

August 2011

gap

# monitor

of Kosovo Government Decisions

**Government approves draft law on the  
Government and the New Rules of Procedures**

- The Law on Political Party Financing supplemented
- The last Ahtisaari Package draft law approved



## Introduction

During August of 2011, the Government of Kosovo convened five regular meetings. Meeting number 31 was with an informative character with regard to the situation after the agreement with KFOR to declare the border crosses number 1 and 31 as military restricted areas. Decisions on 36 various issues were undertaken during the other six meetings.

In August, the Government approved 14 draft laws. Between January - August 2011, the government approved 72 draft laws, or 48% of the 2011 Legislative Strategy (LS). Four months are left until the end of the year, while 78 draft laws of the 2011 LS, need to be drafted and submitted. So far, the majority of draft laws approved by the government was not in line with timeliness outlined in the legislative strategy.

The draft law on the Government is among the 14 draft laws approved by the Government during the month August. This draft law submitted in the Assembly for the second time since 2009. However, the draft law has many deficiencies in terms of content and does not regulate anything new, but matters that are already covered by the Constitution, the Government Rule of Procedures, and other subsidiary acts. GAP Institute provided concrete recommendations on what a law for the executive branch of the government must consist of. The right of the Assembly to decide on the number of ministerial portfolios that is not stipulated in the existing draft law was one of the key recommendations provided by GAP Institute. (More on the report related to the content of the draft law on the Government and Government's Rules of Procedures, can be found inside GAP monitor).

Another important draft law approved during this month is the Draft Law on Amending and Supplementing the Law for Financing of Political Parties. This draft law was approved with the aim of raising the level of transparency in financing of political parties. Unlike the existing law, provisions of the new draft laws envisage that financial statements of political parties will be audited by the Office of the Auditor General.

Among other important decisions, the Government of Kosovo approved the Strategic Development Plan 2011-2013 the Ministry of Communities and Returns, Education Strategy 2011-2015, Kosovo's Program against the Violence in the family and the Action Plan 2011-2014, as well as the Strategy for the Maternal Health, Child, Adolescent and Reproductive Health. (Reports on these documents can be read below).

Individual reports for all Government decision taken during the month of August 2011, are posted in the official GAP monitor portal [www.institutigap.org](http://www.institutigap.org)

## Contents

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Finally, the draft law on the Government and the New Rules of Procedures are approved	4
Fourteen more draft laws approved	7
The law on Political Parties Financing amended and supplemented	9
European Commission stops paying the salaries of Kosovo Privatization Agency	10
Government continues with expropriation of properties for the Vërmicë-Merdare highway	11
Strategic Development Plan 2011-2013 by the Ministry of Communities approved	12
The Board for Drafting and Monitoring the Strategy for Reintegration of Repatriated Persons is Established	12
The last Draft Law of the Ahtisaari Package approved	14
Dividing boundary between the assets of KEK and KOSST defined	16
The minimum wage in the Republic of Kosovo is determined	17
Ministry of Infrastructure pays for the services of humanitarian transport for Mineworkers' Hill residents in Mitrovica	17
PTK allocates 15 million Euros for the Kosovo budget	17
The 2011-2016 Kosovo Education Strategic Plan is approved	18
Blof   Entrepreneurship and occupations of the future in Kosovo	20
AUGUST GOVERNMENT DECISIONS SUMMARY	22



## Finally, the draft law on the Government and the New Rules of Procedures are approved

**D**uring its 33rd meeting, held on August 17, 2011, through the decision number 02/33, the Government of Kosovo approved the draft law on the Government of the Republic of Kosovo. Since 2011, functions of the Government of Kosovo or the executive branch of the government are regulated by UNMIK regulations. Since 2008, the Government of Kosovo had begun preparations for drafting the law on Government. In April 2009, the Government for the first time approved the draft law on Government. However, the Assembly rejected the draft law with the justification that a statement on financial implications was not attached to the draft law. The Government continued to work based on UNMIK Regulation 2001/19 on the Executive Branch of Self-Government Institutions, until

August 2011, when the draft law on Government was approved.

The draft law approved by the Government in August of 2011 defines the organization and functioning of the Government, the way of doing work and the decision making procedures, as well as cooperation of the Government with other institutions as determined by the Constitution.

fied in the provisions of the draft law. This allows for the Prime Minister to decide on the number of ministers, without any approval from the Assembly of Kosovo.

