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**ENFORCEMENT OF
TRANSPARENCY AND
INVOLVEMENT OF CITIZENS IN
DECISIONS MAKING ON THE
LOCAL LEVEL IN NORTH KOSOVO**



POLICY PAPER

December, 2019



Disclaimer:

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Contents

Context of research	4
Methodology of research	5
Most important results	6
Abstract of research – Perception of key problems	7
Demography.....	8
Results of research	10
Conclusion	19
Recommendations	21

Context of research

Within the project “Enforcement of transparency and involvement of citizens in decisions making on the local level in north Kosovo”, Advocacy Center for democratic Culture (ACDC) performed a research of mind and awareness of citizens about transparency of local self-government and their right to take a part in the decisions. The research was performed in territory of north Kosovo, in four municipalities with Serbian majority (North Mitrovica, Zvecan, Zubin Potok and Leposavic).

This research gave approximate picture about level of citizens’ awareness of local self-government and their responsibilities regulated by Law and at the same time what is their role in work and functioning of local self-government.

During the Brussels negotiations, Belgrade and Pristina signed an agreement on 19 April 2013 about establishment of local self-governments, within the legal framework of Kosovo.

The report of European Commission about progress of Kosovo in 2018, emphasized that “municipal efforts in increment of decision making transparency must be continued”. New administrative guide for transparency in municipalities realizes in only two municipalities. Kosovo Law of local self-government quotes that “Municipal Assembly establishes Consultative committees in sectors for purpose of enabling participation of citizens in decision making process”. The members of commissions are citizens and representatives on nongovernment organizations, while committees are responsible for submitting propositions, conduct researches and present opinions about initiatives of municipal Assembly in accordance with the statute of the municipality.

The Law on local self-government obliges municipalities to periodically maintain public discussions, at least two times a year, and any interested person or organization can take participation. The Law also provides that municipality informs participants about any important plan or program of public interest and participants may ask questions and give suggestions to councilors of municipal Assembly. Finally, in accordance with Law, municipalities are obliged to adopt municipal ordinance, among the others, for promotion of municipality transparency and increase involvement of public in decision making process on local level.

At the moment, no actions were taken in the northern Kosovo municipalities to increase involvement of public in decision making process, although municipal authorities, recognized by central government, were established at the beginning of 2014 as a result of local elections held in accordance with the agreement made in Brussels, on 19. April by Belgrade and Pristina.

For that reason, it was necessary to investigate the quality level of citizens’ awareness, to recognize their views and opinions about work and transparency of local self-government. Except the need to investigate level of conciseness and knowledge of citizens about local self-government, it was also necessary to check citizens’ knowledge of their work.



Methodology of research

-Quantitative research-

Model of research: Field research survey F2F, combined with online survey

Place of research: North Mitrovica, Zvecan, Zubin Potok and Leposavic

Research time period: 1. August – 3. September 2019.

Sample size: 130 field research respondents. 179 online survey.

Description of sample: From total of 309 respondents, 51.5% were males and 48.5% were females.

North Mitrovica: 30.4 % respondents;

Zvecan: 29.4 % respondents;

Zubin Potok: 19.6 % respondents;

Leposavic: 20.6 % respondents;

Type of sample: Stratified representative random sample, based on municipality of residence

Post stratification: Age, level of education and work status

- Qualitative research -

Model of research: 4 focus groups

Place of research: North Mitrovica, Zvecan, Zubin Potok and Leposavic

Research time period: 1. August – 3. September 2019

Screening in focus groups: Criteria for selecting participants: gender, age, education, place of residence

The most important results

Only 13.7% of respondents are well informed about Law of local self-government

58% of respondents don't know that conferences of local self-government are open for public

62.1% of questioned citizens think that decisions of local self-government are not available for general public

53.4% of respondents are not aware of the obligation of local self-government to holds public meetings

42% of citizens don't know whom to address if local self-government fails to solve citizens' problems

Only 30% of respondents heard about consultative commission and even 74% doesn't know who makes up consultative commissions.

Only 23% of citizens think that local government is transparent and that informations are available for general public

52% think that availability of information needs to be increased.

