



- Ministry no. 19 is established;
- The 2 alternatives of highway track are included in the Kosovo Spatial Plan
- The selection of Permanent Secretaries of Ministries is initiated, but the process does not ensure a non-party selection
- In 5 months the Government achieves to approve 17.5% of the draft laws included in the Legislative Strategy 2011

# Introduction

GAP Monitor for the months of May 2011 will slightly alter the content. The GAP Monitor project started in May of 2009, with the sole objective of reporting on Kosovo Government's decisions and the implementation of these decisions. By reporting on each executive decision, the GAP Monitor strived to inform the public on the content of these decisions and their legal basis, importance, cost and enforceability.

However, from this month, the content of the GAP Monitor will be focused on how much the Kosovo Government's decisions affect the fulfilment of obligations that Kosovo has undertaken through different strategic agreements and plans. More specifically, how much do the decisions of the Kosovo Government advance the position of Kosovo towards the European Union, by eliminating the challenges foreseen in the Progress Report 2010, and which have been included in the European Partnership Action Plan 2011 and the Action Plan for 10 key priorities of the Kosovo Government in the area of European integration. Additionally, we will analyse how much the decisions of the Government affect the implementation of the Legislative Strategy 2011 and the Kosovo Government's Work Plan for 2011, as well as other long-term plans that the Kosovo Government will approve in the future.

During these years of the publication of reports on the decisions of the Kosovo Government, we have noticed that long-term strategic, legal, financial and economic and other plans, remain only as documents on paper, and that decisions of the Kosovo Government often do not correspond to the long-term plans, approved by the same Government.

During these years, the decisions of the Government have been mostly affected by pressures and ad-hoc events, rather than following a long-term planning logic. This is proven most accurately by budget planning and the Mid-term Expenditure Framework.

One of the defects in the functioning of the Kosovo Government is also non-transparency. The Kosovo Government almost in every government meeting approves a series of strategic and legal documents. However, these documents are not distributed to the media and civil society, and are not publicised in the websites of the ministries or the Office of the Prime Minister. Access to these documents represents a challenge for us and other organisations of civil society and the media. Therefore, one of the functions of GAP Monitor is to secure these documents and publicise them in the GAP Monitor portal in the internet [www.gapmonitor.org](http://www.gapmonitor.org).

In May of 2011, the Kosovo Government has held three regular meetings and has taken 25 decisions. The decisions taken by the Kosovo Government are related to:

- 2 decisions that deal with the revision of the organisations structure of the executive branch;
- 8 decisions for the approval of draft laws and revision of the legislative strategy;
- 5 decisions on allocation of financial means;
- 5 decisions on the appointment of officials in various posts;
- 3 decisions on the approval of plans; reports and strategies;
- 2 other decisions;

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## Ministry no. 19 is established

• *The Law on the Government is in the process of approval since February 2008, however, nothing has moved in this direction. The absence of this law is causing the effect of such decisions being taken in an ad-hoc manner.*



In the 15th meeting of the Kosovo Government, held on the 18th of May 2011, the Government established the Ministry of Diaspora

With the establishment of this governmental department, the cabinet of Prime Minister Thaqi 2, achieved the number of 19 portfolios. The importance of each government department is unquestionable; however, with this organisation of the cabinet it is difficult to achieve efficiency and effectiveness. Kosovo could have had a more functional and efficient government cabinet if it considered the comments and recommendations of the FRIDOM project for the functional

review of institutions (see the position of GAP, publicised in February 2011: <http://institutigap.org/repository/docs/GAPqendrim.pdf>).

The government cabinet of Kosovo, per capita is considered one of the biggest cabinets in European countries. This of course makes the work of the latter dysfunctional and increases the costs even more. Furthermore, it is a disturbing fact that these arrangements within the cabinet are done in an ad-hoc manner, where decisions are not made to establish a department in line with institutional planning but rather to primarily

accommodate the coalition partners. The Ministry of Diaspora, after the redesigning of the PDK-AKR coalition will be lead by the AKR, specifically Ibrahim Makolli, who until now was a member of the Kosovo Assembly. Now, with this number, the Kosovo Government has 19 ministries, and is expected to have 32 deputy ministers and 125 advisors, and financial sum for the salaries of this cabinet is expected to be close to 2 million euro. The Law on the Government has been in process for approval for a long time, but nothing has moved in this direction. The absence of this law is causing the effect of such decisions being taken in an ad-hoc manner.