Functions and competencies of the Government which ended the mandate (but serves until the new one is elected), is another important issue which is expected to be regulated by

The Government failed to submit the comprehensive assessment of the budgetary impact of the Law on Government in the Assembly, but has estimated only the additional cost after the law enters into force

Under the Article 3 of the draft law, the Government consists of the Prime Minister, one or more Deputy Prime Ministers, Ministers and up to two ministers without portfolio. The exact number of Deputy Prime Ministers and Ministers outlined in the UNMIK Regulation 2001/19 is not speci-

through this law. So far, the legal acts in force have not foreseen the functions of a government in resignation. In the absence of the legal basis, after the announcement of extraordinary elections and after the motion of non-confidence passed in the Assembly in November of 2010, the Govern-





ment continued its work for about four months. During this time the Government took several executive decisions, including the decision to increase salaries of public sector employees, which then affected the work of the Government in 2011. According to Article 8, paragraph 5 of the draft law on the Government, the govern-

ment' that are confidential by law, due to privacy, trade secrets or classified information on security.

Article 27 deals with the cooperation between the Government and the Assembly. The current governing practices, Ministers did not regularly respond to the requests of committee's and were absent during the question

Unlike UNMIK Regulation 2001/19 on the executive branch, which remains in force until the entry into force of the law on the Government, the current draft law on the Government does not specify the number of ministerial posts

ment which ended its mandate only performs basic regular tasks and shall not have the authority to submit legislation in the Assembly or to issue general acts unless it is related with a legal deadline or with the state interest or in a situation of natural disaster or extraordinary situation.

According to Article 24 item 2, documents of the Government are public, except the informa-

tion' that are confidential by law, due to privacy, trade secrets or classified information on security. Article 27 deals with the cooperation between the Government and the Assembly. The current governing practices, Ministers did not regularly respond to the requests of committee's and were absent during the question period in the Assembly. According to paragraph 5 of Article 27 of the draft law on the Government, ministers must attend Assembly plenary sessions and proceedings of committee meetings in particular when documents submitted by the Government are being reviewed as well as question period.

Prime Minister may appoint up to 12 political advisers, deputy

Prime Ministers up to six political advisers, Ministers up to six political advisers, Ministers without portfolio up to two political advisers. Competencies of the political advisers and their code of conduct will be determined by a regulation approved by the Government upon the proposal of the Prime Minister.

After the entry into force of the law on the Government enters to force the UNMIK Regulation 2001/19, and other regulations for amending and supplementing it, are repealed. However, the UNMIK administrative orders for the implementation of UNMIK regulation 2001/19 until the legal framework is completed by subsidiary legislation.

In June 2011, GAP Institute published the analysis "A law for the Government" in which we argued the need for approval of this law, and provided concrete recommendations for its content. Some of the recommendations

presented in this analysis are that the law on the Government must provide to the Parliament the right to establish and set of the ministerial posts, the law on Government must fulfill the legal deficit in terms of legal function and competencies of the Government in resigning and the outgoing Government; the draft law on government should oblige Ministers to answer parliamentary questions during the question period, and invitations to report in parliamentary committees; after the approval of the law on Government, the Government should

the same Rules or Procedures, according to which “meetings of the Government’s will be public, unless the government decides to convene the meeting behind closed doors, completely or partially; public meetings of the Government will be open to journalists and other representatives of public opinion”. If the media and the public at large may attend meetings of the Government, there is no reason of the records to be kept strictly confidential.

An item that needs to be mentioned in these Rules of Procedures is the organization of pub-

ment’s consistency to annual work plans, financial stability, European Integration and legislation, etc. This is essential because the past decisions were taken without proper calculation of the financial impact, compliance with the common EU principles, etc.

The regulation also establishes a Council of General Secretaries. The Council consists of the Secretary and Secretary Generals of all ministries, as well as from directors of the legal offices, Secretariat and the Office of Strategic Planning.

The new Rules of Procedures of the Government requires reviewing the amendments of the draft laws before they are finally approved by the Assembly. According to Article 62 of the Rules of Procedures, if proposed amendments for the laws, regulations or general acts, the Secretariat submits the proposed amendment to the responsible ministry and sets the timeline for formulating an opinion for review by the Government. If there are several amendments are proposed, the ministry formulates an opinion for all of them. However, it remains unclear how the PMO secretariat will be informed about the amendments prepared by the Assembly committees.

In general, the new Rules of Procedures are more advanced than the Regulation 01/2007.

The Rules of Procedures of the Government approved in August 2011 are more advanced comparing to the Rule of Procedures of the Government nr. 01/200. However, the Government categorizes its meetings minutes as strictly confidential documents

amend its Rules of Procedures in compliance with the Law on Government and the law on Access to Public Documents, etc.

In the same month, in the 34th meeting of the Government, by decision 05/34, the Government approved the new Rules of Procedures of the Government. GAP Institute repeatedly requested the approval of new Rules of Procedures of the Government, in order to ensure harmonization with the Law for Access to Public Documents and to allow civil society to monitor the Government performance. However, GAP’s remarks were not taken into account when drafting the Rules of Procedures of the Government.