47% thing that skilled people must be employed

37% think that administrative procedures should be expedited

Research summary – Perception of key problems

Research results:

- Awareness: The research showed that citizens' awareness is relatively low. For most of the questions about local self-government, more than 50% of respondents were not able to give positive or correct answer. Majority responded with “partially informed” or “not sure”, which gives rise to insecurity and therefore poor awareness.

Also, the research showed that involvement of citizens in decision making process is insufficient and for sure needs to be improved.

Majority of respondents are not sure whom to address to protect their rights

- Organizational capabilities: Research showed that the organizing and following Law on local self-government goes very hard. In most cases organization of consultative commissions is not initiated.
- Perception of citizens about transparency and availability of data is that those are not on envious level.

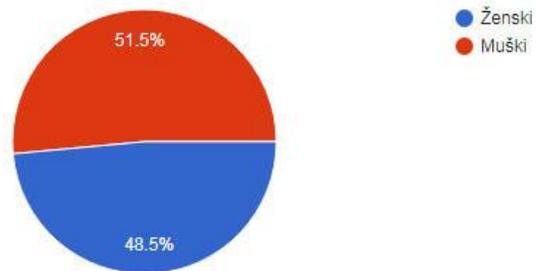
Results of focus groups and interviews:

- The vast majority of respondents consider that there are indications of transparency and that the process of integration of Law on local self-government is in progress but must go faster and even better.
- Awareness of focus group participants is on a bit higher.
- The main problems, cited for transparency of decisions and involvement of citizens in decision making process, lies in poor flow of information.

Demography

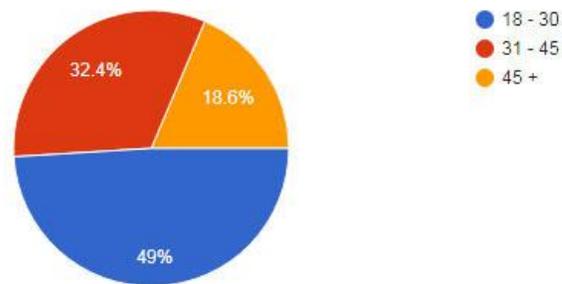
1. Pol

309 responses



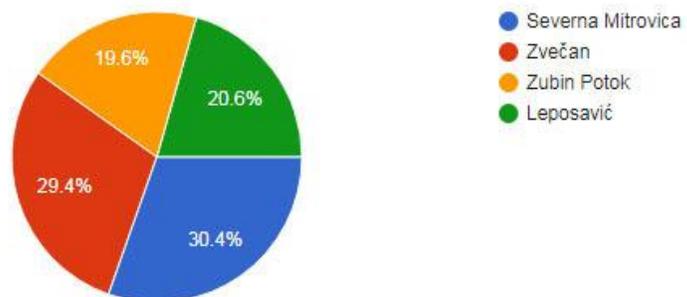
2. Starosna dob

306 responses



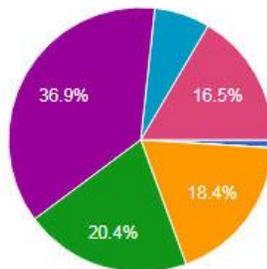
3. Opština

306 responses



4. Obrazovanje

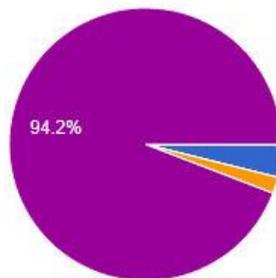
309 responses



- Nezavršena osnovna škola
- Završena osnovna škola
- Završena srednja škola
- Osnovne studije (u toku)
- Osnovne studije (završene)
- Postdiplomske studije (u toku)
- Postdiplomske studije (završene)

