

The gap between the institutions and citizens in the Municipality of **Kamenica**

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May 2018



Introduction

One of the biggest challenges of the representative democracy in Kosovo remains the great existing gap between the representatives and the represented. Both parties are to blame for the current situation: first, the institutions do not take sufficient measures to include the citizens in decision-making; second, the citizens do not express interest to partake in decisions that directly impact their lives.

The approach of the institutions and the behavior of citizens affect each other: if institutions ignore citizens' suggestions, they disincentivize citizens from participating in decision-making; likewise, citizens insisting to debate and contribute in decision-making influence the institutions to alter their approach and become more responsible.

As such, the institutional representatives and the citizens have to engage more to decrease and eliminate the existing gap between them. The media and non-governmental organizations have to facilitate the communication between the institutions and citizens. To that end, GAP Institute has conducted a research in three Kosovo municipalities: Kamenica, Elez Han, and Obiliq, to measure the participation of the citizens in decision-making, participation obstacles, the approach of municipal institutions, and information methods.

This report consists of the results of a survey conducted with the citizens of Kamenica. In the beginning of May, GAP institute, through a professional polling company, has surveyed 150 citizens of the Municipality of Kamenica regarding the information they have about what is being done by the municipality and their participation in the discussions organized by the municipality and the local community. The results of this research project will be shared with political representatives and public information officials in the Municipality of Kamenica, to improve the communication with the citizens, increase the participation of the citizens in decision-making and decrease the gap between the representatives and the represented.

The principles and legal basis for the participation of citizens in decision-making

One of the basic principles of democratic systems is a transparent, accountable governance and citizens' engagement in all phases of the decision-making process. These democracy principles are well included in the Constitution of the Republic of Kosovo.

According to the Constitution, state institutions support the possibilities of every person to partake in public activities and everyone's right to democratically influence the decisions of public bodies.¹ Moreover, Municipalities enjoy a high degree of local self-governance and encourage and ensure the active participation of all citizens in the decision-making process of the municipal bodies.²

The law on local governance³ ensures the participation of the citizens in decision-making in the municipality level. According to this law, every municipality is obliged to organize public town halls twice a year, which can be attended by every person or organization.

The law on local governance obliges the municipalities to issue a municipal regulation for transparency. Most of the municipalities have issued their transparency regulations. Almost all the regulations share a lot of similarities. The Municipality of Kamenica has approved one in 2009 and re-approved it again in 2014 and 2015. The Regulation of Municipality of Kamenica for transparency⁴ specifies again all the obligations that municipalities have towards their citizens regarding information, participation, access in public documents etc.

The Regulation establishes that every Tuesday, from 12:00 to 16:00, is the day of "Open Doors", during which the mayor or other representatives from the Municipality expect citizens and inform them on their requests. The Regulation deals extensively with the information channels: a specific article (article 14) is dedicated to billboards, municipality's bulletin (article 15) and brochures (article 16).

¹ Constitution of the Republic of Kosovo, article 45, subpoint 3

² Constitution of the Republic of Kosovo, article 124, subpoint 1

³ Official Gazette of the Republic of Kosovo. Law no. 03/L-040 on local governance. Source: <http://bit.ly/1CulaKA>