## Decision of the Kosovo Government in May and the progress made with regard to the Legislative Strategy 2011

- *In May, the Kosovo Government has taken 7 decisions which are related to the LS'11. With 5 separate decisions, 5 draft laws from the LS'11 have been approved*
- *The five draft laws approved during May, raise the number of approved draft laws to 26, or 17.5% of the LS'11. There are another 122 draft laws to be approved until the end of the year, or 82.5% of the strategy.*
- *LS'11 should include another column indicating the date on which a given draft law should be sent to the Assembly. This would make the work of the Assembly easier and provide better planning.*

Due to the institutional crisis and the prolonged constitution of the Government, the Legislative Strategy 2011 (LS'11) was approved three months later than what is foreseen by the Regulation of the Work of the Kosovo Government. According to this Regulation, in December of each year, the Government is obliged to approve the legislative strategy for the following year. The LS'11 was approved in March 2011, while in the first two months there was no draft law approved by the Government.

Despite the fact that the Kosovo Government had ten months to implement the LS'11, the strategy of this year is one of the most overloaded in the last 4 years. As can be seen in the following graph, while the Legislative Strategy has continued to grow year on year, the ability of the Government to prepare and approved draft laws has continued to fall.

In May, the Kosovo Government has taken 7 decisions which have to do with the LS'11. With 5 separate decisions, 5 draft laws from the LS'11 were approved:

1. Draft Law on the Excise on Tobacco Products;
2. Draft Law on the Civilian Use of Explosives;
3. Draft Law on Missing Persons;
4. Draft Law on State Assistance;
5. Draft Law on Legislative Initiatives;

While with two other decisions, the Government has changed the content of the LS'11. In the 16th meeting of the Kosovo Government

held on the 25th of May, the Government has taken a decision to include in the LS'11 the Draft Law on the Amendment and Revisions of the Law on the Diaspora. The Law on the Diaspora had entered into force in May 2010. Revisions on this law were seen necessary after the establishment of the Ministry of Diaspora. In the new law on the Diaspora the functions of the Ministry of Diaspora will be included, and this law will from now on be the responsibility of this ministry.

In that same meeting, the Kosovo Government has taken a decision to remove from the LS'11, the Draft Law on the revision and amendment of Law no. 03/L-099 on ID Cards. The justifications given for the removal of this draft law from the LS'11 are related to its high cost, the solid security of the Republic of Kosovo ID Cards, and as announced in the Government's meeting, the issuing of new ID Cards is not a precondition for initiating the issuing of biometric passports and neither a precondition for the liberalisation of visas. Even in the Kosovo Progress Report of 2010, the European Commission concludes that "ID Cards have a high security standard".

However, despite these two changes in the LS'11, the total number of draft laws in the LS'11 remains the same. The five draft laws approved during May, raise the number of approved draft laws to 26, or 17.5% of the LS'11. Until the end of the year another 122 draft laws have remained for approval, or

82.5% of the strategy.

As we have highlighted even earlier in the GAP Monitor publications, the legislative strategy of the Government is part of the Kosovo Assembly work. The Assembly prepares its annual work plan based on the content and the deadlines foreseen in the legislative strategy.

It was the deadlines foreseen in the LS'11 that specifically caused a misunderstanding between the Assembly and Government. The dates included in the LS'11 and all the legislative strategies so far, are dates on which the ministries are obliged to forward draft laws to the Office for Services and Legal Assistance in the Office of the Prime Minister. According to the procedures foreseen with the Regulation on the Work of the Government, the draft laws that arrive to the Office of the Prime Minister, should go through some additional phases of financial and compatibility appraisal and due to this the process takes 30 to 40 days. As highlighted at a roundtable held on the 28th of April 2011 in the Kosovo Assembly, where the GAP Institute has presented the analysis "Legislative Strategy 2008-2011", the Work Plan of the Kosovo Assembly for 2011 does not comply with the deadlines of the LS'11. One of the recommendations from this roundtable was for the LS'11 to include another column with dates on which a given draft law would be forwarded to the Assembly. This would make the work of the Assembly easier and provide better planning.



## 541 thousand Euro to support the Kosovo-Serbia negotiations

• *The fund of contingency expenditure for the Government for 2011 is 3 million euro. In the first five months of 2011 the Government has allocated 1,331,390 from this fund, or more than 1/3 of the fund.*

• *Even though the Kosovo Government has authorised the Ministry of Finance that requests for allocation of funds up to 20 thousand euro from the "contingency expenditure" category can be allowed only with a decision of the minister (decision 04/3, 9th of March 2011), the Government continues to be the one to decide on sums under 20 thousand euro.*

The Kosovo Government continuously answers requests for financing projects not planned in the budget, or to react to emergency issues.

In the 14th meeting held on the 4th of May 2011, with decision 05/14, the Government of Kosovo has allocated 130 thousand euro for the compensation of additional payments and financial incentives for the staff of the Special Prosecution. This institution was established on the 26th of February 2010, with a decision of the Government, in order to use all the necessary financial incentives for these prosecutors, including their physical protection. The President of this court receives a salary of the prime minister's level, while prosecutors and judges at the level of ministers. The proposal for allocating additional funds to stimulate the work of the Special Prosecution which deals with the fight on corruption and organised crime was approved with an explanation that this Prosecution is faced with a high level of risk in the delicate nature of the work that they do. This sum is foreseen to be allocated from the Reserve Budget of the Kosovo Government.