5. Etnička pripadnost

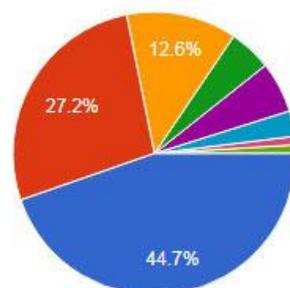
309 responses



- Albanac/ka
- Bošnjak/inja
- Goranac/ka
- RAE
- Srbin/kinja
- Turčin/kinja

6. Radni status?

309 responses

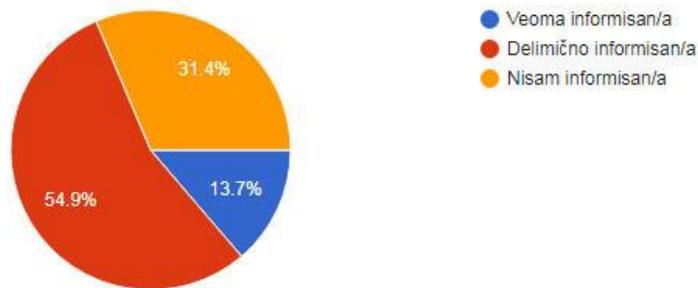


- Nezaposlen/a
- Zaposlen/a (javni sektor)
- Zaposlen/a (privatni sektor)
- Zaposlen/a (NVO)
- Vlasnik/ca sopstvenog biznisa
- Penzioner/ka
- Zaposlena (NVO)
- KFOR

Research results

7. U kojoj meri ste informisani o zakonu o lokalnim samoupravama?

306 responses



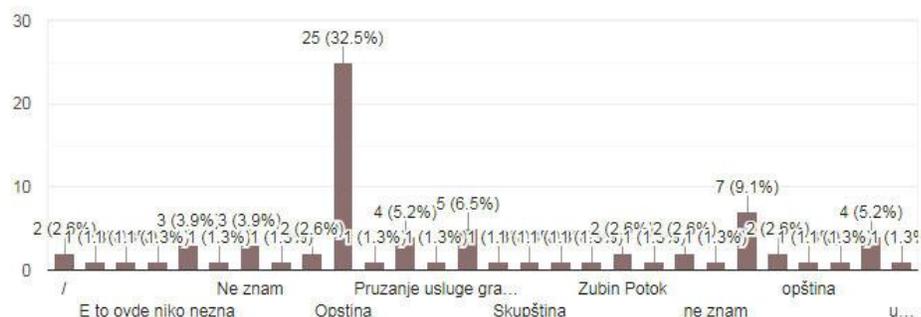
As we can see from the chart, only 13.7% of respondents stated themselves as very good informed about Law of local self-governments, 54.9% are partially informed and as many as 31.4% are not informed.

Taking in consideration that local self-governments were established at the beginning of 2014, we can conclude that a lot more can and must be done regarding awareness of citizenry about this Law.

The members of focus groups, on the other side, stated that they are good informed about this Law, however they had some disagreements regarding composition of consultative commissions and their role.

8. Koja je osnovna jedinica lokalne samouprave?

231 responses



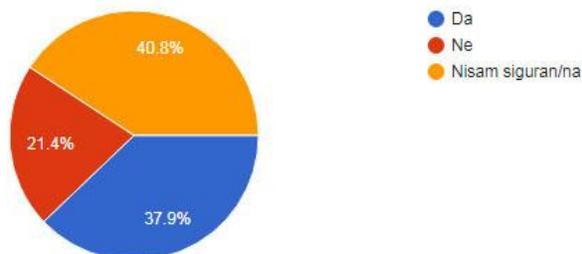
This question produced partial confusion and huge number of different responses but encouraging fact is that majority, around 44%, of answers are correct. Among other answers, that could be considered as logical were "Assembly", "Mayor" or even combination or variation of all three answers.

This also shows that awareness of citizens, at least about this matter, is not that bad.

Participants of focus groups are, by nature of their profession, very well informed on this issue.

9. Znete li ko čini Opštinske organe?

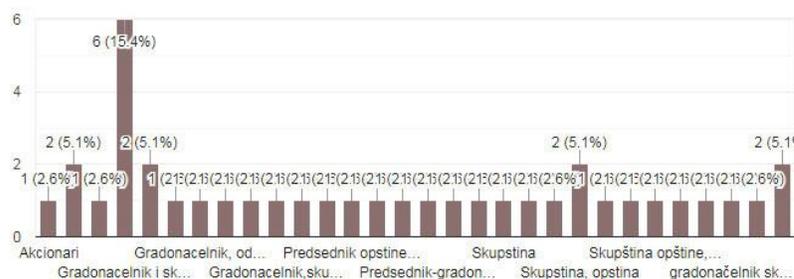
309 responses



Majority of the respondents answered this question with „not sure“ 40.8%. 21.4% doesn't know who's making municipal authorities and 37.9% do not know. However, in the next question, where they were asked to namely state municipal authorities, many of them, at least those who wrote the answers, partially or completely gave correct answer, what can be seen on the next photo. The number of answers is lower from previous because this question was conditional.