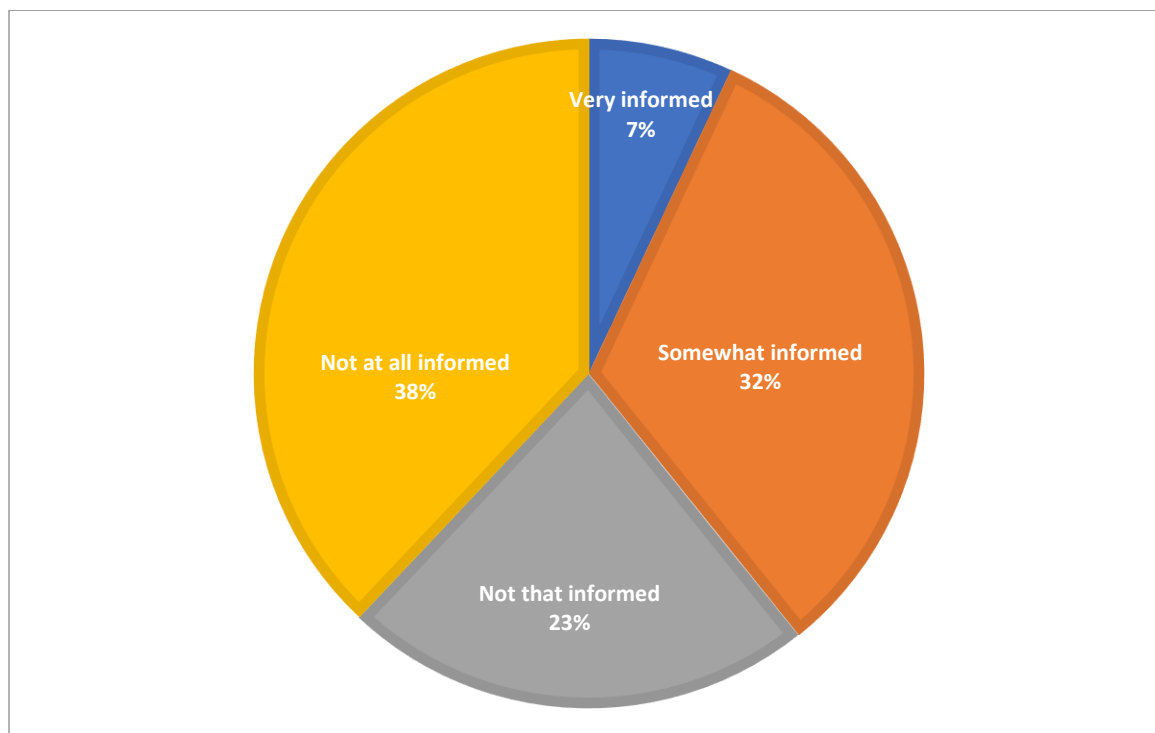
⁴ Official Gazette of the Republic of Kosovo. Municipality of Kamenica – Regulation for Transparency. 2015. Source: <https://bit.ly/2MpUX9B>

Results of citizens' survey on citizens' participation in the decision-making process in the Municipality of Kamenica

In April 2018, GAP Institute has contracted a professional polling company to gather citizens' positions regarding their participation in the decision-making process. In the Municipality of Kamenica, 150 respondents of diverse locations have been surveyed.

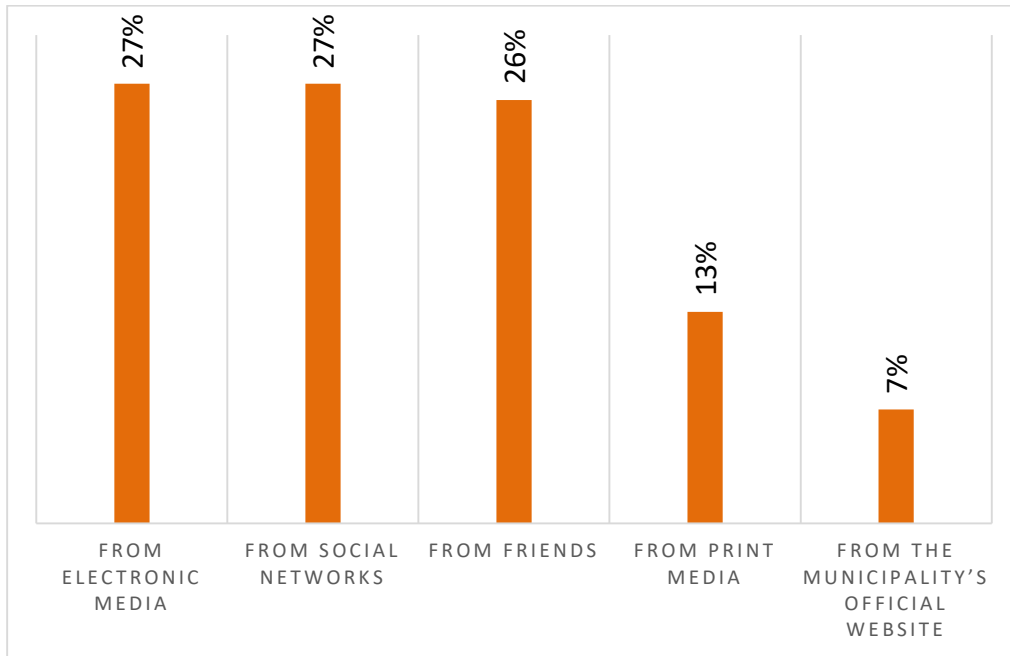
Asked on the degree to which they are informed on the work and activities carried out by the municipality, only 7% of the citizens said that they are well informed, whereas 38% said that they are not at all informed.

Figure 1: How informed are you on the work and activities carried out by your municipality?



In answering the question on the citizens' source of information for the activities of municipal institutions, the electronic and social media have the highest, and an equal, number of responses. Another important source of information is communicating with friends and family too. From all the sources of information, the least used one is the official website of the municipality.