At the same meeting, with decision 06/14, the Kosovo Government has allocated 10 thousand euro to cover the lobbying activities "Flying for Kosova". "Flying for Kosova" is a lobbying activity of James Berisha, who since 2008 has flown with his private airplane to countries of Latin America, Africa and Asia to lobby for

the recognition of Kosovo's independence. Mr. Berisha has had contacts with leaders of different countries of the world and his mission was reported in the leading media of different countries. His biggest activity during 2008 and 2009, Mr. Berisha covered with his own resources. In 2010, the PTK had opened a public line where the citizens could contribute for the continuation of the lobbying mission of Mr. Berisha. The allocation of 10 thousand euro is the first assistance the Kosovo Government has given for the "Flying for Kosova" mission. These funds were allocated from the budget of the Ministry of Foreign Affairs.

For the third consecutive year, Government of Kosovo has financially supported the organising of the "Kosovo Employment Exchange 2011". With decision 07/14, the Kosovo Government authorised the Ministry of Labour and Social Welfare to transfer 50 thousand euro into the account of Kosovo Business Alliance (KBA). KBA is responsible for organising the exchange. Even though the Employment Exchange has become a regular activity, again this activity was not included in the budget planning of the MLSW. The allocated funds will be taken from the transfers and subsidies category.

More half a million euro were allocated for supporting the Kosovo-Serbia talks. In the 16th meeting held on the 15th of May, the Kosovo Government allocated 541 thousand euro to cover the expenses incurred so far by

the Kosovo-Serbia talks. These funds were allocated from the contingency expenditure of the Government, and this constitutes 18% of the contingency funds.

At the 16th meeting held on the 25th of May, the Kosovo Government has allocated 20 thousand euro to assist the state of Santa Lucia which is located in the Caribbean islands. At the begging of May 2011, Santa Lucia was hit hard by rains, which had as a consequence a lot of material damage and human victims. Santa Lucia is part of the Caribbean islands. It has a population of 174 thousand inhabitants and a GDP of 1.7 billion dollars. The Kosovo Government has also helped other states hit by natural disasters last year, like in the case of Pakistan (200 thousand euro) and Albania (50 euro).

Even though the Kosovo Government has authorised the Ministry of Finance that requests for allocation of funds up to 20 thousand euro from the "contingency expenditure" category can be allowed only with a decision of the minister (decision 04/3, 9th of March 2011), the Government continues to be the one to decide on sums under 20 thousand euro.

The fund of contingency expenditure for the Government for 2011 is 3 million euro. In the first five months of 2011 the Government has allocated 791,390 euro.





## The Financial Report on the Functioning of the Internal Audit System for the Kosovo Public Sector for 2010 is approved

• 64 out of 70 public sector entities have established the Internal Audit Unit

In the 14th meeting of the Kosovo Government, held on the 4th of May 2011, the Annual Report on the Functioning of the Internal Audit System in the Kosovo Public Sector for 2010 was approved.

This report presents in general the developments in the area of internal auditing at the central and local level during 2010.

Based on Article 8.2 of the Law on Internal Auditing, the Central Unit for Harmonising Internal Auditing (CUHIA), prepares on an annual basis and forwards to the Minister of Finance, the Annual Report in which the internal auditing activities implemented by the Kosovo Government are presented. The Minister of Finance, after considering the report forwards it together with his com-

ments to the Government, Kosovo Assembly and the Office of the Auditor General.

This is the third consecutive year for which the CUHIA prepared such a report on the functioning of internal audit. The main activities of the CUHIA for 2010 were concentrated on the fulfilment of the annual plan, mainly in the legal infrastructure and the building of capacities for internal auditing, as follows:

- Preparation of the administrative instruction for auditing committees;
- Building the capacities of internal auditors;
- Monitoring and assessment of the functioning of internal audit in the public sector;
- Cooperation with partners;
- Planning of CUHIA activities for 2011; and
- Other activities.

The CUHIA received from the 63 internal audit units 61 reports (95%). The Internal Audit Units which did not report were from: the Central Elections Commission (CEC) and the Independent Media Commission. The offices of the internal auditors of these two institutions have not reported because they were established at the end of 2010.

It is worth mentioning that until the end of 2010, 64 out of 70 public sector entities have established an Internal Audit Unit within them. Except for the Municipality of Shterpe, other municipalities with a Serbian majority have not yet established this unit. Different commissions, Regulatory Offices, Agencies which report to the Kosovo Assembly do not fulfil the criteria to have an independent internal audit unit.

