

**Plan for improvement of
transparency in
municipalities**

Kosovo - North



Advocacy Center For Democratic Culture

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INTRODUCTION

The theme of institutional, professional and civic integrity in the past ten years¹ experienced expansion. The very concept of social integrity implies the existence of quality of life, the rule of law and sustainable development. Actors that (not) contribute to the integrity are the executive authority, parliament, judiciary, public services, agencies for control (Parliamentary Committee for the control of public revenue and expenditure, the Auditor General, the Ombudsman, the Police, the Agency for fight against corruption ...), civil society (including professional associations and the private sector), media, and international agencies.

Not so long ago, in 2011, a multi-sectoral coalition of Open Government Partnership has been formed, in order to improve transparency and accountability at the state level, especially at the level of governments².

Part of the responsibility belongs to the local governments, and it is necessary transparency³ to be improved at that level as well. About the need to build integrity at the level of cities, especially those from the region of former socialism, GRECO, the Council of Europe body to fight Corruption, pointed out in 2004.

There are more and more verified practices that emerged out as a model of monitoring transparency and integrity of local self government 5, as well as specific solutions to improve the integrity and transparency at the level of the city 6.

¹ The concept of social integrity was first promoted in the manual issued by the international organization Transparency International, whose author is Jeremy

Pope.http://www.transparentnost.org.rs/index.php?option=com_content&view=article&id=4&Itemid=7&lang=sr#knjiga_izvora It is important organization to the work of Global Integrity, which has a special section dedicated to the study and practice examples at the local level. <https://www.globalintegrity.org/research/reports/local-integrity-initiative/>

² http://www.opengovpartnership.org/sites/default/files/attachments/leaflet_web.pdf

³ Among the examples of good practice to emphasize Hamburg, New York, Amsterdam, Toronto, Hong Kong, http://www.nyc.gov/html/unccp/scp/html/summit/integrity_summit.shtml, but also quite a number of cities. Transparency International has developed its own system integrity at the local level http://www.transparency.org/whatwedo/activity/strengthening_local_government_integrity.

It is important to emphasize that the United Nations, under the program for Public Administration and Development Management, 2003, established the annual award for practices that contribute, among other things, improving the transparency and integrity. <http://unpan.org/unpsa/>

⁴ Recommendation 2004 (1)

⁵ First of all, we think the methodology of several organizations from the Western Balkans, the LOTUS in Croatia and move in Montenegro, which measures the transparency of local governments.

⁶ Local Anti-Corruption Forum (LAF), the City of Nis, as an independent body elected by civil society organizations, journalists' associations and the Agency for fight against corruption. The normative framework for the existence of the LAF Local plan for the fight against corruption, the adoption of which was initiated by the Bureau for Social Research, a model whose author Zoran Gavrilovic



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Already now we can talk about an enviable knowledge base and practice available to the public officials, local politicians who are eager to reform their cities in the field of transparency and integrity, as well as civil society, and the academic community.

Knowledge and practice are no longer a problem. The integrity of those who want to change and those who have the need and desire to reform the cities in the field of integrity and transparency is at the exam.

The minimum that proponents of reforms in the area of transparency must put in front of themselves is: the publication of annual work plans of the institution; development of a plan of holding regular sessions of local assemblies; publication and dissemination of materials, as well as the acts adopted by the local assembly, council and mayor; involvement of the public and citizens in the work of the local assembly, the council, the mayor, the local administration organization of the work of local government units.

All the foregoing indicates that there is a practice that gives us the ability to create a transparent mechanism for the development of institutions in Kosovo's northern municipalities - Mitrovica North, Zvecan, Zubin Potok, and Leposavic, taking into account the existing political, social and economic context desiring the change to become sustainable.

For precise understanding of the text, it is important to point out what each of the key concepts mean.



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CONCEPTUAL FRAMEWORK

In order for this document to be clear, in a distinct way we explain the meaning of key terms to the readers.