Fig 2: Where do you get informed on activities of your Municipality?*



* Question with more than one answer

A small number of respondents have stated that they participate in the town hall meetings organized by the Municipality, whereas 86% of the respondents stated that they have not participated in those meetings. From those who stated that they participated in the meetings, the majority of them have been informed from relatives, whereas the municipality's official website serves as a source of information only for a small percentage of the citizens (figure 4).

Fig. 3: Have you ever participated in a town hall meeting/public discussion organized by the Municipality?

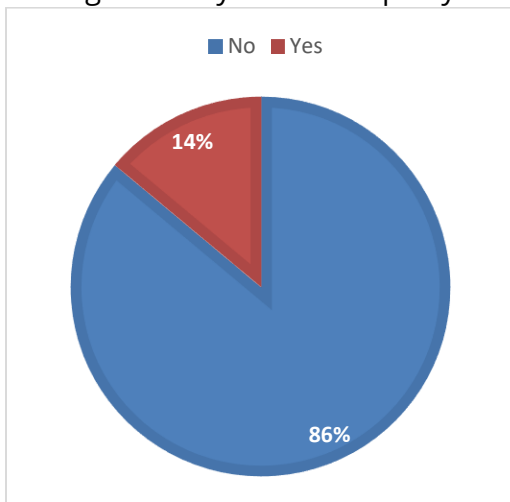
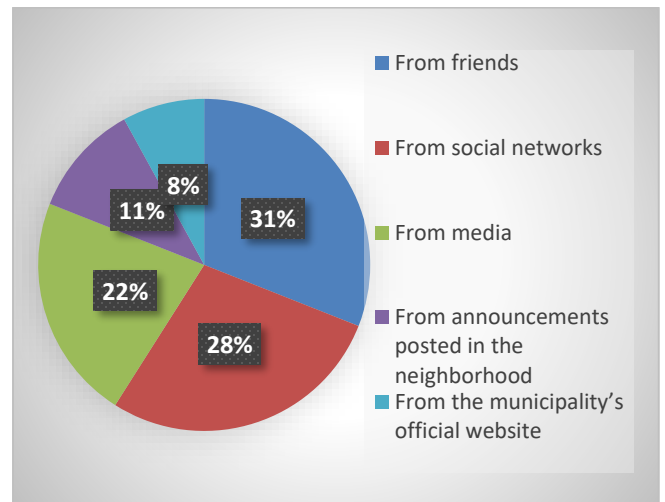
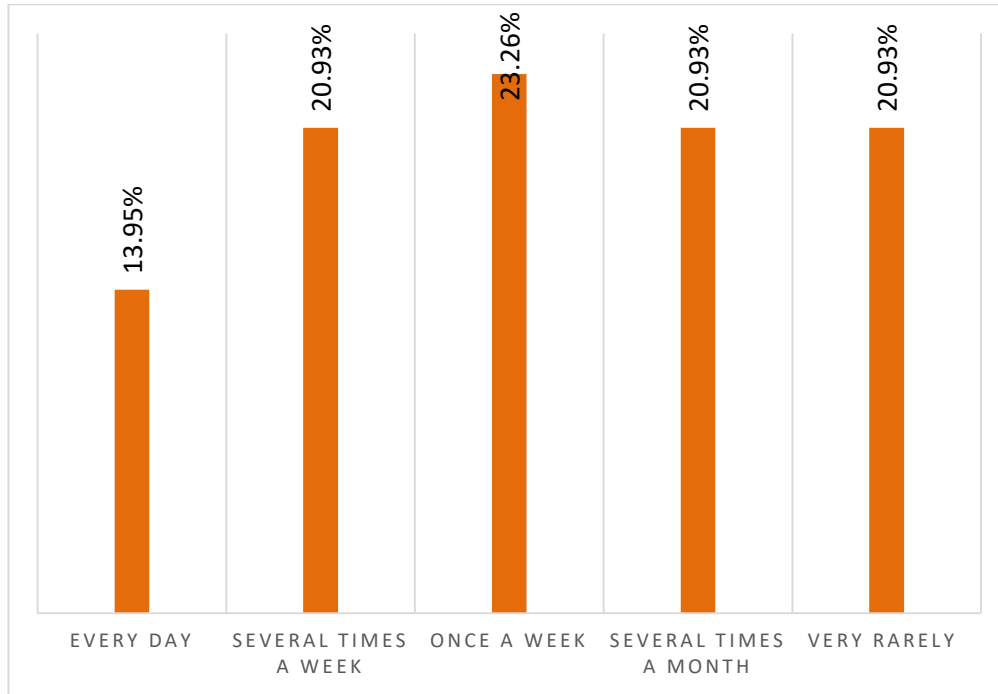


Fig. 4: Where did you get informed about the meeting?