# The government forwards to the Assembly the two alternatives of the highway path, through the Kosovo Spatial Plan 2011 – 2020 +

- The approval of the Spatial Plan by the Kosovo Assembly, with this content, will mean the approval of the Assembly on the two scenarios of the highway path.
- While the decision of the Government approves the Spatial Plan 2011 – 2020 +, the whole Plan and the title of the Plan has been named as the Kosovo Spatial Plan 2010-2020

The Kosovo Government, in its 15th meeting held on the 18th of May 2011, approved the Kosovo Spatial Plan for 2011-2020. The same plan was approved by the Government in July of last year, a decision that was reported in the GAP Monitor (<http://www.gapmonitor.org/?id=2&n=105>).

But due to the extraordinary parliamentary elections, the Kosovo Assembly did not achieve to approve this plan.

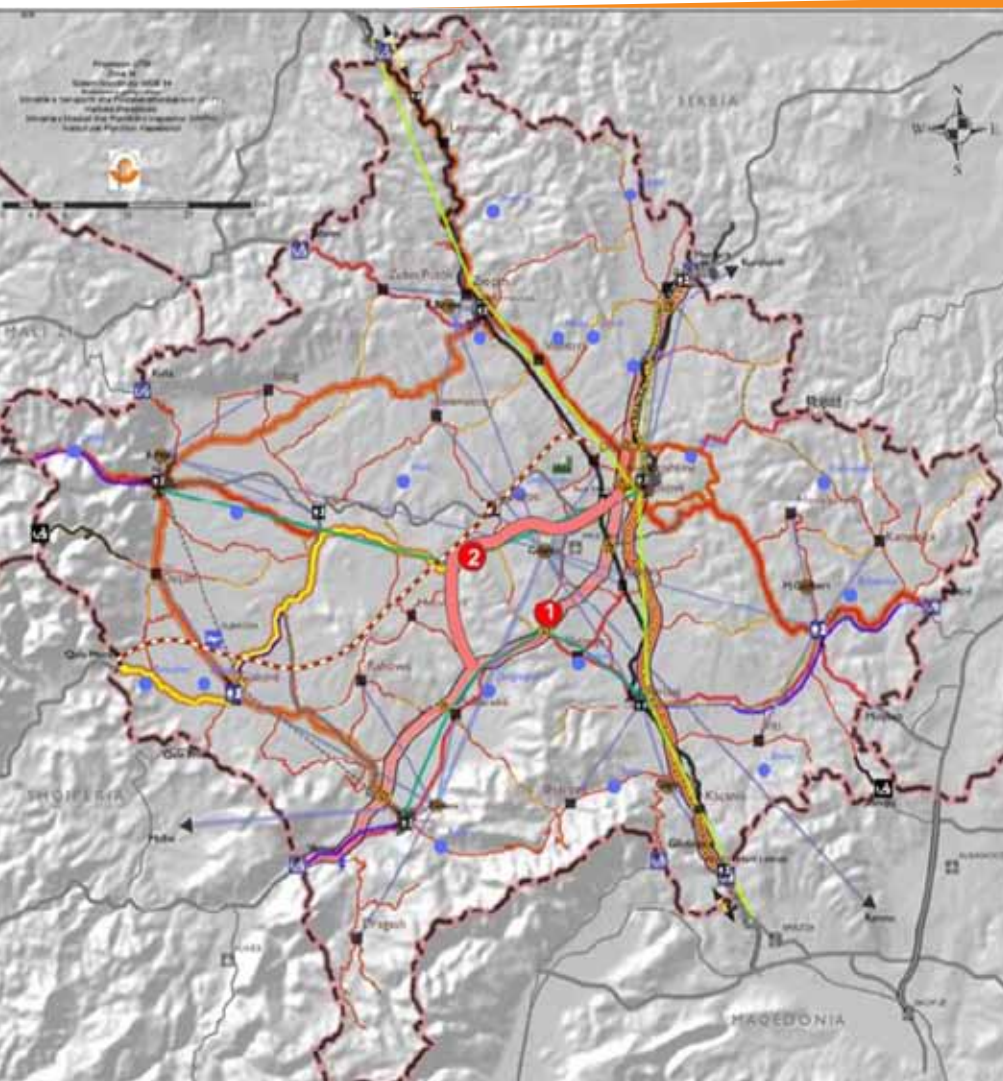
The text of the approved plan in May 2011 is identical with the one approved in July of 2010. In Government decision no. 05/15,

item 1, it states: The Kosovo Spatial Plan 2011 – 2020 + is approved, while the text of the plan indicates the period of 2010-2020+. Changes in the document are the minister's words, Dardan Gashi in the Preface, instead of the Forward signed by Mahir Yagcilar.

However, the most important point in the Kosovo Spatial Plan is that related to the path of the Vermice – Merdare highway. In page 180 of the spatial plan, there is a map with two alternatives of the highway path. At the 11th meeting held on the 27th of April 2011, the Prime Minister had given the news that a

decision was made to change the path of the highway. On the 28th of April 2011, the GAP Institute had reported that the highway path change was in conflict with the Law on Spatial Planning (Report: <http://www.gapmonitor.org/?id=2&n=359>).