Even with the new Rules of Procedures, the Government meeting minutes are categorized as strictly confidential and their publication is not allowed. This is in contradiction with Article 71 of

public consultations. of Article 32, paragraph 1 envisages that “during the preparation of proposals for which a concept paper is required, except the ministries and other bodies of public administration, the proposing body should publish the contents of its proposal for public comments and specifically request comments from the nongovernmental organization, which significantly affected by the proposal. This is a major step forward, considering that so far, the policy develop-

The Rules of Procedures of the Government obliges the governments bodies to open the discussion with civil society organizations before the approval of public policies

ment process was in large kept closed by the Government of Kosovo.

New Rules of Procedures of the Government require better mechanisms to ensure Govern-

Nevertheless, the draft law on the Government requires additional amendments in the Assembly.



## Fourteen more draft laws approved

If the purpose of 2011 is the fulfillment of the Legislative Strategy, the Government should approve 78 more draft laws in four months

**D**uring August, the Government of Kosovo approved 14 draft laws from its 2011 legislative strategy. With these 14 draft laws, the total number of draft laws approved in 2011 reaches 72. The Legislative Strategy for 2011 envisaged approval of 150 draft laws. In the remaining five months, the

Government should approve 78 draft laws to accomplish the Legislative Strategy.

The table below shows 14 draft laws approved in August, dates of their approval by the Government, timelines foreseen with the LS'11 and the timelines outlined in the Work Plan for 2011 Assembly.

Draft law for:	Submission in the OFLS as foreseen in LS' 11	Approval in the Government	The work plan of Assembly of Kosovo	
			First reading	Second reading
Kosovo's Forensic Agency	15.7.2011	2.8.2011	9/2011	11/2011
Amending and supplementing the law on financing of political Entities.	30.9.2011	3.8.2011	10/2011	12/2011
Amending and supplementing the Law on Citizenship of Kosovo	30.6.2011	3.8.2011	7/2011	10/2011
Copyright and Related Rights	31.5.2011	3.8.2011	7/2011	9/2011
The waste law	31.5.2011	3.8.2011	6/2011	9/2011
Law on Railways	30.5.2011	3.8.2011	7/2011	9/2011
Law on sale apartments where tenure right's exists	30.6.2011	10.8.2011	7/2011	10/2011
Law on Kosovo Police	30.7.2011	10.8.2011	9/2011	11/2011
Law on the village 'Hoçë e Madhe'	30.4.2011	10.8.2011	5/2011	7/2011
Draft law on the Government of the Republic of Kosovo	31.5.2011	17.8.2011	7/2011	9/2011
Draft law on Kosovo's Agency for Radiation Protection and Nuclear Safety	30.7.2011	17.8.2011	9/2011	11/2011
Draft law on Foreigners	1.10.2011	25.8.2011	10/11	12/2011
Draft law on Advisory services for Agricultural and Rural Development	31.3.2011	25.8.2011	4/2011	6/2011
Draft law amending and supplementing the Law.no2003/24 on Sport	30.4.2011	25.8.2011	5/2011	7/2011

As mentioned above, along with the approval of these draft laws, the Government of Kosovo amended the Legislative Strategy 2011 (LS'11) approved by the Government decision no. 02/05, dated March 16th, 2011. Because of elections this strategy was approved in March, unlike the previous two strategies (2009 and 2010) approved in December. This is the second time in six months that the legislative strategy was amended.

During the 32nd meeting, with the decision 07/32, the Government, added six and removed four draft laws out of the 148 draft laws listed in the LS'11. After this modification, the LS'11 has two more draft laws or a total of 150 draft laws.

Draft laws that have been added to the LS'11 are:

- Law on National Park "Sharr"
- Law on National Park "Bjeshkët e Nemuna"
- Law for amending and supplementing the law 03/L-168 on Tourism and Tourists Services;
- Law for amending and supplementing the law 2004/28 for works of Precious Metals;
- Law for amending and supplementing the law 2004/5 on trade of Petroleum and Petroleum Products; and
- Law on Pledges.

While the draft laws removed from the LS'11 are:

- Law on the Organization and Functioning of the Public Employment Services in Kosovo;
- Law on amending and supplementing the law 2011/42 for Scientific Research;
- Law on National Parks; and
- Law on governments bodies for the information Society.

So far the Number of approved draft laws in the period of March to August 2011 has reached 72 or 48% of LS'11 is fulfilled.