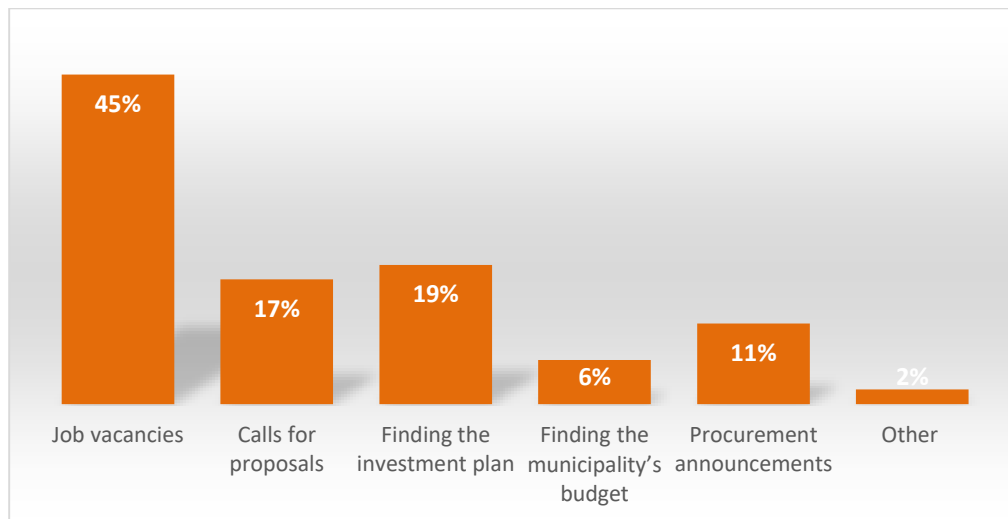
From those that visit the Municipality's website, 14% visit it every day, whereas 21% visit it rarely.

Fig.5: How often do you visit the Municipality's website?



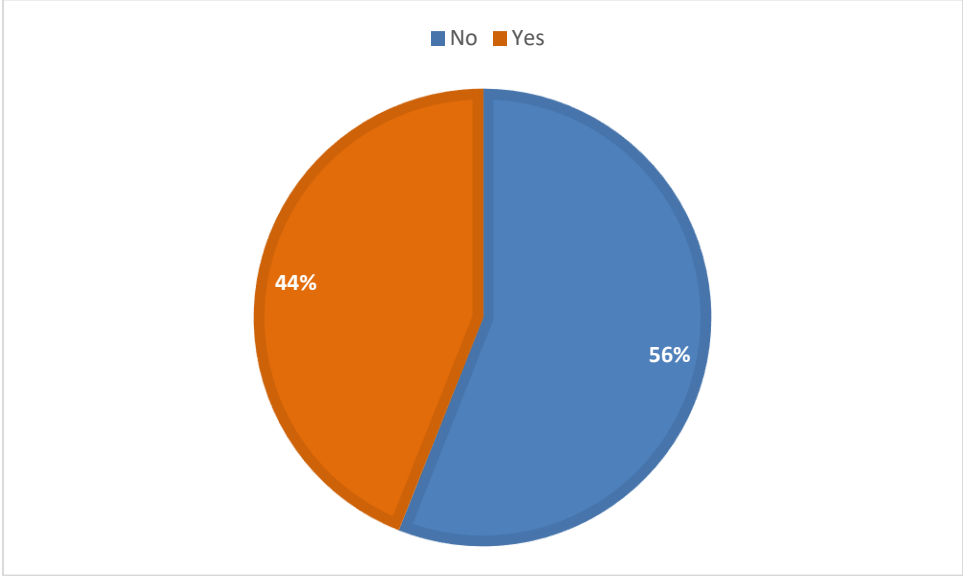
The majority of those that visit the Municipality's website, visit it to get informed on job vacancies (45%). A small percentage visit it to better understand the investment plan (11%) or the Municipality's budget (6%).

Fig. 6: For what reason do you usually visit the official website of the Municipality?