While in the Kosovo Spatial Plan, which is expected to be forwarded to the Assembly for approval, two scenarios are included for the Vermice-Merdare highway path. The approval of the Spatial Plan by the Kosovo Assembly, with this content, will mean the approval by the Assembly of the two scenarios for the highway.



## ZHVILLIMET E PARAPARA NË INFRASTRUKTURË

### LEGJENDA

- Rrugët magjistrale
- Rrugët regionale
- Hekurudhat kryesore
- Hekurudhat
- ✈️ Aeroportet
- ✈️ Dëgjuesit luftërore
- 📡 Antena emetuese
- Zhvillimet e parashikuara**
- Autostada
- Alternativat 1 dhe 2 të autostadës
- Alternativa për dalje në det
- Alternativa për lidhje me koridore paneuropiane
- Hekurudha të reja
- Rrugët me përparësi për të zgjeruar
- Rrugët që duhet të asfaltohen
- Rrugë të reja
- Rrugët me përparësi për të asfaltuar
- Lartësuesit 400 kV
- Plan për shtrirjen e kablloptik
- Lidhjet në autostadë
- Stacione të reja hekurudhore
- Zhvillim i stacioneve kryesore hekurudhore
- Akumulacione të reja ujore
- Termocentrale të reja
- Hidrocentrale të propozuar
- Aeroporti i ri i ulëtareve
- Vëndkalime të reja kufitare
- Rruga anashore

### Koncepti i zhvillimit të gazsjellës në Kosovë

- Faza I
- Faza II
- Faza III
- Faza IV





## The Government proposed the Assembly names for completing the Trust Board

Since March of last year, when the former Chairperson of the Pension Savings Trust, Mr. Besim Beqaj was made minister, the acting chairperson was Mr. Ymer Havolli. The delay in the appointment of the Trust Board is justified by the extraordinary parliamentary elections and the process until the initiation of the Kosovo Assembly work after the elections. Therefore, the Government on the proposal of the Commission for the selection of the member and chairperson of the Pensions Savings Trust Board, appointed Mr. Ymer Havolli as the chairperson of the Pensions Savings Trust Board, and Mr. Ejup Qerimi as a member of the Board. The proposed names, together with

the CVs, have been forwarded to the Assembly for consideration and approval.

According to his CV, we understand that Mr. Havolli in 2001 has obtained a PhD in economic sciences with the doctorate dissertation titled "Management of human resources in Small and Medium Enterprises (SME) in Kosovo". He is one of the founders of the Riinvest Institute and a member of its Board. In 2003 he was selected as an assistant professor in the Economic Faculty of Prishtina University for the subjects: Human Resource Management and Business Ethics. In 2007 he is promoted by the University of Prishtina to the

academic title of "Associate Professor". Key qualifications: Human Resource Management, Business Education and SME Development. He is currently in full-time working relations in the University AAB-Riinvest in Prishtina, holding the position of the Dean of the Economic Faculty, and is also involved at certain times in the Riinvest Institute.

On the other hand, Ejup Qerimi was for many years a member of the Kosovo Chamber of Commerce, where for two years (2005-2007) he was the General Secretary of the KCC. The full CV of Mr. Qerimi can be read at <http://ejupqerimi.blogspot.com/>





## The Government also proposes the Assembly the names of the members for the Personal Data Protection Agency

The Law on the Protection of Personal Data was approved by the Assembly of the Republic of Kosovo on the 29th of April 2010. According to this Law, the State Agency for the Protection of Personal Data is an independent agency, in charge of supervising the enforcement of rules for data protection. Its member act independently in accordance to this law and do not accept any instructions from a third party. The Agency specifically: gives advice to public and

private institutions on issues related to data protection; informs the public on issues and developments in the area of data protection; and promotes and supports the basic rights on the protection of personal data. This Agency is lead by the Council, which is comprised by the Chief State Supervisor and four State Supervisors. The Council is appointed by the Kosovo Assembly on the proposal of the Kosovo Government for a five year period with the possibil-

ity of appointment for another mandate. Therefore, the Government proposed the members for the Agency for Personal Data Protection to the Assembly, a year after the approval of the Law on the Protection of Personal data. For Chief State Supervisor, Mr. Ruzhdi Jashari, while for State Supervisors it proposed the following candidates: Mr. Ramadan Qehaja; Mr. Mentor Hoxhaj; Mr. Bekim Demiri; and Mr. Aleksandar Spasic.



