared electronically with the media and monitors. There are three organizations involved in the monitoring of MA work: OSCE, KCIC and Democratic Forum "Anamorava". Municipal Assembly sessions broadcasts are provided by the local media. Municipal sessions are broadcast live on two local radio stations, Star Radio and Victoria Radio. Additionally, there are 2 hours of summarized deliberations broadcast on local TV, namely TV Vali.<sup>13</sup> In due course of the year, MA changed the venue of meetings, whereby public participation conditions have been diminished to a minimum.

The reporting of the Executive to the Assembly consists of meeting legal criteria only. The Mayor, according to the Information Officer, reports to the Assembly in compliance with legal requirements, however not if so requested by Assembly Members in any other case. However, there is no transparency regarding the reporting of the Mayor to the Assembly, because there is no public information on the frequency of his appearances before the Assembly in 2015. On the other hand, the Mayor has created a blog under his own name, where he shares information on personal and municipal activities.<sup>14</sup> Municipal officials have assessed that the Mayor's represents a positive element for transparency.<sup>15</sup> The Mayor's bio is published on the site, and there is a tab available for contacting the Mayor in writing or at the telephone number posted on this site. The Mayor's governing program, description of roles and responsibilities, implemented or pending projects, municipal budget, or other such information of interest to citizens, is

<sup>10</sup> Facebook page of the Gjilan Municipality, <https://www.facebook.com/Komuna-e-Gjilanit-Faqja-Zyrtare-1410141205896819/>

<sup>11</sup> "Përfshirja e publikut në vendimarrje në Komunën e Gjilanit", Monitoring Report, KCIC, December 2015, [http://behupjese.org/docs/Perfshirja\\_e\\_publikut\\_ne\\_vendimarrje\\_ne\\_Komunen\\_e\\_Gjilanit\\_-\\_KCIC\\_dhjetor\\_2015.pdf](http://behupjese.org/docs/Perfshirja_e_publikut_ne_vendimarrje_ne_Komunen_e_Gjilanit_-_KCIC_dhjetor_2015.pdf)

<sup>12</sup> Ibid

<sup>13</sup> Ibid

<sup>14</sup> Lutfi Haziri's personal web page, <http://lutfihaziri.com/>

<sup>15</sup> Muhamet Pajaziti, Information Officer, Focus Group, Gjilan, February 5, 2016



missing on this site. He has not reported to the Assembly or the public on his visits abroad either, and consequently several visits were contested by the opposition demanding transparency and accountability.<sup>16</sup>

The Statute, Rules of Procedure of the Assembly and other regulations are published. Gjilan Municipality publishes the minutes of MA meetings. The time required for updating these postings is a problem.<sup>17</sup> The minutes of the meeting of the Commission for Street Naming and Addresses are published, however not those of other MA bodies. Decisions of the Assembly are published, but without the relevant justifications, whereas several decisions by the Mayor appear as links, however are not functional. Draft normative acts are available for access, i.e. Draft Regulation on the Organization of Municipal Administration Bodies was published, however citizens have been able to express relevant input at public hearings only. In this context, the municipality has no mechanism for receiving suggestions or opinions on specific acts. Legislative proposals and important legislative initiatives in process at the Assembly are not published. The same happened to projects proposed by Members of the Assembly and Executive. Additionally, there is no information on the legal justifications of decisions, database of reviewed and approved regulations and voting records. Voting records can only be found in the minutes of the meetings. Although MA sessions are broadcast live and recorded, there are only two recordings published, specifically the ones from January and March 2015.



**Score: 2.5 (Neutral)**

*Reasoning: The volume of information provided to the public does not meet the needs for quality and substantive information provided in real time. There are disruptions in the passing of necessary information to the public. Consequently, greater commitment is required to ensure that this degree of transparency increases in favor of public interest.*

**4. Fighting Misbehavior and Misuse**

*Municipality should publish important information from which one can easily assess the level of commitment in fighting misbehavior and misuse.*

There is no sanction provided in the Statute of the municipality regarding misconduct and what it means. The only issue covered by legal framework is conflict of interest. It is defined by three articles: 55, 83 and 87 of the Statute of the municipality, in reference to the mayor, directors and assembly members.<sup>18</sup> Definitions provided in these articles also refer to the Law on Local Self Government. The Code of Ethics has not been published, and there was no information about the functional mechanisms for case prosecution and adjudication.

<sup>16</sup> KOHA Net, "Opozita e akuzon kryetarin Haziri për mashtrim" <http://koha.net/?id=9&I=91266>

<sup>17</sup> Nevzat Isufi, Assembly Member from Lëvizja Vetëvendosje, Focus Group, Gjilan, February 5, 2016

<sup>18</sup> Web page of the Gjilan Municipality, Statute, <http://kk.rks-gov.net/gjilan/Municipality/Statuti.aspx>

The local strategic plan for addressing and preventing corruption at the Municipality of Gjilan was only published in the last days of 2015, however it could serve as an incentive for action in 2016.

In this context, the number of persons engaged in case investigation is also unknown. Consequently, there is no data on the number of cases investigated either. However, municipal officials have stated that Rules of Procedure provide a definition of what constitutes as misconduct.<sup>19</sup> It has also been noted that there is a Code of Ethics of the Ministry of Public Administration, which is given to every employee in the Municipal Assembly.<sup>20</sup> Information on decisions taken, tracking mechanisms and doubts raised is also missing. Moreover, there is a complaint box at the municipality, however there is no relevant data published.

Therefore, the level of public information on available fraud reporting mechanisms and on what constitutes as abuse of authority is not sufficient. Nevertheless, the municipal website includes a link to the 'Kallxo' platform for reporting cases of violations.



**Score: 2.2 (Negative)**

*Reasoning: Given the above facts, it appears that Gjilan Municipality provides insufficient information to the public on misconduct and abuse of authority. This is supported by the absence of any public information on the website of the municipality, as the first point of contact between the citizens and this institution. In this context, there is no indication whether the municipality has done anything towards combating abuse of authority and misconduct.*

**5. European Integration**

*Public should be provided with the opportunity to accurately learn municipal obligations, achievements and challenges in Kosovo's EU integrations.*

Office for European Integration that operates within the municipality, reports regularly on European agenda compliance and activities undertaken in the implementation of obligations. This type of reporting is submitted to the MLGA, the institution holding the mandate of coordinating activities conducted in municipalities.<sup>21</sup> However, this report is not available to the public of Gjilan. Practically, there is no information on the obligations arising from European integration, the status of obligation fulfillment and deadlines for achieving specific goals. This municipality does have an Office of European Integration, yet on the municipal website, other than the name of the official

<sup>19</sup> Sadri Arifi, Officer in Charge at the Assembly Unit, Focus Group, Gjilan, February 5, 2016

<sup>20</sup> Sadri Arifi, Officer in Charge at the Assembly Unit, Focus Group, Gjilan, February 5, 2016

<sup>21</sup> Department of European Integration and Policy Coordination, MLGA. <https://mapl.rks-gov.net/Main-menu/Departamentet/Departamenti-per-Integrime-Evropiane.aspx>

running it, there is no other information available.<sup>22</sup>

Therefore, information on specific issues related to EU integration, repatriation, human rights or gender equality is missing completely. Further, there is no information related to the impact of the process on the economy, social issues or public administration.

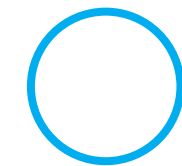


Score: 1 (Negative)

Reasoning: Gjilan Municipality did not provide even minimal information on municipal obligations in relation to European integration. All it has done is establish the Office for Integration, and the link for said office does not provide any information on activities or other developments in this area.

Comments by the Municipality:

Municipal officials underline the operationalization of the online Registry of Administrative Procedures. According to them, the Municipality of Gjilan is the first to have achieved this nationwide, <https://rpa.rks-gov.net/>, where data can be retrieved across sectors and departments. The information available herein is directly linked with the economic integration sector. Additionally, this site includes the Office of Economic Integration of the EU, which provides the duties and obligations of institutions in EU aspiring countries in order to strike a balance with EU countries.<sup>23</sup>



II. Economic and Financial Management

6. Accounting and Budget

Different updated data and reports on revenues, budget allocations, expenditures, debts and disputes involving financial implications for the Municipality should be made available to the public in order to have a clear picture of public money management at the local level.

<sup>22</sup> Web page of the Gjilan Municipality, European Integration Office, <http://kk.rks-gov.net/gjilan/Municipality/Zyret/Zyra-per-Integrime-Evropiane.aspx>

<sup>23</sup> Nazim Gagica, Director of Administration, Focus Group, Gjilan, February 5, 2016

During 2015, the Municipality of Gjilan held 5 meetings on the budget, of which 4 in villages and 1 in the city.<sup>24</sup> This year, the Municipality organized its public hearings during the weekend days. There was one held the Medium-Term Budgetary Framework, and another one with the village councils. The announcement was made through posters and local media in Gjilan. Yet, the links that are on the website provide no information on topics that were discussed at these public hearings,<sup>25</sup> other than the minutes of the public rally, that the Mayor attended with citizens, held on December 30, 2015, and published on January 29, 2016. Therefore, it is not known whether the recommendations that emerged from these hearings were taken into account by municipal authorities and if yes, to what extent. The draft budget for 2016-2018 has been published, while the budget for 2015 was published by GAP. It presents the budget lines and total budget spending on each category separately.<sup>26</sup> Civil society monitors have claimed that, other than information on priorities and projects on the docket for the following year, a detailed account of the draft budget for 2016 was not presented at public hearings and meetings. According to them, regardless of requests for access to the municipal draft budget for 2016, the document was not made available.<sup>27</sup> On the other hand, it is not known what were the proposals put forward by Gjilan MA members and on what matters. In this context, there is no information on the agreements signed and the financial cost of relevant implementation. Gjilan Municipality does not have any mechanism for recording the proposals of citizens during meetings. Additionally, there isn't any data on whether the citizens' proposals were endorsed or rejected by the municipality. Director of Budget and Finance has stated that citizens' requests are recorded, however could not be published in their entirety.<sup>28</sup>

Gjilan has published data on municipal budget appropriations and execution, in the form of periodic and annual reports, inclusive of data on projects, goals, amount of funding, and source of funding. Yet, there are not any interactive tables for a multi-year budget. The list of projects is part of the budget plans.

In 2015, the Municipality of Gjilan has stalled in informing the public about good practices and shortcomings in the management of municipal public finances, because it failed to publish the report of the Auditor General, as it has done in previous years.

Information on sources of municipal revenue is presented in budget planning and financial reports.

Whereas data on the municipal surplus, deficit, debt and contingent liabilities, as well as the amount paid or awarded for cases lost or won in court, is presented

<sup>24</sup> Web page of the Gjilan Municipality, News, <http://kk.rks-gov.net/gjilan/News/Gjilani-mban-takimin-publik-me-qtetaret-i-10-ti.aspx>

<sup>25</sup> Web page of the Gjilan Municipality, Public meetings with citizens, <http://kk.rks-gov.net/gjilan/Takimet-Publike-me-Qytetare/Procesverbalet.aspx>

<sup>26</sup> GAP Institute, How does the State spend our money?, Municipality of Gjilan, <http://www.institutigap.org/spendings/?gjilan/2014/embed#/~gjilan>

<sup>27</sup> "Përfshirja e publikut në vendimarrje në Komunën e Gjilanit", Monitoring Report, KCIC, December 2015, [http://behupjese.org/docs/Përfshirja\\_e\\_publikut\\_ne\\_vendimarrje\\_ne\\_Komunen\\_e\\_Gjilanit\\_-\\_KCIC\\_dhjetor\\_2015.pdf](http://behupjese.org/docs/Përfshirja_e_publikut_ne_vendimarrje_ne_Komunen_e_Gjilanit_-_KCIC_dhjetor_2015.pdf)

<sup>28</sup> Zijadin Maliqi, Director of Budget and Finance, Focus Group, Gjilan, February 5, 2016

to the public only once per year, as part of the annual financial report.

Publication of budget tables, or debt of municipal companies and organizations where the municipality holds ownership and jurisdiction, or auditor's reports thereof, was not accomplished during the year.



**Score: 2.5 (Neutral)**

*Reasoning: The Municipality of Gjilan has published average information on the indicator of budget and accounting. The data published is general, and does not provide a detailed overview on the budget surplus or deficit.*

**7. Public Procurement, Supply and Grant Contracts**

*Contractual relations with financial implications between the municipality and natural and/or legal persons should be carried out in full transparency in order to ensure proper management of public money and appropriate value for services, works and supplies.*

Being one of the central points for good governance and transparency towards the public, the Municipality of Gjilan has failed to implement public information practices on procurement contracts, evaluation committees, and selection of operators in its tenders. Gjilan Municipality did not appear transparent in terms of disclosure of information evaluating the adequacy of operators to enter into contractual relationships with them. There isn't any information published regarding the selection process and composition of the evaluation committees, although municipal officials claim that these committees consist of procurement officials, professionals and officials assigned to relevant departments. Contract notices by the Procurement Department are published with the Public Procurement Regulatory Commission (PPRC), and partly on the website of the Municipality. For example, of 71 procurement activities in the period from January 1 to September 21, 2015, only 29 tender notices were published on the municipality's website. Throughout 2015, according to procurement officials, 124 activities were implemented. Of those 77 activities by open procedure, design competition - 3, invitations for quotations - 29, minimum value - 13 and 2 public auctions. There was also one public-private partnership and one by negotiated procedure. There was no justification on the setting of criteria. Minutes of evaluation commission meetings exist, but are not published. Evaluation committee meeting minutes, according to the Director of the Department of Procurement, are not allowed to be made public, because it is so set by law.<sup>29</sup> There aren't any guidelines for competition processes, principles and code of conduct for contracting processes, however the provisions of the PPL are applied. There are no reports about the accountability of contracted companies, or transparency in the award of additional works (annex contracts), or published reports on lessons learned from past contracting processes.

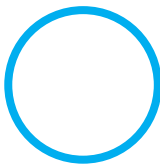
<sup>29</sup> Focus Group, Gjilan, February 5, 2016

There are no reports on contractor performance based on indicators set in the contract. There is a database of signed contracts at the municipality, however generally contracts are not made public. Their amounts, procedure used, the number of competitors appear primarily in the contract award notices published at the PPRC, and partly on the website of the Municipality. These notices also provide basic data the tender winner. Statistics exist for procurement activities, broken down in large, medium and by quotation clusters, as well as those in Public Private Partnership, but are not published. There are no reports on the achievement of performance parameters stated in the contract. Transparency on the successful conclusion of projects is limited to news on the inauguration of certain projects. Reports on the supervision of works during project implementation, although drafted, are not published.



**Score: 2 (Negative)**

*Reasoning: Taking into account the above facts, it appears that the Municipality of Gjilan has in no circumstances demonstrated willingness to keep its taxpayers informed about trends and developments related to tenders aiming to improve the lives of citizens.*



**III. Management of Human and other Resources**

**8. Public Administration and Public Organization/  
Institution Employees**

*Human resource management should be transparent and benefits from the constant public monitoring of Administration performance.*

The organization of municipal administration is clear, but this cannot be said about the functions of key persons in it. The organizational structure of the municipality of Gjilan was posted on the premises of the municipal administration. Later, it was published on the website as well. Detailed descriptions of roles and responsibilities of key positions are rare, save for the directors. Public administration sector reports/analysis are missing, as well as a comprehensive list of administration personnel. There is contact information for municipal departments or local bodies. There is no published data on wages by position, but other than the grade published in job advertisements.

Information on the functioning of various municipal organizations/institutions is not published, and the same applies to the description of roles and responsibilities for key positions and a comprehensive employee list, and there is no

explanatory notes on authorities either.

According to municipal officials, any competitions organized by the Municipality, including position announcements for board members in public enterprises are published on the website of the Municipality, but also in the media, newspapers, as well as local news portals and three local radio stations on contract with the Municipality. However, there is no transparency in terms of the publication of predetermined evaluation criteria. Decision making mechanisms are not published, because appeals go to the Independent Oversight Board. Whereas public position vacancy and employment notices are published on the website, school vacancies in particular.

There is no public information on the performance of the administration based on the highest standards. The Code of Ethics and Code of Conduct are not published, but delivered internally. There are no publications on the activities and decisions of performance evaluation mechanisms, or activities of conflict of interest prevention offices. There weren't any annual publications on individual performance, although applicable.



**Score: 2 (Negative)**

*Reasoning: The published information about the employees and human resource management does not provide for an adequate level of transparency.*

**9. Capital and Non-Capital Assets**

*The public should have complete and up to date information on public property management by the municipal government.*

Gjilan Municipality has not published a list of all real estate. There is no data on the property and buildings owned by the municipality or their value. The property has been registered, whereas facilities not yet. There is neither an interactive map pinpointing exact locations, nor a database on what they are used for.

Consequently, the municipality has not made public the list of properties that were transferred from the municipality to other users/owners, or the justifications for such decisions.

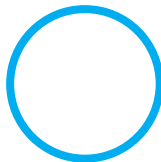
The inventory list and relevant value is not public. List of vehicles including description and value has not been published. The same applies to the list of other assets with specific description and value.

And there is no public information at all on the shares the municipality holds in various companies.



**Score: 1 (Negative)**

*Reasoning: On all 9 sub factors listed under Capital and Non-Capital Assets, the answer regarding the transparency of local government towards the citizens is No. Municipal officials have acknowledged weaknesses on this factor and claimed that actions in this direction remain to be undertaken in the future.*



**IV. Relations with Citizens and Society**

**10. Citizen Information and Services**

*Municipal transparency can be furthered by enabling public easy access to information; accurate, fast and detailed information on issues related to policies, decisions and services for citizens*

The Municipal Information Office is efficient. An Information Officer is assigned and it is easy to establish contact with the office. The Information Office has taken initiatives to increase transparency and publishes an informative “Bulletin”, reflecting information on the activities of the municipality, and the production of his publication is the responsibility of the entire municipal information office. Statistical reports on the use of social media, use of mobile equipment, telephone services, advisory services to citizens and information services are not published. The Information Office notes that the Municipality has attempted to obtain statistical data on the municipal website clicks track record several times, however IT sector claims this is impossible for technical reasons, because the domain is centralized. The Facebook page of the Municipality Gjilan has over 11 thousand followers.

The municipality has a regulation on transparency, while the development of an action plan on transparency is in process. (The Action Plan on Transparency was finalized before the publication of this report).

The website of the municipality has been consolidated for easier navigation. News are published on a regular basis, whereas documents gradually. There are no infographics or reports about the popularity of the website. There is a forum available on the website, but it is not active.

There is also a link that allows citizens to provide input, objections or suggestions to the municipality, but there is no record of how many letters were received from citizens and what has the municipality done to taken them into account.<sup>30</sup> This link misses the “critique” option, and there is also no separate opportunity

<sup>30</sup> Web page of the Gjilan Municipality, Contacts, <http://kk.rks-gov.net/gjilan/Important-Phone.aspx>



for citizens to provide suggestions for potential website content improvement.

A line of information for citizens with the municipality has been made available through its “Facebook” social networking account, which has over 11 thousand followers.<sup>31</sup>

Materials are translated into all official languages used in this municipality, while some information is presented in understandable form, the vast majority is in conventional form and uses legal language.

In the period from January to December 2015, the Municipality of Gjilan announced that it has received 57 requests for access to public documents. To 50 such requests, the Municipality responded in writing (on paper), and to 7 electronically. In 48 requests, responses were sent within the deadline, while in 2 cases upon expiration of legal deadline. Profiles of applicants for access to public documents are diverse: journalists (3 requests), civil society (19), budget organizations (1), individuals (11), students (8), political parties (12) private companies (3). Documents requested are also diverse in nature. Budget expenditures (20), decisions (4), statistics (7), contracts (6), projects (7), advertisements (8) and 4 other requests for access to minutes, personnel file of an employee fired in 2012. Nevertheless, according to civil society organizations, Gjilan Municipality has not demonstrated transparency in terms of providing access to public documents. KCIC has announced that, during the period of March-December, it filed 9 requests for access to public documents through the Citizen Service Center, and that only in two cases Gjilan Municipality provided a reply in electronic form.<sup>32</sup>

By a decision of the Mayor, Municipality of Gjilan has established the Registry of Administrative Procedures publishing all information on the procedures available to citizens at the municipality.<sup>33</sup> On each procedure there are details on the legal basis, information and documents needed to apply, fees and charges for application and the deadline for replying. However, there is a lack of information on services by public enterprises (waste collection), green spaces, medication from the essential list (health), efficiency of municipal inspectors, pre-university education, number of schools, legal status, method of funding, teachers and students, interactive maps, traffic conditions, incidents related to municipal services, updated information on air and noise pollution.

31 Facebook page of the Gjilan Municipality, <https://www.facebook.com/Komuna-e-Gjilanit-Faqja-Zyrtare-1410141205896819/>

32 “Përshirja e publikut në vendimarrje në Komunën e Gjilanit”, Monitoring Report, KCIC, December 2015, [http://behupjese.org/docs/Pershirja\\_e\\_publikut\\_ne\\_vendimarrje\\_ne\\_Komunen\\_e\\_Gjilanit\\_-\\_KCIC\\_dhjetor\\_2015.pdf](http://behupjese.org/docs/Pershirja_e_publikut_ne_vendimarrje_ne_Komunen_e_Gjilanit_-_KCIC_dhjetor_2015.pdf)

33 Registry of Administrative Procedures for Municipality of Gjilan, <https://rpa.rks-gov.net/sq>



Score: 3.2 (Neutral)

Reasoning: There have been some developments regarding this factor that indicate positive movement by Municipality of Gjilan towards embracing good practices for transparency in relation to the public, but this is offset by the lack of complete efficiency in the provision of access to public documents within timelines prescribed by law. The establishment of the Registry of Administrative Procedures is a good practice applied by the municipality.

11. Cooperation with Civil Society

Municipal authorities should be open and committed to transparent governance by deepening the cooperation with civil society.

The municipality does not have a guide to civic participation and use of different channels to better understand the documents and information published by the municipality. This issue has been regulated only through the regulation on transparency. There is no data on potential memoranda of understanding between the municipality and civil society organizations. On the other hand, on the public operations in the municipality, there is no information on how many NGOs are active and how many of those monitor the work of the municipality.

Monitoring findings indicate that the Municipality of Gjilan has held 9 public hearings. The scheduling of the hearings was appropriate for the citizens, because some of them were held during weekend days. The opportunity to present concerns and requests was granted to citizens in both urban and rural areas. However, it is of note that there is a need for greater participation of citizens in these events. Reporting at these hearings is mainly conducted orally. Local councils have been operationalized.

There is no data on the number of acts of general interest to citizens adopted by the MA, as is the case with public hearings too. However, on public hearings preceding the approval of the budget, according to monitoring findings 5 such events were held. Six regulations of public interest were discussed with the citizens, but there are no published summary reports from these hearings. The municipality does not employ any tracking mechanism for recording citizens’ requests or the status thereof (approval or rejection of applications). Tuesday is the officially scheduled day for the Mayor to meet with the citizens. However, there are no public statistics on how many citizens met the Mayor during the year, and what requests were made.



Score: 2.7 (Neutral)

Reasoning: With this indicator, the only positive aspect is the number of public hearings with citizens, which is nine. Yet, when analyzing the other indicators, this number is marginalized in relation to other actions aimed at including citizens in decision-making, hence the neutral rating.



## V. Urban Planning and Development

### 12. Urban Planning

Public should have access to important information related to urban planning as this is one of the key principles of good governance.

The public is poorly informed about strategic documents in the field of urban planning. However, the Municipality of Gjilan through the registry of administrative procedures has established facilities for the monitoring of criteria and the process of obtaining construction and environmental permits. Though, there is no information about Municipal Zoning Map, very little information about the Detailed Regulatory Plans, and only a sketch of the municipal development model.

An interactive map loaded with information on services, activities and resources in the area, environmental protection plans, natural resource management, water quality in certain areas, emission of gases or accurate information on land use are missing.

The municipality has published a list of construction permits for 2014, at the end of that year. There is a link on the website for a list of construction permits for 2015, but the document published is the wrong one.<sup>34</sup> Yet, the decisions and justifications of issued permits, as well as the minutes of committee meetings that approved the construction permits are not published, and the same applies to information on the compliance of issued permits with current municipal plans.



#### Score: 2 (Negative)

Reasoning: In the most sensitive area, not only to this municipality, Gjilan has stalled completely in terms of transparency in relation to the public. There is no information, even symbolic, informing the citizens of developments in this sector.

### 13. Monitoring of Urban Planning Projects

Municipality should inform the public continuously on the flow of projects impacting urban planning and development.

Activities undertaken by construction inspectors in 2015, are reflected in the annual report of the Department of Urbanism, Spatial Planning and Environ-

<sup>34</sup> Urban Permits, Registry of Construction Permits, <http://kk.rks-gov.net/gjilan/Reguloret-dhe-Pasqyrat-Komunale/Lejet-Urbanistike.aspx>

mental Protection. In total there were 596 field inspections, 180 records of stop-work orders, 111 decisions on stop-work orders, 42 decisions on demolition of construction, 10 mandatory penalties (€ 2,300), 19 criminal reports to the judiciary, 2 conclusions for demolition and 13 citizen requests/complaints for consideration. However, there are no mechanisms for the public to track reported cases, not even any pins on the map denoting danger.