By transparency, in this document, we consider the possibility that the interested party (legal or natural person), based on the normative act, or participation in the process, obtain adequate information in a time period in a non-discriminatory (of course, without financial costs) and confidential manner i.e. that information obtained are content relevant and true when it comes to:

- Initiative of drafting the act; drafting of the act
 - Before adopting form/proposal of the act
 - Creating adopted form of the act, including the adoption process itself
 - The results of the application of the act or activities stemming from the adopted acts, including information on the treatment of actors whose rights and obligations are laid down in the act.
- Thus defined transparency has four dimensions.

Finance Transparency, which includes the budget (production and consumption), public procurement (planning, allocation, implementation and monitoring), donations / sponsorships (allocation, implementation and monitoring).

The second type of transparency is transparency of staff. It includes a selection for permanent, temporary or periodically employment, as well as the progression, regression, including the audit of contracts which regulate labor rights to cancellation, as well as monitoring the effects / work engagement in the form of, by law or by some other regulation prescribed evaluation of performance.

Transparency of work includes information about the work of public institutions, or institutions that are fully or partially financed from public sources (direct or indirect budget users), or entrusted with public authorities and resources by public institutions (Parliament, local government, companies operating for the public interest and advisory bodies).

The transparency of the decision-making is relating to:

- The ability to learn/gain information (cognitive component)



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●The ability to participate in the creation of the act and evaluation of the implementation and application of effects at the level of Parliament, local government, companies working for the public interest and the advisory bodies (participatory component).

When we talk about the act, we mean acts that are of legal (law, regulations) or ethical character (codes of ethics, code of conduct), then policy documents, studies, research, monitoring and evaluation, or any act that regulates describes or evaluates a matter of public interest.

Under activities we mean all activities and with them related results of public officials and public servants, who are already subject to the law on free access to information of public importance, or those that (currently) are not regulated by law, and whose knowledge contributes to the realization or protection of public interest (proactive transparency).

The next term is an institution. Institutions are social entities through which individuals, groups and organizations establish and regulate their rights, obligations, needs and interests. They have the function of regulation and stabilization of the social system, and consequently the exercise of this function depends on their legitimacy. Each institution has the values and norms by whose acceptance becomes a part of it. One of the secondary functions of the institution is to provide security because the procedures that govern its existence at the same time relieve the citizen, in a way that a substantial number of decisions are made automatically on the basis of procedure.

"Sustainability of the institution," is connected to institution, and it is achieved by meeting the needs, interests and rights of members and clients, in accordance with internal and external normative system of institutions and society that entrusted it with function.

It follows that the institution may be unsustainable with the external and internal sides. In the first case there is no agreement between the interests of members and clients of the institution and its material and technical, normative and value system. In the second case the social function of the institution is not harmonized with its material and technical, normative and value system

State of lack of sustainability of the institution could be overcome by the construction of the new interest of consensus of members of the institutions, clients and social system. Due to the increasing unsustainability an increase of deviance and disorganization occurs, or an alternative model of sustainability of the institution is being created. The disorganized institution is building a new model of sustainability through the establishment of interest symbiosis of clients, members of the institutions and the social system. Once established stakeholder symbiosis define the functions, organization and resources of the institution. Through newly created interest symbiosis and legality, through the creation of the response system, habits and customs, the issue of the legitimacy is being addressed. The ratio of function and structure determines the viability of the institution.



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Unsustainability is creating alternative structures and functions, i.e. undermines the principles of "legitimacy" and "legality", causing disorganization at institutional and anomie on a personal level. The emergence of alternative structures, on the one hand, creates a state of deinstitutionalization (the disappearance of the institution), while, on the other hand, the ongoing process of reinstitutionalization (changing institutions in the structure or function).