## The law on Political Parties Financing amended and supplemented

**A**t the 29th meeting held on August 3, 2011, the Government approved the draft law for amending/supplementing the Law on Financing the Political Parties.

lates that CEC is the responsible institution for controlling the financial reports of political parties, Article 15 which specifies financial reporting procedures, obliges political entities to submit

sures are expected to be harsher. Seeing the fact that with the political agreement reached between the PDK, LDK and AKR for constitutional changes to allow for direct election of the President, the candidates for president also is included in the provisions of the law and, in a case of violating the law can be fined from 5000 up to 50.000 Euros. With the existing law, this punitive measure was 3.000 up to 10.000 Euros. Meanwhile, for candidates for MP, Mayor, municipal councilor and independent candidate, penalties which were previously provided ranged from 500 to 3.000 Euros in contrast with their new draft law penal measures range from 1.000 to 5.000 Euros.

Law for Establishment of the

A competency to exercise the control of the financial reports of Political parties and the CEC now passes in the hands of the Auditor General

Low level of transparency of political parties on the origin of their funding was given as a reason for amending/supplementing this law, together with the request to transfer some of the responsibilities of the CEC to the Office of the Auditor General. However, the governing parties which have driven forward the amending/supplementing; themselves have not made public their party finances. The existing law stipu-

annual reports for each financial year, no later than March 1st of the following year, as envisaged by the CEC.

Meanwhile, the new draft law transfers this responsibility to the Office of the Auditor General who shall be responsible of raising the level of transparency about how political parties and their funding sources, including the institution of the CEC.

Furthermore, punitive mea-

Office of the Auditor General and the Audit Office of Kosovo namely Article 3, paragraph 2, provides that the Auditor General annually conducts an audit of all budgetary organizations including entities that are more than 50% publicly owned or receive funds from the Kosovo's Consoli-

parties is regulated through the budget of the Republic of Kosovo, the Fund of Supporting the Political entities. The amount of budgetary resources dedicated to the Fund for the support of political parties cannot exceed (0.17%) of the Kosovo's Budget. For financing of regular activities

over 50% of financing from the public funds, almost none of the parties is a subject to the auditing. On the other hand it remains unclear whether the OAG will also audit private sources of financing political parties or will focus only on spending of public funds of political parties? Thus, in addition to changes in the Law on Financing of Political Parties need to amend the Law on establishing the Auditor General and the Audit Office of Kosovo.

The lack of transparency is considered to be one of the justifications given for amending/supplementing the law. However, the governing parties which have driven forward the process of amending and supplementing the laws have not made public their party finances

However, the existing law also guarantees a transparent and accountable process. According to paragraph 3 of Article 9, to obtain funds from the Kosovo's Budget, political parties must submit financial reports of the previous year. The subjects continued to receive public funds without fulfilling their reporting obligations. The problem with the Law on financing the political parties is not its content but its implementation in practice.

dated Fund. However, provisions of the Law for Establishment of the Office of the Auditor General and the Audit Office of the Kosovo, do not mention the audit of the political parties. Not all political parties are financed by public funds. According to the law 03/L-174 for financing of political parties, public funding of political

of a political entity, the assets of the Fund for Support of political parties, are shared among the political parties represented in the Parliament in according to the number of seats for the given term. .

Since the Office of the Auditor General (OAG) has the mandate to only audit entities receiving

## European Commission stops paying the salaries of Kosovo Privatization Agency

In the 28th and 34th meeting held on 2nd and 25th of August 2011, the Government of Kosovo, approved two proposals of the ministry of Finance to allocate funds of 344 thousand Euros (60.000 to 248.000 for July and August) to cover expenses for wages and salaries for the Kosovo's Privatization Agency (KPA) staff. This amount is destined to be spent for July and August. By June of this Year until June, salaries and per diems of the KPA were covered by the donations of the European Commission

The issue of salaries and per

diems for employees of the KPA is expected to be regulated by the law approved by the Government on June 15 this year. The draft law recently passed the first reading in the Assembly and is expected to be approved in the coming months.

Until June 2011, salaries and per diems of the KPA were covered by the donations of the European Commission

Such a decision, according to the Ministry of Finance, had to be taken due to the discontinu-

ation of funding for this purpose by the EC and therefore a temporary solution had to be found until the approval and entry into force of the Law on PAK. Even in the budgetary tables of the Budget Law for 2011, figures the amount of 805 thousand Euros,

for wages and salaries for 279 employees of this Institution.



## Government continues with expropriation of properties for the Vërmicë - Merdare highway

In the 29th meeting, the Government of the Republic of Kosovo took two decisions related to land expropriation for Vërmicë - Merdarë highway. By decision 06/09, the expropriation and compensation of owners of

Recent decisions were taken regarding the expropriation of private parcels in order to create adequate space for continued performance of the highway works, belong to the 12th meeting, held on April 27, 2011,

sion 04/124, dated 13.5.2011, were approved the requests for expropriation of immovable properties in both M9 and M2 roads and land parcels under the possession sheet 7497.16590, Prishtina cadastral areas and around the rotation.