The public does not have sufficient information on the performance of companies contracted by the municipality to develop urban projects, because the names of the companies that have completed the major projects of urban development, and data on the monitoring and supervision of ongoing works have not been published. Monitoring and supervision of ongoing works is performed by the departments carrying the projects. Information on ongoing key infrastructure projects, project purpose and municipal representatives responsible; contractors; budget; implementation period, appear only on the information boards at the worksites.



#### Score: 2 (Negative)

Reasoning: Reference this indicator, the Municipality of Gjilan has presented basic information on the activities of the inspectors, which cannot be stated about public input tracking mechanisms. Additionally, under the second sub-indicator there is almost no information published. Thus depriving the public of information related to urban project monitoring.

VI. Scoring

	Weight	%	Score	%
Organizing, Composition, Attitudes, Documentation, and Function				
1. Mayor, Directors and Assembly Members	3	5.56%	2.2	2%
2. Organizing and functioning	2	3.70%	2.5	2%
3. The work of decision making and policy making bodies	4	7.41%	2.5	4%
4. Fighting misbehavior and misuse	3	5.56%	2	2%
5. European Integration	2	3.70%	1	1%
Financial and Economic Management				
6. Accounting and the Budget	5	9.26%	2.5	5%
7. Public procurement, supply, and grants, contracts	5	9.26%	2	4%
Human Resource and Other Resource Management				
8. Employees of public administration and organizations / public institutions	5	9.26%	2	4%
9. Capital and non-capital assets	5	9.26%	1	2%
Public Relations				
10. Information and service to its citizens	5	9.26%	3.2	6%
11. Cooperation with Civil Society	5	9.26%	2.7	5%
Urban Planning and Development				
12. Urban Planning	5	9.26%	2	4%
13. Monitoring Urban Projects	5	9.26%	2	4%
		54	100%	45%

	Weight	%	Score	%	
2. Organizing and functioning					
6. How complete and easy understandable are the information's on Municipal organizing and its responsibilities?	5	20%	3	12%	
7. Do citizens have sufficient information on effective and efficient ways to influence policy and decision making?	5	20%	2	8%	
8. How useful are the channels of communication?	5	20%	2	8%	
9. What is the quality of information on future plans?	5	20%	3	12%	
10. Are there data on municipality?	5	20%	2.5	10%	
		25	100%	12.5	50%
		Weight	%	Score	%
3. The work of decision making and policy making bodies					
11. How encouraged is the public to be an active observer of debates and decision making processes?	5	33.33%	2	13%	
12. Is the reporting of the Executive complete and regular at the Assembly?	5	33.33%	2.5	17%	
13. What are the possibilities that the citizens are informed about the work of the Municipality, policy making and other normative acts?	5	33.33%	3	20%	
		15	100%	7.5	50%
		Weight	%	Score	%
4. Fighting misbehavior and misuse					
14. Does the Municipality have proper mechanisms to investigate and convict misbehavior and other misuse?	5	33.33%	3	20%	
15. Is Municipality transparent in its activities to fight corruption and misuse?	5	33.33%	1	7%	
16. How informed / what is the level of knowledge of the general public in terms of existing mechanisms for reporting possible misuse?	5	33.33%	2	13%	
		15	100%	6	40%
		Weight	%	Score	%
5. European Integration					
17. Does the public have sufficient information on Municipalities duty on the process of EU integration?	5	50%	1	10%	
18. Does the public have sufficient information on the possible influence it could have in the EU integration process?	5	50%	1	10%	
		10	100%	2	20%

	Weight	%	Score	%
<b>6. Accounting and the Budget</b>				
19. Is the public well informed on budget planning processes?	5	16.67%	3	10%
20. Is there sufficient data published on allocation and budget spending of the Municipality?	5	16.67%	3	10%
21. How well informed is the public on good practices and shortcomings of the Municipality related to managing of public finance?	5	16.67%	2	7%
22. Is there sufficient information to understand the income resources of the Municipality?	5	16.67%	3	10%
23. How well informed are the citizens on Municipality surplus, deficit and debt?	5	16.67%	2.5	8%
24. How transparent are the organizations and its function, who offer services for citizens, where the Municipality has oversight (even if the oversight is small)?	5	16.67%	1	3%

30	100%	14.5	48.33%
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	Weight	%	Score	%
<b>7. Public procurement, supply, and grants, Contracts</b>				
25. How transparent is the selection process and conclusion of contractual relations, in specific the evaluation process prior to entering into agreement? kontraktuale me palën e caktuar?	5	50%	2	20%
26. Is there a transparent process in managing projects and contracts?	5	50%	2	20%

10	100%	4	40%
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	Weight	%	Score	%
<b>8. Employees of public administration and organizations/ public institutions</b>				
27. Is it evident / clear the organizing of the municipal administration and responsibilities of key personnel?	5	25%	3	15%
28. How clear are informations on organizational structure and functions of different organizations / institutions in Municipality?	5	25%	1	5%
29. Are best practices applied in recruiting and hiring of the personnel?	5	25%	3	15%
30. Are there public information accessible related to performance of the administration?	5	25%	1	5%

20	100%	8	40%
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	Weight	%	Score	%
<b>9. Capital and non-capital assets</b>				
31. Has the municipality published the list of its all real estate?	5	25%	1	5%
32. Is there information or decisions that are published, which aim at justifying that their use is in for the public good?	5	25%	1	5%
33. Has the municipality published the list of it assets (inventory, cars, paintings, other valuable assets)?	5	25%	1	5%
34. Has the municipality declared its shares in different companies?	5	25%	1	5%

20	100%	4	20%
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	Weight	%	Score	%
<b>10. Information and service to its citizens</b>				
35. How efficient is the information office?	5	12.50%	4	10%
36. Does the Municipality has any plan or strategy on transparency?	5	12.50%	3	8%
37. How useful is the web-site?	5	12.50%	3	8%
38. Does the Municipality offer the possibility to receive citizens' opinion on how to improve transparency?	5	12.50%	3	8%
39. Are innovative means (social media) of communication used to improve communication with the public?	5	12.50%	3	8%
40. Is the the information provided to citizens sufficient and understandable?	5	12.50%	3	8%
41. Does the Municipality offer access to public documents?	5	12.50%	2	5%
42. What is the quality of information related to services offered to citizens?	5	12.50%	4	10%

40	100%	25	62.50%
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	Weight	%	Score	%
<b>11. Cooperation with Civil Society</b>				
43. Are there any formal cooperation's with civil society created?	5	33.33%	2	13%
44. Are the public meeting being held?	5	33.33%	3	20%
45. Are citizens consulted, prior to approval of documents considered to be with interest?	5	33.33%	3	20%

15	100%	8	53.33%
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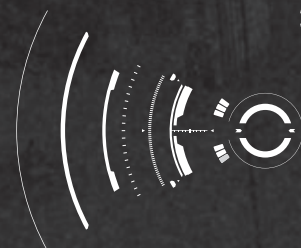
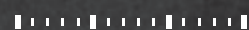


	Weight	%	Score	%
12. Urban Planning				
46. How informed is the public related to normative acts and strategic documents in the area of urban planning?	5	33.33%	3	20%
47. Is municipality using more advanced means to allow the public to observe on issues / developments that are related to urban planning?	5	33.33%	1	7%
48. How transparent municipality is when it comes to building permits and using the public space?	5	33.33%	2	13%
	15	100%	6	40%

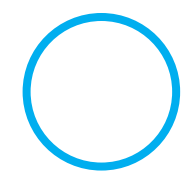
	Weight	%	Score	%
13. Monitoring Urban Projects				
49. How efficient is the municipality to report on its monitoring activities that are related to urban planning?	5	50%	3	30%
50. Is public informed (if yes, how well informed) on the performance of contracted companies to develop certain urbanistic projects?	5	50%	1	10%
	10	100%	4	40%

# Mitrovica Municipality

Author: Albert Krasniqi



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# I. Organization structure, Composition, Competencies, Documentation, and Functioning

## 1. Mayor, Directors, Municipal Assembly Members

*Volume and quality of published information on elected and political appointees (this category includes the mayor, directors, and municipal assembly members), should be sufficient to assess their credibility, continuously oversee their performance, and to have the best possible accessibility to persons in these positions.*

Information on the resume of the Mayor published on the official municipal website is of poor quality and incomplete. All that can be found there is a brief summary of his business activities.<sup>1</sup> The resume posted on the Deputy Mayor provides a summary of education and work experience related information of almost the same quality. Information on municipal department directors, as appointed persons, is complete and includes resumes for each individual. The resume of the Chairperson of the Municipal Assembly is published on the website of the municipality, which cannot be said of resumes pertaining to members of this local legislative body. The only information available on Municipal Assembly Members is first and last name, and relevant political entity.<sup>2</sup>

Declarations of assets of officials at the Municipality of Mitrovica are published by the Anti-Corruption Agency,<sup>3</sup> and include information required by law. In general, information quality is basic and there is no data on additional engagements and benefits. Information on personal interests, which would lead to the assessment of potential conflict of interest, are not made public by the municipality. Any third party claims on conflict of interest of municipal officials, remain as mere speculations with few opportunities to prove such claims.

The municipality has taken positive steps towards improving municipal constituent relations, including elected and appointed persons. The website of the municipality enables electronic communications, by means of a communications forum,<sup>4</sup> which if used could serve as a very efficient communication channel, and furthermore citizens' questions/comments are public. Despite having established this tool, it has not been used since 2012, according to the last post available. Additionally, the municipality has developed an online form for scheduling meetings with municipal officers named "Schedule a Meeting with

1 Profile of Mitrovica Municipality Mayor, Agim Bahtiri. Accessed on January 14, 2016. Link: <https://kk.rks-gov.net/mitrovica/Municipality/President/President.profile.aspx>

2 List of Mitrovica Municipality Assembly Members, accessed on January 14, 2016. Link: <https://kk.rks-gov.net/mitrovica/Municipality/Assembly/Major-s-deputies.aspx>

3 Asset Declarations of Mitrovica Municipality officials. Anti-Corruption Agency. Accessed on January 14, 2016. Link: [http://akk-ks.org/sq/deklarimet?path=declaration\\_assets%2F2015%2FKomunat%2FKomuna\\_e\\_Mitrovices\\_Jugore](http://akk-ks.org/sq/deklarimet?path=declaration_assets%2F2015%2FKomunat%2FKomuna_e_Mitrovices_Jugore)

4 Municipality of Mitrovica, <https://kk.rks-gov.net/mitrovica/Forums.aspx>

Municipal Officials Online".<sup>5</sup> This platform is also available in smart phone application format, in order of facilitating communications with users that may not have other electronic equipment. The municipality fares poorly in publishing contact numbers. The website widget named "Telephone Contact Numbers" is entirely blank and does not provide any contact opportunity. There is a telephone number provided under the tab "Municipality", whereas contact numbers for the Mayor are missing. Contact information on the Chairperson and Members of Municipal Assembly consists of e-mail addresses only.

Notices of activities implemented at the municipality are sufficient and the website is constantly updated. A good practice established at the Municipality of Mitrovica is providing notice of upcoming planned activities, and brief accounts of such activity events are posted as news.



Score: 3 (Neutral)

*Reasoning: Information on executive municipal bodies is scarce and of poor quality. Information on Municipal Assembly Members is missing, whereas information on political appointees is somewhat complete. Asset declarations are incomplete and do not provide information on potential conflict of interest. Providing a variety of communication channels and electronic scheduling of meetings represents a positive development.*

## 2. Structure and Functioning

*There should be sufficient information for the public to understand structure, competencies, functioning, decision making, and policymaking of various municipal bodies*

Mitrovica Municipality Statute, as the highest legal act establishing the implementation of responsibilities, powers and municipal governance is published on the website of the municipality.<sup>6</sup> Responsibilities of the Mayor and municipal department directors are made public and available for easy access. Regarding the responsibilities of the municipal legislative body, the Assembly, excerpts from the municipal Statute establishing the powers of this body are published on the website. The Municipality has not broken down this legal document into language easier to understand for the citizens. Information on bodies/institutions where the municipality is a shareholder is not available to the public. The municipal organizational chart has been published, providing for an understanding of how the municipality is organized.<sup>7</sup>

5 Platform "Cakto takim online me zyrtarët komunal". Municipality of Mitrovica. See: <http://www.komunamitrovices-takimet.com/>

6 Mitrovica Municipality Statute, link: <https://kk.rks-gov.net/mitrovica/Municipality/Statut.aspx>

7 Organizational Chart of the Municipality of Mitrovica, see: <https://kk.rks-gov.net/mitrovica/getattachment/Municipality/Organogrami-i-Komunes-se-Mitrovices/SKEMA-ORGANIZATIV-ORGANOGRAMI-KOMUNA-MITROVICE.pdf.aspx>



There isn't any information available to the public on how policy making and decision making can be influenced. In addition to not publishing this information, the municipality has not made any efforts to implement public information campaign to raise awareness on the importance of citizen influence and participation in policy making.

Municipal communication channels are primarily driven by electronic forms, which are an efficient tool for the younger age groups. The municipal communication forum represents a good example in this respect. The municipality engages in active social media use, however to the detriment of more conventional communication tools. Telephone contact numbers, as a tool deemed more efficient for the older age groups, have not been published.

The municipality has published the Local Environmental Action Plan 2011-2016, and several urban regulatory plans. Other published plans cover earlier expired periods of time.<sup>8</sup> On the website of the municipality there is information on the territory, economy, urbanism, geography, history and a brief summary of cultural life in the city. Likewise, there are also snippets of information on sports, specifically sports clubs in the city. There is no information provided on the water, sewage and electrical supply systems.



**Score: 2.5 (Neutral)**

*Reasoning: Municipal organizational arrangements and responsibilities are published, although the municipality has failed in breaking down applicable legal acts into documents that are easier to understand by the citizens. Legal drafting language is not easily understood by all. Information on opportunities to influence policy-making is missing entirely, which has resulted with a deduction in points in the overall assessment. Notwithstanding the positive step in using social media such as Facebook and YouTube, conventional communication channels are not efficient across the board. Lack of contact numbers speaks volumes.*

**3. Performance of Policy Making and Decision Making Authorities**

Public should have detailed, updated and sufficient information to assess key discussed issues and decisions taken by municipality policy making and decision making authorities

Generally, the municipality encourages the public to engage in monitoring of debates and decision-making processes. Timely notices of meetings and events to discuss issues of interest for the citizens are among the tools used to this end. The website of the municipality is the primary channel for announcing such notices, augmented with posters displayed in public spaces, at the municipal building, in addition to being broadcast in the local media.<sup>9</sup> The municipality

<sup>8</sup> Regulatory Plans of Mitrovica Municipal Assembly 2010 – 2015, see: <https://kk.rks-gov.net/mitrovica/Projects/Planet-rregulluse-komunale-2010–2015.aspx>

<sup>9</sup> The Municipality broadcast notices on TV Mitrovica.

publishes all rendered decisions, however information regarding the implementation of such decisions made at meetings/events it organizes are insufficient. Minutes that are published are from the Municipal Assembly sessions and meetings of the Committee on Policy and Finance, and do not include other bodies.

The accountability of the executive to the municipal legislature is extremely poor and not performed regularly. Interpellations, as a control instrument, are not used at all by Members of the Municipal Assembly, which is in turn used by Department Directors to send reports reflecting positive aspects only and report on issues of their own choosing.

Opportunities for the citizens to become informed of the municipal work, policy and normative acts are partially satisfactory. Meetings of the Municipal Assembly are published in the form of audio recordings for 2014 only, however none of such audio files are able to open.<sup>10</sup> Municipality decisions are published regularly, however not inclusive of justifications, save for several decisions that are considered important.



**Score: 2.5 (Neutral)**

*Reasoning: Although notices of municipal assembly meetings are published on time, failure to publish decisions of all municipal bodies is a negative. This and the irregular reporting by the executive, and the opportunities for the citizens to become better informed of municipal decision-making, render this indicator into neutral rating. Encouragement of citizens to actively monitor debates and decision-making processes is encouraging for future improvement in other areas as well.*

**4. Fighting Misbehavior and Misuse**

*Municipality should publish important information from which one can easily assess the level of commitment in fighting misbehavior and misuse.*

Through mechanisms for the investigation and adjudication of misconduct and abuse of authority made public by the municipality, it is not possible to assess the level of the commitment in countering such phenomena, or effectiveness thereof. As a type of external mechanism, is providing civil society organizations specializing in the field of combating corruption, such as “kallxo.com”, the option to put their widgets on the website of the municipality. On the other hand, for purposes of encouraging the reporting of municipal official corruption cases, recently the Mayor promised a reward of five thousand Euros for persons that document such cases.<sup>11</sup> Civil Service Code of Conduct is published on the website of the municipality, in order to help citizens understand which cases

<sup>10</sup> Assembly Meetings, audio recordings. Municipality of Mitrovica. See: <https://kk.rks-gov.net/mitrovica/Municipality/Seances/Mbledhjet-e-Kuvendit-2014-Audio.aspx>

<sup>11</sup> See: <http://www.kosovalive360.com/bahtiri-premton-50-mije-euro-per-denoncuesit-e-korrupsionit-ne-ferizaj.html>, accessed on January 20, 2016.



would constitute as violations of the code by the municipal officials.<sup>12</sup>

Municipal activities in countering fraud/abuse are not transparent and it is not possible to assess whether concrete steps are taken and the effectiveness thereof. There are no notices on activities, what type of activities were they, number of persons involved, or anything more. Lack of mechanisms for reporting potential abuse has resulted in lack of information among the public on such mechanisms.



**Score: 2 (Negative)**

*Reasoning: With the exception of the placement of NGO widgets on the website of the municipality for purposes of reporting corruption and the reward offer by the Mayor, there are no other public mechanisms encouraging the citizens to report such phenomena. Municipality activities, when undertaken, are not public and in the absence of adequate mechanisms, are not promoted.*

**5. European Integration**

*Public should be provided with the opportunity to accurately learn municipal obligations, achievements and challenges in Kosovo's EU integrations.*

In spite of the fact that the municipality has established the Department of European Integration and Social Welfare, this department does not regularly publish information on its work and progress achieved towards compliance with the European agenda. In the section dedicated to the municipal departments, the responsibilities of this Department are described,<sup>13</sup> and a six month report for the period of January – June 2015 has been published.<sup>14</sup>

The issue of “Repatriation”, as one of the criteria that Kosovo must meet in its journey to EU integration, has been insufficiently addressed by the municipality, by providing a single link directing web-traffic to the website of the Ministry of Internal Affairs, where repatriation procedures are elaborated.

There is no information provided to the public about the potential influences of the EU integration process. Such information can neither be found on the website of the municipality, nor discussed with the citizens at public hearings on this topic.

<sup>12</sup> Civil Service Code of Conduct. Accessed on February 20, 2016. Link: [https://kk.rks-gov.net/mitrovice/getattachment/Municipality/Statut/Kodi-i-Miresjelljes-ne-SHCK-ZM\\_MAP-.pdf.aspx](https://kk.rks-gov.net/mitrovice/getattachment/Municipality/Statut/Kodi-i-Miresjelljes-ne-SHCK-ZM_MAP-.pdf.aspx)

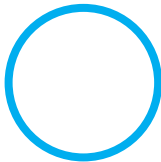
<sup>13</sup> Department of European Integration and Social Welfare. Municipality of Mitrovica. Accessed on January 16, 2016, link: <https://kk.rks-gov.net/mitrovice/Municipality/Departments/Integrimeve-Evropiane-dhe-Mireqenies-Sociale.aspx>

<sup>14</sup> Work Report by the Department of European Integration and Social Welfare. Municipality of Mitrovica. See report: <https://kk.rks-gov.net/mitrovice/getattachment/1eaf0a30-2744-4fdf-a005-2eb28eef84b4/Raport-i-punes-per-gjashtemujorin-e-pare-per-vitin.aspx>



**Score: 2 (Negative)**

*Reasoning: Regarding European integration, the Municipality has published a report on the work conducted during the first six months of 2015. Nevertheless, there is no publication of information on compliance to the European agenda on a regular basis, and the public is not provided with adequate information on influences on the EU integration process.*



**II. Economic and Financial Management**

**6. Accounting and Budget**

*Different updated data and reports on revenues, budget allocations, expenditures, debts and disputes involving financial implications for the Municipality should be made available to the public in order to have a clear picture of public money management at the local level.*

During the municipal budget planning stage, invitations to participate in public hearings to discuss priorities and needs are sent out to the citizens, and information is also broadcast through local TV media. Meetings of the Municipal Assembly are announced, and the public is informed of decisions taken when approving the budget. Proposals put forward by Municipal Assembly Members are not available to the public, and nor are the citizens’ proposals. The Municipality does not make budget reallocation information public. Information on rejected project proposals, by the Executive or the Assembly, is not available either.

Municipal draft-budget data for each year is published, however budget execution reports are missing. There is a notable exception of the publication of a six-month financial report, on the capital investments program for 2012. Medium-Term Expenditure Framework 2016-2018 has been drafted and published on the website of the municipality. The execution of municipal projects is documented by photographs and budget cost only, without any other details. Project funding sources are public, whereas budget tables of previous years are missing.

The public is not provided with sufficient information in order of being informed about good practices and shortcomings in the management of public finances. External audit reports are published on the website of the municipality, in addition to publishing on the website of Office of Auditor General, notices of debt incurred by the municipality towards other parties, whereas there is no information on failure to make payments according to the law. Municipal income sources can be gleaned from the external audit reports and the Municipal Draft-Budget made public by the Department of Finance, Economy and Development, which is not available in an easy to understand format.

Information on municipal surplus, deficit, and debt is published in numbers only, without details or justifications. Municipal debt to economic operators can be found on the six-month financial report prepared by the Municipal Department of Finance.

The Municipality is not transparent at all in providing information pertinent to the operation of organizations providing citizen services, where the municipality has jurisdiction. There is no information to be found on budget, audit reports, debt incurred, and wages for key positions in these organizations.



**Score: 2.5 (Neutral)**

*Reasoning: The public is well informed on the initial budget planning, however not on budget reallocation and proposals by the opposition, too. Municipal income source information is public, whereas information on the good practices or shortcomings in budget management can only be gleaned from external audit reports.*

**7. Public Procurement, Supply and Grant Contracts**

*Contractual relations with financial implications between the municipality and natural and/or legal persons should be carried out in full transparency in order to ensure proper management of public money and appropriate value for services, works and supplies.*

The process of selection and entering into contractual relationships of Municipality of Mitrovica presents in lack of transparency in many areas. While notices of entering into contractual relationships with specific parties are shared in the form of news, so general information without detail on procedures followed, records from evaluation committees do not accompany such notices. Criteria for entering into contractual relationships are made public in advance by the municipality. There is a notable lack of information on variation of works or addendum contracts concluded with contracted companies. There are no published reports on market research, and it is questionable whether such reports are produced by the municipality for purposes of better understanding the needs and demands, or drafting of special reports on lessons learned from previous contracts.

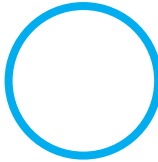
Transparency in project and contract management is another important factor for the effective management of public spending. In this regard, the approach adopted by the municipality is *ad-hoc*, contingent on public attention to specific projects. In most cases, the municipality shall provide summarized information in a press release, which will be posted on the website of the municipality. On certain cases, such as the works on the city square, the municipality has been quite transparent and reported about problems encountered in project implementation on a regular basis. Profiles of tender winners are not posted on the municipal website, however can be found on the PPRC website only. Any information regarding contract signing, financial value, key deadlines, project

start and end date, is published on the PPRC website.<sup>15</sup> The municipality does not produce special reports on each executed project or supervision of works during implementation.



**Score: 2.5 (Neutral)**

*Reasoning: Partial transparency regarding entry into contractual relationships with specific parties indicates that on some projects there is adequate published information, on both conclusion of contract and monitoring of execution, whereas on some other projects this is not the case. This results in an assessment that was awarded one half of maximum points.*



**III. Management of Human and other Resources**

**8. Public Administration and Public Organization/ Institution Employees**

Human resource management should be transparent and benefits from the constant public monitoring of Administration performance.

The organization of Mitrovica Municipality is illustrated in the organizational chart, which is a public document on the official website.<sup>16</sup> Descriptions of duties and responsibilities of directors are posted in the relevant department sections on the municipal website, whereas on key administration positions there is no published information on relevant roles and responsibilities. Additionally, the municipality has failed to make available to the public a list of all persons employed by the municipal administration, let alone information on wages for various positions or contact information.

The organizational structure and information on the functioning of various municipal organizations/institutions are not public and the municipality does not provide any additional relevant information.

<sup>15</sup> Public Procurement Regulatory Commission. Notices on Mitrovica Municipality: [https://krpp.rks-gov.net/Default.aspx?PID=Notices&LID=1&PCID=-1&CtrlID=SearchNotices&ind=1&PPRCMenu\\_OpenNode=63](https://krpp.rks-gov.net/Default.aspx?PID=Notices&LID=1&PCID=-1&CtrlID=SearchNotices&ind=1&PPRCMenu_OpenNode=63)

<sup>16</sup> Organizational Chart for the Municipality of Mitrovica, accessed on January 24, 2016: <https://kk.rks-gov.net/mitrovica/Municipality/Organogrami+Komunes-se-Mitrovices.aspx>

With the publication of the Civil Service Code of Conduct, the executive of the municipality has taken a step further in its serious approach to ensure administration employee behavior subscribing to the highest standards. However, there is no information on potential conflict of interest published on the municipal website. To date, there hasn't been any report published on the individual administration performance appraisals.