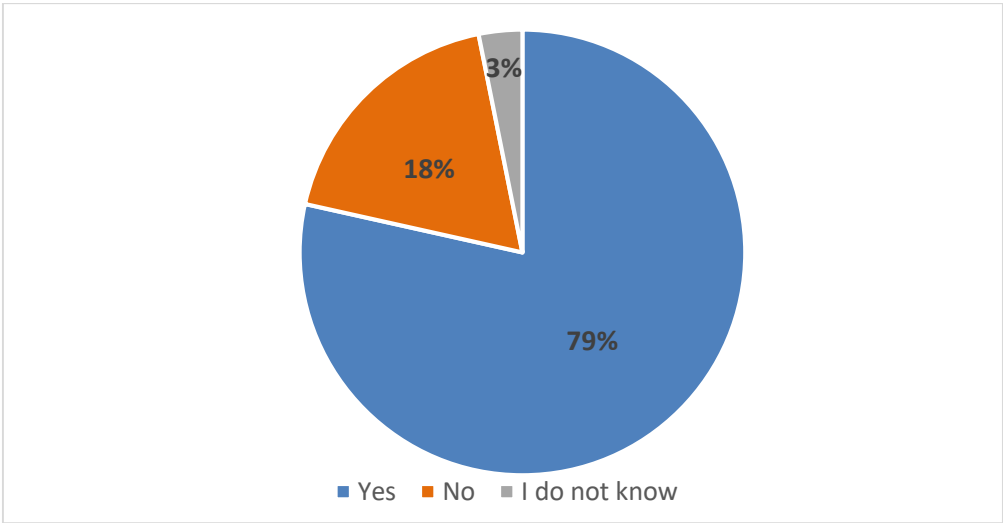
More than half of the respondents (56%) are not aware that their right to access official documents is guaranteed.

Fig. 7: Are you aware about your rights to access public municipality documents?



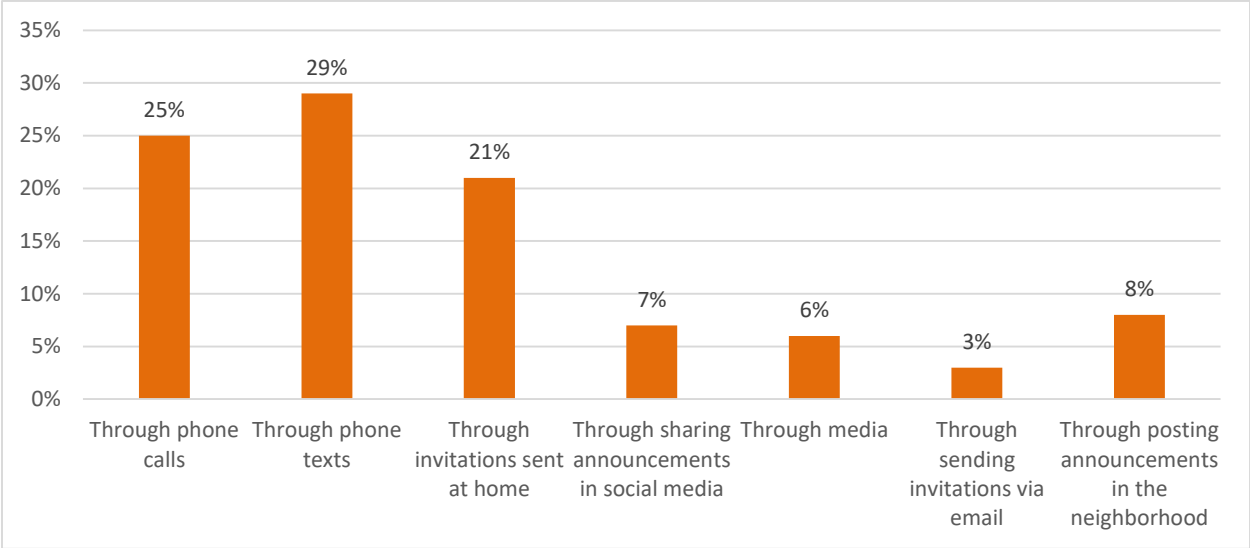
In case they would be invited from the Municipality to participate in discussions regarding investments in the municipality, 79% of respondents said they would participate.

Fig.8: If you would be invited from the municipality to discuss regarding plans for investments on projects, would you participate?



Regarding the method of information, citizens prefer to be informed through phone texts (29%), phone calls (25%), a hard-copy invitation sent at their homes (21%), or sharing announcements in social media (7%).

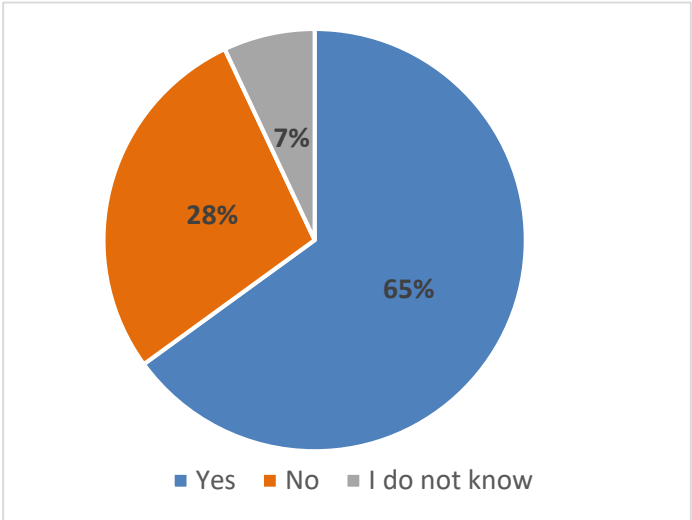
Fig.9: How would you like to be informed about the meetings organized by the municipality?