## The permanent secretaries of two ministries are selected

- *The Ministry of Public Administration was not able to give us the name of the Deputy Prime Minister who is the chairperson in the Council for Appointments in Senior Management Positions;*
- *There is no criteria for the selection of faculty professors and members of civil society in the Evaluation Commission*
- *Acts in force, like the Law on Civil Service and the Regulation on the Appointment Procedures for Senior Management Positions provide the space for politicisation of civil service;*

The Kosovo Government, in its 15th and 16th meeting, appointed the permanent secretaries in the Ministry of Justice and the Ministry of Culture, Youth and Sport. The selection of permanent secretaries was done in relation to the vacancy announcement of the 1st of April 2011, in which in addition to the posts of permanent secretaries in MJ and MCYS, the positions of permanent secretaries in the Ministry of Education, Science and Technology (MEST), Ministry of Finance (MF), Ministry of Internal Affairs (MIA) and the Ministry of Economic Development (MED) were also announced vacant. The vacancy announcement was open for 15 days. The position of permanent secretary is exercised for 3 years.

Bedri Bahtiri was appointed in the post of Permanent Secretary of the MJ, which before this appointment was in the position of the MJ Legal Office Director. Mr. Bahtiri is an assistant lecturer in the Law Faculty of Prishtina. On the other hand, Vetton Ferizi was appointed in the position of Permanent Secretary of the MCYS. Mr. Ferizi is a graduated expert in politics and was part of the civil service before. Vetton Ferizi is a member of the PDK. He joined the PDK before the national elections of 2010. He is also known as a friend and former colleague during studies to the minister of the MCYS, Mr. Memli Krasniqi.

The Government has made a second vacancy announcement for filling the positions of permanent secretaries for the Ministry of Trade and Industry, Ministry of Agriculture, Ministry

of the Security Force and the Ministry of Foreign Affairs.

While with the previous vacancy announcement, the monthly salary was 693 euro, in the second vacancy announcement, for the same positions the monthly salary was noted to be 909.90 euro.

After the declaration of independence in 2008 and the transfer of authority by UNMIK, the Commission for Senior Public Appointments, which is responsible, amongst other, to select the permanent secretaries of civil service, was rendered un-functional. The CSPA could not be made functional without the promulgation of a new law on civil service, which would replace the UNMIK Regulation. However, the Law on the Civil Service entered into force only in January 2011, causing the non-functioning of a proper mechanism for the appointment of civil servants in senior managerial positions for a period of three years. Throughout this period, the large part of the permanent secretary posts of the ministries were being held by acting officer, who in the majority of cases were members of parties in government.

On the 15th of September 2010, the Kosovo Government in its 145 meeting approved the Regulation for the appointment procedures for senior management positions in the civil service of the Republic of Kosovo. According to this regulation, the Prime Minister appoints seven members which constitute the Council for Appointments in Senior Managerial Positions: one of the deputy prime ministers, as the

chairperson; the responsible minister for public administration, in the role of the deputy chairperson; the responsible minister for finances, as member; one minister from the communities, as member; and three other members from the ranks of permanent secretaries or peer positions. The Ministry of Public Administration was not able to tell us the name of the deputy prime minister who is the chairperson of this Council.

While, the Commission for the Evaluation of Criteria based on this regulation is comprised of: the permanent secretaries; a faculty professor from the corresponding field; and a member of civil society.

The Evaluation Commission for the selection of the Permanent Secretary of the MJ was comprised of the following members: Fitim Krasniqi (Secretary in the Office of the Prime Minister), Eshref Shabani (Secretary in the MLSW), Besnik Osmani (MLGA), Bajram Ukaj (professor in the Law Faculty of the UP) and Behxhet Shala (KMDLNJ-CPHRF).

While the Evaluation Commission for the selection of the Permanent Secretary of the MCYS was comprised of the following members: Skender Gashi (Secretary in the Ministry of Infrastructure), Besnik Osmani (MLGA), Fitim Krasniqi (OPM), Basri Capriqi (lecturer in the UP) and Mentor Zymeberaj (actor).

There are no criteria for the selection of professors of faculties and members of civil society as members.

## May 2011: The work of the Kosovo Government and European integration priorities

- 87.5% of activities foreseen in the EPAP 2011 are foreseen to be implemented in the second semester of 2011;
- The Government has not made any concrete decision for the fulfilment of the 10 key priorities for integration in the EU.
- The Government has only three months left to take concrete steps to positively influence the Progress Report 2011.