## Score: 2 (Negative)

*Reasoning: The publication of the organizational chart and description of director responsibilities is inadequate to support a full assessment. Lack of description of duties and responsibilities for key administration personnel, followed by failure to make public individual performance appraisals and wages, is essential to the general assessment. There isn't any information provided on various municipal organizations/institutions.*

## 9. Capital and Non-Capital Assets

*The public should have complete and up to date information on public property management by the municipal government.*

The Municipality not made public any list of its real estate (property and buildings owned by the municipality). Such a list should include information on property value, location, as well as a database providing for the utilization of such assets. The Auditor General in the 2014 report has raised objections to this regard.<sup>17</sup> This report finds that the municipality lacks internal procedures for asset management and disregard for the regulation on asset management, which can lead to loss, abuse and unauthorized use of public property.

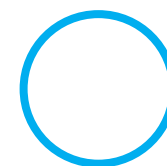
There is also a lack of information on decisions aiming to justify the utilization of municipal assets, just as there is no public information on various assets, such as inventory or vehicles. Municipal shares and ownership in various companies is not disclosed.



## Score: 1 (Negative)

*Reasoning: The municipality has failed to make public the list of its assets, including real estate and various nonfinancial assets. Information on municipal shares and ownership in various companies is also missing.*

<sup>17</sup> Audit Report for the Municipality of Mitrovica for 2014, [http://www.oag-rks.org/repository/docs/RaportiAuditimit\\_KMT\\_2014\\_Shqip\\_989613.pdf](http://www.oag-rks.org/repository/docs/RaportiAuditimit_KMT_2014_Shqip_989613.pdf)



## IV. Relations with Citizens and Society

### 10. Citizen Information and Services

*Municipal transparency can be furthered by enabling public easy access to information; accurate, fast and detailed information on issues related to policies, decisions and services for citizens.*

The Municipality has a designated Information Officer, and the office actively exercises its duties and responsibilities. The Information Officer demonstrates readiness for cooperation, however failure to publish information on the municipal website remains a negative feature, as the section dedicated to this office is entirely blank.<sup>18</sup> Many of the municipal reports that are not made public, do not fall under the direct responsibility of the office, as this is contingent upon the readiness of other bodies to provide materials for publication.

The Municipality claims to have an action plan on,<sup>19</sup> though it has not been made public. In the past, the municipality has undertaken actions to promote the website, however such actions are currently deemed unnecessary.

Information provided on the website of the Municipality of Mitrovica is ample in terms of quantity. Press releases and announcements are quite regular, however the objections raised by civil society organizations in this municipality are that the releases focus on covering the activities of certain departments, whereas those on other departments are few. Lack of information classification is another issue raised by CSO representatives.<sup>20</sup> The website is poorly organized due to restrictions consequent to website centralization by MLGA. Nevertheless, a contact form "Contact the Municipality" is available on the website, in addition to a contact number. Extent of use and functionality remains unclear, as there is no published data on the number of services provided to citizens by this form.

The Municipality has not used the mechanism of gauging public opinion on transparency. Furthermore, other less costly mechanisms dedicated to soliciting citizen input for improving transparency have also not been implemented. There is a special section on the website, "Forum", for facilitating discussions with the citizens, however it is not being used. Most recent posts are from 2012, and of the topics put forward none deal with the improvement of transparency.<sup>21</sup>

<sup>18</sup> Information Office, Municipality of Mitrovica. Accessed on January 27, 2016, <https://kk.rks-gov.net/mitrovica/Municipality/Zyrat-Njesite/Zyra-per-Informim.aspx>

<sup>19</sup> Hysni Sylja, Officer at the Information Office, Municipality of Mitrovica, statement at the Focus Group organized by EC Ma Ndryshe, on February 16, 2016.

<sup>20</sup> Statement by CSO representative from Mitrovica, at the Focus Group organized by EC Ma Ndryshe, on February 16, 2016.

<sup>21</sup> Forum. Municipality of Mitrovica. Accessed on January 27, 2016. See: <https://kk.rks-gov.net/mitrovica/Forums.aspx>

The Municipality uses innovative tools for transparency and public communications, such as various social media (Facebook<sup>22</sup> and YouTube<sup>23</sup>). Information made public is understandable in most cases, however the municipality does not break down public information, such as legal information, into information that is easier to understand and in formats appropriate for processing and generating statistics. Those having no prior knowledge of the field cannot understand the legal drafting language used in these documents. Information provided on the website is in the Albanian language only, and information in other official languages is missing.

Access to public documents is a right guaranteed by law,<sup>24</sup> and in this regard the municipality has responded positively to requests received. Moreover, the municipality has published statistical reports on the number of requests received or rejected,<sup>25</sup> in addition to promoting access to public documents on the home page.

The citizens are provided the opportunity to give their opinion on the services of registrars at the Municipality of Mitrovica. The municipality has uploaded a survey tool onto its website, whereby citizen opinion polling results on the quality of services provided are presented. Additionally, the municipality has published a special report on performance achievements in administration services.<sup>26</sup>



Score: 3 (Neutral)

Reasoning: The Public Information Office is quite active in its line of work, however relevant office information is missing on the website. The Municipality has not made public its action plan on transparency, though it claims to have such a plan. The website is not well organized into sections. Municipality makes use of various social media for communicating with the citizens. Access to public documents is available, and statistical data is published.

11. Cooperation with Civil Society

Municipal authorities should be open and committed to transparent governance by deepening civil society cooperation.

22 Facebook account of the Municipality of Mitrovica: <https://www.facebook.com/komuna.mitrovices>

23 YouTube channel of the Municipality of Mitrovica: <https://www.youtube.com/user/MBNz96p6c7gF3Wf70DPY>

24 Law on Access to Public Documents, See: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2724>

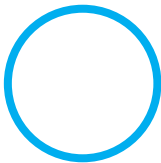
25 Report on Requests for Access to Public Documents. Municipality of Mitrovica, accessed on March 2, 2016. See: <https://kk.rks-gov.net/mitrovica/getattachment/1915fc06-83ce-430d-b37c-5201943faddb/RAPORT-Lidhur-me-kerkesat-per-qasje-ne-dokumente-p.aspx>

26 Annual Report of the Municipality of Mitrovica on the Administrative Service Performance Accomplishments for 2015: <https://kk.rks-gov.net/mitrovica/getattachment/d16aed6c-346c-4141-8b60-3c5e8166c42d/Raporti-vjetor-i-Komunes-se-Mitrovices-per-perfo.aspx>



Score: 2.5 (Neutral)

Reasoning: In all aspects of this indicator, the municipality has only partially met relevant criteria, thus providing for a neutral assessment. The municipality does cooperate with the civil society, however there is no information available to assess whether this is a structured cooperation. The municipality has increased the number of meetings with the public, however failure to make public the records of these meetings remains a negative feature. Public hearings with citizens prior to approving important documents are implemented partially.



V. Urban Planning and Development

12. Urban Planning

Public should have access to important information related to urban planning as this is one of the key principles of good governance.

Mitrovica Municipality has organized several public hearings for purposes of informing the public on normative acts and strategic documents on urban planning. To this end, partial information has been published on the municipal website as well. The process for issuing permits is clear and sufficient information is provided.



A brochure explaining the general conditions for urban spaces, documents required for a permit, etc. is posted on the Department of Planning and Urbanism section.<sup>27</sup> This brochure is the main tool used by the municipality to enable the public to monitor elements relevant to urban plans.

The municipality has approved the Regulation on Environmental Protection,<sup>28</sup> which includes water protection, however the website does not provide information on water quality, gas emissions or land use purpose.

Mitrovica Municipality is not transparent regarding construction permits and space utilization permits, as there isn't any special list of permits issued, which would be public and constantly updated, that among other things would provide the rationale for issuing or rejecting applications. Minutes of meetings of committees that have approved the issue of construction permits or compliance of issued permits with the current municipal plans are not made public either.



**Score: 2 (Negative)**

*Reasoning: A series of citizen hearings on normative acts relative to urban planning have been organized, nonetheless the municipality fares badly in using advanced tools enabling the public to monitor urban planning relevant elements. The municipality does not have any published list of permits issued.*

**13. Monitoring of Urban Planning Projects**

*Municipality should inform the public continuously on the flow of projects impacting urban planning and development.*

Reporting about municipal body activities on urban plan implementation monitoring is not efficient at all. This is due to the fact that such reports are not published at all on the municipal website, and it is not known if such reports are drafted. Further, reports on inspector activities are missing too. There is no database on such activities or any mechanism to follow up on cases reported by the public.

The public has insufficient information on the performance of companies contracted by the municipality to implement urban projects. Usually such information is published in the form of news or press releases sent to the media, which are quite deficient in terms of information provided. Lack of information on the monitoring of works, project purpose, budget, and implementation period is essential for full and fair information.

<sup>27</sup> Department of Planning and Urbanism Leaflet, Mitrovica Municipality. See: <https://kk.rks-gov.net/mitrovica/getattachment/Municipality/Departments/Urban-Planning-Cadastre-and-Environmental-Protect/Drejtoria-per-Planifikim-dhe-Urbanizem.pdf.aspx>

<sup>28</sup> See Regulation on Environmental Protection of Municipality of Mitrovica: [https://kk.rks-gov.net/mitrovica/getattachment/Shpalljet/Rregulloret/Rregulloret-2010/Rregullorja-Komunale-Nr\\_-02-2010-per-mbrojtjen-e-mjedisit.pdf.aspx](https://kk.rks-gov.net/mitrovica/getattachment/Shpalljet/Rregulloret/Rregulloret-2010/Rregullorja-Komunale-Nr_-02-2010-per-mbrojtjen-e-mjedisit.pdf.aspx)



**Score: 1.5 (Negative)**

*Reasoning: Lack of efficiency in informing the public on municipal activities relating to urban plan implementation monitoring, in addition to distributing insufficient information on the performance of companies contracted by the municipality to implement urban projects, have contributed to the negative assessment awarded on this indicator to the Municipality of Mitrovica.*

## VI. Scoring

	Weight	%	Score	%
<b>Organizing, Composition, Attitudes, Documentation, and Function</b>				
1. Mayor, Directors and Assembly Members	3	5.56%	3	3%
2. Organizing and functioning	2	3.70%	2.5	2%
3. The work of decision making and policy making bodies	4	7.41%	2.5	4%
4. Fighting misbehavior and misuse	3	5.56%	2	2%
5. European Integration	2	3.70%	2	1%

## Financial and Economic Management

6. Accounting and the Budget	5	9.26%	2.5	5%
7. Public procurement, supply, and grants, contracts	5	9.26%	2.5	5%

## Human Resource and Other Resource Management

8. Employees of public administration and organizations / public institutions	5	9.26%	2	4%
9. Capital and non-capital assets	5	9.26%	1	2%

## Public Relations

10. Information and service to its citizens	5	9.26%	3	6%
11. Cooperation with Civil Society	5	9.26%	2.5	5%

## Urban Planning and Development

12. Urban Planning	5	9.26%	2	4%
13. Monitoring Urban Projects	5	9.26%	1.5	3%

54	100%	46%
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## 1. Mayor, Directors and Assembly Members

1. What is the quality of information that the resumes contain?	5	20%	2.5	10%
2. How complete are the wealth statements?	5	20%	2.5	10%
3. How understandable, complete and accessible are the information on personal interests	5	20%	1	4%
4. How efficient are the channels of communications that are used by the elected individuals and political nominees?	5	20%	4	16%
5. How updated and complete are the information's on activities organized by the Mayor, Assembly, and other elected and appointed individuals?	5	20%	3	12%

25	100%	13	52%
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	Weight	%	Score	%
<b>2. Organizing and functioning</b>				
6. How complete and easy understandable are the information's on Municipal organizing and its responsibilities?	5	20%	3	12%
7. Do citizens have sufficient information on effective and efficient ways to influence policy and decision making?	5	20%	1	4%
8. How useful are the channels of communication?	5	20%	2.5	10%
9. What is the quality of information on future plans?	5	20%	2	8%
10. Are there data on municipality?	5	20%	3	12%

25	100%	11.5	46%
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### 3. The work of decision making and policy making bodies

11. How encouraged is the public to be an active observer of debates and decision making processes?	5	33.33%	3	20%
12. Is the reporting of the Executive complete and regular at the Assembly?	5	33.33%	1.5	10%
13. What are the possibilities that the citizens are informed about the work of the Municipality, policy making and other normative acts?	5	33.33%	3	20%

	15	100%	7.5	50%
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	Weight	%	Score	%
<b>4. Fighting misbehavior and misuse</b>				
14. Does the Municipality have proper mechanisms to investigate and convict misbehavior and other misuse?	5	33.33%	2.5	17%
15. Is Municipality transparent in its activities to fight corruption and misuse?	5	33.33%	1	7%
16. How informed / what is the level of knowledge of the general public in terms of existing mechanisms for reporting possible misuse?	5	33.33%	3	20%

15	100%	6.5	43.33%
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## 5. European Integration

17. Does the public have sufficient information on Municipalities duty on the process of EU integration?	5	50%	3	30%
18. Does the public have sufficient information on the possible influence it could have in the EU integration process?	5	50%	1	10%

10	100%	4	40%
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	Weight	%	Score	%
<b>6. Accounting and the Budget</b>				
19. Is the public well informed on budget planning processes?	5	16.67%	3	10%
20. Is there sufficient data published on allocation and budget spending of the Municipality?	5	16.67%	3	10%
21. How well informed is the public on good practices and shortcomings of the Municipality related to managing of public finance?	5	16.67%	2	7%
22. Is there sufficient information to understand the income resources of the Municipality?	5	16.67%	3	10%
23. How well informed are the citizens on Municipality surplus, deficit and debt?	5	16.67%	3	10%
24. How transparent are the organizations and its function, who offer services for citizens, where the Municipality has oversight (even if the oversight is small)?	5	16.67%	1	3%

30	100%	15	50%
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	Weight	%	Score	%
<b>7. Public procurement, supply, and grants, Contracts</b>				
25. How transparent is the selection process and conclusion of contractual relations, in specific the evaluation process prior to entering into agreement? kontraktuale me palën e caktuar?	5	50%	2.5	25%
26. Is there a transparent process in managing projects and contracts?	5	50%	2.5	25%

10	100%	5	50%
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	Weight	%	Score	%
<b>8. Employees of public administration and organizations/ public institutions</b>				
27. Is it evident / clear the organizing of the municipal administration and responsibilities of key personnel?	5	25%	2.5	13%
28. How clear are informations on organizational structure and functions of different organizations / institutions in Municipality?	5	25%	1	5%
29. Are best practices applied in recruiting and hiring of the personnel?	5	25%	3	15%
30. Are there public information accessible related to performance of the administration?	5	25%	2	10%

20	100%	8.5	42.50%
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	Weight	%	Score	%
<b>9. Capital and non-capital assets</b>				
31. Has the municipality published the list of its all real estate?	5	25%	1	5%
32. Is there information or decisions that are published, which aim at justifying that their use is in for the public good?	5	25%	1	5%
33. Has the municipality published the list of it assets (inventory, cars, paintings, other valuable assets)?	5	25%	1	5%
34. Has the municipality declared its shares in different companies?	5	25%	1	5%

20	100%	4	20%
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	Weight	%	Score	%
<b>10. Information and service to its citizens</b>				
35. How efficient is the information office?	5	12.50%	3	8%
36. Does the Municipality has any plan or strategy on transparency?	5	12.50%	2.5	6%
37. How useful is the web-site?	5	12.50%	2	5%
38. Does the Municipality offer the possibility to receive citizens' opinion on how to improve transparency?	5	12.50%	2	5%
39. Are innovative means (social media) of communication used to improve communication with the public?	5	12.50%	3	8%
40. Is the the information provided to citizens sufficient and understandable?	5	12.50%	2	5%
41. Does the Municipality offer access to public documents?	5	12.50%	5	13%
42. What is the quality of information related to services offered to citizens?	5	12.50%	3	8%

40	100%	22.5	56.25%
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	Weight	%	Score	%
<b>11. Cooperation with Civil Society</b>				
43. Are there any formal cooperation's with civil society created?	5	33.33%	2.5	17%
44. Are the public meeting being held?	5	33.33%	2.5	17%
45. Are citizens consulted, prior to approval of documents considered to be with interest?	5	33.33%	2.5	17%

15	100%	7.5	50%
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	Weight	%	Score	%
12. Urban Planning				
46. How informed is the public related to normative acts and strategic documents in the area of urban planning?	5	33.33%	3	20%
47. Is municipality using more advanced means to allow the public to observe on issues / developments that are related to urban planning?	5	33.33%	2	13%
48. How transparent municipality is when it comes to building permits and using the public space?	5	33.33%	1	7%
	15	100%	6	40%

	Weight	%	Score	%
13. Monitoring Urban Projects				
49. How efficient is the municipality to report on its monitoring activities that are related to urban planning?	5	50%	1	10%
50. Is public informed (if yes, how well informed) on the performance of contracted companies to develop certain urbanistic projects?	5	50%	2	20%
	10	100%	3	30%

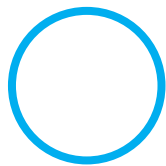


# Peja Municipality

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# I. Organization structure, Composition, Competencies, Documentation, and Functioning

## 1. Mayor, Directors, Municipal Assembly Members

*Volume and quality of published information on elected and political appointees (this category includes the mayor, directors, and municipal assembly members), should be sufficient to assess their credibility, continuously oversee their performance, and to have the best possible accessibility to persons in these positions.*

Political staff in general - Mayor, Deputy Mayor and Department Directors - have published brief resumes, whereby the citizens can be informed of their professional credentials. Of all political staff, the only exceptions are two directors who have not published their resumes. However, such a thing cannot be said of Assembly Members. No members of the MA, including the Chairperson and Deputy Chairperson, have published resumes. Most - 33 from a total of 35 - of them have published contact information only, although this majority does include the Deputy Chairperson, who hasn't published any information.

Asset declarations of senior local government officials in Peja are published on the website of the Anti-Corruption Agency (ACA), but do not appear on the website of the municipality. The same can be said of the Municipal Assembly, the only difference being that some members of the MA have no published asset declaration at ACA either.<sup>1</sup> However, the responsibility is not clear, since some declarations did not exist over a period of time but were published around the end of the year. Whereas, in the case of one assembly member, there is her name, but the declaration of assets is of another person, which suggests that the assembly member has filed a declaration of assets, but ACA uploaded the wrong declaration.<sup>2</sup> In general, asset declarations do not provide data comparable over time, for purposes of comparison of assets during term of office, and in some cases the declarations are confusing and incomplete. The Mayor represents a notable exception, appearing on the platform of FOL Movement and where one can compare declaration of assets over the years.<sup>3</sup> With regards to the clarity and quality of asset declarations, in the vast majority of cases wages are declared but not additional compensation.

Regarding conflict of interest, the information is non-existent for almost all senior municipal political officials and the municipal assembly. Based on inter-

<sup>1</sup> For more, see link [http://akk-ks.org/sq/deklarimet?path=declaration\\_assets%2F2015%2FKomunat%2FKomuna\\_e\\_Pejes#indexmain](http://akk-ks.org/sq/deklarimet?path=declaration_assets%2F2015%2FKomunat%2FKomuna_e_Pejes#indexmain)

<sup>2</sup> The case of Luljeta Kelmendi-Rexhepi, [http://www.akk-ks.org/sq/deklarimet?path=declaration\\_assets%2F2015%2FKomunat%2FKomuna\\_e\\_Pejes#indexmain](http://www.akk-ks.org/sq/deklarimet?path=declaration_assets%2F2015%2FKomunat%2FKomuna_e_Pejes#indexmain)

<sup>3</sup> Wealth Comparison Platform, FOL Movement <http://deklarimi.levizafol.org/Zyrtaret/Pasuria/1493/Gazmend-Muhaxheri>

nal information, sometimes even shared anonymously,<sup>4</sup> ACA has informed the Deputy Mayor, several directors and MA members of conflict of interest. Upon notification from ACA, the latter have taken measures to avoid conflicts of interest. Some of them have withdrawn from political position completely - for example, Musa Nikqi.<sup>5</sup>

Citizen communication channels exist, although not always effective. It is general practice for almost all political members at Peja Municipality to have published their contact information. Additionally, the Mayor's weekly agenda includes a scheduled time for meeting the citizens, while the directors have no such weekly appointment, although they are open to meetings. Nonetheless, there have been several cases where citizens could not establish contact with the directors, the Mayor or have not received replies to their questions and concerns addressed by e-mail.

In accordance with the law, notices of Assembly sessions are published the website and in public places 7 days before the meeting, together with the agenda. The MA publishes minutes, decisions, and provides live broadcasts of sessions. There is no published calendar with full information on the activities of the Mayor. Warning notices are sent to journalists and civil society. Some of them are published on the website in the form of news.<sup>6</sup>



Score: 3 (Neutral)

*Reasoning: Resumes of the vast majority of MA members, as well as two directors, are missing. Asset declarations are published for almost everyone, however in some cases these are confusing or incomplete. Failure to declare conflicts of interest of public officials is a highly negative feature. Contact information is available for almost all public officials, although there is still much room for improvement of inefficiency. The MA applies best practices on information, although a calendar of the activities of the Mayor is missing.*

## 2. Structure and Functioning

*There should be sufficient information for the public to understand structure, competencies, functioning, decision making, and policymaking of various municipal bodies.*

Peja Municipality has published the overall organizational chart of the municipality on its website. There are also several department specific organizational charts published; however, these charts are not always up to date, i.e. the organizational chart of the Department of Economic Development. Whereas on the MA, there is organizational chart or additional information, other than information about the organization of the municipality and powers of the Mayor,

<sup>4</sup> The case of Musa Nikqi, Member of the Municipal Assembly <http://akk-ks.org/repository/docs/01-169-2015-Musa%20Nikqi.pdf>

<sup>5</sup> Ibid

<sup>6</sup> <https://kk.rks-gov.net/peje/>



directors, and assembly, deriving from the Municipal Statute. However, this information is not up to date. While amendments to the have been made to the Statute, these amendments do not appear in the documents uploaded on the website of the municipality. There is almost no information on the decentralized bodies, or in the best case, information provided is extremely superficial. Additionally, technical and legal language reflected in all documents may represent a barrier for citizens in understanding the organization, powers and function of all municipal bodies.

The most effective ways to influence policy and decision making are disclosed in a limited fashion. On one hand, approved regulations, municipal assembly decisions, and minutes are published. On the other hand, agendas - at least for 2015 - and other information about the policy making cycle and how can citizens participate are missing. The handful of information available is incomplete. Whereas, regulations, decisions and minutes are not arranged in chronological order and the search feature on the website does not work, which renders access to these documents very difficult.

Information on official communication channels, although generally published, is neither distributed nor promoted. The most efficient form of communication with municipal officials is conducted on a personal basis. There isn't any system that would strengthen the channels of official communication, in order to make these practices more widespread and sustainable. As for contact information for municipal subordinate institutions - such as museums, theaters, etc. - such information does not exist.

The published information on medium-term, long-term plans and draft documents is limited. Firstly, although there is space on the website for uploading draft documents, whereby the citizens would be able to see and potentially express a desire for change, not a single document is published. Regarding strategic documents, there are published documents such as the municipal and urban development plan, economic development strategy and medium-term expenditure framework. Nevertheless, many of the documents - especially budget specific documents - are not up to date. Those that are published are not well organized, in different formats, and generally a mess.

Municipal data exists, but is incomplete and in some cases not up to date. There is statistical data on population, history, culture, sports, but many of these records are not up to date. Nonetheless, this data is not available for access by all since many datasets are available in the Albanian language only, and Serbian or English language versions are missing.



Score 2 (Negative)

Reasoning: The information currently provided by the Municipality does not allow the general public to easily understand the organization, powers, functioning, decision making and policy making by various municipal bodies. It is generally sufficient to meet the minimum legal obligations, however insufficient for promoting a proactive approach to bringing the public closer to the institutions. Much of the data is not up to date, and in some cases the documents and information are available in the Albanian language only.

3. Performance of Policy Making and Decision Making Authorities

Public should have detailed, updated and sufficient information to assess key discussed issues and decisions taken by municipality policy making and decision making authorities.

The municipal bodies of the Municipality of Peja have implemented regular practices in encouraging citizens to become active observers of debates and decision-making processes. Citizens are informed about meetings in a timely fashion, and meeting minutes and agendas are published. Though the “Open Doors” Project, supported by the OSCE, representatives of the municipality of Peja have met with citizens to increase transparency. Meetings are attended by various organizations, such as OSCE, KFOR, or other civil society organizations. The municipality has not signed a contract for the live broadcast of Assembly sessions on local TV, however, there is a live streaming channel on the website enabling watching of sessions in real time.<sup>7</sup> Meanwhile, the relatively low participation of citizens in the meetings of the Municipal Assembly Committees remains a challenge.

The Executive branch reports to the Assembly, however not on a regular basis. The Mayor submits reports to the Assembly and committees, however these reports are rarely documented. In 2011 and 2012, the Mayor’s Office had prepared a report on the work of the municipality, but such a practice was not followed in the subsequent years.<sup>8</sup> While directors have submitted work reports, generally there is no direct reporting to the Assembly and committees.

Generally, the citizens can get information about the work of the municipality. Financial statements, municipal plans, regulations, decisions, minutes, and urban and development plans, and other documents are published on the website. However, despite all these published documents, there are also major shortcomings. For example, the decisions are published but not inclusive of relevant justifications, there is a section for the publication of draft documents, but draft documents are not published,<sup>9</sup> and legislative proposals and other initiatives are published but only as part of the meeting minutes, which makes access very challenging. Additionally, these documents are a mess in terms of organization, which further complicates efficient access to many. On the other hand, a database of regulations reviewed, approved, and relevant detailed voting records is missing. There are no video recordings of meetings, although enabled - characterized by many technical problems - so meetings can be viewed directly on the website of the municipality.