State of unsustainability of institutions that causes alternative structures and latent functionality we will define as corruption. Thus defined corruption is returned to its original meaning, and it is spoiling. Unsustainability of institutions creates innovative and corruptive deviations. Innovative deviations are aimed at increasing the sustainability of the institution, as opposed to the corruption that corrupts the institution. At the micro level, corruption is an anomic exchange of material goods, rights and interests between two or more persons. Anomic exchange is the exchange of material goods, rights and interests between two or more parties at which the ethical and legal standards are being violated.

Absence of sustainability of the institution is the path to its corruption from the reason that corrupt institution is organizing the way to survive through the establishment of alternative or corrupt way of existence. Corrupt form of institutions is a reaction to the state of disorganization and anomie, both at the level of the institution, and at the level of society.

Corrupt form of institutions is characterized by: domination of non-formal system of regulation of the rights and obligations of members of the formal institutions; dominance of the principle of power, status and reputation over reality, procedure, and professionalism; the effects of the lack of evaluation criteria; personalization of the relationship, so that the position of the corrupt institution depends on the will of a superior and a subordinate relationship to it; oligarchic power distribution of management which is reflected in Napoleonism, which is characterized by "power from above, from below subordination" the formation of cliques and clans chain.

Unsustainability of institutions has for effect the disorganization that precedes corrupting and anomie, which creates further deviation.

So we come to the definition of corruption on a practical level. Corruption as a deviation represents an anomic exchange of material goods, rights and interests between two or more persons.

Anomic exchange is the exchange of material goods, rights and interests between two or more parties in which occurs violation of ethical, professional and legal standards. Corruption as a deviation has two levels.



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The first level is latent corruption, the corruption of reputation and traditions. Motivation of both actors is of non-instrumental nature or, to say to the Weberian glossary, it is corruption, which stands behind traditional or emotional action. Basically this form of corruption is the anthropological model of giving, because the corrupt media is seen as a present, or a gift. Gift giving is a function of respecting customs. The initiator of latent corruption is corruptor. It is notable that there is not always agreement of / will of both actors, corruptors and corrupts, to enter into a relationship of corruption.

The second level is manifest corruption, and that is the corruption of interests and power. In this case, the motivation of both sides is goal-rational, with the clearly expressed consent of the stakeholders to exchange material goods, rights and interests in the anomic way. Corruptive media are seen as a compensation / price for work done. Emergent forms of manifest corruption are: one on one - reactive corruption and clicking (multi-stakeholder) - Systemic corruption.

Integrity, the concept of more recent date, is located opposite to corruption, and denotes a normative order and the respect of procedures, consistency of behavior (principled, stability), ethics, clear expectations and effects.

Based on the foregoing, we can talk about integrity at the institutional level and at the level of citizens / personality. Institutional integrity includes: professionalism, ethics, integrity and institutional normative compliance.

Personal integrity implies the exercise of rights under the law with a willingness to use the provided protection mechanisms in cases of its violation. It also includes willingness to support other citizens or groups of citizens, in realization of the rights guaranteed by the law regulated way.

Good governance includes the following principles:

- The rule of law includes the minimum set of legal rules that impartially apply to all individuals and bodies.

- Efficiency means that from the available device resources make as much as possible of new resources or results that correspond to the needs of society

- Transparency means:

- To make decisions in accordance with the principles, laws and other rules

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- Existence of the clarity of the decision making process - procedures and criteria,
- Public availability of information.

- Accountability means that there is legitimacy of representative bodies, institutions and organizations in relation to those whose interests and rights they represent (to those whose institutions are)

- Accountability implies that state, public companies and organizations must take care about those they represent and must be accountable to them

- Participation implies that it is necessary to ensure the wide participation of individuals in decision-making, to avoid the feeling of exclusion and to take account of the specific sensitive / vulnerable individuals and groups.