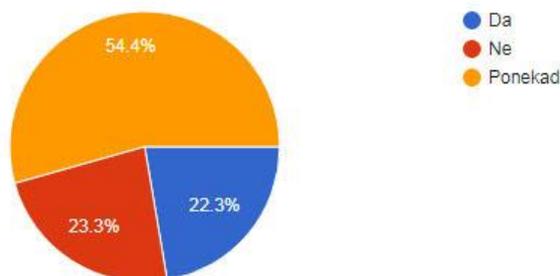
10. Ako je odgovor na pitanje broj 9 DA, navedite ko ih čini

117 responses



11. Da li pratite aktivnosti vaše lokalne samouprave?

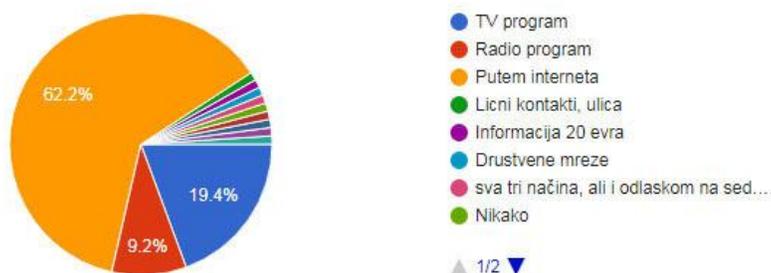
309 responses



This question mostly can give an answer on transparency of local self-government and how much are citizens involved in its work. The majority of respondents 54.7%, stated that sometimes they follow activities of local self-government. Then 23.3% of respondents are following activities and at the end, the smallest percent are those who are regularly follow the activities.

12. Na koji način najčešće dobijate obaveštenja o aktivnosti lokalnih samouprava?

294 responses

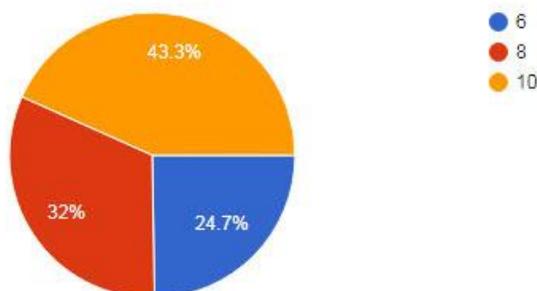


The answers to this question are as expected. In time of digitalization and mass use of mobile phones and computers it is normal that the highest percent of respondents receives information via internet 62.2%, 19.4% are obtaining information and notifications over TV and 9.2% over radio station programs. Other answers considered personal contact, public networks, session visits...

Focus group members also confirmed above mentioned results. Their flow of information and notifications goes from internet, over TV to radio stations.

13. Koliko najmanje sednica godišnje treba da održi Skupština opštine kao deo Opštinskih organa lokalne samouprave?

291 responses

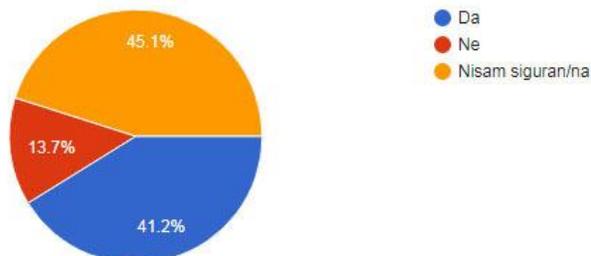


Ten is the number of sessions that municipal Assembly is obliged to hold annually. Most of the survey participants, 43.3% of them, are informed about this. The rest thought the number is lower. 32% think that 8 sessions are enough while 24.7% talks about 6 sessions.

Focus group members have a bit more correct answers and they have unique opinion that 10 sessions are enough.