7 For more, see <https://kk.rks-gov.net/peje/Assembly{1}/Transmetim-live.aspx> [Note: link only works when Assembly is in session]

8 See the reports here: <https://kk.rks-gov.net/peje/Temat/Raport-Pune-i-Kryetarit.aspx>

9 During the investigation, there were no published documents. After discussing the validity of the findings of this report, some documents were uploaded. For more, see <https://kk.rks-gov.net/peje/Assembly{1}/Draft-Dokumentet.aspx>



### Score: 3 (Neutral)

*Reasoning: The municipality has applied good practices in terms of citizen contact and participation in public hearings. However, there is a significant lack of detailed, up to date and well organized documents, for the evaluation of the work of the municipality, both by the Assembly of the Executive, as well as by the citizens of the municipality in general.*

## 4. Fighting Misbehavior and Misuse

*Municipality should publish important information from which one can easily assess the level of commitment in fighting misbehavior and misuse.*

In the municipality of Peja, conflict of interest of Members of the Assembly, the Mayor, the Deputy Mayor, Municipal Department Directors and municipal administration employees is defined in the Municipal Statute<sup>10</sup> and administrative instruction on job responsibilities. In addition to these two documents, there is also a code of ethics. In order to ensure the implementation of these documents, a disciplinary committee, consisting of three members, was established.

However, the level of transparency in activities countering fraud or abuse of authority is relatively low. This happens mainly because decisions rendered are provided to applicants, but are not published. Additionally, the administrative instruction on job responsibilities is not published on the website of the municipality. The number of investigated cases was 10 in total, of which 5 were qualified as minor cases and the remaining 5 as grave. The administrative instruction on job responsibilities serves as a relevant applicable mechanism.

The level of public information on available fraud reporting mechanisms is very low, because the municipality does not provide sufficient information to explain exactly what constitutes as abuse and did not provide any opportunity for the public to communicate on such cases. To date, solely verbal warnings to superiors or to the Mayor have been used broadly.



### Score: 3 (Neutral)

*Reasoning: Pursuant to the applicable legislation and practices implemented, it can be concluded that the Municipality of Peja has relatively good mechanisms for countering misconduct. Nevertheless, the level of public information on reporting mechanisms is very low and current practices are predominantly informal, bypassing institutional procedures. Whereas, in terms of transparency, the municipality is relatively transparent, although there is plenty of space for more transparency.*

<sup>10</sup> Statute of the Municipality, Chapter VI, Conflict of Interest, <https://kk.rks-gov.net/peje/Files/Dokumente/statuti-2008.aspx>

## 5. European Integration

Public should be provided with the opportunity to accurately learn municipal obligations, achievements and challenges in Kosovo's EU integrations.

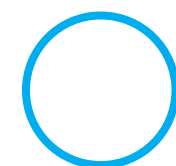
In 2015, Peja Municipality has not released any information on the obligations of the municipality in the process of EU integration. The Municipality has a list of obligations it holds in the process of European integration, but it has not been published, despite the claim by the Director of European integration that it is published on the website. Moreover, the status on the fulfillment of obligations and deadlines for achieving relevant goals are not published either. The municipality reports to the Ministry of Local Government Administration, however fails to do so with the citizens.

The public also has no information on the impact on European integration related to economic, social, public administration, and other issues.



### Score: 1 (Negative)

*Reasoning: The public is not provided with any opportunity to get information about the activities of the municipality in relation to the EU integration process. Additionally, there was no information provided to the public on the impact of the European integration process.*



## II. Economic and Financial Management

### 6. Accounting and Budget

*Different updated data and reports on revenues, budget allocations, expenditures, debts and disputes involving financial implications for the Municipality should be made available to the public in order to have a clear picture of public money management at the local level.*

Peja Municipality has taken some steps towards including the public in budget planning. During 2015, municipal authorities planned for 11 public hearings with citizens in rural areas and another one in the Municipal Assembly Hall on budget for 2016, of which 10 were held. There are reports on these hearings, however not published. The draft budget was not published online, printed copies were distributed instead. Records from public hearings have not been published, and the proposals received from citizens or members of the Finance Committee have not been made public either. According to statements by the municipal officials and members of assembly, there were proposals and ideas



received from the citizens and PFC members. However, the municipality is yet to develop a mechanism for recording citizens' proposals, and for the publication of decisions whether these proposals are carried or rejected.

Data on budget appropriation and execution is published online under the "How does the State spend our money?"<sup>11</sup> platform of GAP Institute, and a link to the platform is available on the website of the Municipality. Data on budget appropriation and execution is also published in the form of reports, annual and quarterly. The budget document lists data on the project, the amount of planned spending and source, whether government grant or own source revenues and the year for the execution of the relevant project. There is no elaboration of project goals. These are mostly reflected in the proposals addressed to the Mayor for approving the announcement of tenders. These proposals are available for access by journalists and civil society. In the Medium Term Expenditure Framework, similar practices as with the annual budget apply, inclusive of the list of projects.<sup>12</sup> Municipality has failed to develop an interactive table of multi-annual budget.

Peja Municipality, same as all other municipalities, is regularly audited by the Office of the Auditor General (OAG). The report of the OAG is published on the website of the municipality and is also accessible from the website of OAG. Through this report citizens can become informed about the practices of public finance management.<sup>13</sup>

As in the case of budget planning, reports on the sources of income for the municipality are published in the form of annual and quarterly reports. In general, it can be said that there is satisfactory information to understand the sources of municipal revenues.

However, the Municipality provides little information to citizens on the budget surplus/deficit or municipal debts, and accounts receivable or contingent liabilities. The disclosure of the amount of municipal debt to various operators and accounts receivable and contingent liabilities, is usually provided as part of the annual financial report, without explanation, but only in brief summary, and is usually not published online.

The municipality does not provide information on the functioning of organizations that provide services to citizens, where the municipality has jurisdiction, much less any budget data relevant to these public organizations.

<sup>11</sup> How does the State spend our money?, GAP Institute, <http://www.institutigap.org/spendings/?peje/2014#/~/peje/shpenzimet-komunale>

<sup>12</sup> For more, see Medium Term Expenditure Framework here <https://kk.rks-gov.net/peje/Temat/KAB-2014-2016.aspx>

<sup>13</sup> Reports of the Auditor General can be read here <http://www.oag-rks.org/sq/Komunat?date=2014>



## Score: 3 (Neutral)

*Reasoning: In 2015, Peja Municipality has implemented policies and practices for public involvement in the budget development. However, a large gap remains to be filled to achieve satisfactory transparency, especially in regard to publishing information on proposals from citizens and implementation or non-implementation of those proposals, providing more explanations on projects, contingent liabilities, debts, and above all providing at least basic data on the functioning of organizations that provide services to citizens, where the municipality has jurisdiction.*

## 7. Public Procurement, Supply and Grant Contracts

*Contractual relations with financial implications between the municipality and natural and/or legal persons should be carried out in full transparency in order to ensure proper management of public money and appropriate value for services, works and supplies.*

Municipality of Peja has demonstrated relative transparency in terms of disclosure of information evaluating the adequacy of operators to enter into contractual relationships with them, although there is much room for improvement of transparency. There isn't any information released concerning the selection process and composition of evaluation committees, although the extensively applicable practice to date was for this to be under the discretion of the Mayor, and information to interested parties would be made available through the Procurement Office (PO). Contract notices by the procurement sector are published by the PPRC and in most cases also on the website of the Municipality.<sup>14</sup> Justifications for the setting of criteria are usually published in the tender file at the PPRC. Records of evaluation committees exist, but are not published unless there is an official request - and the municipality claims that there have been no such requests to date. Manuals on the competition processes, principles and code of conduct for contracting processes exist in the PPRC. Reports of contracting and low value tenders are announced in PPRC and on the municipal website. All projects go through the municipal assembly, which ensures compliance of current projects with those adopted by the municipal assembly. Whereas on market research, the Municipality uses the PPRC draft-regulation.

Transparency in projects and contract management, as well as in awarding tenders and contracts, is largely the responsibility of the PPRC and bodies that do not relate to the municipality. In general, the Municipality's position is that these issues relate more to other institutions than the municipality itself. For example, in an interview with representatives of the PO on the performance of contractors based on indicators defined in the contract, the position was that this issue is the responsibility of the auditor and not the PO.<sup>15</sup> Additionally, on the issue of the successful completion of projects and reports of supervision of project

<sup>14</sup> For more on PPRC notices, see [https://krpp.rks-gov.net/Default.aspx?PID=Notices&LID=1&PCID=-1&CtlID=SearchNotices&ind=1&PPRCMenu\\_OpenNode=63](https://krpp.rks-gov.net/Default.aspx?PID=Notices&LID=1&PCID=-1&CtlID=SearchNotices&ind=1&PPRCMenu_OpenNode=63)

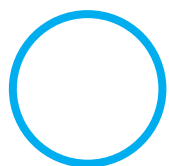
<sup>15</sup> Interview with Haxhi Gashi by Vullnet Sanaja on 10/09/2015

implementation works, PO considers that it is not under obligation to make such information public, however, PO reports to the Mayor who in turn reports to the Municipal Assembly.<sup>16</sup> During the course of this chain of action, many of the information is not shared with the public.



### Score: 2 (Negative)

*Reasoning: The assessment on this indicator is negative mainly due to the attitude of the municipality that transparency in project and contract management is mostly the responsibility of other institutions (OAG and PPRC). Despite this, the Municipality of Peja implements relatively good transparency practices in the selection process of contractual relationships, although there is room for improvement.*



## III. Management of Human and other Resources

### 8. Public Administration and Public Organization/ Institution Employees

*Human resource management should be transparent and benefits from the constant public monitoring of Administration performance.*

Peja municipal administration organized in departments and offices. Each municipal department and office is headed by a director and chief, respectively. Directors are appointed and dismissed by the Mayor. In general, there is a description of duties and responsibilities of key positions that are given to employees in the employment folder. There are no reports or analysis published on the public administration sector, or a list all administration personnel either. Contact information of key personnel is available, while information on wages is not made public.

Information on the functioning of various municipal organizations/institutions is not always clear for the public. There are some published organizational charts or guidelines that show the relationship, responsibilities and powers. However, these organizational charts are either too general or unavailable for all departments.

Recruitment/employment practices are consistent in compliance to the legal process. In advertising a job vacancy, there are calls for applications published in several newspapers, in addition to having the call for applications posted in specific premises at the municipal building, and on the website. The call for appli-

<sup>16</sup> Interview with Haxhi Gashi by Vullnet Sanaja on 10/09/2015

cations is also posted in Vitimirica to ensure participation by minority groups. Despite of the regular legal process, concerns have been raised by journalists, that in many cases employed persons are selected before the start of the official recruitment process. Thus, the recruitment process is tainted by political or nepotistic motives.

There is no available information regarding the performance of the administration. There is a Code of Ethics and Conduct, and it is given to employees in the first days of employment, however this document has not been published. An official request was submitted inquiring on activities and decisions of performance and conduct evaluation mechanisms, however the municipality has not responded.<sup>17</sup> The municipality has not responded to a request for access to documents on the evaluation and appointment of members to public enterprise boards, either.<sup>18</sup> In both cases, it can be assumed that these documents are not public. There were no reports of conflict of interest, save for cases initiated and investigated by ACA.<sup>19</sup>



### Score: 2 (Negative)

*Reasoning: Organization of the administration, functions of key individuals, organizations and other institutions, save for the provision of several general organizational charts, are not well explained. Employment practices, despite regular legal procedures in advertising, are characterized by irregularities in the selection process. Whereas there is very little, if any, information about the performance of the administration on the basis of highest standards.*

### 9. Capital and Non-Capital Assets

*The public should have complete and up to date information on public property management by the municipal government.*

The municipality has not published the list of all real estate. The Municipality has never responded to a request for a list of all real property, which precludes knowledge of the Property Registry, Building and Housing Registry, Property Registry, and relevant information such as value, surface area, use, etc. of such property.<sup>20</sup> In the absence of a response, it is not known whether there are any interactive maps that show the exact location of these properties, or any database on other information. In any event, the non-response by the Municipality has proven that is very closed and non-transparent.

<sup>17</sup> Official request by e-mail addressed to the Officer for Access to Public Documents, 10/21/2015

<sup>18</sup> Official request by e-mail addressed to the Officer for Access to Public Documents, 10/26/2015

<sup>19</sup> For more information on ACA reports, see <http://akk-ks.org/sq/vendimet>

<sup>20</sup> Official request by e-mail addressed to the Officer for Access to Public Documents, 10/26/2015

There is no published information or decisions, which aim to justify the particular use of real estate for the general good. In some cases, assembly decisions contain information on municipal decisions and justifications for the use or lease of property, however there is neither a specific place for these decisions, nor a list of decisions on all properties. Whereas, the Municipality also did not reply to the request for the public list of properties that are transferred from the municipality to other owners with the required justifications.<sup>21</sup>

The municipality has not published the list of non-capital assets, such as inventory, vehicles, etc.

The municipality did not provide any data on shares or ownership in various companies.



Score: 1 (Negative)

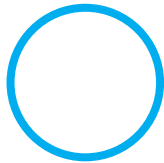
Reasoning: Regarding capital and non-capital assets, the municipality has provided so little information that it is difficult to elaborate more on this point. Therefore, the assessment cannot be more than the lowest possible.

Comments by the Municipality:

With the support of USAID, several years ago the Municipality developed a registry that was never completed, hence it has not been made public. According to the law, it has been impossible to complete the property valuation, by attaching value to property in a country where there is no price index or stock market, therefore making the process hardly viable. Non-capital property of the Municipality is registered regularly and the whole registry is compiled by unit specific administrative commissions. As for the capital asset registry, there is a complete registry at the cadaster, however the valuation is missing, and it is difficult to engage in valuation if the law does not determine who can conduct the valuation.<sup>22</sup>

21 Official request by e-mail addressed to the Officer for Access to Public Documents, 10/26/2015

22 Gazmend Muhaxheri, Mayor of Peja, Focus Group, Peja, January 29, 2016



IV. Relations with Citizens and Society

10. Citizen Information and Services

Municipal transparency can be furthered by enabling public easy access to information; accurate, fast and detailed information on issues related to policies, decisions and services for citizens.

In the municipality of Peja there is an Information Office, where contact can be easily established. The office is efficient in responding in cases where access to public documents is granted, however not so efficient in enabling full access to public documents. There are no published statistics on the use of social media, use of mobile equipment, provision of services by telephone. There are no statistics on citizen input and information services.

The Municipal Action Plan for the promotion of transparency at the municipal level exists as a draft-regulation. Since it is still not approved, it is impossible to provide better commentary. Nonetheless, its approval is expected soon.

The website of the Municipality of Peja, <https://kk.rks-gov.net/peje> - contains a relatively large amount of information. Website layout should be improved to facilitate access and be more practical. In most cases, information and documents are published through various links, difficult to identify, which sometimes creates confusion to the user. In many cases, information is not up to date. There are no infographics. There are no reports about the popularity of the web site. There are no promotional measures to increase the number of visitors and service users.

There is no discussion forum available on the municipal website, other than the comments section, which are sent to the municipality, but not publicly displayed and there is no space for discussion. The Municipality has not conducted any public opinion research on transparency at the municipality.

Peja Municipality also uses social networking sites, i.e. Facebook for the coverage of its activities.<sup>23</sup> Social media are also used by the Mayor, for purposes of informing the citizens of his activities.<sup>24</sup> There are no published statistical reports on the use and effectiveness of social media, nor any noted promotional campaigns to increase the number of followers. Social networking sites are mainly used to post news also published on the website, and there no infographics, videos or animations. There are no smartphone applications available, providing various information on the municipality.

Materials are translated into all official languages, but not published. According to the municipality, this is because of technical problems with the website.

23 For more, see <https://www.facebook.com/komuna.peje>

24 For more, see <https://www.facebook.com/gazmuaxheri/?fref=ts>

Access to public documents is enabled. According to the Information Office, in the last three months there were five requests for access to public documents, and all five were approved.<sup>25</sup> Despite municipality's claims of full efficiency in access to public documents, there are complaints that civil society requests are not always taken into account by the municipality, or at least not within the period prescribed by law. The latest such example were the requests filed for purposes of this report. Numerically, the municipality has guaranteed access to public documents in most cases, however, numbers alone are not an indicator of access to public documents, especially considering that some documents are more important than others.

Information on citizen services is incomplete. There are no statistics on various services, i.e. administrative services, social and family welfare, culture-youth-sports, local emergencies, parks and squares, sidewalks, municipal public transport, public parking, public lighting, water supply, sewage, waste collection, waste disposal, then issues related to health, education, security, public companies, green spaces, medication from the essential list, pre-university education, interactive maps, topics, capacity, traffic conditions, incidents related to municipal services, up to date information on air and noise pollution.



### Score: 2 (Negative)

*Reasoning: Assessment on Citizen Information and Services presents in contrasts. Positive aspects of using social networking sites and access to public documents are offset by negative aspects of lack of information on citizen services and lack of published information in languages other than Albanian. This entire section can be easily improved with relatively little work and effort in addressing technical problems and adding information on citizen services. Nevertheless, while the current situation persists, the assessment for this section shall remain at score two.*

## 11. Cooperation with Civil Society

*Municipal authorities should be open and committed to transparent governance by deepening civil society cooperation.*

Peja Municipality has several memoranda of cooperation with civil society organizations, however these memos have not been made public. In addition to individual memoranda with various civil society organizations, there is no guide for civic participation and use of different channels to better understand the documents and information published by the municipality, despite a relatively large number of active society organizations.

Municipality holds meetings with citizens to report on the work of the Executive, to solicit input from citizens regarding municipal policies and projects. According to the Municipality, the number of such meetings was 20. However,

<sup>25</sup> Interview with Ariana Lukaj by Vullnet Sanaja on 10/09/2015

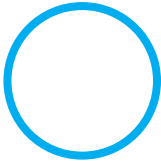
according to some journalists, citizen turnout in these meetings is not always satisfactory. In several cases, the halls were filled by militant party members. Municipal reporting and citizen exchange is conducted orally and the records of these meetings are often missing. Whereas information on local councils is not made public.

Peja Municipality has implemented some practices of citizen consultations on documents of interest before approval. The number of public hearings is not provided, nevertheless hearings are organized in territorial communities. The Department of Culture has also organized a public hearing with citizens on a regulation of public interest.<sup>26</sup> While the Mayor has a standing scheduled appointment on Thursdays for meeting with citizens.



### Score: 3 (Neutral)

*Reasoning: On the negative side, the Municipality is yet to initiate a process for the establishment of consultative mechanisms, which would improve cooperation with civil society organizations. Despite this, the Municipality has several memoranda of understanding with individual civil society organizations. The Municipality also organizes meetings with citizens, either through the departments or through territorial communities. Whereas, the Mayor has a fixed weekly appointment for meeting the citizens.*



## V. Urban Planning and Development

### 12. Urban Planning

*Public should have access to important information related to urban planning as this is one of the key principles of good governance.*

The public is partly informed about strategic documents in the field of urban planning. Regarding strategic documents, the Urban Development Plan 2006-2025 can be accessed at the website, where access is also available to urban regulatory plans, construction conditions, and construction permit issue reports. However, documents on the process of obtaining construction permits, and detailed information about opportunities, restrictions and relevant authorities on urbanization are absent.

The municipality uses geographical information system (GIS) type maps, which provide citizens with more information on services, activities and resources in

<sup>26</sup> Public hearing on draft-regulation organized on 10/05/2015



the municipality. However, this service excels in being slow, often to the point of being inoperative. On the other hand, there isn't any data on environmental protection and natural resource management plans, water quality in certain areas, gas emissions, and accurate land use information.

Peja municipality is relatively transparent with respect to construction and space utilization permits. Construction permits are a matter of public record, however decisions or justifications for issuing construction permits are not made public. The minutes of meetings of committees that have approved the issue of construction permits are not published. Whereas, the vast majority of construction permits are issued in accordance with current municipality urban plans - where there should be complete compliance.



**Score: 3 (Neutral)**

*Reasoning: Peja Municipality is relatively transparent in terms of urban planning. A large part of the normative documents are published on the website, although there are many important documents missing. The introduction of GIS maps represents a very positive step, which cannot be said about the lack of environmental and land utilization information. Publication of issued construction permits also represents a positive step, however it should be inclusive of records, decisions and justifications for these permits.*

**Comments by the Municipality:**

*Construction plans and permits are made public, but not inclusive of decisions or justifications. In 2016, we started with the implementation of a project with USAID whereby from 2016 we will scan and post the decisions and justifications, too. In 2016 these will be published on the website.<sup>27</sup>*

**13. Monitoring of Urban Planning Projects**

*Municipality should inform the public continuously on the flow of projects impacting urban planning and development.*

Peja Municipality has not responded to requests for information on cases of inspector interventions, results and efficiency.<sup>28</sup> There is no information on this subject on the website or any other physical document that is a matter of public record at municipal facilities. There is a report on the work of inspectors, however it provides only very basic and superficial information on the work of inspectors. There is no mechanism to track cases reported by the public. There are also no pins on the map denoting the location of violations. Generally, there

<sup>27</sup> Arbnesha Kryeziu Goga from the Department of Urbanism, Focus Group, Peja, January 29, 2016

<sup>28</sup> Official request by e-mail addressed to the Officer for Access to Public Documents, 10/26/2015

is a significant shortage of information and transparency reference municipal activities on urban plan monitoring.

The public does not have sufficient information on the performance of companies contracted by the municipality to develop urban projects. No specific data is provided with the names of companies that have executed major urban development projects. Monitoring and supervision of ongoing works is performed by the departments carrying the projects. Information on ongoing key infrastructure projects, project purpose and municipal representatives responsible; contractors; budget; implementation period, appear only on the information boards at the worksites. There is no specific list presented to the public online.