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NORMATIVE FRAMEWORK FOR DRAFTING LOCAL DEVELOPMENT PLAN FOR TRANSPARENCY

The normative framework on the basis of which this document was created consists of the European Charter of Local self government⁷, the Law on Local Self-Government Kosovo⁸ (hereinafter the Law) and Brussels Agreement of Association / Community of municipalities with Serbian majority in Kosovo from 2015⁹

According to the European Charter of Local Self-Government, Article 3, "Local self-government denotes the right and ability of local authorities, within the legal limits, regulate and manage a substantial share of public affairs under their own responsibility and in the interest of the local population. This right shall be exercised by councils or assemblies composed of members freely elected by secret ballot on the basis of direct, equal, universal suffrage, and which may possess executive organs responsible to them. This provision in no way affects recourse to assemblies, referendums or any other form of direct participation where permitted by statute. "

According to Article 6, local authorities can determine their own internal administrative structure in order to adapt it to their needs.

⁷ http://www.coe.int/t/congress/sessions/18/Source/CharteEuropeenne_en.pdf

⁸ <http://www.kuvendikosoves.org/?cid=3,191,249>

⁹ <http://www.kim.gov.rs/lat/p17.php>



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The issue of control of local government is one of the important principles.

The European Charter on local self-government, Article 8 says that any administrative supervision of local authorities may only be exercised in accordance with the procedures and in the cases envisaged by the constitution or by statute.

Any administrative supervision of local authorities, as a rule, aims only to ensure compliance with the law and constitutional principles. However, higher authorities can perform administrative supervision with regard to expediency in terms of tasks whose execution is entrusted to local authorities. Administrative supervision of local authorities is carried out in a way to ensure that the intervention of the controlling authority is kept in proportion to the importance of interests that should be protected.

It is worth noting that this document is insufficiently systematic, or in a general way addresses the issue of integrity, and so only at the level of officials, but not the institution.

Namely, Article 7 of the European Charter of Local Self-Government talks about that all the functions and activities which are deemed incompatible, shall be determined by statute or fundamental legal principles

Agreement on association / community indirectly raises the question of the integrity and transparency of the institution, including association itself. Specifically, it recognizes but due to the nature of the document does not elaborate further priorities which promote: the strengthening of local democracy; exercise full control in order to develop the local economy; carry out the full control in the field of education, primary and secondary health and social protection, urban and rural planning; evaluating of the delivery of public services to its members and their inhabitants, in order to support the community / association in the formation of attitudes of mutual interest to participate in the work of the central authorities (Article 4).

Article 16 of the Agreement generally, but not specifically, talking about budget management in accordance with the principles of transparency and accountability, as well as the provisions of the Law on Public Procurement. It should be emphasized that the principles of transparency and accountability shall apply especially in the case of contributions, donations and financial support from other associations and organizations, domestic or foreign, as well as by the Republic of Serbia.



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The only mechanism that guarantees the possibility of control by the citizens is defined in Section 6 / f, which predicts the existence of "the Office of Appeal, which will hear appeals filed in connection with the realization of the objectives of the Association / Community".

All of the above indicates that the act regulating the establishment of the Association / Community recognizes, but not operationalized - which is understandable having in mind the nature of the document - mechanisms to improve integrity of the future members at the municipal level.

According to the Act, the municipality is a legal entity that has the legal possibility of, inter alia, to:

- sue and be sued in court
- owns and manages assets
- be the owner or co-owner of a company that is in the interest of the municipality in relation to citizens
- make contracts
- engages staff and
- participate in other activities that are necessary for the fulfillment of its obligations.

In terms of jurisdiction, the law provides original, delegated and extended jurisdictions.