14. Da li su sednice Skupštine opštine otvorene za javnost?

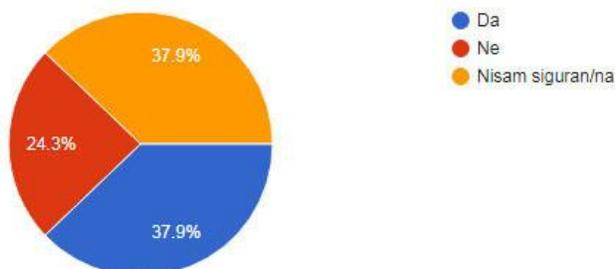
309 responses



Every session of municipal Assembly should be public and open for citizens, media and organizations that are interested. 41.2% are aware of this. 13.7% made a mistake in their perception and 45.1% of them are not sure. This is one more proof of need for increasing transparency.

15. Da li su odluke lokalne samouprave dostupne široj javnosti?

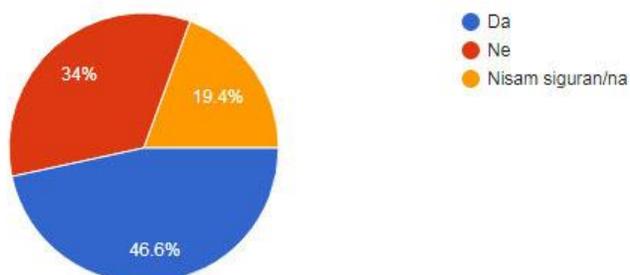
309 responses



In this case opinions are proportionately divided. 37.9% think that informations are easily available. The same number of citizens are not sure and 24.3% think that informations are not available, at least not as they should be.

16. Da li znate za obavezu lokalne samouprave da održava javne sastanke?

309 responses

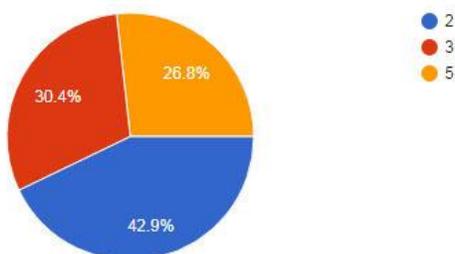


Yes, local self-government is obliged to maintain public meetings. 46.6% confirmed this and 34% are not aware of that. 19.4% are not sure. It means, if we add up percentages from those who were not sure and those who were not aware of the obligation of local self-government, majority of citizens are not very well informed or do not get information about work of local self-government in a proper way.

Focus group results are more in favor of correct response.

17. Ukoliko je odgovor na pitanje 16 DA, navedite koliko puta godišnje?

168 responses

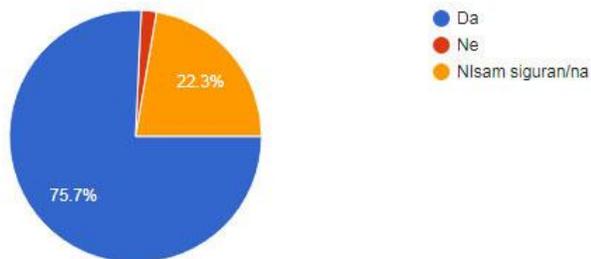


The correct answer on this question is “minimum two public meetings”. This was conditional question that is why received number of answers is smaller. 42.9% respondents who gave correct answer on previous question, also answered correct on this one. 30.4% of respondents think that the number must be increased to 3 and 26.8% think there should be 5 annual meetings.

The participants of focus groups were much surer regarding answers and they agreed that the number of meetings could be higher.

18. Da li je lokalna samouprava obavezna da pre održavanja javnih sastanaka o tome unapred obavesti stanovništvo i zainteresovane?

309 responses

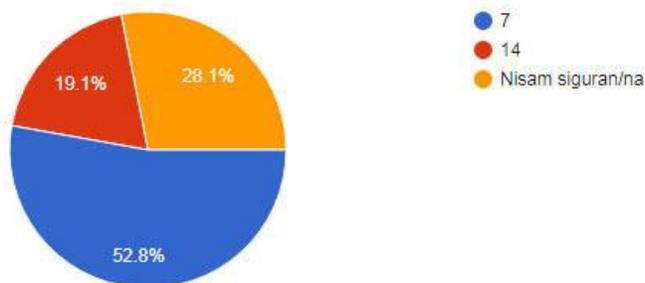


Most of the answers on this question are positive, and that is correct answer. 22.3% are not sure and only a small percent, to be precise 2% gave negative answer.