**Score: 1.5 (Negative)**

*Reasoning: The transparency of the Municipality of Peja regarding urban project monitoring has been negatively assessed in the complete absence of public information in this regard.*

VI. Scoring

	Weight	%	Score	%
<b>Organizing, Composition, Attitudes, Documentation, and Function</b>				
1. Mayor, Directors and Assembly Members	3	5.56%	3	3%
2. Organizing and functioning	2	3.70%	2	1%
3. The work of decision making and policy making bodies	4	7.41%	3	4%
4. Fighting misbehavior and misuse	3	5.56%	3	3%
5. European Integration	2	3.70%	1	1%
<b>Financial and Economic Management</b>				
6. Accounting and the Budget	5	9.26%	3	6%
7. Public procurement, supply, and grants, contracts	5	9.26%	2	4%
<b>Human Resource and Other Resource Management</b>				
8. Employees of public administration and organizations / public institutions	5	9.26%	2	4%
9. Capital and non-capital assets	5	9.26%	1	2%
<b>Public Relations</b>				
10. Information and service to its citizens	5	9.26%	2	4%
11. Cooperation with Civil Society	5	9.26%	3	6%
<b>Urban Planning and Development</b>				
12. Urban Planning	5	9.26%	3	6%
13. Monitoring Urban Projects	5	9.26%	1.5	3%
		54	100%	47%
<b>1. Mayor, Directors and Assembly Members</b>				
1. What is the quality of information that the resumes contain?	5	20%	2	8%
2. How complete are the wealth statements?	5	20%	2	8%
3. How understandable, complete and accessible are the information on personal interests	5	20%	1	4%
4. How efficient are the channels of communications that are used by the elected individuals and political nominees?	5	20%	4	16%
5. How updated and complete are the information's on activities organized by the Mayor, Assembly, and other elected and appointed individuals?	5	20%	4	16%
		25	100%	52%

	Weight	%	Score	%	
2. Organizing and functioning					
6. How complete and easy understandable are the information's on Municipal organizing and its responsibilities?	5	20%	2	8%	
7. Do citizens have sufficient information on effective and efficient ways to influence policy and decision making?	5	20%	2	8%	
8. How useful are the channels of communication?	5	20%	2	8%	
9. What is the quality of information on future plans?	5	20%	2	8%	
10. Are there data on municipality?	5	20%	2	8%	
		25	100%	10	40%
		Weight	%	Score	%
3. The work of decision making and policy making bodies					
11. How encouraged is the public to be an active observer of debates and decision making processes?	5	33.33%	4	27%	
12. Is the reporting of the Executive complete and regular at the Assembly?	5	33.33%	2	13%	
13. What are the possibilities that the citizens are informed about the work of the Municipality, policy making and other normative acts?	5	33.33%	2	13%	
		15	100%	8	53.33%
		Weight	%	Score	%
4. Fighting misbehavior and misuse					
14. Does the Municipality have proper mechanisms to investigate and convict misbehavior and other misuse?	5	33.33%	4	27%	
15. Is Municipality transparent in its activities to fight corruption and misuse?	5	33.33%	3	20%	
16. How informed / what is the level of knowledge of the general public in terms of existing mechanisms for reporting possible misuse?	5	33.33%	1	7%	
		15	100%	8	53.33%
		Weight	%	Score	%
5. European Integration					
17. Does the public have sufficient information on Municipalities duty on the process of EU integration?	5	50%	1	10%	
18. Does the public have sufficient information on the possible influence it could have in the EU integration process?	5	50%	1	10%	
		10	100%	2	20%

	Weight	%	Score	%
<b>6. Accounting and the Budget</b>				
19. Is the public well informed on budget planning processes?	5	16.67%	4	13%
20. Is there sufficient data published on allocation and budget spending of the Municipality?	5	16.67%	3	10%
21. How well informed is the public on good practices and shortcomings of the Municipality related to managing of public finance?	5	16.67%	4	13%
22. Is there sufficient information to understand the income resources of the Municipality?	5	16.67%	3	10%
23. How well informed are the citizens on Municipality surplus, deficit and debt?	5	16.67%	2	7%
24. How transparent are the organizations and its function, who offer services for citizens, where the Municipality has oversight (even if the oversight is small)?	5	16.67%	1	3%

<b>30</b>	<b>100%</b>	<b>17</b>	<b>56.67%</b>
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	Weight	%	Score	%
<b>7. Public procurement, supply, and grants, Contracts</b>				
25. How transparent is the selection process and conclusion of contractual relations, in specific the evaluation process prior to entering into agreement? kontraktuale me palën e caktuar?	5	50%	3	30%
26. Is there a transparent process in managing projects and contracts?	5	50%	2	20%

<b>10</b>	<b>100%</b>	<b>5</b>	<b>50%</b>
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	Weight	%	Score	%
<b>8. Employees of public administration and organizations/ public institutions</b>				
27. Is it evident / clear the organizing of the municipal administration and responsibilities of key personnel?	5	25%	2	10%
28. How clear are informations on organizational structure and functions of different organizations / institutions in Municipality?	5	25%	2	10%
29. Are best practices applied in recruiting and hiring of the personnel?	5	25%	2	10%
30. Are there public information accessible related to performance of the administration?	5	25%	1	5%

<b>20</b>	<b>100%</b>	<b>7</b>	<b>35%</b>
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	Weight	%	Score	%
<b>9. Capital and non-capital assets</b>				
31. Has the municipality published the list of its all real estate?	5	25%	1	5%
32. Is there information or decisions that are published, which aim at justifying that their use is in for the public good?	5	25%	1	5%
33. Has the municipality published the list of it assets (inventory, cars, paintings, other valuable assets)?	5	25%	1	5%
34. Has the municipality declared its shares in different companies?	5	25%	1	5%

<b>20</b>	<b>100%</b>	<b>4</b>	<b>20%</b>
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	Weight	%	Score	%
<b>10. Information and service to its citizens</b>				
35. How efficient is the information office?	5	12.50%	3	8%
36. Does the Municipality has any plan or strategy on transparency?	5	12.50%	3	8%
37. How useful is the web-site?	5	12.50%	3	8%
38. Does the Municipality offer the possibility to receive citizens' opinion on how to improve transparency?	5	12.50%	2	5%
39. Are innovative means (social media) of communication used to improve communication with the public?	5	12.50%	2	5%
40. Is the the information provided to citizens sufficient and understandable?	5	12.50%	1	3%
41. Does the Municipality offer access to public documents?	5	12.50%	3	8%
42. What is the quality of information related to services offered to citizens?	5	12.50%	1	3%

<b>40</b>	<b>100%</b>	<b>18</b>	<b>45%</b>
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	Weight	%	Score	%
<b>11. Cooperation with Civil Society</b>				
43. Are there any formal cooperation's with civil society created?	5	33.33%	3	20%
44. Are the public meeting being held?	5	33.33%	2	13%
45. Are citizens consulted, prior to approval of documents considered to be with interest?	5	33.33%	4	27%

<b>15</b>	<b>100%</b>	<b>9</b>	<b>60%</b>
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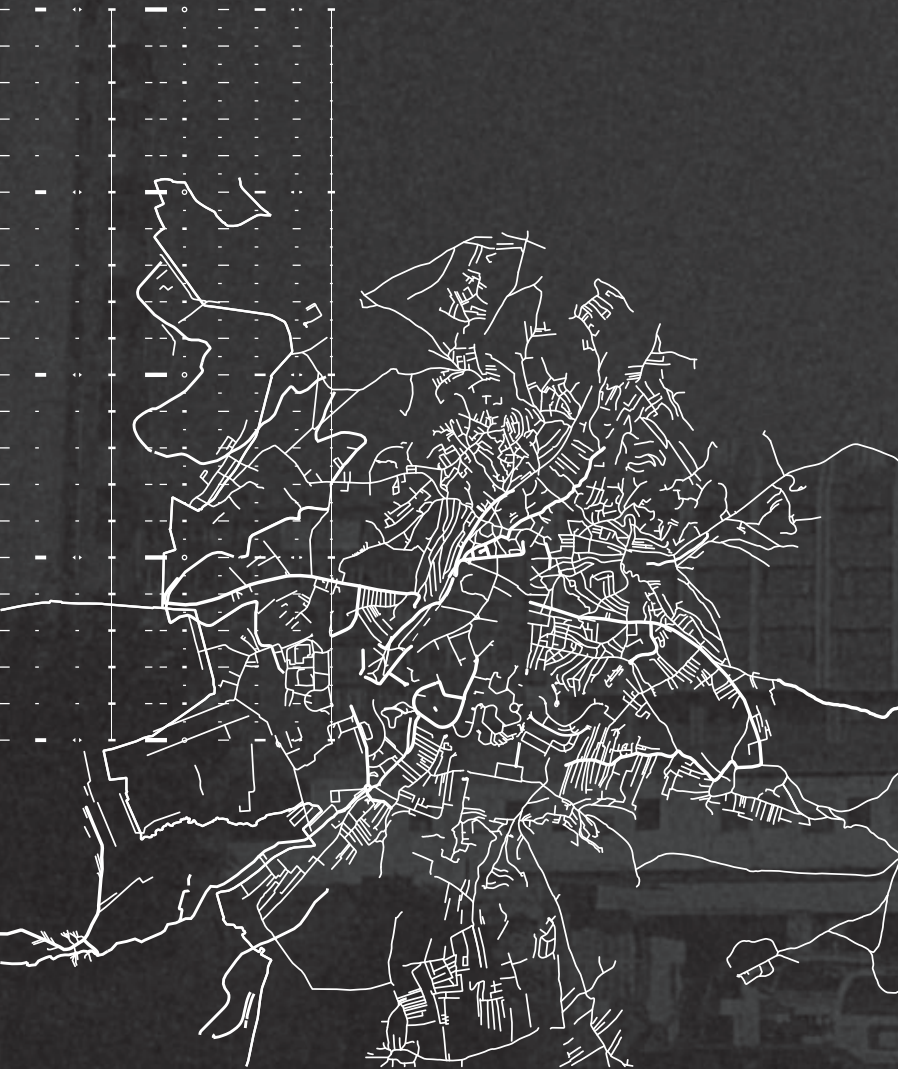
	Weight	%	Score	%
12. Urban Planning				
46. How informed is the public related to normative acts and strategic documents in the area of urban planning?	5	33.33%	3	20%
47. Is municipality using more advanced means to allow the public to observe on issues / developments that are related to urban planning?	5	33.33%	3	20%
48. How transparent municipality is when it comes to building permits and using the public space?	5	33.33%	2	13%
	15	100%	8	53%

	Weight	%	Score	%
13. Monitoring Urban Projects				
49. How efficient is the municipality to report on its monitoring activities that are related to urban planning?	5	50%	1	10%
50. Is public informed (if yes, how well informed) on the performance of contracted companies to develop certain urbanistic projects?	5	50%	1	10%
	10	100%	2	20%

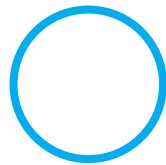


# Prishtina Municipality

Author: Albert Krasniqi



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## I. Organization structure, Composition, Competencies, Documentation, and Functioning

### 1. Mayor, Directors and Assembly Members

*Volume and quality of published information on elected and political appointees (this category includes the mayor, directors, and municipal assembly members), should be sufficient to assess their credibility, continuously oversee their performance, and to have the best possible accessibility to persons in these positions.*

Generally, the resumes of representatives at the Municipality of Prishtina published on the website of the municipality do not provide sufficient information to enable the citizens to create a clearer picture on the profiles of those who lead this institution. Save for the resumes of the Mayor and Deputy Mayor, that are the most comprehensive in terms of the quality of information provided, the resumes of the Department Directors at the municipality do not provide more than basic information. Resumes of the Members of the Municipal Assembly are even worse in terms of the amount of information, providing only partial data.<sup>1</sup> Personal contact numbers and e-mail addresses only are listed, whereas information on education, educational institutions attended and work experience is missing, which would at least meet the requirements for the publication of basic personal data. There is no public information provided on the Chair of the Municipal Assembly, and no data on the person who holds this position. The section dedicated to the Chair provides a description of the scope of work only.

Declaration of assets of senior public officials with the Anti-Corruption Agency is a legal requirement.<sup>2</sup> The declaration form to be completed with the required data has been established in advance. The data provided by the Mayor, Deputy Mayor, Directors and Members of the Municipal Assembly, is complete and contains, inter alia, annual income, immovable and movable property.

There is no published data on financial interests, while the data provided is not easy to understand due to lack of complete information on the resumes of municipal officials. It is worth noting that the Municipal Assembly Members have made public only their professions, withholding information on where they attended university studies and what academic degrees they hold. Failure to make public information on work experience or even current involvement in activities outside of municipality related business, is preclusive to drawing any information on personal interests.

Contact information for Members of the Assembly are sufficient, they include

<sup>1</sup> Resumes of Members of Municipal Assembly. Municipality of Prishtina. Accessed on January 8, 2016: <https://kk.rks-gov.net/prishtina/Municipality/Assembly/Asamblistet.aspx>

<sup>2</sup> See Law No.04/L-050 on Declaration, Origin and Control of Property of Senior Public Officials and Declaration, Origin and Control of Gifts of all Public Officials. Accessed on December 14, 2015, link: <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2767>

personal contact numbers and e-mail addresses. Office contact number and e-mail address of the Deputy Mayor is public, whereas contact information for the Mayor consists of e-mail address only. The Mayor directs any and all communication with citizens to his Chief of Staff, on whom there is additional contact information available. Municipal Department Directors, as political appointees, have published contact numbers and e-mail addresses in the section listing general contact information for the municipality, but these are not available in Department specific sections and this may cause difficulty in finding them.

Mayor of Prishtina, Shpend Ahmeti, keeps the public informed of his activities regularly. Notices of meetings, site visits, municipal investments and other projects, are posted on the official website of the municipality, in addition to issuing press releases. Use of social networking sites for launching information in a more timely fashion and targeting younger demographics, is performed from the profile of the Mayor<sup>3</sup> as well as from the official municipal page.<sup>4</sup> The official website of the municipality is populated with extensive information on the activities carried out by municipal departments and other municipal officials, however there is no space dedicated to activities of other Assembly Members, activities of opposition political parties, in particular. Media Relations Office, seldom, if ever, disseminates information on the activities of the opposition or even speeches they give at Assembly meetings.



**Score: 2.5 (Neutral)**

*Reasoning: Information on municipal leadership is sufficient; however the data on the other levels is either extremely basic or missing. Asset declarations meet the legal requirement, however failure to disclose conflicts of interest is a negative. Provision of contact information as a matter of public record is encouraging, but their effectiveness is questionable. Municipality implements various information channels and the volume of information is satisfactory. Failure to publish the activities of the opposition remains a negative.*

### 2. Structure and Functioning

*There should be sufficient information for the public to understand structure, competencies, functioning, decision making, and policymaking of various municipal bodies.*

The powers and responsibilities of the municipality are defined in its Statute, which is the highest legal act of the municipality.<sup>5</sup> All powers and responsibilities of municipal bodies are regulated by statute, including rights and obligations.

<sup>3</sup> Personal Facebook account of the Mayor of Prishtina, Shpend Ahmeti: <https://www.facebook.com/shpend.ahmeti>

<sup>4</sup> Official Facebook page of the Municipality of Prishtina: <https://www.facebook.com/komunapristine>

<sup>5</sup> Statute of the Municipality of Prishtina, adopted on February 25, 2010, accessed on December 15, 2015. See: <https://kk.rks-gov.net/prishtina/getattachment/Home/STATUT-H-KOMUNES-SE-PRISHTINES-2010.pdf.aspx>



The Municipal Statute regulates the organization of the administration into departments. The powers of the departments are published on the website of the Municipality, providing easy access to the public. Information presented on the powers of the departments is complete and understandable. Municipal Public Enterprises where the municipality is a shareholder are listed on the website and relevant contact details are provided.

During the course of one year, the Municipality organizes at least two public hearings with citizens, to discuss the strategies and work of relevant departments. Municipal department directors take part in these public hearings to present on their activities, but also other municipal acts and decisions. This ensures that the directors are directly accountable to the citizens, in addition to being able to take into consideration their concerns, which can in turn be addressed through the development of favorable policies by the executive of the municipality.

Given that conventional communication tools are found to be progressively less used, utilization of information technology for communication purposes is easier and increasingly more acceptable. In this regard, the municipality has not undertaken any initiative which would be more rewarding, opting instead for the publication of office telephone numbers and e-mail addresses only. The municipality has published all contacts of its governing bodies, for purposes of communication with interested parties.

A large part of public hearings organized by the municipality are dedicated to long-term development plans. The publication of the medium-term budget framework is conducted in a timely fashion and plans for investment and budget direction are presented in detail. The municipality is in the initial stage of planning for the future, however the initial indicators are promising because the needs of the citizens are included in the development stage and investment plans are accompanied with relevant budget analysis.

General data on Pristina Municipality is sufficient to create an overview of the features and history of the city. A city map and information on city streets is published, although a more interactive display would facilitate orientation. There are also special sections dedicated to tourist and recreational information. Information about the commercial sector, such as banks and hotels, is also provided in the city section on the website of the Municipality.



**Score: 3 (Neutral)**

*Reasoning: The Municipality has published sufficient information on the organizational aspect, including the duties and responsibilities of the relevant departments. The decision making process is more difficult to understand. The periodic organization of public hearings is encouraging, but should not be limited to the legally required aspect. The municipality has provided multiple communication channels, including social networking sites, however communication platforms through the use of online forms on the municipality's website are missing.*

**3. Performance of Policy Making and Decision Making Authorities**

*Public should have detailed, updated and sufficient information to assess key discussed issues and decisions taken by municipality policy making and decision making authorities.*

Municipality of Prishtina declares that it promotes active citizenship and encourages citizens to participate in any public hearing.<sup>6</sup> The Municipality receives comments and concerns of citizens through its Information Office, and the Mayor himself responds to citizens' comments in the social networking sites. Communications of the Municipality with the citizens are mainly conducted by e-mail, and all received documents are identified, recorded and presented to leadership structures,<sup>7</sup> although none of these citizen inquiries are published on the website of the Municipality. There is timely notification provided to citizens on opportunities to discuss matters of neighborhood urban planning by various means, such as public hearings, the website of the Municipality, as well as social media. Plans are displayed in the public spaces and buildings of the neighborhoods that are affected by the anticipated changes.

Lack of space in the Municipal Assembly Hall does not enable the citizens to closely follow the deliberations of their elected officials. Despite this, special seats are reserved for civil society organizations and the media who are regularly invited to attend meetings of Municipal Assembly and various municipal committees. The Municipality does not distribute the materials subject to review in the Assembly to the media and civil society organizations, compelling them to acquire said materials through Assembly Members.

The Mayor's failure to report on budget planning and annual reporting has weakened the policy and decision making process. Reporting of political appointees of the executive, department directors respectively, is conducted depending on the daily agenda, this due to the opposition political entities' boycott of the Urban Planning Director Mr. Liburn Aliu. The opposition is demanding the dismissal of this director, which the Mayor, Mr. Ahmeti, refuses to do. As a result of this clash, the Municipal Assembly debates are becoming increasingly less useful.

Municipal decisions, including those of the Mayor and the departments, are published in standard form documents, but the navigation and search for this valuable information is inadequately facilitated. Minutes of meetings are not public record, however decisions reached at Assembly meetings can be found. Reports on important legislative initiatives are not made public, and the same applies to projects put forward by Assembly Members and voting records. There is no video archive of meetings and the meetings are not recorded. The municipality is looking at the possibility of implementing joint projects with civil society organizations on recording and real-time streaming of Municipal Assembly meetings.

<sup>6</sup> Interview with Miranda Mullafazliu, Information Officer at the Municipality of Prishtina, by EC Ma Ndryshe

<sup>7</sup> Ibid



Score: 2.2 (Negative)

Reasoning: Municipal decisions are public, but there are no minutes of meetings. The Mayor failed to present the annual work and financial report to the Assembly, which is detrimental to transparency and accountability. Failure to publish individual Assembly Member voting records and activities, does not provide any clarity to the public whether their best interests are being represented. The lack of an archive of meetings, and not recording the meetings, renders the quest for retroactive information impossible.

4. Fighting Misbehavior and Misuse

Municipality should publish important information from which one can easily assess the level of commitment in fighting misbehavior and misuse.

Code of Conduct for Civil Servants approved by the central level, is the sole mechanism for the adjudication of misconduct by municipal officials. The municipality has not published the code on its official website, however it is conveyed to employees when signing the contract. This type of primary legislation which proposes the functions of civil servants is not a very effective tool for conveying to civil servants or the public the expected professional values for an independent public service. Secondary regulation represents a much more effective tool and the drafting of such documents is recommended.<sup>8</sup> The municipality has placed complaint boxes in the premises of its buildings, as a mechanism for the investigation of misconduct and abuse of power by its employees. Complaints boxes are opened once per month and reviewed accordingly.

Case tracking mechanisms for any suspicions of fraud/abuse are established in adjudication proceedings by the Disciplinary Commission. Nevertheless, there is no information disclosed on the number of adjudicated cases, decisions taken or the type of activities implemented to reduce the opportunities for committing fraud.

The municipality has distributed informative brochures in the premises of the municipal building, but these are not public. There are also four telephone numbers available to citizens to report possible misuse. External reporting mechanisms are encouraged by the Municipality. The website of the Municipality lists a contact number for reporting corruption to civil society organizations specialized in this field (i.e. anti-corruption reporting platform [www.kallxo.com](http://www.kallxo.com)).

<sup>8</sup> CIVIL SERVICE LEGISLATION: CHECKLIST ON SECONDARY LEGISLATION, SIGMA, 1997. Accessed on December 19, 2015, see: [http://www.sigmaweb.org/publications/Alb\\_SP14\\_97.pdf](http://www.sigmaweb.org/publications/Alb_SP14_97.pdf).



Score: 2 (Negative)

Reasoning: Setting complaint boxes, providing toll free numbers to report abuse and promoting external mechanisms is encouraging, but their effectiveness is questionable. The number of addressed cases and measures taken by the municipality are not public. The Municipality has insufficiently engaged in citizen awareness raising about the obligations of civil servants, which is indicative of the lack of commitment by the municipality to prevent these phenomena. Production of informative brochures is not very useful, moreover when such brochures are not even public.

5. European Integration

Public should be provided with the opportunity to accurately learn municipal obligations, achievements and challenges in Kosovo's EU integrations.

Office for European Integration that operates within the municipality, reports regularly on European agenda compliance and activities undertaken in the implementation of obligations. This type of reporting is submitted to the MLGA, the institution that is holding the mandate of coordinating activities conducted in municipalities.<sup>9</sup> However, the municipality did not make available to the public information on the obligations and progress made in the EU integration process.

The public has no information on the potential impacts of the EU integration process. There is neither general information nor disaggregated data on more specific areas, such as economic, social or public administration matters, made public, which among other things could be provided through various information campaigns.

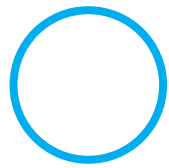


Score: 1 (Negative)

Reasoning: The municipality does not publish any information related to its activities and obligations within the scope of the European agenda. Additionally, there is no information available to the public about the potential impact on the EU integration process.

<sup>9</sup> Department of European Integration and Policy Coordination, MLGA. Accessed on January 5, 2015, <https://mapl.rks-gov.net/Main-menu/Departamentet/Departamenti-per-Integrime-Evropiane.aspx>





## II. Economic and Financial Management

### 6. Accounting and Budget

*Different updated data and reports on revenues, budget allocations, expenditures, debts and disputes involving financial implications for the Municipality should be made available to the public in order to have a clear picture of public money management at the local level.*

Prishtina Municipality attaches importance to citizen participation in public hearings to discuss the budget. The organization of 12 public hearings in different locations is an indicator of the commitment to better understand the needs of citizens. In this regard, the Municipality makes efforts to inform the citizens about these hearings by publishing notices on its website, but also through the media and by preparing brochures and posters displayed in public buildings at locations where public hearings are scheduled to be held. Despite these activities for greater involvement of citizens in public hearings, the municipality does not have any mechanism for the recording and publication of proposals that are supported or rejected. The municipality uses press releases to provide notice of budgetary changes.

With the exception of the budget for 2015, where the municipality published the first annual quarterly report only, in the previous years there was sufficient public data provided on budget appropriations and execution. In addition to the report, the municipality publishes budget spending justifications.

The information made public on public financial management practices are sufficient for citizens to better understand how their taxes are being managed. The publication of the quarterly report contains explanations for unspent budget line items, annual planning overview, collection of own source revenues and an overview of accounts receivable and payable. External audit reports are published and easy to access on the website of the Municipality. The findings and recommendations of the external audit are not broken down into forms that are sufficiently straightforward for the citizens.

Sources of municipal income are not published in an easy to access and understanding form. Sources of income at the municipality can only be gleaned by external audit reports, which are published on the website of the Municipality. On this website there is a special link for donors, an incomplete initiative as this link is not functional and does not provide any information.

Accurately informing citizens about the municipal surplus, deficit and debt is a prerequisite for understanding budget management. In the first quarter of 2015, the municipality made positive steps in this direction by including budget surplus and deficit data in financial reporting, in addition to information on budget justification and citizen debt to the municipality. This good practice that enhances municipal financial transparency was not followed in the subsequent periods. Other shortfalls in existing reports include failure to disclose municipal

public debt, debt to economic operators, average time for payment of liabilities, average time for collection on liabilities, court litigation and the amount claimed, the amount paid out/collected in cases lost/won in court.

Organizations that provide services to citizens and where the municipality has jurisdiction, publish on their websites adequate financial information. Information about these organizations cannot be found on the website of the municipality, as the municipality is not the owner of 100 percent of the shares, while the municipality considers that financial transparency obligations are the responsibility of those organizations solely and not of the Municipality.<sup>10</sup>



**Score: 3.1 (Neutral)**

*Reasoning: The public is informed about budget preparation and included in public hearings. Initially financial reports contained data on the municipal surplus and deficit, a practice which has not been continued in subsequent periods. Information on organizations that provide services to the citizens of Prishtina are accessible on their websites only, and not on the website of the municipality as well.*

### 7. Public Procurement, Supply and Grant Contracts

*Contractual relations with financial implications between the municipality and natural and/or legal persons should be carried out in full transparency in order to ensure proper management of public money and appropriate value for services, works and supplies.*

Lack of transparency in entering into contractual relationships with certain parties, naturally gives rise to questions about abuse, such as non-compliance with procurement procedures, bid rigging or other favors. In contrast, full transparency in addition to showing institutional commitment to combating this phenomenon, also enables third parties to identify any omissions. In the Municipality of Prishtina, the public is informed of contracting opportunities, there are published manuals on competitive contracting processes, and additionally bids are made public and the civil society is invited to monitor the opening of bids. An objection to the municipality is failure to make available the tender files to organizations that monitor public procurement. Despite this, the municipality does not publish the minutes of the bid evaluation process, minutes of the evaluation commission deliberations or tender evaluation and contract award reports. Selection method and composition of the evaluation commissions is not a matter of public record, and likewise the reasons for setting certain criteria remain unknown.

Directing visitors to the website of the Public Procurement Regulatory Com-

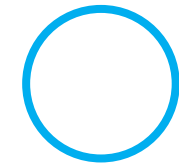
<sup>10</sup> Statement by Miranda Mullafazliu, Information Officer at the Municipality of Prishtina, Focus Group organized by EC Ma Ndryshe, on February 24, 2016

mission (PPRC)<sup>11</sup> serves the municipality as the basis to provide information about the opportunities for awarding contracts, notices for design development competitions and cancellation thereof. Whereas, for announcements regarding the conclusion of projects, the municipality uses press releases and posting in the form of news on its website. The municipality has not published or prepared reports on contractor performance based on indicators set in the contract.



Score: 2.5 (Neutral)

*Reasoning: The opening of municipal contractor bids is public and civil society is invited to monitor the opening. In contrast to contract award notices,<sup>12</sup> contracts concluded with economic operators are not a matter of public record. Likewise, the performance of contracted companies is not made public, however there are project conclusion notices provided through the media.*



### III. Management of Human and other Resources

#### 8. Public Administration and Public Organization/ Institution Employees

*Human resource management should be transparent and benefits from the constant public monitoring of Administration performance.*

Information about the Municipality of Prishtina as an employer, are easily accessible on a platform tailor made for recruitment, listing all available vacancies.<sup>13</sup> This platform is also used as a database that contains a list of persons employed by the Municipality. First and last names, date of birth, department assigned, position held and salary grade are published in tabular form. Contact information of civil servants at the municipality are not published on this platform. Structure of employees is presented in the form of an interactive diagram, where users can see the number of employees in each department and the relation between departments. This platform is connected to the main website of

<sup>11</sup> Public Procurement Regulatory Commission, see: [https://krpp.rks-gov.net/Default.aspx?PID=Notices&LID=1&PCID=-1&CtlID=SearchNotices&ind=1&PPRCMenu\\_OpenNode=63](https://krpp.rks-gov.net/Default.aspx?PID=Notices&LID=1&PCID=-1&CtlID=SearchNotices&ind=1&PPRCMenu_OpenNode=63)

<sup>12</sup> Contract Award Notices. Municipality of Prishtina, see: <http://prishtinaonline.com/prokurimi/njoftim-per-dhenjen-e-kontrates>

<sup>13</sup> Recruitment Portal Municipality of Prishtina. See <http://erekrutimi.net/>

the Municipality, where links provide access to job descriptions and functions of directors and departments. Information on the organizational structure of the Municipality is presented in multiple pages, which slows down access to users because they have to go from one page to another to get full information.