In the context of original jurisdiction, the municipality takes care of the local economic development, urban and rural planning, construction and land use, implementation and application of regulations regarding the construction and control of construction standards, environmental protection at the local level, the provision of municipal services, water supply, maintenance sewage system and drainage, waste water treatment and waste materials (garbage), local roads, transport and the central heating system, a state of emergency, pre-school, primary and secondary education, including registration and licensing of educational institutions, recruitment, payment of salaries and training of instructors education and administrators, the promotion and protection of human rights, the provision of public primary health care, provision of family and other social services, such as care for the vulnerable, family care, foster care, child care, elderly care (including the possibility of registration and licensing institutions taking care of them), workers in receipt of employment, payment of salaries and training of social welfare professionals, public accommodations in healthcare, issuing licenses to operators who provide public services, including those related to entertainment, cultural and leisure activities, food, lodging, markets, street vendors, public transportation at the local level and taxi services, appointment of roads, streets and other public places, maintenance of public parks and spaces, tourism, cultural and leisure activities, and on all other matters not expressly outside the jurisdiction of the municipality and all those issues that are not within the exclusive the competence of other authorities.



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As for delegated jurisdiction, in Article 18 municipalities have at its disposal the following: cadastral records, civil registries, voter registration, business registration, business registration and licensing, and distribution of benefits in terms of social assistance payments (excluding pensions), the protection of forests in the territory of municipality in accordance with the authority delegated by the central government, including licensing for woodcutting on the basis of regulations adopted by the Government.

Following Article 19 provides extended jurisdiction for the municipality of North Mitrovica, Gracanica and Strpce. These municipalities have extended jurisdiction in the areas of health, education, culture and selection of the police station commander.

In Article 19 Law obliges mentioned municipalities to "provide secondary health care, including registration and licensing of health care institutions, recruitment of health workers, payment of salaries and training of health workers and those employed in the administration.

With regard to education, local governments of North Mitrovica, Gracanica and Strpce are obliged to provide higher education, including registration and licensing of educational institutions, recruitment, payment of salaries and training of teaching and administrative staff.

The law guarantees to all the municipalities in which the Kosovo Serb community makes up the majority, to be authorized to perform tasks in the field of culture, including the protection and promotion of Serbian and other religious and cultural heritage in the municipality, as well as support for local religious communities in accordance with applicable law.

The law provides that all municipalities in which the Kosovo Serb community is in the majority shall exercise extended jurisdiction in the part of participatory rights in the choice of the police station commander.

Local self-governments, according to Article 24, have budgets for which funds are collected from its own sources of income, government grants, from donations, and other income.



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Financing of municipalities that are part of the future Association of Serbian municipalities is defined by the acts of the Brussels Agreement.

Control of the collection and funds spending is done on two levels, internal and external.

Article 26 of the law which contents we present states that municipalities have a legal obligation to, at least once a year, carry out internal control i.e Municipalities have the right to establish an autonomous service for internal control or provide internal control by the company which, in accordance with the legislation of Kosovo, is accredited to perform internal control

The following article foresees the existence of external control on an annual basis by the Auditor General. Each auditor's report and the measures taken regarding the recommendations shall be made available to the public.

Article 28 gives the right to municipalities to cooperate and form partnerships with other municipalities within its jurisdiction for the purpose of carrying out tasks of common interest in accordance with the European Charter of Local Self-Government and the Law.

The Act provides that activities within the partnership are financed from the budget of municipalities that are members of the partnership. Municipal partnerships may take all necessary measures to ensure functional cooperation through, among other things, the establishment of a decision making body composed by representatives appointed by the assemblies of the participating municipalities, the hiring and dismissal of administrative and advisory personnel, and decisions on funding and other operational needs of the partnership.

In Article 40, the municipalities have been given the possibility of forming the committee. In addition to the permanent Policy and Finance Committies, and the committee for the community, the municipality for their own needs can also form consultative committies.

In terms of transparency important is the Article 45, which guarantees the transparency of the municipal assembly in a manner that members of the public were permitted to follow and participate in meetings of the Municipal Assembly in the manner prescribed by the rules of procedure.

Specifically, Article 73 of the Law on Local Self-Government states the possibility of the formation of consultative committees by sectors, with the aim of enabling citizen participation in the decision making process. The law stipulates that membership in the consultative committees are reserved for citizens and representatives of non-governmental organizations. The scope of in such way formed consultative committee consists in giving the proposal, conducting research and providing opinions on municipal assembly initiatives in accordance with the municipal statute.