Focus groups participants think that the logical answer to this question is YES. As a reason they cited the fact that if the meetings are public, then the public needs to be informed in advance.

19. Ukoliko je na pitanje 18 odgovor DA, koliko dana unapred?

267 responses

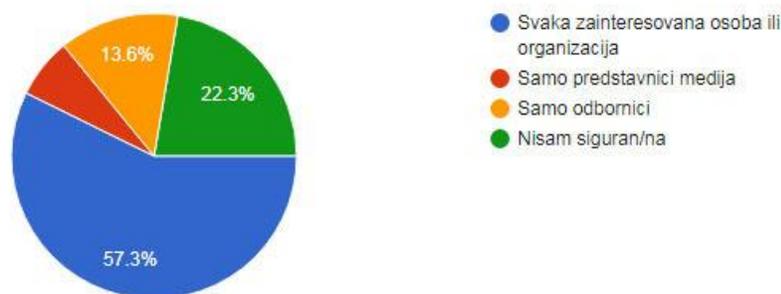


The correct answer is 14, but majority, 52.8% considered that 7 days in advance is enough. 19.1% answered correct while 28.1% were not sure.

This question divided opinions of focus group participants but the correct answer prevailed.

20. Znete li ko sve može biti prisutan na javnim sastancima lokalne samouprave?

309 responses

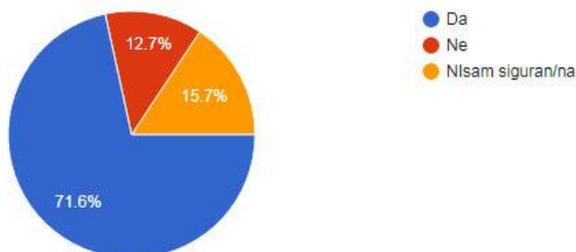


The logical, but at the same time correct answer is that any interested person or organization could be present at public meetings of local self-government. That logic was confirmed by 57.3% of respondents. 22.3% were not sure and a small percent gave incorrect answers

The majority of focus group participants have correct opinion.

21. Da li bi svaki dokument, koji opština donese, trebao biti stavljen na uvid građanstvu?

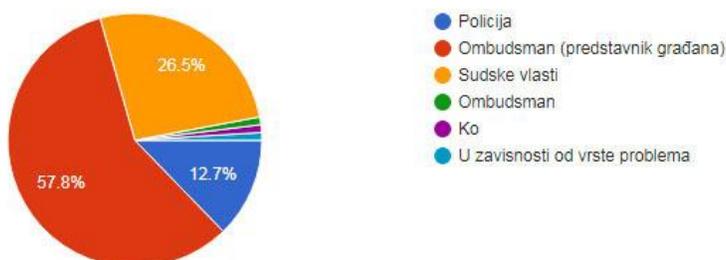
306 responses



Respondents and focus group participants were almost unanimous. 71.6% of respondents gave correct answer on this question. 15.7% were not sure and only 12.7% gave incorrect answer.

22. Ukoliko lokalna samouprava ne reši problema građana, shodno zakonu, koja je sledeća instanca kojoj se građanstvo obraća radi zaštite svojih prava?

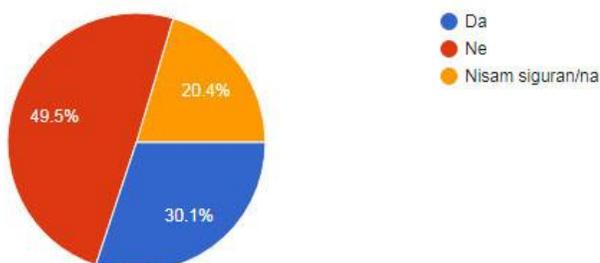
306 responses



Also the majority of respondents gave correct answer on this question, 57.8%. Interesting fact is that 26.5% will go to court and 12.7 to police.