From respondents that declared that in the last five years the municipality has invested in their neighborhoods, only 3% stated that they have been consulted all the time, 20% stated that they have been consulted often, whereas the biggest part stated that the municipality consulted them only in some cases (40%). 16.7% of the respondents stated that they have never been consulted.

In case the municipality would ask the citizens to send their requests or suggestions in writing, 79% of respondents stated that they would respond positively to such a request.

Fig.10: In case the municipality would ask for your opinions/comments in writing regarding public issues, would you send them?



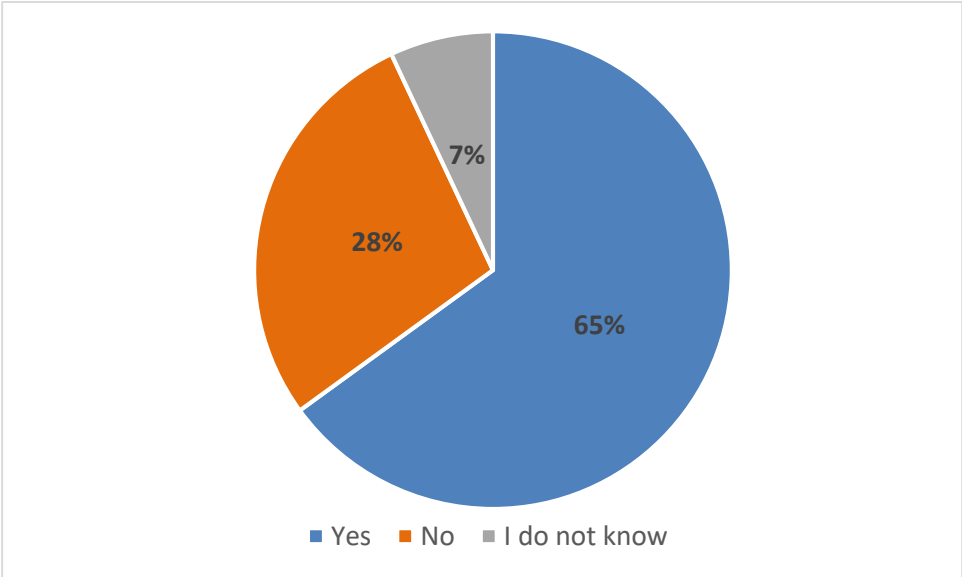
In public discussions organized by the municipality, a substantial majority of the respondents (88%) prefer to have the Mayor present, whereas for 11% of the respondents the Mayor not being present is not an obstacle for the discussions organized by the Municipality.

Regardless of the fact that the members of the Assembly are elected by the citizens, there is little interaction after the election between the elected and constituents. Asked if they have met officially any of the Assembly members in the last 12 months, 89% of the respondents said they have not, and 11% said they met at least once.

Local councils are bodies based on the Law on local governance, which function as part of urban and rural neighborhoods. The purpose of the local councils is reaching out the citizens that live in different locations and addressing their requests and suggestions to the decision-making bodies in the municipality.

The majority of the respondents (65%) stated that the local council in their place of residence is functioning. 28% of the respondents said that the council is not functioning, and 7% of them said that they have no information on local councils.

Fig.11: Is the local council in the area where you live functional?