Acquiring information on the organizational structure of different municipal organizations or institutions from the web site of the municipality is not possible, as no such information can be found therein. Providing information on the functioning of these vital municipal institutions is a prerequisite that must be met in order for the public to be aware of their performance.

A well-developed organizational structure deriving from sector based analysis and approved by the relevant authorities, must be made public for purposes of conducting objective assessments for municipal recruitment. At the Municipality of Prishtina, such a structure has not been made public, though published calls for applications list criteria based on this structure. Various communication channels are used to distribute notices for job applications, where most commonly used are advertisements in the print media, website of the municipality, and social media is not left out either. The best recruitment practice is applied at the Department of Education for the employment of teachers. All areas of evaluation and candidate scores for each position advertised are made public. The composition of the boards of public enterprises is not available to the public. The municipality does not provide any information on the members of these boards, whether contact or other important information.

Prishtina Municipality did not attempt to raise public awareness on standards that must be met by its employees, and relevant conduct manifested while on duty. Publication and breakdown into easier to understand terms of the Code of Conduct for Civil Servants is a prerequisite in this regard, however this code is not published on the website of the Municipality. Annual individual employee performance reports are not made public, however are carried out regularly. Cases of identified potential municipal administration conflicts of interest are not made public. Occasionally, the municipality provides notice of conflict of interest through press releases, however these are insufficient to create the impression that the institution is fighting this phenomenon.



Score: 2.5 (Neutral)

*Reasoning: The municipality has published a list of all employees and there is sufficient information on its organizational structure. There is no information on the organizational structure of various municipal organizations. The municipality is transparent in the evaluation criteria of candidates for teaching positions, however this good practice is not implemented in other municipal recruitment processes. No information on the performance of the administration.*

9. Capital and Non-Capital Assets

The public should have complete and up to date information on public property management by the municipal government.

The Office of Auditor General (OAG) has included the accuracy of real estate registration as part of the annual municipal audit process. OAG found that over the years poor controls and inadequate recording of assets purchased during the year resulted in inaccurate estimates of assets.<sup>14</sup> Prishtina Municipality has failed to establish adequate controls for the correct registration of assets acquired during the current year. This happened because the municipality failed to implement the Financial Regulation 02/2013. Recently, the municipality has stated that the compilation of the list of real estate is in process, and that property verification was ongoing.<sup>15</sup>

Lack of complete municipal real estate registers gave rise to the absence of decisions and justifications for the use or lease of municipal property, lists of properties transferred from the municipality to other owners, or justifications for such decisions.

Failure to register all assets could result in the underestimation of the material value of these assets. At the end of each year, the municipality is bound to carry out a complete inventory to confirm the existence of assets (movable assets in particular) and operationalize the E-asset module to confirm the accuracy and completeness of assets. Although the municipality has an inventory, it is not available to the public.

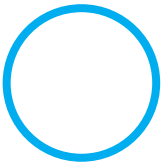


Score: 1 (Negative)

Reasoning: The list of municipal assets is not accurate and public, likewise real estate registers are not public. Additionally, an inventory list is not a matter of public record on the website of the municipality, thus providing sufficient reasoning for the negative assessment on this indicator.

14 Audit Report on the Financial Statements of the Municipality of Prishtina for the year ending December 31, 2014, Office of Auditor General, page 31. Link : [http://oag-rks.org/repository/docs/sq\\_Reporti\\_Final\\_Prishtina\\_349186.pdf](http://oag-rks.org/repository/docs/sq_Reporti_Final_Prishtina_349186.pdf)

15 Interview with Miranda Mullafazliu, Information Officer at the Municipality of Prishtina, by EC Ma Ndryshe, 2015



IV. Relations with Citizens and Society

10. Citizen Information and Services

Municipal transparency can be furthered by enabling public easy access to information; accurate, fast and detailed information on issues related to policies, decisions and services for citizens.

The Media Relations Office in Prishtina Municipality is efficient in carrying out its duties. Although there are complaints from civil society representatives that the municipality’s approach to the media is somewhat selective, due to the misuse of official information by news portals.<sup>16</sup> Recently, the office saw an increase in staff, and now operates with three officers, whose contact information is public. The office is also active in social networking sites, and keeps detailed statistics about the activities and services performed.

Enhanced transparency at the municipal level cannot be achieved without a detailed plan of action. Improvisation and *ad-hoc* approaches besides not being sustainable in the long term, do not guarantee the publication of the right information at the right time. To avoid such issues, the municipality has undertaken actions to draft a strategy for increasing transparency, however it is not yet fully completed.

The website of the municipality, as the primary contact window between the citizens and the institution is not well organized, which has compelled the municipality to develop two other auxiliary sites (Prishtina Online and e-Recruitment), to ensure some sort of management autonomy due to the limitations of the official website administered by MLGA. Considering the technical glitches of the standard (official) website, this practice is encouraging for enhancing transparency. The official website is outdated in terms of technology used, visually cumbersome, far from easy to navigate and find information. There are no forum type opportunities for mutual communication, which provide for easy and efficient communications in the digital age, and all this at a very low cost to boot. Despite the fact that the visual aspects and categorization of materials are not in the appropriate form, the website of the municipality is well populated with different materials and quite informative.

Enabling citizens to put forward opinions/suggestions to improve municipal transparency at any given time, would help the municipality to more easily identify areas for priority intervention. To date, such an opportunity is only available at public hearings organized on various topics, where among other things citizens can express their thoughts on improving transparency. The website of the municipality does not provide any dedicated forms to solicit the opinions of citizens on neither specific, nor general areas. Such a contact form is available through on the auxiliary municipal site “Prishtina Online”. The municipality does not conduct public opinion research to identify the needs of citizens toward

16 Focus Group held in Pristina on February 24, 2016

transparency, but mostly collects such opinions through complaints deposited in boxes located at municipal premises.

The municipality regularly uses social networking sites (like Twitter<sup>17</sup> and Facebook<sup>18</sup>) for the dissemination of information and communication with citizens. The municipality accounts in these social networking sites are properly maintained and updated on a regular basis. The municipality promotes the use of these accounts by placing special buttons on its official website. However, the municipality does not provide statistical data on social media effectiveness thereof. For faster transmission of information and statistical data on municipal achievements, the municipality has resorted to producing infographics and developing smartphone applications such as “Prishtina Digjitale”. This application, although not fully developed since there is no data on municipal spending, reflects activities that are updated on a regular basis.

The website of the municipality of Prishtina is available only in the Albanian language, and none of the other languages listed on the web page are functional. Moreover, no other materials, such as decisions, regulations or presentations are translated into other languages, save for job advertisements that are translated into Serbian and published in the print media.

Access to public documents is one of the strongest suits of the Municipality of Pristina towards enhancing transparency. Requests by citizens and also other parties interested in public documents, are granted by the municipality in compliance with legally prescribed deadlines. There is a big number of requests, and the municipalities maintains accurate records on all.

The activities and achievements of the departments of the Municipality of Prishtina that provide citizen services, are transparent to the public and their quality is satisfactory. Moreover, statistics on services rendered are visually displayed in the form of infographics. Special manuals have been developed with the aim of informing and explaining how to deal with citizen services.



Score: 3.5 (Positive)

Reasoning: The Office of Media and Public Relations is efficient and active in carrying out its duties, despite the objection of selective access for certain portals. The municipality has undertaken steps to develop a strategy for transparency. The municipal website contains useful information but is poorly organized and not functional in the other official languages. Efficiency in granting access to public documents is satisfactory.

17 Twitter account of the Municipality of Pristina: <https://twitter.com/kprishtines>  
18 Facebook account of the Municipality of Pristina: <https://www.facebook.com/komunapristine>

11. Cooperation with Civil Society

Municipal authorities should be open and committed to transparent governance by deepening the cooperation with civil society.

Civil society organizations regularly monitor the work of the Municipality of Prishtina, including the Assembly and procurement. CSOs are invited to the opening of contracting bids by economic operators. Non-distribution of documents that are reviewed by the Assembly is a negative in this cooperation aspect. Another objection to the municipality is that the procedures remain long, and sometimes slightly bureaucratic, in terms of scheduling meetings with organizations that have long standing cooperation and on various projects.

Public involvement in the development of municipal policies directly affects the identification of problems that may be encountered in the implementation of these public policies, as well as addressing the needs of future development projects. Municipal authorities engage in citizen consultations by organizing regular meetings. Meetings with the citizens are aimed to discuss various topics, ranging from the budget to regulatory plans, in addition to other issues of interest. Directors of respective departments participate on a regular basis, and their presence is determined depending on the topic of discussion. Notices of meetings, venue and time, are published in advance on the website of the municipality.

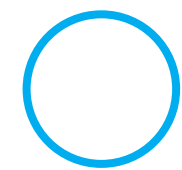
Consultations with the citizens on important documents before they become documents and acts binding for implementation, are conducted for broad range of documents, such as neighborhood regulatory plans, budget approval, and important regulations. To ensure that citizens’ requests are handled in a systematic way, the municipality has created a mechanism for recording requests assigned to departments and including current status. Regarding the Mayor’s meetings with citizens, there is no set day, however the Mayor is ready to meet citizens in his office depending on their requests. Appointments for meetings with the Mayor are mostly scheduled by e-mail or through social media, as the municipality does not have any special procedure for this purpose.



Score: 3.5 (Positive)

Reasoning: Civil society cooperation is at satisfactory levels, despite the fact that this cooperation is not well structured in form. Municipal authorities engage in citizen consultations in various ways. The Mayor holds meetings with citizens, but there is no set schedule for that purpose. In conclusion, the rating for this indicator is positive, however, noting the lack of a set regular schedule for meetings of the Mayor with the citizens.





## V. Urban Planning and Development

### 12. Urban Planning

*Public should have access to important information related to urban planning as this is one of the key principles of good governance.*

The use of information technology to facilitate citizens' access to public documents is being implemented across different levels of governance. In this regard, Prishtina Municipality has implemented a project in the field of urbanism facilitating the online application for permits, which also incorporates a search feature for purposes of queries into the status of the case. All regulatory plans are a matter of public record on the website, in order to inform citizens of the criteria and the possibilities of obtaining construction permits. In the field of environmental protection, the municipality has published guidelines on the necessary documents for issuing environmental permits, in addition to guidelines on the completion and submission of applications for construction.<sup>19</sup>

Monitoring of elements related to urban planning, such as information on utilities, natural resources, environmental protection plans, gas emissions and similar matters, to help developers make their planning more accurate, cannot be carried out based on the municipal public information. The municipality has started to take some steps in this regard, with the launch of talks with Prishtina RWC on information on water quality.

Establishing order in the construction sector, which at that point was at its worst, was among the priorities of the new municipal government. The municipality has managed to put a stop to illegal construction, and now all construction permits issued are a matter of public record.<sup>20</sup> Lists of issued construction permits include detailed information about the developers, designers, surface area, payment, decisions and site plans.

<sup>19</sup> Citizens' Guide. Municipality of Prishtina. Accessed on December 27, 2015, see: <https://kk.rks-gov.net/prishtina/getattachment/Municipality/Departments/Urbanizem,Ndertim-dhe-Mbr-Mjedisit/Udhezues-per-qytetare/Udhezues-per-qytetare.pdf.aspx>

<sup>20</sup> List of Issued Construction Permits. Municipality of Prishtina. Accessed on December 27, 2015, see: <https://kk.rks-gov.net/prishtina/Municipality/Departments/Urbanizem,Ndertim-dhe-Mbr-Mjedisit/Lejet-e-leshuara.aspx>



### Score: 3.7 (Positive)

*Reasoning: The regulatory plans are made public, while there is a lack of information on elements related to urban plans. Publication of construction permits, accompanied with other detailed information, represents an extremely positive step. The positive rating awarded is due to established order in urban planning, however the lack of information on relevant elements, which is in process, should be noted.*

### 13. Monitoring of Urban Planning Projects

*Municipality should inform the public continuously on the flow of projects impacting urban planning and development.*

The municipality uses a variety of communication channels for purposes of informing the public on urban project planning. Press releases and social networking sites are among the most common forms of communication, with public hearings not far behind as an opportunity to provide major project related information to targeted audiences. Work reports reflect information on past activities by inspectors, whereas press releases are used to inform the public of daily municipal activities, which are concurrently posted on the website in the form of news. Public involvement in urban plan monitoring is enabled by the provision of four toll free numbers, for purposes of reporting cases of urban degradation. All reported cases are archived and distributed to relevant departments for necessary action.

Information on the performance of companies contracted by the municipality is not easily accessible to the public, although it is available at the PPRC and can be obtained by request to the municipality's procurement department. However, the municipality has not made any efforts to facilitate access to such information or to publish information on the performance of contracted companies.



### Score: 2.5 (Neutral)

*Reasoning: The Municipality informs the public about urban project planning, and the same are included in public hearings on urbanism specific topics. Having structured public hearings would increase quality and citizens would actively participate in designing their city or neighborhood. The public does the opportunity to report failures in the implementation of these projects, however is not directly involved in the evaluation commissions. Information on the performance of contracted companies is not easily accessible.*

VI. Scoring

	Weight	%	Score	%	
Organizing, Composition, Attitudes, Documentation, and Function					
1. Mayor, Directors and Assembly Members	3	5.56%	2.5	3%	
2. Organizing and functioning	2	3.70%	3	2%	
3. The work of decision making and policy making bodies	4	7.41%	2.2	3%	
4. Fighting misbehavior and misuse	3	5.56%	2	2%	
5. European Integration	2	3.70%	1	1%	
Financial and Economic Management					
6. Accounting and the Budget	5	9.26%	3.1	6%	
7. Public procurement, supply, and grants, contracts	5	9.26%	2.5	5%	
Human Resource and Other Resource Management					
8. Employees of public administration and organizations / public institutions	5	9.26%	2.5	5%	
9. Capital and non-capital assets	5	9.26%	1	2%	
Public Relations					
10. Information and service to its citizens	5	9.26%	3.5	6%	
11. Cooperation with Civil Society	5	9.26%	3.5	6%	
Urban Planning and Development					
12. Urban Planning	5	9.26%	3.7	7%	
13. Monitoring Urban Projects	5	9.26%	2.5	5%	
		54	100%	53%	
	Weight	%	Score	%	
1. Mayor, Directors and Assembly Members					
1. What is the quality of information that the resumes contain?	5	20%	2.5	10%	
2. How complete are the wealth statements?	5	20%	2.5	10%	
3. How understandable, complete and accessible are the information on personal interests	5	20%	1	4%	
4. How efficient are the channels of communications that are used by the elected individuals and political nominees?	5	20%	3	12%	
5. How updated and complete are the information's on activities organized by the Mayor, Assembly, and other elected and appointed individuals?	5	20%	3	12%	
		25	100%	12	48%

	Weight	%	Score	%	
2. Organizing and functioning					
6. How complete and easy understandable are the information's on Municipal organizing and its responsibilities?	5	20%	3	12%	
7. Do citizens have sufficient information on effective and efficient ways to influence policy and decision making?	5	20%	2	8%	
8. How useful are the channels of communication?	5	20%	3	12%	
9. What is the quality of information on future plans?	5	20%	2	8%	
10. Are there data on municipality?	5	20%	3	12%	
		25	100%	13	52%
		Weight	%	Score	%
3. The work of decision making and policy making bodies					
11. How encouraged is the public to be an active observer of debates and decision making processes?	5	33.33%	3	20%	
12. Is the reporting of the Executive complete and regular at the Assembly?	5	33.33%	1.5	10%	
13. What are the possibilities that the citizens are informed about the work of the Municipality, policy making and other normative acts?	5	33.33%	2	13%	
		15	100%	6.5	43.33%
		Weight	%	Score	%
4. Fighting misbehavior and misuse					
14. Does the Municipality have proper mechanisms to investigate and convict misbehavior and other misuse?	5	33.33%	2.5	17%	
15. Is Municipality transparent in its activities to fight corruption and misuse?	5	33.33%	1	7%	
16. How informed / what is the level of knowledge of the general public in terms of existing mechanisms for reporting possible misuse?	5	33.33%	2	13%	
		15	100%	5.5	36.67%
		Weight	%	Score	%
5. European Integration					
17. Does the public have sufficient information on Municipalities duty on the process of EU integration?	5	50%	1	10%	
18. Does the public have sufficient information on the possible influence it could have in the EU integration process?	5	50%	1	10%	
		10	100%	2	20%

	Weight	%	Score	%
<b>6. Accounting and the Budget</b>				
19. Is the public well informed on budget planning processes?	5	16.67%	4	13%
20. Is there sufficient data published on allocation and budget spending of the Municipality?	5	16.67%	3	10%
21. How well informed is the public on good practices and shortcomings of the Municipality related to managing of public finance?	5	16.67%	3	10%
22. Is there sufficient information to understand the income resources of the Municipality?	5	16.67%	3	10%
23. How well informed are the citizens on Municipality surplus, deficit and debt?	5	16.67%	3	10%
24. How transparent are the organizations and its function, who offer services for citizens, where the Municipality has oversight (even if the oversight is small)?	5	16.67%	2.5	8%

<b>30</b>	<b>100%</b>	<b>18.5</b>	<b>61.67%</b>
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	Weight	%	Score	%
<b>7. Public procurement, supply, and grants, Contracts</b>				
25. How transparent is the selection process and conclusion of contractual relations, in specific the evaluation process prior to entering into agreement? kontraktuale me palën e caktuar?	5	50%	3	30%
26. Is there a transparent process in managing projects and contracts?	5	50%	2	20%

<b>10</b>	<b>100%</b>	<b>5</b>	<b>50%</b>
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	Weight	%	Score	%
<b>8. Employees of public administration and organizations/ public institutions</b>				
27. Is it evident / clear the organizing of the municipal administration and responsibilities of key personnel?	5	25%	4	20%
28. How clear are informations on organizational structure and functions of different organizations / institutions in Municipality?	5	25%	1	5%
29. Are best practices applied in recruiting and hiring of the personnel?	5	25%	3	15%
30. Are there public information accessible related to performance of the administration?	5	25%	1.5	8%

<b>20</b>	<b>100%</b>	<b>9.5</b>	<b>47.50%</b>
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	Weight	%	Score	%
<b>9. Capital and non-capital assets</b>				
31. Has the municipality published the list of its all real estate?	5	25%	1	5%
32. Is there information or decisions that are published, which aim at justifying that their use is in for the public good?	5	25%	1	5%
33. Has the municipality published the list of it assets (inventory, cars, paintings, other valuable assets)?	5	25%	1	5%
34. Has the municipality declared its shares in different companies?	5	25%	1	5%

<b>20</b>	<b>100%</b>	<b>4</b>	<b>20%</b>
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	Weight	%	Score	%
<b>10. Information and service to its citizens</b>				
35. How efficient is the information office?	5	12.50%	3	8%
36. Does the Municipality has any plan or strategy on transparency?	5	12.50%	2	5%
37. How useful is the web-site?	5	12.50%	4	10%
38. Does the Municipality offer the possibility to receive citizens' opinion on how to improve transparency?	5	12.50%	2	5%
39. Are innovative means (social media) of communication used to improve communication with the public?	5	12.50%	3.5	9%
40. Is the the information provided to citizens sufficient and understandable?	5	12.50%	3.5	9%
41. Does the Municipality offer access to public documents?	5	12.50%	4	10%
42. What is the quality of information related to services offered to citizens?	5	12.50%	4	10%

<b>40</b>	<b>100%</b>	<b>26</b>	<b>65%</b>
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	Weight	%	Score	%
<b>11. Cooperation with Civil Society</b>				
43. Are there any formal cooperation's with civil society created?	5	33.33%	2.5	17%
44. Are the public meeting being held?	5	33.33%	4	27%
45. Are citizens consulted, prior to approval of documents considered to be with interest?	5	33.33%	4	27%

<b>15</b>	<b>100%</b>	<b>10.5</b>	<b>70%</b>
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	Weight	%	Score	%
12. Urban Planning				
46. How informed is the public related to normative acts and strategic documents in the area of urban planning?	5	33.33%	4	27%
47. Is municipality using more advanced means to allow the public to observe on issues / developments that are related to urban planning?	5	33.33%	2	13%
48. How transparent municipality is when it comes to building permits and using the public space?	5	33.33%	5	33%
	15	100%	11	73.33%

	Weight	%	Score	%
13. Monitoring Urban Projects				
49. How efficient is the municipality to report on its monitoring activities that are related to urban planning?	5	50%	3.5	35%
50. Is public informed (if yes, how well informed) on the performance of contracted companies to develop certain urbanistic projects?	5	50%	1.5	15%
	10	100%	5	50%



# Prizren Municipality

Author: Fisnik Minci

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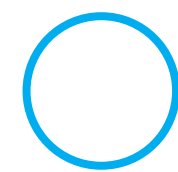
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# I. Organization structure, Composition, Competencies, Documentation, and Functioning

## 1. Mayor, Directors, Municipal Assembly Members

*Volume and quality of published information on elected and political appointees (this category includes the mayor, directors, and municipal assembly members), should be sufficient to assess their credibility, continuously oversee their performance, and to have the best possible accessibility to persons in these positions.*

In Prizren Municipality, the Mayor and the political appointees have in general published brief CVs containing information on their educational background, working experience, and their engagements to that date. The first Deputy Mayor is an exemption, for whom there is no information whatsoever<sup>1</sup>. The profiles of Municipal Assembly members contain only their names photographs, and the political entities they represent.

The assets declarations of Prizren municipality local government senior officials are published on the Anti-Corruption Agency website, but the same data cannot be seen on the municipality website. In line with the provisions of Prizren Municipality Statute<sup>2</sup>, upon assuming office and for whatever change that may take place during the term of office, every senior municipal official shall provide a full declaration of his/her financial interests, and the Mayor shall be responsible for maintaining registers of such declarations. Such a register has not been made available to the public. In the case of Prizren Mayor, due to some technicalities ACA initially did not publish his asset declaration. On this occasion, municipal authorities published an information on their website stating that Ramadan Muja has delivered the declaration on due time, attaching the ACA receipt proving this<sup>3</sup>. Such declarations provide information on their incomes from other sources, but they do not provide for comparative figures over the years or the changes in the assets during the term of office, except for those pertaining to the Mayor published in the Asset Comparison Platform of FOL Movement<sup>4</sup>.

Information as to the conflict of interest of senior officials in Prizren Municipality is almost inexistent. Moreover, officials, such as the first Deputy Mayor, Director of Inspectorates, Director of Administration, and Director of Tour-

1 Prizren Municipality website, section Deputy Mayor, <https://kk.rks-gov.net/prizren/Municipality/Major%60s-profile.aspx>

2 Prizren Municipality Statute, [http://kk.rks-gov.net/prizren/getattachment/Home/satuti\\_komunes\\_tetor\\_2008\\_04\\_12.pdf.aspx](http://kk.rks-gov.net/prizren/getattachment/Home/satuti_komunes_tetor_2008_04_12.pdf.aspx)

3 Prizren Municipality Website, news section, <https://kk.rks-gov.net/prizren/News/Kryetari-i-komunws-prof-dr-Ramadan-Muja,-ne-afat.aspx>

4 Asset Comparison Platform, FOL Movement <http://deklarimi.levizjafol.org/Zyrtaret/Pasuria/1468/Ramadan-Muja>

ism, and some Municipal Assembly Members, have been notified by ACA of their conflict of interest situations.<sup>5</sup> Following these notifications and advice given by the ACA, senior officials have taken actions in avoiding situations of conflict of interest<sup>6</sup>. Following the request sent by ACA, Municipal Assembly (MA) Member from LDK, Nexhat Bytyqi, resigned, and was replaced by another member. However, the municipal authorities did not disclose any information on these developments.

Communication channels are not so effective and efficient. Contact information is published for executive officials, but not for MA members. The latter have requested office space dedicated for meeting with citizens, however to date this office space has not been granted<sup>7</sup>. According to municipal officials, individual meetings with citizens can be arranged on daily basis<sup>8</sup>. However, they did not provide evidence for time schedules and they have not been published. From discussions with some community members it has been pointed out that there were instances when citizens were not able to meet the Mayor or certain local government directors or did not have information or instructions how to arrange such meetings<sup>9</sup>.

In line with the law, notifications for Assembly sessions and their agendas are posted on the website and public announcement spaces 7 days prior to the sessions. As of the second half of the year, discussion materials are being sent to civil society monitors and journalists via e-mail. There is no published calendar that would contain full information on Mayor's activities. Notices are being sent to civil society and journalists. One part of them is published as news in the respective website.