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When it comes to institutional and normative framework, it should be noted that the mayor has the right to appoint its advisers for the areas that are of importance for the public interest at the local level.

The law gives the right to municipalities to associate and connect in a way that allows achievement of the public interest (Article 31). This kind of cooperation is formalized by decisions of Assemblies of local self-government (Article 40).

According to the same article, the municipal assembly is a central institution that makes all the major decisions by a two-thirds majority vote or by simple majority. On the other hand, there is a mayor who has executive authority and operational power, which includes not only the implementation of decisions of the Assembly, but also policy, as well as deployment of personal a the top positions, and in a way which is marked with discretionary powers (Articles 58 to 67) .

Legally speaking, the institutions of local self-government shall be monitored by central Kosovo institutions, but also from citizens, civil society. Each municipality is obliged to adopt administrative instruction on transparency

Integrity analysis at the level of the law says that the key points of risk are:

- Discretionary powers

- The absence of clear and measurable criteria of decision making / selection, primarily in relation to
 - Mayor (Articles 58 to 67) and
 - licensing system (Articles 17, 18, 19, 20 and 21)



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APPROACH

Starting with the intention that this document will provide a relevant framework for the development of transparency as an element of the overall strengthening of the integrity of the institution, we will present a concept that is based on the fact that the changes implemented in the society of systemic corruption, which requires a special approach.

It must take into account the current:

- integrity (institutions and citizens)
- resources (economic, technical and technological, personnel, habitual) and
- relations of power, more precisely the possibility and probability of achieving results, both in the past and in the future.

The political specificity, which does not necessarily have to be a shortcoming but can also be an advantage, requires additional engagement.

For the sake of explanation of the process of change, we will present access to content that will be the basis for the creation of this document, which implementation should improve the transparency and integrity.

In societies of systemic corruption institutions are unable to work in the interest of citizens. This is especially true in societies where there is an institutional- transitive vacuum. In such an environment (unreformed) institutions are not part of the solution

For this reason, the solution is the inclusion of social actors at the city level, which meet the criteria of integrity, possession of resources (knowledge, time, motivation), and the influence / power to contribute to a change.

These actors can be from different parts of society, one that is aimed at achieving the public interest as well as these which is pointed to individual interest. Of course, the academic community, religious community and the media were invited to join them.

Generally speaking, the struggle for integrity has three phases.

The first phase is the tribunicial phase, characterized by the fact that the main carriers of the struggle for reforms in the area of integrity and transparency are individuals who are at best organized informally, coming from civil society, academic community and media.



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The second phase is the phase of institutional standardization, which occurs when due to the existence of political will a mechanism for improving transparency is established. Agents of change are bodies of general or specific purposes or bodies in charge of transparency and integrity.

The successful functioning of in this way established system leads to socialization in transparency. Thus, it becomes part of the political and civic culture. Then a third socialization occurs, the stage at which the holders are the citizens again, but this time behind as, the fuse, with institutional and normative system as a bulwark against abuse and retaliation.

Where are the municipalities in northern Kosovo?

The north of Kosovo can be considered as post-conflict area in which the institutional dualism has been expressed, and which disappearance is provided by application of the Brussels agreement, which was signed by Pristina and Belgrade, and with the mediation of the European Union.

Although the theme of institutional integrity is essential, it is currently not subject to the Brussels agreement, neither of the future Statute of the Community of Serbian municipalities.

The research and analytical basis for assessment of the situation in the field of transparency in the four municipalities in northern Kosovo is very modest, but increasing number of studies on this topic is noticeable.