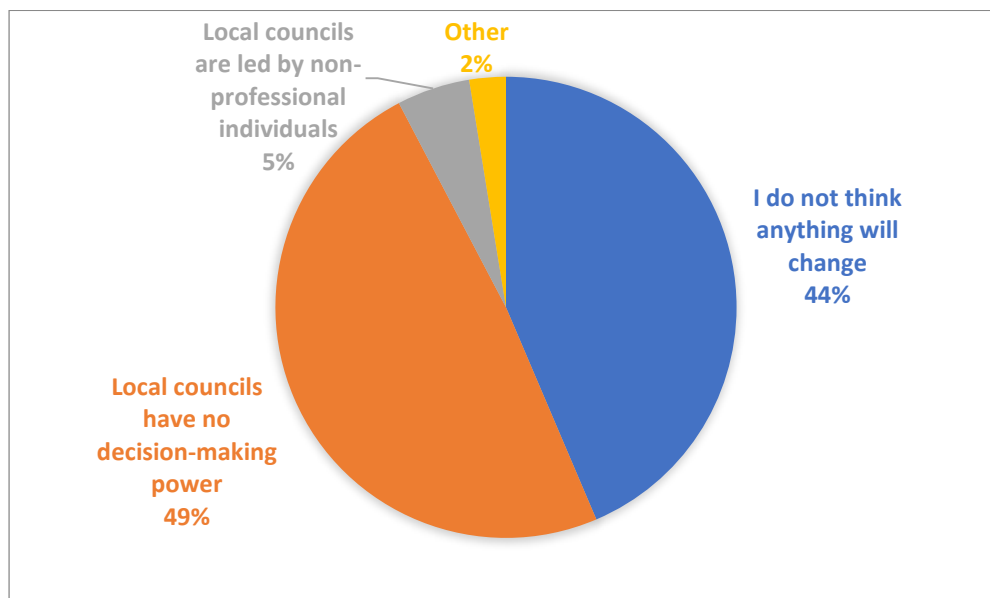


However, 55% of the respondents stated that they have never been in touch with the local councils, whereas 45% of them have stated that they communicate with the leaders of the councils. The majority of the respondents (71%) prefer to have local councils inform them on the activities of the municipality in the area where they live. 23% do not think this is necessary, and 6% have no preference.

In answering whether in the last two years they have been invited in any meeting by the local council, 68% of the respondents have stated they did not receive any such invitations, 26% have said that they have, whereas 6% cannot confirm having received such invitations or not. However, the majority of the respondents (75.3%) have stated that they would respond positively to such an invitation, whereas 22% would refuse such an invitation.

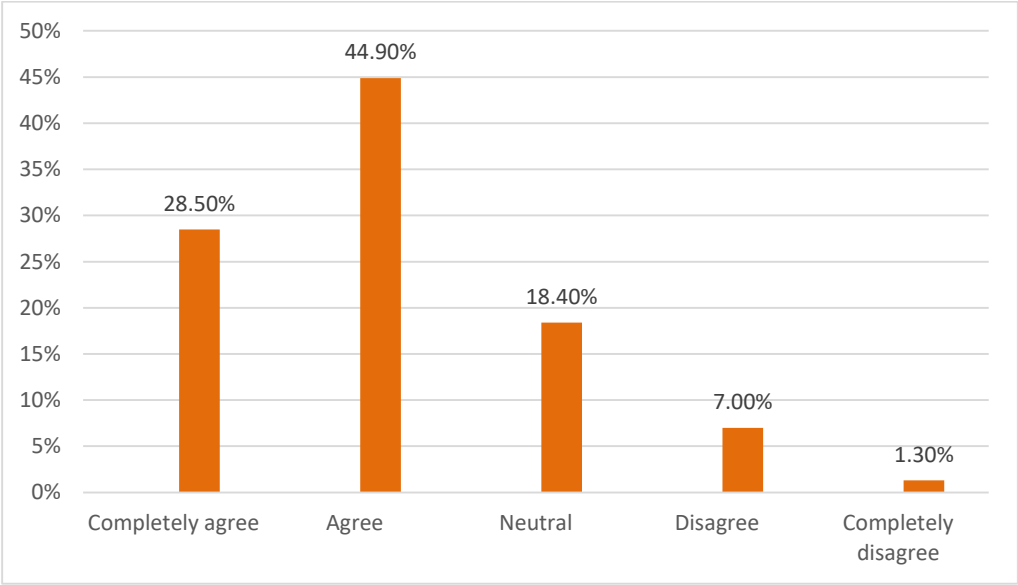
The reasons for refusing to participate have to do with the lack of trust that participating would result in something. This stems from the fact that the councils have no decision-making power and a conviction that they are led by non-professional individuals.

Fig. 12: Why would you not participate in meetings organized by the local council?