Score: 2 (Negative)

*Reasoning: Volume and quality of published information on elected and politically appointed members is basic. The asset declarations only meet the legal requirements, but not the transparency level towards the public. Failing to declare the conflict of interest by senior public officials is a negative phenomenon. Setting of contacts is encouraging, however their effectiveness is questionable. MA applies some information practices.*

5 Anti-Corruption Agency, Conflict of Interest Decisions, <http://akk-ks.org/sq/vendimet>

6 Ibid.

7 Naser Bresa, MA Member, March 2015, discussion at the MA session

8 Ymer Berisha, Information Office Head, interview with monitors, November 2015.

9 Meetings with community in neighborhoods, EC Ma Ndryshe.



## 2. Structure and Functioning

*There should be sufficient information for the public to understand structure, competencies, functioning, decision making, and policymaking of various municipal bodies.*

In Prizren Municipality, information on municipal structure and competencies are mainly copied from the legislation. There is no published organogram. In addition, there is no information on decentralized bodies, or on those under the competencies of municipal authorities. Basic information on key officials is available; however their precise duties and responsibilities are not described in an understandable manner.

Most effective ways for impacting the policy and decision making are not clearly described for the public. Citizens have limited knowledge on policy making, strategies or issuance of municipal rules and regulations, as well as on decision making in the municipal executive and Assembly.

Though published, official communication channels are not distributed or promoted. Communication with municipal officials is more effective when carried out on personal basis. There is no system in place that would boost official communication channels so that this practice could become more transparent and sustainable.

The information quality of midterm and long term planning is poor. Draft Budget 2016-2018 is published, but not the approved version by the MA, despite the fact that according to the officials this is the most important public policy of Prizren Municipality. Municipal Strategy on Civic Information, Communication and Participation 2015-2018 and Waste Management Master Plan 2014-2023 have been published, as well as some draft regulations that were put for public discussion. However, there are other midterm policies approved by the MA, the content of which has not been made public.

Municipality data are in place, but they lack structuring. This is due to the fact there is no data on demographics, urban planning, water and sewage system and energy supply. The data of geography, history, economy, culture and cultural heritage are available but need to be updated.



### Score: 2 (Negative)

*Reasoning: Current available information by the Municipality do not enable the wider public to easily understand the structure, competencies, functioning, decision making and policy making of various municipal bodies. They are mainly sufficient to meet the minimum legal requirements, but not to promote a proactive approach for bringing the public closer.*

## 3. Performance of Policy Making and Decision Making Authorities

*Public should have detailed, updated and sufficient information to assess key discussed issues and decisions taken by municipality policy making and decision making authorities.*

Municipal authorities didn't apply practices aimed at encouraging citizens to become active in decision making debates and processes. Timely and accurate information and provision of materials has taken place for MA sessions and meetings of the Policy and Finance Committee. This is not the case for other municipal committees and commissions, which have held their meetings almost in 'secrecy'. Moreover, there are instances when the work of these municipal commissions is neglected by not having regular meetings<sup>10</sup>. Cases when citizens have managed to include an issue of interest are rare. Citizen participation in Assembly sessions is low, while in the meetings of committees and commissions almost inexistent. Physical space is convenient for the public. MA sessions are broadcasted live through the local media.

Reporting of the executive branch to the Assembly meets only minimal legal requirements. There is no full accountability and transparency of the executive towards the Assembly. Only certain directors give answers at the Assembly on the concerns raised by Assembly Members. Assembly Members, especially those from the opposition, almost in every session, complain that they do not receive answers in writing by the directors of executive branch. According to them, there are instances when answers are delayed in months, but there are also cases when on specific questions answers of completely different nature and context are given.<sup>11</sup> Moreover, the executive's answers very rarely are accompanied with official documents that would support the validity of their responses. In the meantime, initiatives such as the one of Transparency Forum (journalists and activists) to organize a debate with Mayor, Ramadan Muja, did not come to fruition, as the Mayor rejected the opportunity to directly face them<sup>12</sup>. In addition, Mayor did not report at the Assembly for the activities of the Municipal Council for Community Safety, despite the fact that law obliges him to do so.<sup>13</sup>

Opportunities of the citizens to obtain information on the performance, policies and regulations of municipal authorities are quite limited. Municipal Statute is published and easily accessible. Assembly session and KPF minutes are published, but with delays that may last up to several months. Minutes of committee and commission meetings are not published. Voice recordings of MA sessions are not published. MA decisions are published, but without additional reasoning. Draft documents are accessible to the public only during public discussions about them, and in most of the cases are not published online. Legislative proposals and important initiatives being discussed are chiefly published.

<sup>10</sup> Interview, Skender Susuri, MA Member, Bashkimi Demokratik – Democratic Union

<sup>11</sup> Interview, Skender Susuri, MA Member, Bashkimi Demokratik, questions send in writing for the directors of Tourism and that of Culture.

<sup>12</sup> Focus Group discussion, Valbona Musliu, journalist, 22 January 2016.

<sup>13</sup> Focus Group discussion, Skender Susuri, MA Member, Bashkimi Demokratik, 22 January 2016.

Projects suggested by the Assembly Members are not published. The data base of reviewed and approved regulations, including the number of votes in favor, against and abstentions can be found at the MA Technical Service – they are not published. This data is also reflected in the minutes.

Executive’s decisions and activities are published, but the agreements are not. Prior to the presentation of Index Draft... for Prizren, periodical reports in 2015 were published by only 4 Directorates, out of the total of 13 comprising the Prizren Executive. This practice was changed after the Focus Group, where the Index draft was discussed, that resulted with the Directorate of Administration publishing annual report with statistics; Directorate of Finance except for periodical reports also published its annual report. Inspectorate published one periodical and one annual report. Public Services published annual report. Education Directorate remained with only one periodic report, while Tourism Directorate published its annual report. Directorate of Agriculture on the other hand published one periodical report and annual report. Municipal Budget for 2015 was not published. The case is the same for the 2016 Budget. Following the Focus Group discussions, Directorate of Finance published 2016 Kosovo Budget, with the remarks in pages 306 and 317 pertaining to Prizren.



Score: 2 (Negative)

Reasoning: Public does not have detailed, updated and sufficient information to assess the key debated issues and decisions issued by municipal policy making and decision making authorities, and more efforts should be invested in transparency improvement. The action taken after the comments is encouraging; however the transparency should always be a part of daily work of municipal authorities and officials.

4. Fighting Misbehavior and Misuse

Municipality should publish important information from which one can easily assess the level of commitment in fighting misbehavior and misuse.

In Prizren Municipality, conflict of interest situations of Assembly Members, Mayor, deputy mayors, directors of municipal directorates and municipal administration officers are determined in the Municipality Statute<sup>14</sup>. For cases not regulated in the Statute, the provisions of the Law on Administrative Procedure apply. Municipality of Prizren officials say that the Mayor has appointed a Disciplinary Commission dealing with potential violations of law by the Municipality staff members. The Code of Ethics for Civil Servants also applies. Composition of Disciplinary Commission and its competencies are not published. The content of the Code according to the Director of Administration was published and posted on the walls of Municipality premises. Monitors, however, did not see them there. Director of Administration pointed out that they had been posted, and he promised that they will be put again.

14 Municipality Statute, Section VIII, Conflict of Interest, [http://kk.rks-gov.net/prizren/getattachment/Home/satuti\\_komunes\\_tetor\\_2008\\_04\\_12.pdf.aspx](http://kk.rks-gov.net/prizren/getattachment/Home/satuti_komunes_tetor_2008_04_12.pdf.aspx)

Municipality of Prizren is not transparent in its efforts to fight misuse. Number of undertaken actions and their nature is not published. There is no data on the number of investigated cases. According to statements by municipal officials, decisions involve suspensions for limited period of time and firing from work. However, there are no statistical data for this. Number of persons involved in the fight against misuse and fraud, according to PIO, is 28, and they are distributed in all departments<sup>15</sup>. Municipality does not have a mechanism in place to follow on all suspicions raised.

Level of public information for the available mechanisms to report misuse is very low, since Municipality does not provide sufficient information to accurately explain what involves misuse and does not give any opportunity for the public to report such cases.

Moreover, there are instances when the Mayor has taken actions against accused officials by the justice authorities only after consultations with his party or coalition partners, which have been later on followed by certain actions of municipal authorities.



Score: 1 (Negative)

Reasoning: Based on applicable regulations and practice it comes out that Prizren Municipality did not show pro-active commitment in fighting misbehavior and misuse. Only after actions taken by justice authorities, in some cases measures were taken against accused officials.

5. European Integration

Public should be provided with the opportunity to accurately learn municipal obligations, achievements and challenges in Kosovo’s EU integrations.

In 2015, Municipality of Prizren did not publish any information on the obligations of the Municipality related to country’s EU integrations. Municipality is in possession of a list of its obligations on European integration; however, that list is not published.

European Integration Office stated that some improvements have been noticed in repatriation, human rights, gender equality, domestic violence, community rights, use of languages, etc. Nevertheless, the data of such nature are not published for the wider public. Moreover, the public or the MA members do not have information on the drafting process of Municipal Strategy on European Integration, even though this public policy was included in the MA agenda for 2015<sup>16</sup>.

Public also does not have information on what impact will European integration have on economy, social issues, public administration, etc.

15 Interview with the Head of Information Office, Ymer Berisha, November 2015.

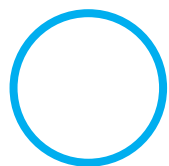
16 Interview, Skender Susuri, MA Member, Bashkimi Demokratik





## Score: 1 (Negative)

*Reasoning: Public was not given an opportunity to obtain information for the Municipality EU integration activities. It is quite ironic when one sees the section of European Integration Office which looks more like electronic correspondence rather than description of duties and responsibilities of this Office<sup>17</sup>.*



## II. Economic and Financial Management

### 6. Accounting and Budget

*Different updated data and reports on revenues, budget allocations, expenditures, debts and disputes involving financial implications for the Municipality should be made available to the public in order to have a clear picture of public money management at the local level.*

Municipality of Prizren took some steps towards involvement of public in budget planning; however there is still room for improvement. During 2015, municipal authorities have organized 6 public debates with citizens in rural areas and 1 was held at the MA building related to 2016 Budget and MTEF 2016-2018. KPF also organized two public debates – one in cooperation with civil society and another with OSCE. The information for these meetings was accurate. There is no published information on whether the budget was discussed at the Community Committee, nor did other Committees become active in discussing budget policies<sup>18</sup>. Draft Budget was not published online, and only printed copies were distributed. Minutes of public discussions were not published, nor the proposals received from citizens. Based on statements given by municipal officials, every director took notes about citizen's demands, and according to them, 80 or 90 percent of proposals have been incorporated in budget planning<sup>19</sup>. However, Municipality still did not put a mechanism in place for registering the citizen's proposals and for publishing of decisions on whether these proposals are approved or rejected.

Data on budget allocations and spending is posted online in 'Buxhetometri', GAP Institute Platform that cooperates with EC Ma Ndryshe and has a link in the

<sup>17</sup> Prizren Municipality website, European Integration Office, <http://kk.rks-gov.net/prizren/Municipality/Zyra-per-integrime-europiane.aspx>, Accessed on 29 December 2015 and 18 February 2016.

<sup>18</sup> Interview, Skender Susuri, MA Member, Bashkimi Demokratik.

<sup>19</sup> Kujtim Gashi, Presiding Member of MA, debate hosted by KDI and KPF on draft budget, 11 September 2015.



## Score: 3 (Neutral)

*Reasoning: In 2015, Municipality of Prizren applied inclusion policies and practices for the public when it comes to budget drafting. However, they should be furthered towards the achievement of budgetary transparency, since reports on spending, expenditures and challenges should have their narrative part, and at the same time a mechanism that would notify citizens on the fate of their proposals should also be put in place.*

Municipality website<sup>20</sup>. Data on budget allocations and spending are published in annual and quarterly reports. Budget document contains project data, projected amount for spending and budget sources differentiating on whether they come from a governmental grant or own source revenues, as well as the year of project implementation. There is no explanation on the project purpose. In most of the cases the purpose is reflected on the proposals sent to the Mayor for allowing the tender announcement. These proposals are accessible to journalists and civil society<sup>21</sup>. In Mid Term Budget Framework, the same procedure as the one with the annual budget is applied also including the project list. Municipality did not manage to develop an interactive table of multiple year budget.

This is the first time that Prizren Municipality published the General Auditor's Report for 2014 Financial Statements. Based on this Report, an investigation of KACA took place in 2015 for the Shpenadi-Velezhë road construction project due to suspicions of irregularities<sup>22</sup>. Project had started in 2012 with some payments for it made in 2014. The case was handed over to KACA officials for verification. Municipal officials state that there were no irregularities in this case as the payments were delayed due to the lack of funds in municipal budget.

In general, one can say that there are satisfactory information to understand the sources of municipal revenues; however there is room for additional efforts in promoting this information to the wider public.

Nevertheless, Municipality provides scarce information to citizens on budget surplus/deficit or on its debts, receivables or contingency liabilities. Amounts of municipality debts to various contractors and receivables, as well as contingency liabilities are usually published in the annual financial report, without detailed explanations and only in a summarized manner, and in most of the cases it is not posted online.

Municipality does not provide information on the functioning of public organizations providing services to citizens in the cases when it is responsible to do so, nor does it provide any budget information for them.

<sup>20</sup> Buxhetometer, GAP Institute and EC Ma Ndryshe, <http://www.online-transparency.org/rpms/spendings/>

<sup>21</sup> Interview with Transparency Forum members, September, October, November.

<sup>22</sup> "Zvarritja e rrugës Shpenadi-Velezhë ngjall dyshime tek autoritetet shtetërore" /Delays in Shpenadi-Velezhë road construction arise suspicion of state authorities, <http://koh.net/?id=&l=90231>

7. Public Procurement, Supply and Grant Contracts

*Contractual relations with financial implications between the municipality and natural and/or legal persons should be carried out in full transparency in order to ensure proper management of public money and appropriate value for services, works and supplies.*

Municipality of Prizren was not transparent when it comes to disclosing information in assessing the eligibility of operators to enter in contracts with it. There is no published information on the way how assessment commissions were elected and composed, even though municipal officials claim that these commissions are composed of procurement officers, professionals and designated officials from relevant directorates<sup>23</sup>. Contract notifications by the Procurement Section are published by the Public Procurement Regulatory Commission (PPRC), and partially in Municipality website. There are no rationales for criteria setting. Minutes of assessment commissions exist, but are not published<sup>24</sup>. Manuals for competition procedures, principles and codes of ethics for contractual procedures do not exist. In these instances applies the Law on Public Procurement (LPP). As of the second half of the year, public procurement activities with quoting are being published in PPRC, and, according to officials, this resulted with positive effects and higher competition. There are no publications on the responsibility of contracted companies. For the first time this year Prizren Procurement terminated three contracts with irresponsible operators. There is no information that would compare the compliance of current projects with that from the project list approved by the Municipal Assembly. When it comes to annex contracts, transparency is very low. There are no published reports on market research or reports on lessons learned from previous contracts.

Transparency in project and contract management is at a low level. There are instances when civil society and community demanded information on the development of certain projects and contracts, but they were denied a full access to public contracts, with relevant department providing only limited answers or its responses being irrelevant to the context<sup>25</sup>. Concerning the publication of contracts, Municipality of Prizren was not transparent, as it did not respond on the request made by KDI.<sup>26</sup>

There are no reports on the contractor performance based on indicators determined in the contract. According to Procurement Sector, this is a responsibility of sections leading the projects.

Data base on the signed contracts is available in the Municipality; however, contracts in general are not accessible to the public. Their amounts, procedure used and number of competitors are mainly displayed in the contract award notices

23 Isa Osmankaj, Head of Procurement Office, debate "Public Procurement in Prizren Municipality" hosted by FOL Movement, 18 December 2015.

24 Isa Osmankaj, Head of Procurement Office, debate "Public Procurement in Prizren Municipality" hosted by FOL Movement, 18 December 2015.

25 EC Ma Ndryshe and residents of "Liman Shala" street -Prizren. Demand for Access to public documents for the sewage network project

26 "Municipal Transparency Meter", January-June 2015, Kosovo Democratic Institute, (KDI), July 2015

published by PPRC, and to certain extent at the Municipality website. These notices also contain the basic information of tender winner. Statistics for procurement activities divided in large and medium amounts, and those with quoting, as well as procurement activities for public-private partnerships are available, but they are not published<sup>27</sup>. There is no published list of signed contracts with specific data on selected contactors, amounts and timeframes and dynamic of works as per the contract.

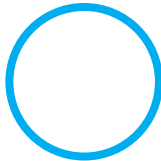
Work supervision reports during the project implementation can mainly be found in directorates and are not published.

Penalties against non-performing companies based on agreed criteria and procedures began only this year, and involve termination of contract with three irresponsible operators<sup>28</sup>.



Score: 2 (Negative)

*Reasoning: Score for this indicator is a negative one since municipal authorities disclose very limited information on contractual relations with financial implications, which in principle should be performed in a full transparency to convince the public about the prudent management of public money.*



III. Management of Human and other Resources

8. Public Administration and Public Organization/ Institution Employees

*Human resource management should be transparent and benefits from the constant public monitoring of Administration performance.*

Municipal Administration of Prizren is structured in Directorates and Offices. Each municipal Directorate or Office is led by relevant director or chief. Directors are appointed and discharged by the Mayor. Internal structure of Directorates and Offices, and the civil servant system is regulated based on a Decision/ Regulation on Organizing of Job Positions in the Prizren Municipality Directorates, which is not published<sup>29</sup>. In general, description of key duties and responsi-

27 Isa Osmankaj, ibid.

28 Isa Osmankaj, ibid.

29 Prizren Municipality website, <http://kk.rks-gov.net/prizren/Municipality/Drejtoret.aspx>

bilities is available. However, there are no published reports or analysis of public administration sector, nor any list of Administration staff members. Contact information for key persons is available, while the salaries are not made public, except for the coefficient that can be seen in the public vacancies.

Information on the functioning of different municipality organizations and institutions are not always clear to the public, and there are no organograms in place or published instructions showing links, responsibilities and competencies.

Recruitment/employment practices go in line with political party influences<sup>30</sup>. The organizational structure is not based on sector analysis and is not reflected in vacancy announcements. Vacancies are published on the website, printed and broadcasted media, as well as on Municipality information boards. Employment practices are not transparent because lists with final scores are published without detailed explanations. Appeal mechanism decisions are not published.

Vacancy announcements for public positions outside of the basic municipal administration are posted on website, printed and electronic media, as well as on Municipality notice boards. There is not transparency on the appointment of public enterprise board members.

There is no information on Administration performance. The Code of Ethics has not been found in the notice boards; however the Director of Administration stressed that they were published<sup>31</sup>. Activities and decisions of performance and conduct appraisal mechanisms are not public. No reporting of conflict of interest occurred, except for the cases initiated and investigated by the ACA<sup>32</sup>. End-year Individual Performance Appraisal Report is drafted, but is not published.



**Score: 1.5 (Negative)**

Reasoning: Municipality of Prizren got negative score on this Indicator due to the fact that it did not explain to the public organizational structure and functioning of its administration. In addition, best practices are not applied in the recruitment and employment of its staff members. At the same time, public is not informed on the Administration performance.

**Municipality Comments:**

Staff in the Municipality of Prizren is not employed without prior public vacancy announcement posted on the Municipality website and in the newspapers, and there is no vacancy that was annulled by the Independent Oversight Board that did not adhere to all prescribed criteria in the Law on Civil Servants. For all vacancies interviews were held and recorded. Interviews were held through testing. There is no staff member that was hired without meeting the employment criteria pursuant to the Law on Civil Servants. There is no staff member in the

30 Anonymous interview with Prizren Municipality officials, 18 November 2015  
31 Interview by the Report author with Administration Director, Ilir Baldedaj, February 2015  
32 Anti-Corruption Agency, Decisions on Conflict of Interest, <http://akk-ks.org/sq/vendimet>

Municipality that has made any complaint to us. All appeals go to the Independent Oversight Board. This Board annulled the vacancies in two instances. In this case we repeated them, and all Independent Oversight Board criteria were adhered.

**9. Capital and Non-Capital Assets**

The public should have complete and up to date information on public property management by the municipal government.

Municipality published a list of all properties. Prizren Municipality also published a register of properties (cadastral parcels) and of business premises; however, it does not have the register of buildings and apartments owned by it. The property register provides only for square meters with no data on their financial values, while the register of business premises provides only the amount of rent<sup>33</sup>. There are no interactive maps indicating accurate location of these properties and data base on their purpose of use. The register of business premises includes addresses of these properties. Property management in Prizren Municipality, according to the Auditor General, is continuously plagued with shortcomings.<sup>34</sup>

There is no published information or decision providing a rationale that such use of properties is for the benefit of the sovereign. In addition, there are no published decision and rationale for the use or rental of these properties or a list of properties transferred from Municipality to other owners with supporting reasons.

Municipality did not publish a list of non-capital assets, such as furniture, vehicles, etc.

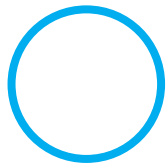
Municipality did not provide any data for shares or property holdings in different companies.



**Score: 1 (Negative)**

Reasoning: Considerable lack of transparency in the public asset management by the municipal authorities resulted with this Indicator receiving negative score. Continuous recommendations of the Auditor General did not manage to push the Municipality Executive to address this issue in a proper manner and within an optimal time frame.

33 Property Register and Register of Business Premises, <https://kk.rks-gov.net/prizren/Home.aspx>  
34 Auditor General Report for Prizren Municipality PFV-s, [http://oag-rks.org/repository/docs/sq\\_Raporti\\_Final\\_Prizren\\_327559.pdf](http://oag-rks.org/repository/docs/sq_Raporti_Final_Prizren_327559.pdf)



## IV. Relations with Citizens and Society

### 10. Citizen Information and Services

*Municipal transparency can be furthered by enabling public easy access to information; accurate, fast and detailed information on issues related to policies, decisions and services for citizens.*

Municipality of Prizren has its Information Office headed by the Chief, who is the only staff member of this Office. Contacts with him can be established easily and assistance can be obtained for access to public information and documents. Information Office in 2015 applied transparency improvement policies. This Office is also effective in giving responses to various questions raised; however there is a problem with enabling full access to public documents, which also depends on municipal departments. Statistics on the use of social networks, mobile networks and services via telephone are not published. In addition, there are not statistics on the advisory and information services for citizens.

Municipality adopted the Municipal Strategy on Civic Information, Communication and Participation 2015-2018, which also contains the Action Plan, while The Transparency Regulation was adopted previously.

Prizren Municipality website (<https://kk.rks-gov.net/prizren/>) is useful to some extent. Its content needs improvements with user friendly data system. In most of the cases they are published in different links that are difficult to be identified and sometimes confusing for the user. The upload of materials on daily basis also requires improvement. Info graphics are inexistent. Moreover, there are no reports on the website popularity, and no promotion interventions are taken to increase the number of visitors and service users. Discussion forum in the Municipality website is in place, but it is dysfunctional.

There is no mechanism in the website that would collect the suggestions of public for its enhancement, and the link for citizens letters is dysfunctional. Municipality did not carry out public opinion research on the Municipality transparency.

Except for the website, Prizren Municipality also uses social network Facebook aimed at promoting its activities. Its Facebook account has some two thousand followers<sup>35</sup>. The Municipality did not publish any reports with statistics on the use and effectiveness of social network and no promotion campaign has been noticed to increase the number of followers. 'Compared to the number of inhabitants, this Municipality Facebook account has only a small number of likes. Consequently, its account requires further promotion<sup>36</sup>. Facebook accounts mainly posts the information provided in the website, with no info graphics, videos or

<sup>35</sup> <https://www.facebook.com/kkprizren/>

<sup>36</sup> Transparometri komunal", /Municipal Transparency Meter/ January –June 2015, Kosovo Democratic Institute (KDI), July 2015.

animations. There are no smartphone applications that would provide different information related to the Municipality.

Materials are translated in all official languages, but not in the real time. Moreover, no special attention is paid so that language used and presentation of information is understandable for the wider public.

Access to public documents is enabled but not with 100% effectiveness, as the Information Office reports. According to this Office, during January-December period, 102 requests for access to public documents were made, and 102 have been approved.<sup>37</sup> However, the civil society experience shows that respecting legally prescribed deadlines is problematic. While, the EC Ma Ndryshe experience brings different data in comparison of those from the Information Office, as there are requests handed over in 2015 to which the answer has not been provided yet.

Information on services provided to citizens is insufficient. Periodical and annual statistics for Administration services are in place. However, there are not statistics on services related to social and family welfare; culture, youth and sports; local emergencies; water supply, sewage system, etc. There are also no accurate data on the issues related to health, education, security, publicly owned companies, green areas, medication from the essential list, pre-university education, interactive maps, topics, capacities, traffic situation, incidents related to municipal services, updated information on air and noise pollution.



### Score: 2.5 (Neutral)

*Reasoning: The score on citizens' information and services is at the borderline between negative and neutral. The report author decided to give a neutral score due to the approval of Municipal Strategy on Civic Information, Communication and Participation 2015-2018. This is an encouraging policy aimed at improving the transparency, which should be implemented in practice. So far, no information is given on the amount of budget funds spent for its implementation in 2015.*

### Municipality Comments:

*Municipality leadership expressed its willingness to implement the access to official documents within legal time limits for all entities.*

<sup>37</sup> Information given the Information Office, Municipality of Prizren, Report on Access to Public Documents.