The Government expropriates properties to the "Segment 2" (Zhur -Prizren) and "Segment 5" (Qafa e Dulës - Gjurgjicë)

Realization of these projects started earlier but the compensation of the owners along these roads is not completed in the absence of the Law on Expropriation. The report of the decision that has preceded this decision can be read here; <http://www.gapmonitor.org/?id=2&n=27>.

immovable properties in "section 2", Zhur-Prizren, and with decision 07/29, approved a preliminary draft for expropriation of "Segment 5" Qafë Dulë-Gjurgjicë, respectively the crossroad on the road M9 of the highway Vërmicë-Merdarë.

respectively, 3 decisions on segments 1, 2, 3 and 4.

Also, in the same meeting, the Government took the final decision on expropriation of immovable properties in M2 Prishtina -Mitrovica road.

With the Government's deci-

## Strategic Development Plan 2011-2013 by the Ministry of Communities approved

In the 32nd meeting, held on 10th, August, 2011, the Government of Kosovo approved the Strategic Development Plan 2011 to 2013 of the Ministry of Communities and Returns (MCR).

MRC intends to ensure that policies at central and local levels include provisions related to protection of Communities. At the same time, the draft law aims to support the work and provide guidelines to other ministries in the drafting legislation process in order to respect the rights of the communities including the returning process.

According to this plan, the main goals of the MCR are implementation of legislation for the promotion and protection of communities, including returning, to promote and make conditions for returns, to develop policies for dialogue and belief support of the implementation of those activities; to support the development and imple-

mentation of the Government Strategies for Communities and Return.

As strategic priorities, MRC considers, creating a legal basis for democratic society, increasing confidence and cooperation with the local and international institutions, the role of the MRC in the process of returning communities, raising awareness of the priority needs for development communities funding (ensuring donor funding); stabilize

ity in planning and managing human resources of MCR, and improving relative management Services.

The MCR was established on January 24th, 2005, based on UNMIK Regulation 2004/50 of December 2004. Until 2006, the international community has organized the returning process, where later on this responsibility has passed into the hands of the Ministry of Communities and Return.

According to this plan, the main goals of the MCR are implementing legislation for the promotion and protection of communities

communities through implementation of projects MCR and increasing the number of sustainable conditions of returnees.

In addition, the Ministry will also address deficiencies in the current capacities identified in the functional review, creating new department for Planning of Policy Analysis, the Department of Management and Monitoring Project, increasing the capac-

Based on the Strategy of Communities and Return 2009/2013, less than 20.000 people from minority communities have returned to Kosovo since the 1999 conflict. The Strategic Development Plan does not include data on the returning process and does not deal with the concluding process.

## The Board for Drafting and Monitoring the Strategy for Reintegration of Repatriated Persons is Established

The Government of Kosovo, in its 33 meeting, took the decision 7/123 to amend and supplement the decision dated 30.04.2010, to establish the Monitoring Board for Drafting the Strategy for Reintegration of Repatriated Persons.

Based on the Strategy for Reintegration of Repatriated persons, the duty of the monitoring board is to ensure effective implementation of the strategy and action plan for the reintegra-

tion of repatriated persons. This board consists of the following ministries: MLGA, MIA, MLSV, MESP, MEST, MH, MCR, MF, MEI international organizations and relevant actors of civil society.

Chairman of this board was appointed, Ilhami Gashi, Secretary General of the Ministry of Interior, whereas Besnik Osmani was appointed deputy chairman of MLGA, and members of this board were appointed: Fitim

Krasniqi Secretary General of OPM; Xhavit Dakaj, Secretary General of MEST; Ilir Tolaj Secretary General of MF, Eshref Shabani, secretary general of MPMS; Naim Baftiu, Secretary general of MJ, Zana Kotori Secretary general of MCR; Caka Islam, Director of DCSM/MIA; Ruzhdi Halili Director of OSP/OPM, Representative of the European Commission, representative of UNHCR and IOM.



The Board in cooperation with its secretariat will:

- prepare an action plan for implementation of the strategy;
- propose and design of the budget for implementation of the strategy;
- manage the fund for the integration of repatriated persons;
- take decisions about expenditures from this fund monitor the usage of this fund;
- designate the responsibility areas for each relevant ministry, the central and municipal level of the administrations and municipal departments.
- supervise and monitor the implementation of the strategy;
- coordinate the work of ministries;
- establish effective mechanisms for distributing information between ministries and the municipalities involved;
- coordinate with relevant municipal assemblies the implementation of the strategy to the municipal level;
- meet on regular basis and inform the government about the achievements and challenges identified during its work, namely the monitoring of the implementation of the strategy and action plan for the reintegration of repatriated persons;
- coordinate donor activities/organizations which are active in implementing the strategy and action plan.