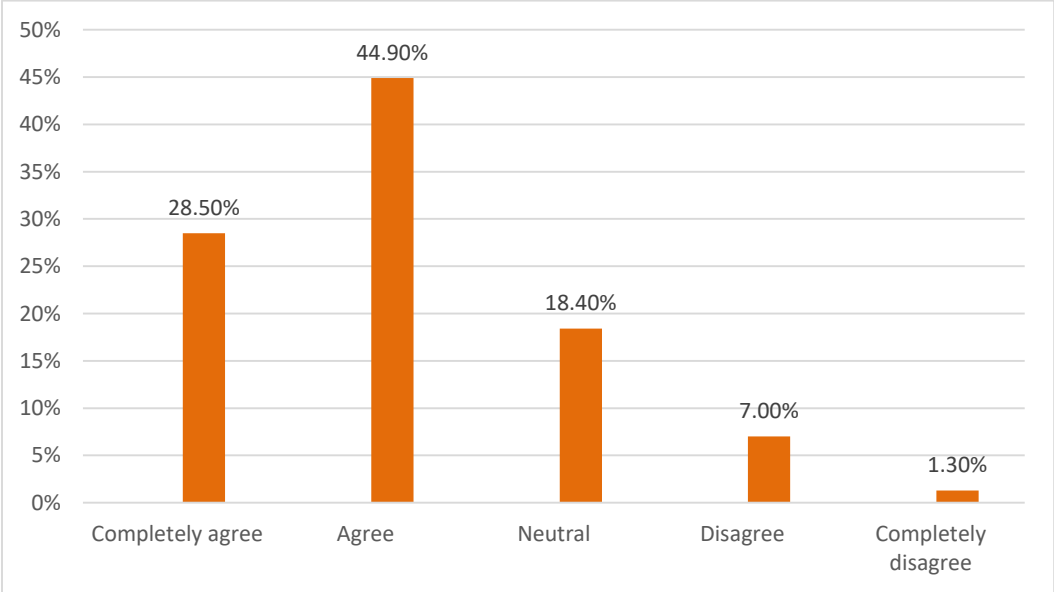
The majority of the citizens agree that the municipality is committed to include the citizens in decision-making.

Fig. 13: To what degree do you agree with the following statement “The municipality is committed to include the citizens in decision-making?”



At the same time, however, they believe the Municipality is engaging in including the citizens in decision-making primarily due to its legal obligation, rather than truly believing in the contribution the citizens could give through discussions.

Fig. 14: To what degree do you agree with the following statement “The discussions of the municipality with the citizens are conducted primarily to fulfill a legal obligation, rather than to ask for the citizens’ opinion?”



The need for a municipal strategy to include the citizens in decision-making

The results of the survey suggest there is a gap in communication between the municipal representatives and citizens. The methods and channels with which the citizens prefer to get informed are not those used by the Municipality.

While the Regulation on transparency emphasizes informing through billboards, the website, bulletins, the citizens prefer to get informed through social media, phone texts and calls, or invitations sent at their homes.

According to the article 15 of the Regulation on transparency, “Public Information office every three months publishes an informative bulletin, which is distributed in every place of residence, in billboards and in the municipality’s website”. But, since 2015, when the regulation was approved, there have only been 5 bulletins published in the website, which seem to be from 2015, but do not have a date, one of the basic pieces of information required in a bulletin.

In the municipality’s website, there are no news articles that mention whether the “Open Doors” policy has ever been put to place.

As per the information that the website of the Municipality of Kamenica offers, according to an evaluation done by GAP Institute for budget transparency, the Municipality of Kamenica is ranked 5th.⁵ Unfortunately, very few citizens refer to the website as a source of information.

On the other side, the only social media channel used by the Municipality of Kamenica is Facebook, where the official page has around 2,191 followers.⁶

As such, with the purpose of increasing the transparency and the citizens’ participation in decision-making, the Municipality of Kamenica has to approve a new strategic document, which has to be more inclusive than the current Regulation on transparency. The Mayor jointly with the Assembly has to establish a working group consisting of representatives from the Mayor’s Office, Public Information Office, the Assembly, civil society organizations and local media which should draft a new strategic document for information. Such a document should contain goals, like:

⁵ GAP Institute. GAP Index of Budgetary Transparency. Source: <https://bit.ly/2Fkxdzi>

⁶ Retrieved on June 19, 2018

1. Increasing municipal transparency;
2. Increasing citizens' participation in decision-making;
3. Empowering local councils to become intermediary bodies between the citizens and municipal institutions

To achieve these goals, the information strategy of the municipality has to include these activities:

- Increasing the presence and the number of followers in the official channels of the municipality on social networks;
- Gathering phone numbers for all those who prefer to get informed through phone texts. A service like that can be offered free of charge through mobile apps;
- Establishing all local councils, which through regular meetings serve as informing channels for citizens;
- Establishing an annual plan of meetings of the municipal institutions in urban and rural areas;
- Including all public documents, such as the decisions of the executive and the Assembly, meeting records, detailed budget reports, job vacancies, auditing reports and public procurement in the municipality's website. The website should be promoted in social media.
- The municipality jointly with civil society organizations and media should consider organizing an awareness campaign regarding the right of the citizens to access public documents.