The Progress Report of the European Commission 2010 for Kosovo identified a number of challenges which should be resolved for the Kosovo institutions. These challenges were incorporated in the European Partnership Action Plan 2011 (EPAP 2011), the Government Work Plan 2011, Legislative Strategy 2011 and the 10 key priorities for European integration. However, except for the approval of legislation, in the first five months the Government has not taken any important decision which addresses the challenges of the progress report and at the same time bring the country closer to the EU. The EPAP 2011 divides deadlines in three month periods, where the first quarter is referred to as K1 and includes the activities that should be implemented in the period of January-March 2011. From the 432 actions included in the EPAP 2011, only 7 activities are foreseen to be implemented in the first quarter (K1), while 47 actions are foreseen to be implemented in the second quarter (K2), 46 in the period July-September (K3) and 432 in the last quarter of the year (K4). Except for the EPAP 2011, the Kosovo Government has approved in March the "Action Plan for 10 key priorities of the Kosovo Government in the area of European integration". The 10 key priorities are:

1. Strengthening of Public Administration Reform
2. Strengthening the fight against corruption
3. Fight against organised crime and money laundering
4. Efficient and effective management of public money – advancement of the public procurement system, strengthening the mechanisms for collection of budget revenues, effective spending of the budget.
5. Strengthening of judicial reform
6. Implementation of the Visa Liberalisation Strategy
7. Negotiation of the trade agreement with the EU and the development of legislation and policies on the domestic market and competition in harmony with acquis
8. Maintaining good neighbourly relations and constructive participation in regional meetings
9. Infrastructure – energy, transport and agriculture
10. Healthcare and environment

In the May and in the January-May 2011 period in general, not enough has been done toward the fulfilment of these 10 points. Nothing was concretely undertaken towards the strengthening of public administration reform. Contrary to this, actions taken so far and especially in May, damage the public administration reform. The establishment of the 19th Ministry, that of the Diaspora, increase the number of public administration departments and do not contribute to efficiency and coordination. At the same time, it is in contradiction with the recommendations of the FRIDOM project. Furthermore, the selection of party members of the party in government in positions of permanent secretaries is also a step backwards in the public administration reform. Additionally, not much has been done in the fight against corruption. In the first five months of 2011 only one decision was taken, which has to do with the allocation of 130 thousand euro for the Special Prosecution Office. While there was no concrete action for the fight against organised crime and money laundering. Priority 4, which deals with the efficient and effective management of public money, is one of the priorities on which nothing was done also in its implementation, but rather it was acted in contradiction to it. The last decisions of the Kosovo Government for the increase of salaries have jeopardised financial stability. Last year, the Kosovo Government has received a suggestion by the European Commission to publish the budget spending reports for each month, but such a thing has not happened. Nothing was done in achieving visa liberalisation and trade agreements with the EU. Since December of last year, the preferential agreement between the EU and Kosovo has expired and this agreement has not yet been extended, as 5 countries that have not recognised Kosovo are putting obstacles on this. The Kosovo Government is left with another three months to take concrete steps for the resolution of identified challenges in the Progress Report 2011. This year, the European Commission will end the process of data gathering on the 1st of September 2011, while the Progress Report 2011 is expected to be published at the beginning of November.





## May 2011: Fulfilment of the Government Work Plan for 2011

- *There is a discrepancy in the deadlines presented in the Legislative Strategy with those of the Government Work Plan;*
- *In the first 5 months not much has been done towards the fulfilment of the main objectives included in the Work Plan*

The Government of Kosovo has made it a practice that at the beginning of the year to approve the Government Work Plan. This year also, in the 5th meeting of the Government of the 16th of March, the Government Work Plan was approved.

The Government Work Plan includes points which were foreseen with the Legislation Strategy of 2011. Therefore, the approval of 5 draft laws in the Government effected at the same time the fulfilment of 5 objectives included in the Government Work Plan of 2011. The legislation that was foreseen to be approved with the Government Work Plan during May includes also the Draft Law on the City of Prishtina and the Amendment and Revision of the Law on Citizenship. These two draft laws were not approved in the Government during May.

There is discrepancy between the Government Work Plan and the Legislation Strategy. While with the Work Plan the Draft Law on the City of Prishtina is foreseen to be approved in May, with the Legislation Strategy it is foreseen for this draft law to come to the Government only at the end of September. The same is in the case of the Amendment and Revision of the Law on Citizenship, which according to the Plan is

foreseen to be approved in May, while the Strategy foresees this draft law to come to the Government in June.

A large part of the Government Work Plan 2011 and the activities foreseen with it, are activities which are implemented by ministries individually and not all decisions are taken at the level of the Government, therefore, the monitoring of the Plan implementation is more difficult.

Some of the main activities foreseen with the Plan and for which a decision at the level of the Government is necessary, and on which no activity has taken place, are:

- Development of the Zhur Hydroelectric Plant project
- Intensification of the control on border crossings 1 and 31
- Initiation of the official procedure on the application for membership in the World Tourism Organisation (WTO).
- Fulfilment of obligations that come out from the IMF agreement (the agreement for entrance into the programme, in which case Kosovo benefits a sum of 108.9 million euro). The agreement with the World Bank (implementation of SEDPP which will enable the receiving of a donation of 60 million euro) and the agreement with the European Commission (the fiscal supervision mechanism which enable

receiving the promised donation of 120 million euro in the next three years)

- Ensuring support for the Membership of the Republic of Kosovo in the European Bank of Reconstruction and Development
- Implementation of recommendation that have come out of the Functional Review (MPA)
- Implementation of the project for e-cabinet
- Establishment of the Steering Group for the Integrated Planning of Government strategic documents.