23. Da li ste čuli za "Konsultativne komisije"?

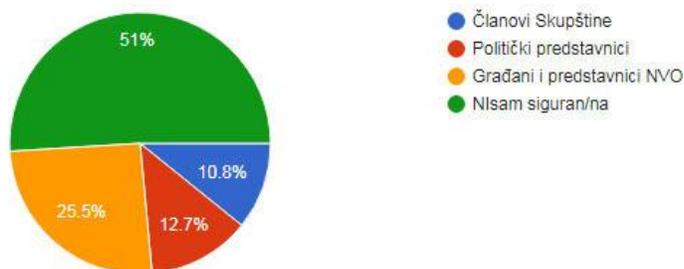
309 responses



Even 49.5% of respondents gave negative answer to this question and that can be taken as worrying. 30.1% were aware of consultative commissions' existence while 20.4% were not sure.

24. Da li znate ko čini konsultativne (savetne) komisije?

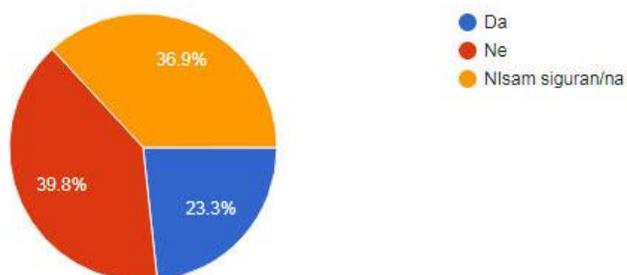
306 responses



Having in mind answers on previous question, these answers were expected. 51% were not sure. 25.5% gave correct answer and 23.5% gave incorrect answer.

25. Mislite li da je vaša lokalna samouprava transparentna i da su sve potrebne informacije lako dostupne i javne?

309 responses

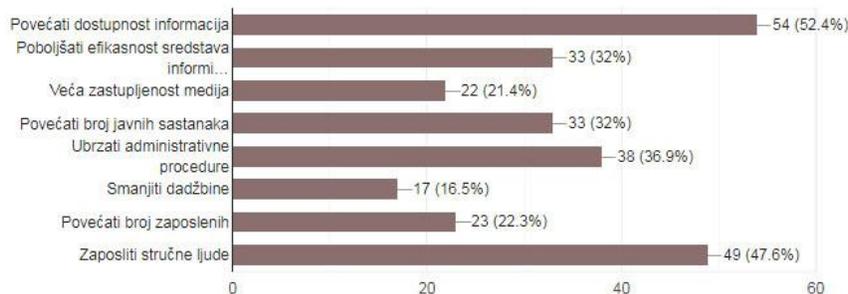


Answers on this question shows that the majority of our fellow citizens doesn't take level of transparency of local self-governments as appropriate. Only 23.3% confirmed transparency while 39.8% doesn't mean that. 36.9% were not sure.

The focus groups participants were also divided regarding this question.

26. Po vašem mišljenju, šta treba uraditi da se poboljša transparentnost i rad lokalnih samouprava? (izaberite maksimum 3 odgovora)

306 responses





The highest number of respondents emphasized insufficient availability of information as one of the main problems, 52.4%.

47.6% think that the problem lies in small number of skilled people while 36.9% considers administrative procedures as too large and taking a long time. Then 32% considers means of information as main problem, together with small number of public meetings.

Conclusions:

The sessions of the Assembly of all four municipalities were attended within this project. It was concluded that the form, predicted by the Law on local self-government, is fulfilled and all rules and procedures were respected. Two public discussions were held in each of four municipalities. Also, consultative commissions were organized and, while informing about Assembly sessions, it was mentioned that sessions are open for public. It needs to be emphasized that organization of consultative commissions, in some municipalities was initiated only after commencement of this project realization and up on our insisting on that. However, in spite of all above-mentioned, and in accordance with achieved results of the research, it is obvious that informations from held sessions are not forwarded to public on adequate way. That level of awareness is equal by percentage in all four municipalities in north Kosovo. Therefore 62% of respondents are not sure or consider that decisions of local self-government are not available to public and around 70% of respondents is not sure or do not know a thing about consultative commissions.