According to a survey having in focus transparency and corruption, conducted by the Advocacy Center for Democratic Culture (ACDC):

- 15.2% of respondents believe that citizens can be fully informed about the work of the municipal assembly
- 16.8% of respondents believe that citizens can be fully informed about the work of departments in the municipality
- 48% of respondents did not know how departments in the municipality work
- 15.2% of respondents said they had read the Statute of the municipality
- 46% of respondents believe that citizens have influence on decision making in the municipal assembly
- 11.6% of respondents are satisfied with information about the work of the municipality
- 14.4% of respondents believe that they can find all the necessary information on the Internet , while 10.8% considers that the same information can be found on the bulletin board

- 45.6% of respondents are not sure where to address in the municipality in order to complete their tasks
- 35% of respondents believe that Municipal assembly sessions should, while 37% said it should not be transmitted on ;
- 10% of respondents said that they were present at the session for the discussion about the budget, while the same percentage said that they gave suggestions or criticism during the hearing;
- 16% of respondents know someone that asked for information of public importance;
- 20% of respondents think that the Ombudsman protects their rights;
- 34.8% of respondents think that the Ombudsman has not initiated proceedings when the local government violated a right of citizens;
- 23.2% of respondents believe that the Ombudsman is independent of the policy;
- 50.2% of respondents believe to know what corruption is;
- 38.3% of respondents believe that always can detect it;
- 37.6% of respondents believed that they were victims of corruption, and 42% have witnessed;
- 20% of respondents believe that citizens cannot fight against corruption;
- 47.2% of respondents believe to know how to report corruption;
- 37.2% of the respondents considered that those who should fight against corruption are corrupt themselves, and every fifth respondent is hesitant in terms of this paragraph;
- 15.6% of respondents believe that the municipality has an efficient system to fight against corruption, and 50% believe that the municipality does not invest enough in the fight against corruption.



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All the aforementioned findings are the image of society in which there is no effective struggle for the promotion of transparency, especially the part related to its punishability.

On the one hand, we have institutions that are not transparent enough. At the same time, we have citizens faced with existential problems¹⁰ and institutional transition i.e. with lack of organization through trade unions, professional associations and associations of citizens. This all results in that that about 20% of them are always ready to achieve their interests in for them available, often illegal and unethical ways,

In contrast, a slightly smaller portion, about 15%, is ready to inform, protect and fight for their rights. Among them are the tribunes, who indicate the harmful effects of lack of transparency and integrity.

The rest of the population is in a position to observe and evaluate the behavior, above all, anti-corruption institutions and mechanisms.



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If there is transparency and criminality, they will act in accordance with integrity. Otherwise, if the situation is different, so there is a great lack of transparency, and the punishability is small, citizens will behave differently.

For this reason, it is necessary to make normative and institutional infrastructure for the promotion of transparency and integrity.

With this document we want to establish a mechanism for the monitoring and the development of transparency, which builds sustainability on integrity, available resources and results, and the probability that the planned and required result is to be achievable by a sufficient amount of engagement

These three principles are the basis for the creation of institutional and normative framework, more precisely bodies, measurements, and evaluation mechanisms.

By implementation of the prescribed measures we want to achieve two things.

The first relates to the direct increase of transparency, and the second relates to improving the integrity of the institution.

This means that we have identified, starting from the fact that transparency as a tool has the ability to impact on various areas, indirect priorities to be the principles underlying the concept of good governance.

To achieve the above mentioned objectives it is necessary:

- Political will of relevant actors, both at the level of local government (primarily, the Mayor and Assembly), and within the relevant environment (Government of Kosovo, the Serbian government and the international community)

- Available resources,

- Improvement of information, telecommunication and communicative environment, especially in the field of Internet

The proposed model to improve transparency and integrity has four structural elements:

- Local plan for transparency - a document which consists of measures, where each of them has its own legislative basis, the competent body for the implementation and expected result



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- Rules on transparency - the document which creates normative precise legal space for implementation of the local plan for transparency, which production is the fruit of cooperation between local governments, represented by the Mayor and the Assembly, with civil society;
- Consultative Committee for transparency - a body composed of legitimate (especially elected for that body) representatives of citizens without affecting local government. Thus designed Commission is the link between citizens and local self government¹¹;
- Advisor for integrity – a person elected in the competition by a committee consisting of members of the consultative committee with voting rights and other stakeholders (witnesses), and at the invitation of the mayor or the commission for transparency. Formally, Advisor for integrity is appointed by the mayor.