This decision is closely related to the implementation process of the criteria for receiving the visa liberation strategy, which in all probabilities, after the visit of the EC assessment team is expected this month to be officially taken from Pristina authority. Also in August approved the decision to establish the Council for De-

tection and Justice for Children in central and local level.

This council will consist of these representatives: Director of OGG/OPM, Chairman and from two Deputy Chairmen: Director of Department of EIPC/MJ and Head of Division of SS/MLSW, and from 17 members: Coordinator of UHR/MJ; Coordi-

of UHR/MF; Manager of Victim Protections/MJ; Officer for Maternal and Child Health/MH; Director of Department for EI/MIA; Head of division for LGR/MLGA; Executive Director/KCHA. While the quality of members, the External Advisers will be: an Officer for Children Protection/UNICEF and an Officer for Children Protection of DP/UNICEF. As well as the quality of observers will be: Officer for Children Rights/Ombudsperson; Director of Strategic Planning Office/OPM; The Coalition for Victims Protection and Director of TDH/NGO (Terre Des Hommes).

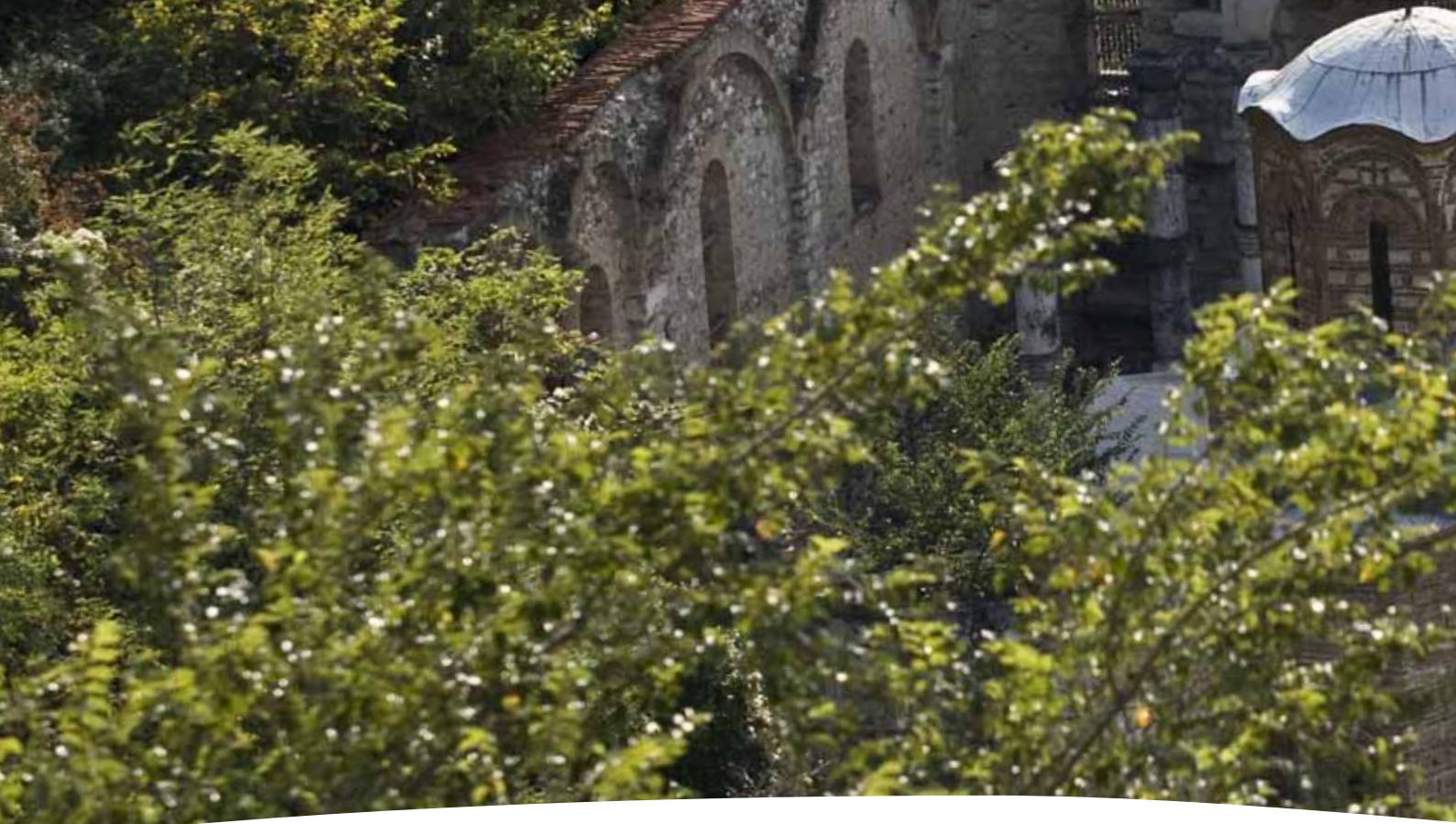
While the Prime Minister's Office/Office for Good Governance will serve as a secretariat to coordinate, monitor, develop and maintain the necessary activities for its work.