## 11. Cooperation with Civil Society

*Municipal authorities should be open and committed to transparent governance by deepening the cooperation with civil society.*

Municipality of Prizren is known for its genuine cooperation with different groups of shareholders, business community, etc. Civil society organizations are also quite active, especially those involved in democratization and culture, by not leaving aside those dealing with youth, women and people with disabilities. All these mechanisms present a great potential that the Municipality of Prizren is using and should use with the purpose of establishing partnership with its citizens...Nevertheless, there is a lack of comprehensive and structured approach of Prizren Municipality towards all these organizations<sup>38</sup>. In the period to come, institutionalization of cooperation will be tried between the Municipality, these organizations and society mechanisms through the establishment of consultative instruments<sup>39</sup>. Municipality does not have a published guide on civic participation. However, it has some MoU's with several civil society organizations<sup>40</sup>.

Municipality holds two public meetings aimed at reporting for the work of Executive. In its meeting held in December of this year, there were citizens who expressed dissatisfaction with the report presented by the Mayor. The meeting moderator in an instance even stopped the remarks being deliberated by a citizen who was not agreeing with the data presented by the senior municipal officials<sup>41</sup>. Seven public debates were held for the budget, both in urban and rural areas. Reporting for the citizens is mainly done verbally. Towards the end of 2015, the functionalization of local councils has been intensified.

Prizren Municipality is facing difficulties in putting up a regular and sustainable communication with citizens and stakeholders during drafting and approval of municipal regulations and other strategic documents, such as the regulatory plans or similar<sup>42</sup>. In 2015, Prizren Municipal Assembly initiated the drafting of 5 regulations, with each of them being put in a public discussion. Municipal executive branch held 7 public debates and KPF hosted 2 debates on budget. Citizens' proposals are recorded in public discussions or in writing; however there is no feedback on whether they are included in the municipal regulations and other documents. Municipal officials indicate that Mayor meets citizens on daily basis; however they did not mention any specific day dedicated for this purpose.

38 Municipal Strategy on Information, Communication and Civic Participation 2015-2018

39 Ibid.

40 According to IO Chief, Ymer Berisha, Municipality signed MoUs with Swiss Caritas, EC Ma Ndryshe, and KDI also monitors the work of Municipal Assembly.

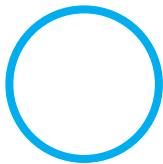
41 Monitoring of the Mayor's public debate with citizens on 23 December 2015.

42 Municipal Strategy on Information, Communication and Civic Participation 2015-2018.



Score: 2 (Negative)

Reasoning: Municipality received negative score since it still did not initiate any process to establish consultative mechanisms that would enhance the cooperation with civil society. Moreover, in public debates it did not show any readiness to be accountable towards the public by avoiding discussions where citizens have expressed dissatisfaction with the stances taken by the Executive. In addition, it is still not clear whether the Mayor has a specific time schedule dedicated for meetings with citizens.



## V. Urban Planning and Development

### 12. Urban Planning

*Public should have access to important information related to urban planning as this is one of the key principles of good governance.*

Public is partially informed concerning urban planning regulations and strategic documents. Information on existing urban planning regulation, plans, strategies, criteria and limitations and permit obtaining process is scarce. Draft regulation on the Treatment of Illegal Construction is still posted in its website, for which the central level stated that it is not supported on legal grounds.<sup>43</sup> Website also has the Regulation on Tariffs, Fees and Fines for municipal services and activities related to urban planning services. Basic information on Municipal Development Plan 2025, which is a statutory document that governs the future development of the municipality, is also posted on the website. However, there is no information on the Zonal Map of municipality and on detailed regulatory plans. The Plan for Conservation and development of Historical Zone of Prizren, Regulatory Plan for the Specific Area "Business Park" in Prizren, Regulatory Plan Dardania, and regulatory plans for Qendra e Re and Atmejdani locations are also posted on the website. Public access on detailed regulatory plans remains challenging.

Municipality does not use advanced means in enabling the public to cover all elements related to urban planning. Their reading requires professional expertise. There are no interactive maps with information on services, activities and resources in the territory, environmental protection plans and natural resource management, water quality in certain spaces, gas emissions, and accurate information on land destination.

Municipality of Prizren is not transparent when it comes to construction per-

43 "Regulation for the Treatment of Illegal Constructions, illegal copy", Press Release, 23 November 2013, EC Ma Ndryshe, [http://online-transparency.org/repository/docs/Komunikate\\_23\\_nentor\\_2012.pdf](http://online-transparency.org/repository/docs/Komunikate_23_nentor_2012.pdf)

mits and permits for the use of space. The list of construction permits issued is not being published, including the decisions and rationales for the issued construction permits. Minutes of commission meetings approving the construction permits are not accessible to the public. No information is provided for the accordance of issued permits with the current plans of the Municipality. Auditor “identified that out of 784 requests made in 2014, only 502 were approved; required documentation was not completed” noticing that “also those who got the construction permits, do not stick to the criteria determined by the Urban Planning Department”<sup>44</sup>. Moreover, provisions of Law on Historical Centre of Prizren provide for the Directorate of Urban Planning to draft on weekly basis the list of received requests for projects that should be public and be distributed to the Council members<sup>45</sup>. Also, according to the Law, the complete file for requests for projects is maintained and is made available to the public by the Directorate of Urban Planning. However, such a thing is not implemented in practice. The same Law prescribes that the Council for Cultural Heritage of Prizren Historical Centre publishes its work, which was rarely the case 2015.



**Score: 1 (Negative)**

*Reasoning: Urban planning has multiple impacts in the life of citizens. Municipality proved that there are considerable shortcomings related to the provision of information for the public and ensuring the public participation in decision making in urban and spatial planning.*

**13. Monitoring of Urban Planning Projects**

*Municipality should inform the public continuously on the flow of projects impacting urban planning and development.*

Municipality of Prizren did not show required effectiveness concerning the reporting of its activities in the urban planning implementation monitoring. Auditor’s Report for 2014 clearly states that Municipality was not able to set effective controls and monitoring while treating the construction cases<sup>46</sup>. As mentioned above, Auditor notices that “those equipped with construction permit do not stick to criteria determined by Urban Planning Directorate. Moreover, Municipality did not undertake adequate measures to halt this practice”. On the other hand, representatives of institutions members of Task Force for Historical Centre of Prizren – an area protected through a special legislation – this year have confirmed the urban degradation in this area. According to them, majority of constructions or interventions in the Historical Centre were plagued with different types of urban planning permit violations. The representatives of

44 Auditor General Report for Prizren Municipality, [http://oag-rks.org/repository/docs/sq\\_Raporti\\_Final\\_Prizren\\_327559.pdf](http://oag-rks.org/repository/docs/sq_Raporti_Final_Prizren_327559.pdf)

45 Law on Historic Centre of Prizren, <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2836>

46 Auditor General Report for Prizren Municipality, [http://oag-rks.org/repository/docs/sq\\_Raporti\\_Final\\_Prizren\\_327559.pdf](http://oag-rks.org/repository/docs/sq_Raporti_Final_Prizren_327559.pdf)

Regional Centre of Cultural Heritage (RCCH) indicated that in 90% of the cases violations of construction permits issued by DUPH were recorded, including both small and major violations<sup>47</sup>. Through requests for access to official documents, EC Ma Ndryshe, requested from the Inspection Directorate the list of facilities or illegal constructions to be demolished within this area and the territory of Prizren municipality; however this list has never been displayed. The Directorate of Inspections has published its performance report for January-June 2015, stating that construction inspectors have performed continuous inspections and supervisions. On these instances they have compiled 170 cases, completed 221 inspections and minutes, 140 decisions for stopping of works were issued, 29 decisions for voluntary demolition, 19 construction consents, 6 enforcement conclusions, 4 criminal charges and mandatory fines amounting to EUR 12,750, while the court fines have reached the tune of EUR 3,500<sup>48</sup>. The Inspection Directorate also published its performance report for January-December 2015 stating that during the reporting period 456 inspections and minutes were made, including 156 decisions for stopping of works, 81 decisions for voluntary demolition, 60 acceptance of iron works prior to the construction of concrete slab, 14 approvals for the acceptance of construction works for medical practices and others, 17 enforcement conclusions, 20 enforcement minutes, 10 initiation of minor offence procedures, 4 criminal charges and mandatory fines amounting to EUR 18,400 were given, while the court fines have reached the tune of EUR 9,300<sup>49</sup>. Citizens may report the cases to Inspection Department, but there is no feedback on the actions taken.

The public does not have sufficient information on the performance of companies contracted by the Municipality to develop urban planning projects. There is no specific data on the name of companies that carried out main urban development projects. Monitoring of works is performed by the relevant project departments. Information on key infrastructural projects underway, aim of the project and municipal representatives assigned to deal with it; contractors; budget and implementation period are visible only on notice boards of construction sites. There is no specific list that is presented to the public.



**Score: 1.5 (Negative)**

*Reasoning: Prizren Municipality transparency on the monitoring of urban planning projects received a negative score because the public does not receive relevant information. The real situation is mainly described by other state authorities and civil society monitors.*

47 Institutions confirmed the urban degradation in the Historic Centre of Prizren, <http://ecmandryshe.org/?page=1,17,352#.VoZcck-znNU>

48 Performance Report, January – June 2015, Inspection Directorate, <https://kk.rks-gov.net/prizren/getattachment/5f25deb3-bdb0-4066-8a5a-3b61d4198eeb/Raporti-ipunes-janar-qershor-2015.aspx>

49 Performance Report, January – June 2015, Inspection Directorate <http://kk.rks-gov.net/prizren/getattachment/a8e1ed44-b8e8-4160-af7d-8ee64121b449/Raporti-ipunes-janar-dhjetor-2015.aspx>

VI. Scoring

	Weight	%	Score	%
<b>Organizing, Composition, Attitudes, Documentation, and Function</b>				
1. Mayor, Directors and Assembly Members	3	5.56%	2	2%
2. Organizing and functioning	2	3.70%	2	1%
3. The work of decision making and policy making bodies	4	7.41%	2	3%
4. Fighting misbehavior and misuse	3	5.56%	1	1%
5. European Integration	2	3.70%	1	1%
<b>Financial and Economic Management</b>				
6. Accounting and the Budget	5	9.26%	3	6%
7. Public procurement, supply, and grants, contracts	5	9.26%	2	4%
<b>Human Resource and Other Resource Management</b>				
8. Employees of public administration and organizations / public institutions	5	9.26%	1.5	3%
9. Capital and non-capital assets	5	9.26%	1	2%
<b>Public Relations</b>				
10. Information and service to its citizens	5	9.26%	2.5	5%
11. Cooperation with Civil Society	5	9.26%	2	4%
<b>Urban Planning and Development</b>				
12. Urban Planning	5	9.26%	1	2%
13. Monitoring Urban Projects	5	9.26%	1.5	3%
		54	100%	37%
<b>1. Mayor, Directors and Assembly Members</b>				
1. What is the quality of information that the resumes contain?	5	20%	2	8%
2. How complete are the wealth statements?	5	20%	1	4%
3. How understandable, complete and accessible are the information on personal interests	5	20%	1	4%
4. How efficient are the channels of communications that are used by the elected individuals and political nominees?	5	20%	2	8%
5. How updated and complete are the information's on activities organized by the Mayor, Assembly, and other elected and appointed individuals?	5	20%	3	12%
		25	100%	36%

	Weight	%	Score	%	
2. Organizing and functioning					
6. How complete and easy understandable are the information's on Municipal organizing and its responsibilities?	5	20%	2	8%	
7. Do citizens have sufficient information on effective and efficient ways to influence policy and decision making?	5	20%	1	4%	
8. How useful are the channels of communication?	5	20%	2	8%	
9. What is the quality of information on future plans?	5	20%	2	8%	
10. Are there data on municipality?	5	20%	2	8%	
		25	100%	9	36%
		Weight	%	Score	%
3. The work of decision making and policy making bodies					
11. How encouraged is the public to be an active observer of debates and decision making processes?	5	33.33%	2	13%	
12. Is the reporting of the Executive complete and regular at the Assembly?	5	33.33%	1	7%	
13. What are the possibilities that the citizens are informed about the work of the Municipality, policy making and other normative acts?	5	33.33%	3	20%	
		15	100%	6	40.00%
		Weight	%	Score	%
4. Fighting misbehavior and misuse					
14. Does the Municipality have proper mechanisms to investigate and convict misbehavior and other misuse?	5	33.33%	2	13%	
15. Is Municipality transparent in its activities to fight corruption and misuse?	5	33.33%	1	7%	
16. How informed / what is the level of knowledge of the general public in terms of existing mechanisms for reporting possible misuse?	5	33.33%	1	7%	
		15	100%	4	26.67%
		Weight	%	Score	%
5. European Integration					
17. Does the public have sufficient information on Municipalities duty on the process of EU integration?	5	50%	1	10%	
18. Does the public have sufficient information on the possible influence it could have in the EU integration process?	5	50%	1	10%	
		10	100%	2	20%

	Weight	%	Score	%
<b>6. Accounting and the Budget</b>				
19. Is the public well informed on budget planning processes?	5	16.67%	3	10%
20. Is there sufficient data published on allocation and budget spending of the Municipality?	5	16.67%	3	10%
21. How well informed is the public on good practices and shortcomings of the Municipality related to managing of public finance?	5	16.67%	3	10%
22. Is there sufficient information to understand the income resources of the Municipality?	5	16.67%	3	10%
23. How well informed are the citizens on Municipality surplus, deficit and debt?	5	16.67%	2	7%
24. How transparent are the organizations and its function, who offer services for citizens, where the Municipality has oversight (even if the oversight is small)?	5	16.67%	1	3%

30	100%	15	50%
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	Weight	%	Score	%
<b>7. Public procurement, supply, and grants, Contracts</b>				
25. How transparent is the selection process and conclusion of contractual relations, in specific the evaluation process prior to entering into agreement? kontraktuale me palën e caktuar?	5	50%	2	20%
26. Is there a transparent process in managing projects and contracts?	5	50%	2	20%

10	100%	4	40%
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	Weight	%	Score	%
<b>8. Employees of public administration and organizations/ public institutions</b>				
27. Is it evident / clear the organizing of the municipal administration and responsibilities of key personnel?	5	25%	2	10%
28. How clear are informations on organizational structure and functions of different organizations / institutions in Municipality?	5	25%	1	5%
29. Are best practices applied in recruiting and hiring of the personnel?	5	25%	2	10%
30. Are there public information accessible related to performance of the administration?	5	25%	1	5%

20	100%	6	30%
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	Weight	%	Score	%
<b>9. Capital and non-capital assets</b>				
31. Has the municipality published the list of its all real estate?	5	25%	2	10%
32. Is there information or decisions that are published, which aim at justifying that their use is in for the public good?	5	25%	1	5%
33. Has the municipality published the list of it assets (inventory, cars, paintings, other valuable assets)?	5	25%	1	5%
34. Has the municipality declared its shares in different companies?	5	25%	1	5%

20	100%	5	25%
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	Weight	%	Score	%
<b>10. Information and service to its citizens</b>				
35. How efficient is the information office?	5	12.50%	3	8%
36. Does the Municipality has any plan or strategy on transparency?	5	12.50%	4	10%
37. How useful is the web-site?	5	12.50%	3	8%
38. Does the Municipality offer the possibility to receive citizens' opinion on how to improve transparency?	5	12.50%	1	3%
39. Are innovative means (social media) of communication used to improve communication with the public?	5	12.50%	2	5%
40. Is the the information provided to citizens sufficient and understandable?	5	12.50%	3	8%
41. Does the Municipality offer access to public documents?	5	12.50%	3	8%
42. What is the quality of information related to services offered to citizens?	5	12.50%	2	5%

40	100%	21	52.50%
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	Weight	%	Score	%
<b>11. Cooperation with Civil Society</b>				
43. Are there any formal cooperation's with civil society created?	5	33.33%	3	20%
44. Are the public meeting being held?	5	33.33%	2	13%
45. Are citizens consulted, prior to approval of documents considered to be with interest?	5	33.33%	2	13%

15	100%	7	46.67%
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	Weight	%	Score	%
12. Urban Planning				
46. How informed is the public related to normative acts and strategic documents in the area of urban planning?	5	33.33%	2	13%
47. Is municipality using more advanced means to allow the public to observe on issues / developments that are related to urban planning?	5	33.33%	1	7%
48. How transparent municipality is when it comes to building permits and using the public space?	5	33.33%	1	7%
	15	100%	4	26.67%

	Weight	%	Score	%
13. Monitoring Urban Projects				
49. How efficient is the municipality to report on its monitoring activities that are related to urban planning?	5	50%	2	20%
50. Is public informed (if yes, how well informed) on the performance of contracted companies to develop certain urbanistic projects?	5	50%	1	10%
	10	100%	3	30%

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## Interviews

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Afërdita Sylejmani, Activist of CBM, interviewed 29 October 2015 and 31 October 2015, Mitrovica

Agim Zuzaku, Director of Department of Economic Development, Municipality of Gjilan, interviewed 5 October 2015, Gjilan

Ajet Musliu, Coordinator in Department of Urbanism, Municipality of Ferizaj, interviewed 23 October 2015, Ferizaj

Ali Tafarshiku, Mayor's cabinet, Municipality of Gjakova, interviewed 16 October 2015, Gjakova

Abetare Domi, Public information officer, Municipality of Gjakova, interviewed 16 October 2015, Gjakova

Alidin Damati, Journalist in KosovaPress News Agency (Mitrovica correspondent), interviewed 2 October 2015, Mitrovica

Arben Shala, Legal officer in Department of Urbanism and Spatial Planning, Municipality of Prizren, interviewed 20 November 2015, Prizren

Arbër Kadriu, Executive director of Initiative for Progress (INPO), interviewed 29 October 2015, Prishtina

Arbreshë Fazliu, Journalist at Klan Kosova, interviewed 10 November 2015, Prishtina

Ariana Lukaj, Mayor's cabinet, Public Information Office, interviewed 23 October 2015, Peja

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Armend Vokshi, Department of Administration, Municipality of Gjakova, interviewed 15 October 2015, Gjakova

Fatos Axhemi, civil society activist, interviewed 15 December 2015, Gjakova

Artiana Matoshi, Journalist at Koha Ditore, interviewed 5 November 2015, Prishtina

Bekim Salihu, researcher at GAP Institute, interviewed 30 October 2015, Prishtina

Burim Elezi, Officer for European Integration, Municipality of Gjilan, interviewed 6 October 2015, Gjilan

Drin Veselaj, Member of Municipal Assembly of Peja, interviewed 30 January 2016, Peja

Durim Sheremeti, Mayor's cabinet, Municipality of Peja, interviewed 23 October 2015, Peja

Elenora Fetollari, Coordinator of Office for European Integration, Municipality of Prizren, interviewed 29 November 2015, Prizren

Erzen Vranici, Public information officer, Municipality of Prishtina, interviewed 20 October 2015, Prishtina

Fahil Hoxha, Coordinator of Inspectorate, Municipality of Prizren, interviewed 21 October 2015, Prizren

Faik Grainca, Director of Urbanism and Environment, Municipality of Ferizaj, interviewed 13 October 2015, Ferizaj

Faruk Guri, Chairperson of Municipal Assembly of Ferizaj, interviewed 18 September 2015, Ferizaj

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Fatmir Beka, Observer of Municipality of Mitrovica from Mundësia, interviewed 11 September 2015, Mitrovica

Flamur Shala, Member of Municipal Assembly of Prishtina, interviewed 25 October 2015, Prishtina

Ganimet Klaiqi, Journalist at Koha Ditore, interviewed 29 October 2015, Prishtina

Hatixhe Përzhella, Coordinator at Department of Public Services, Municipality

of Prizren, interviewed 19 November 2015, Prizren

Haxhi Gashi, Procurement officer, Municipality of Peja, interviewed 9 October 2015, Peja

Hilmi Mustafa, Officer for European Integration, Municipality of Ferizaj, interviewed 7 October 2015, Ferizaj

Hysni Sylja, Public information officer, Municipality of Mitrovica, interviewed 2 October 2015, Mitrovica

Illir Baldedaj, Director of Administration, Municipality of Prizren, interviewed 3 February 2016, Prizren

Isa Gashi, head of Personnel's Office, Municipality of Prizren, interviewed 19 November 2015, Prizren

Isë Osmankaj, Manager of Procurement Office, Municipality of Prizren, interviewed 13 November 2015, Prizren

Islam Husaj, Chairperson of Municipal Assembly of Peja, interviewed 3 February 2016, Peja

Jeton Abazi, Director of Finance, Municipality of Peja, interviewed 8 October 2015, Peja

Kujtim Gashi, Chairperson of Municipal Assembly of Prizren, interviewed 26 November 2015, Prizren

Lirak Çelaj, Member of Municipal Assembly of Prishtina, interviewed 25 October 2015, Prishtina

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Mailinda Ibrahim, journalist at TV Mitrovica, interviewed 9 November 2015, Mitrovica

Mentor Buzhala, Journalist at Zëri, interviewed 5 November 2015, Prishtina

Miranda Mullafazliu, Public information officer, Municipality of Prishtina, interviewed 14 October 2015, Prishtina

Muhamet Kelmendi, Personnel's Office, Municipality of Peja, interviewed 8 October 2015, Peja

Muhamet Pajaziti, Public information and access to public documents officer, Municipality of Gjilan, interviewed 6 October 2015, Gjilan

Naim Cahani, project coordinator at Kosova Democratic Institute, interviewed 13 January 2016, Prizren

Naser Musa, Officer of Treasure, Municipality of Ferizaj, interviewed 16 September 2015, Ferizaj

Nazim Gagica, Director of Administration, Municipality of Gjilan, interviewed 5 October 2015, Gjilan

Rajmonda Zhdrella, journalist at Koha Vision (038 programme), interviewed 9 November 2015, Prishtina

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Skënder Susuri, Member of Municipal Assembly of Prizren, interviewed 20 November 2015, Prizren

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Visar Islamaj, Officer at Professional Service Office of the Municipal Assembly of Prizren, interviewed 9 December 2015, Prizren

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Zijadin Maliqi, Director of Budget and Finance, Municipality of Gjilan, interviewed 5 October 2015, Gjilan

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## Focus groups

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Gjakova, 9 February 2016, Çarshia e Jupave, Moderator: Kreshnik Basha

Gjilan, 5 February 2016, Hotel Kristal, Moderator: Muhamet Halili

Mitrovica, 16 February 2016, Vila Lux, Moderator: Besnik Leka

Peja, 29 January 2016, Hotel Dukagjini, Moderator: Rozafa Imami

Prishtina, 24 February 2016, Conference Hall Orion, Moderator: Visar Sutaj

Prizren, 22 January 2016, Villa 100, Moderator: Kreshnik Basha

# EC MA NDRYSHE

EC is a community organization, founded in 2006, committed to the advancement of democracy in Kosovo at the local level. The Organization works with a considerable number of community groups, and maintains constant pressure on the local governments for inclusive, transparent and accountable governance. EC engages in civic action for shaping our living environment by fostering genuine community organization, democratization of institutions and enrichment of cultural life in the key centers of Kosovo, focusing on Prizren and Pristina. Since January 2015, EC operates the following three programs: Inclusive City (Community Mobilization), Good Governance (Monitoring and Advocacy), Research (Knowledge Production).

EC's differentiating features are: first, geographic focus, and second, approach to issues of interest. Based in Prizren and Pristina, the organization uses the anthropological approach to research and policy development. As a result, the organization's research products provide reliable content, since they deal with the essence of the problem rather than the symptoms. Further, EC covers specialty areas such as urban planning, cultural policies, public space management, and alike, which in general remain under-addressed in Kosovo. The organization's research activity and grassroots activism are well-combined and interdependent work methods. Through activism, EC is permanently involved in working with community groups to identify their needs, which are the sources feeding its research component. This methodology enables greater influence over the policy-making agenda, as ideas are coming from the bottom, along with creating opportunities for the inclusion of policymakers in a constructive and well-informed debate.

The Organization's main projects in the recent years: Prizren, a barrier-free city (2016–2017), The Inclusive City – active neighbourhoods for sustainable urban development in Prizren (2016–2020), Urban Planning and Development School (2015–2016), EC for Transparent and Inclusive Cities (2015–2016), Municipal Transparency Reform Index (2015–2016), Urbanism Watch – Urbanism of Prizren under Scrutiny (2013–2016), Cultural and Urban Activism in Prizren (2014–2015), Inclusive City – Participatory Planning for Sustainable Urban Development in Prizren (2013–2015), Linking Communities to Justice Providers (2014–2016), Regional Development through Cultural Tourism (2014–2015), Citizen Participation through Social Media (2013–2014), Cultural Heritage, the Central

Pillar for Sustainable Local and Regional Development in Prizren (2013–2014), Citizen Participation in the Drafting Cultural Policies in Prizren Municipality (2012–2013), Online Transparency of Prizren, Mamusha and Prishtina Municipalities (2012–2015), A Balkans Tale (2011–2012), Civic Action in Protecting Cultural Heritage (2009–2010).

The Organization's most recent publications: Cultural heritage, an untold story (2016), Millions spent on closed monuments (2016), A City for the Community (2015), Beautiful and Green - Catalog of the Region South (2015), Erasing the Traces – Historic Centers of Kosovo (2015), Protection and Promotion of Cultural Heritage (Input for the Progress Report) (2015), (in)Justice in Urbanism of Prizren (2015), Community Groups and Urban Planning in Prizren (2015), Prizren Region Catalog (2015), Urban Planning for Citizens (2014), Countdown to Last Days for the Historic Center of Prishtina (2014), Where Is Prizren's Cobblestone? (2014), Public Money as "Dad's Money" (2014), Guide to Municipal Transparency (2014), Historic Center of Prizren, (un)Protected Area (2014), Reading the City through Urbanism (2014).