MEASURES OF THE LOCAL PLAN OF TRANSPARENCY

Measures in the local level of transparency are divided into two types.

The first are those that directly affect the increase of transparency and others seek to improve good governance and integrity at the institutional level. Each measure has got defined carrier, normative basis, the content, the necessary funds / resources and result of evaluation.

Title of measures				
The Consultative Commission for transparency (hereafter KKT)				
Incumbent	Normative basis	Content	Resources	Result of evaluation
Municipal Assembly and Mayor	Law on Local Self-government, Article 73	Members elected pursuant to the Rules of transparency		The first session of KKT has been held

¹¹ An example of good practice is the local anti-corruption forum of the City of Nis, an independent body of local self-government for the fight against corruption, established pursuant to the Local Plan for the Fight against Corruption in 2011.



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Title of measure				
Selection of the Adviser for Transparency and Integrity				
Incumbent	Normative basis	Content	Resources	Result of evaluation
KKT and Mayor	Law on Local Self-government Article 58/f Rules of transparency	The competition implemented by KKT - Advisor for Transparency and integrity has been chosen and formally appointed by Mayor		Mayor appointed STI

Title of measures				
The establishment of integrity and transparency at the level of municipalities concerned				
Incumbent	Normative basis	Content	Resources	Result of evaluation
Municipalities in the north of Kosovo	Law on Local Self-government	Research and educational institution established in cooperation with Civil Society Organizations and academic community, having for aim up building of transparency and integrity	Funds from the budget	legal entity formed, and system of education established



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Title of measure				
Civil budgeting				
Incumbent	Normative basis	Content	Resources	Result of evaluation
KKT and STI	Local plan for improvement of transparency Rules on transparency	Implementation of the evaluation procedure which mapped the needs of citizens		Mapping of the needs of citizens and presentation to relevant actors

Title of measure				
Civil control of public institutions and institutions with public powers				
Incumbent	Normative basis	Content	Resources	Result of evaluation
KKT an STI	Local plan for improvement of transparency (LPT) Rules on transparency	Representatives of KKT or someone appointed by them, in accordance with the Rules on transparency without the right to vote are present at the sessions of public institutions		representatives attend meetings of the boards of directors of public companies



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Title of measure				
Online display of revenue and expenditures of the budget				
Incumbent	Normative basis	Content	Resources	Result of evaluation
KKT an STI	Local plan for improvement of transparency (LPT) Rules on transparency	Publicly available data of revenues and expenditures of the municipal budget on the website and local media		establishing consulting practices in the distribution of OCD support

Title of measure				
Online Map of local government activities				
Incumbent	Normative basis	Content	Resources	Result of evaluation
KKT and STI	Local plan for improvement of transparency (LPT) Rules on transparency	There is a page On the page that presents local government where you can find information about local government activities (time, beginning, duration, expenditures, and expected results)		page that contains relevant information is on the web page of the city



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Title of measure				
Civic evaluation of the work of public companies and services				
Incumbent	Normative basis	Content	Resources	Result of evaluation
Municipalities in the north of Kosovo	Local plan for improvement of transparency (LPT) Rules on transparency	Establishing of online panel of the service users to evaluate the work of public companies/services for whose service they pay for	Resources from the budget	Evaluation system established

Title of measure				
Civic evaluation of the work of public companies and services				
Incumbent	Normative basis	Content	Resources	Result of evaluation
Municipalities in the north of Kosovo	Local plan for improvement of transparency (LPT) Rules on transparency	Establishing of online panel of the service users to evaluate the work of public companies/services for whose service they pay for	Resources from the budget	Evaluation system established