According to this plan, the main goals of the MCR are implementing legislation for the promotion and protection of communities

fense and Justice for Children.

Council's task will be to define priorities and appropriate measures that need to be taken to improve the current situation regarding the Child Protection and Justice for Children as well as facilitating and monitoring the implementation of policies, programs and other measures that are approved relating to the Pro-

nator of UHR/MLSW; Director of the Correctional Center in Lipjan/MJ; Head of Division for MDA/MJ; Senior Legal Officer/MJ; Head of Legal Division in KCS/MJ; Legal Officer in Secretariat/KJC; Program Coordinator/KJI; an officer from Community Police/KP; a Financial Officer from DSW/MLSW; Coordinator of UHR/MEST; Coordinator



## The last Draft Law of the Ahtisaari Package approved

**D**uring the 32nd meeting held on August 10, 2011, the Government approved the draft law for Hoça e Madhe. This draft laws, along with the Law on Prizren's Historic Centre, were drafted by the Ministry of Environment and Spatial Planning. These two draft laws have very little to do with the environment and spatial planning, and more with cultural, historical, religious and ethnic heritage.

Law on Hoça e Madhe is the last in the list of laws foreseen by the Ahtisari's package. The drafting of these draft laws is kept secret from the public and there were no public consultations on their content. The approval of these two laws has been delayed three years after the independence, because of the reaction aroused by the majority of the population. The approval of the Special Law for Hoça e Madhe was opposed by the May-

or of municipality of Rahovec, to which municipality the village of Hoça e Madhe belongs.

According to article 1 of the draft law on Hoça e Madhe, "the aim of the law is the protection and preservation of cultural and religious heritage of Hoça e Madhe and its promotion as a village with cultural and religious values of local, national and international importance and with the aim of sustainable and harmonious development." After the entry into force of this law,

member shall be elected by the Serbian Orthodox Church. The draft law does not specify whether the two members of the Committee elected by the Municipal Assembly should or should not be members of the Serb Community. The budget for establishing and functioning of the committee is divided in accordance with the law on Local finances, which is provided to the Municipality as a grant for additional competencies.