For all of these priorities nothing was done in the first 5 months of the implementation of the Kosovo Government Work Plan. The Plan also foresees that every quarter an evaluation of the Work Plan implementation be made; however, such an evaluation has not been done in the first quarter of 2011. Quarterly evaluations did not take place neither for the work plans of 2009 and 2010. At the end of the year, usually, the Government approves an annual work report for 2011.

### All the decisions taken during the month of May:

1. Decisions from the 14th meeting of the Kosovo Government, held on the 4th of May 2011:
  - 1.1 Decision 01/14, the Draft Law on the Excise on Tobacco Products is approved;

1.2 Decision 02/14, the Draft Law on the Civilian Use of Explosives is approved;  
 1.3 Decision 03/14, the Government proposes 5 candidates for members of the Agency for Personal Data Protection;  
 1.4 Decision 04/14, the Financial Report on the Functioning of Internal Auditing System in the Kosovo Public Sector for 2010 is approved;  
 1.5 Decision 05/14, the requests of the Special Prosecution for the compensation of additional payments and financial incentives for the staff of the Special Prosecution Office for 2011 at the values of 130,000.00 euro is approved;  
 1.6 Decision 06/14, the request of the MFA for the allocation of financial funds at the value of 10,000.00 euro for the lobbying mission "Flying for Kosova" is approved;  
 1.7 Decision 07/14, the request of the MLSW for the financial support of the "Kosova Employment Exchange 2011" is approved.

## **2. Decisions from the 15th meeting of the Kosovo Government, held on the 18th of May 2011:**

2.1 Decision 02/15, the Annual Platform of the Intelligence and Security is approved;  
 2.2 Decision 03/15, the Draft Law on Missing Persons is approved;  
 2.3 Decision 04/15, the Draft Law on State Assistance is approved;  
 2.4 Decision 05/15, the Kosovo Spatial Plan

2011 – 2020 + is approved;  
 2.5 Decision 06/15, financial funds are allocated at the value of 541,000 euro for covering expenses of the Kosovo delegation in the technical discussions between the Republic of Kosovo and Serbia;  
 2.6 Decision 07/15, in accordance to paragraph 4 of Article 73 of the Law on Mines and Minerals, the Municipality of Lipjan is allowed to announce the economic zone;  
 2.7 Decision 08/16, Mr. Bedri Bahtiri is appointed Permanent Secretary of the Ministry of Justice;  
 2.8 Decision 09/15, the Ministry of Diaspora is established.

## **3. Decisions from the 16th meeting of the Kosovo Government, held on the 25th of May 2011:**

3.1 Decision 02/16, the Draft Law on Legislative Initiatives is approved;  
 3.2 Decision 03/16, the Revision and Amendment of the Law on the Diaspora is included in the Legislative Strategy 2011;  
 3.3 Decision 04/16, the Draft Law on the Revision and Amendment of Law no. 03/L-099 on ID Cards is removed from the Legislative Strategy 2011;  
 3.4 Decision 05/16, the Government appoints Mr. Ymer Havolli as chairperson and Mr. Ejyq Qerimi as member of the Kosovo Pension Savings Trust Board;

3.5 Decision 06/16, to initiate procedures for the selection of member in the Board of the Independent Commission for Mines and Minerals;  
 3.6 Decision 07/16, expropriation for public interest of real estate properties which are recorded in the cadastral plots no. 257, 259, 260, 261 and 382, with a surface area of 39.99 are, which are located in the cadastral zone of Hajvali, for the American University of Kosovo;  
 3.7 Decision 08/16, Mr. Basri Rrahmani is appointed as the Chief Inspector of Labour in the Executive Body of the Kosovo Labour Inspection;  
 3.8 Decision 07/16, Mr. Veton Fierzi is appointed as Permanent Secretary of the Ministry of Culture, Youth and Sport;  
 3.9 Decision 08/16, the Government also approved the proposal for the structure of staff in the cabinet of the Principal Deputy Prime Minister, in accordance with Regulation no. 02/2011 on the administrative areas of responsibility of the Office of the Prime Minister and ministers;  
 3.10 Decision 10/16, the Kosovo Government, allocated 20 thousand euro as assistance to cope with the consequences of the weather disasters in the state of Santa Lucia, which are taken from the contingency funds of the Government.

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"GAP Monitor" is one of GAP Institute's main projects that began in January 2009, whose aim is to monitor all Kosovo government decisions. "GAP Monitor" is a monthly publication that aims to offer citizens additional information and more analysis on all government decisions. Now, 'GAP Monitor' project has its own website, which allows more interaction with our readers and gives us the opportunity to publish our news and reports in daily basis.

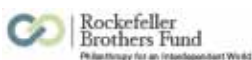
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