At each meeting held with municipality councilors they were assuring us that all necessary mechanisms for forwarding informations exists and they are functional. Everything that was necessary is done but citizens are showing low interest for what is happening in municipalities. Citizens generally seek for information only when they have a personal problem for which they are trying to find solution. It is stated that while forwarding information from municipalities, all available ways were used. Some municipalities even have video records of their sessions and publishing them later. An e-platform was emphasized as a modern way of forwarding information and it is operational in all four municipalities. It is a project conducted by organization of civil society with in which, all four municipalities got their web pages but maintenance and update of web pages is still responsibility of organization of civil society. The plan is that in the close future these web pages will be completely transferred to responsibility of municipalities. As a part of research activities web pages of all four municipalities were checked for functionality:

North Mitrovica: <http://www.esevernamitrovica.com/>

Zvecan: <http://www.ezvecan.com/>

Leposavic: <https://www.eleposavic.com/>

Zubin Potok: <https://www.ezubinpotok.com/>

The conclusion is that informations are adequately updated. Municipality statutes are published. There is an option for asking questions to Mayors. Number of visitors varies along municipalities and depends on activities and events in municipality.

Also, needs to be mentioned that official web pages of Kosovo municipalities are published on:

<https://kk.rks-gov.net/#eng>

So it means that municipalities in north Kosovo have their web page to:

North Mitrovica: <https://kk.rks-gov.net/mitroviceveriut/en/>

Zvecan: <https://kk.rks-gov.net/zvecan/en/>

Leposavic: <https://kk.rks-gov.net/leposaviq/en/>

Zubin Potok: <https://kk.rks-gov.net/zubinpotok/en/>

Although official, on these web pages almost there are no informations that regards work of municipalities.

Forwarding informations to rural areas is responsibility of village/local leaders.

Research result that shows 42% of respondents were not sure or do not know whom to address in case that local self-government does not solve their problem, is just another piece of information which proves the fact that flow of informations and notices is on a very low level.

The implementation of procedures and obligations prescribed by Law on local self-government, in all four municipalities in north, is one huge step toward achieving transparency of local self-government, but still insufficient to get citizens involved, in a right way, to decision making on the local level. That is confirmed by the answers on question number 25, where almost 76% of respondents didn't recognize local self-government as transparent, neither that informations are available and public.

The consultative commissions, although formed in municipalities and fulfilling Law requirements, are not functional yet and do not fulfill their function completely. They should present "voice and opinion of the people" but the impression is that members are there to "fill up the number".

As a prevailing conclusion it can be stated that local self-governments have not yet raised transparency of decision-making, although the progress is obvious and that informations of their work and decisions are not yet forwarded in a way that is accessible to most citizens.

Recommendations:

R1: One of the basic recommendations is that affords toward improvement of transparency and transfer of informations must continue. The adequate approach to citizens must be found, so that they can be informed about all decisions brought on municipal level and to offer them a chance to express their opinions and proposals. The phrase that they are “doing everything in their power” is not enough. Councilors are there to present citizens and not to citizens present them. That is why they constantly need to seek ways to inform citizens how and in which segments they are presenting them. One of the ways is holding a public meetings in municipality areas that councilors are presenting, especially if those areas are rural and hardly accessible.

R2: To continue with education of people about their rights and obligations. Organize meetings with representatives of Ombudsman’s office. This education should be in form of public and media campaigns conducted periodically in cooperation with local media and partner organizations of civil society and relevant institutions.

R3: To continue with education of consultative commission members about their possibilities, rights and obligations. This education should be organized periodically through trainings but also through study visits to other municipalities and meetings with members of consultative commissions from other municipalities.

R4: To work on increasing number of consultative commission meetings so that constancy and continuity of these meeting is reached. This should be insured through continual cooperation with representatives of local self-government and representatives of civil society.

R5: To work on holding public consultations with citizens, at least two times a year, as it was predicted by Law on local self-government. Also, there is necessity of work on increased conciseness and knowledge of citizens about importance of their involvement decision making process on local level through their participation in public consultations. Work on this recommendation should be done with organizations of civil society and local media that covers north of Kosovo.

R6: To resolve the future of municipal web pages and their online information publishing. It is necessary for each municipality to form an IT service that will work on regular publishing of informations on web pages, so that relevant informations would be accessible to all interested citizens.



R7: To work on bringing closer municipality representatives to citizens, through publishing their biographies on web pages of local self-governments. That way citizens will have complete information about people that represent them and who works on their interest.

R8: It is necessary for all ongoing projects and investments, made by municipality on their territory, to be published, together with explanation where the public money was spent. Also it is necessary that public finances on local level are published and available on web page together with their spending plan. That way transparency of public means should be secured.