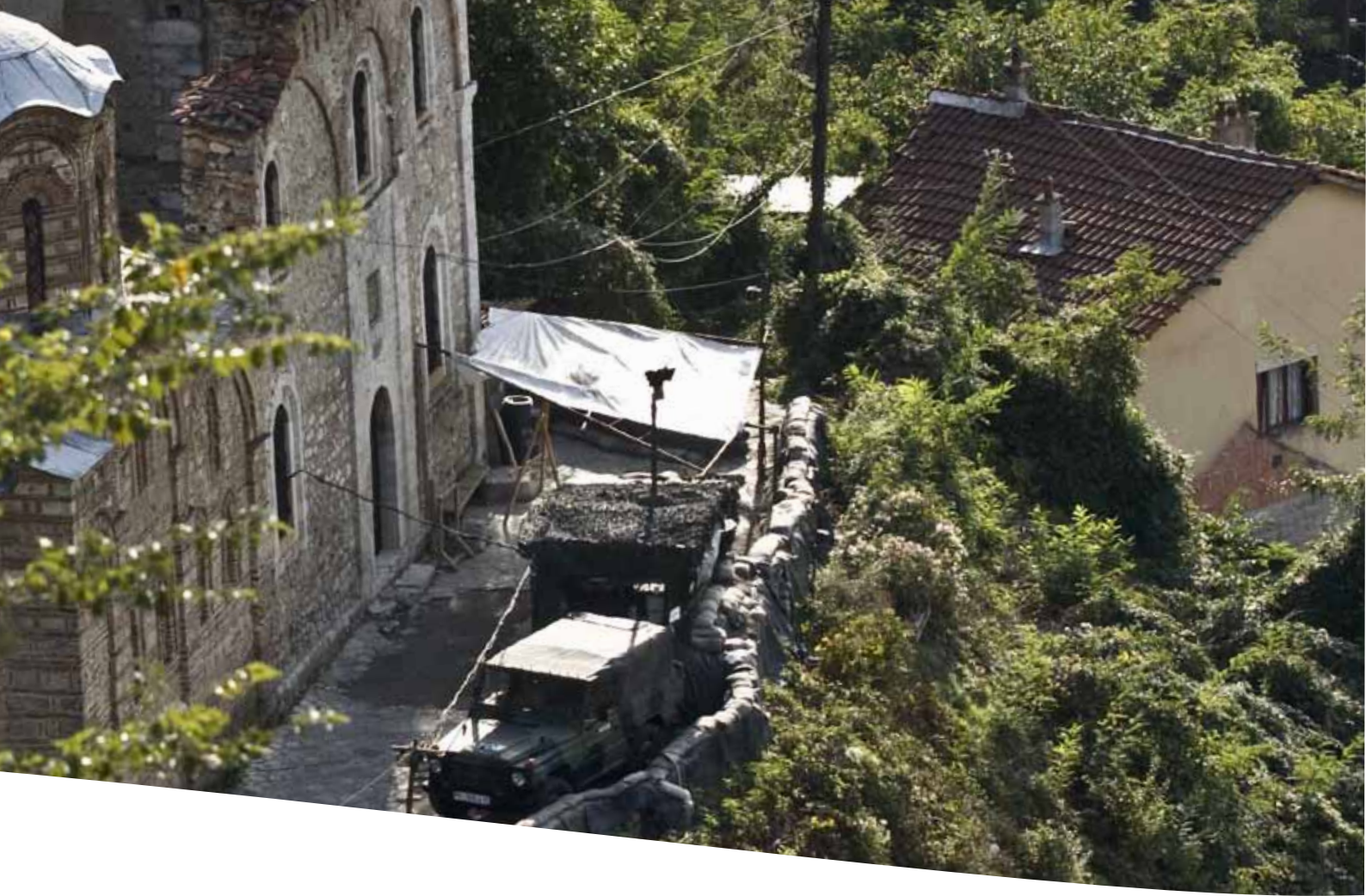
With the law 03/L-040 on local

So far the Assembly has approved 51 draft laws from the Ahtisaari Package. All these were approved through an accelerated procedure

the Municipality of Rahovec has to establish the Committee for Hoça e Madhe. This committee will be permanent and its composition will have five members: two members from the Municipality of Rahovec, two members shall be selected directly by the village of Hoça e Madhe and a

Self-Government is required two permanent committees for each municipality: the Committee on Budget and finances and community Committee. Committee for Hoça e Madhe raises up to three the number of permanent committees, which was not foreseen by the Law on local Self





– Government. The Committee has the authority in cooperation with the municipality to decide on Municipal Development. Also, this legal act prohibits certain activities which may affect the changing image of the locality. These prohibitions are outlined in Article 8.

Article 9 of the draft law provides that for the activities such as construction or commercial developments as structures or buildings higher than the monastery/ church/cultural monument

scale in rural areas, gatherings, recreation and public entertainment and urbanization of agricultural land, the municipal authorities should require the consent of the Serbian Orthodox Church. Serbian Orthodox Church must respond within 15 days of receipt of the request to issue the authorization.

Draft law on Hoça e Madhe will be submitted to the Assembly for approval. If the Assembly follows the regular procedure for reviewing and approving the draft laws,

tee for the laws of the Ahtisari's package can be established, and this law, together with the Law for the Historic Centre of Prizren, will be approved through a haste procedure.

GAP Institute opposed the approval of laws through hasten procedures, because all the laws approved in this way have proven to be unenforceable laws, badly written, which afterwards had to be amended and supplemented.

The Assembly should follow the regular procedure to approving laws. Parliamentary committee on Agriculture, Forestry, Environment and Spatial Planning should organize public hearings on the draft law of Hoça e Madhe and proposals received from public hearings should be incorporated into the final draft of the law on Hoça e Madhe.

Draft law on Prizren's Historic Centre and the draft law for Hoça e Madhe conclude the package of laws foreseen by the Ahtisaari document

to be protected, construction of roads, construction of warehouses, workshops, shops, restaurants, bars, cafes, hotels/motels, food, stalls and kiosks, petrol stations and automobile repair, supermarkets, night clubs, or any other building on a larger

then the Parliamentary Commission for Agriculture, Forestry, Environment and Spatial Planning, will be responsible for reviewing it and preparing the necessary amendments. If the Assembly does not apply the regular procedure, then an ad-hoc commit-



## Dividing boundary between the assets of KEK and KOSST defined

**A**t the 29th meeting held on August 3, 2011 the Government of Kosovo approved the draft proposal of the ministry of Economic Development MED about dividing the boundary property between KEK and KOSST.

This draft proposal of MED came as a result of the privatization process of the distribution unit within KEK, and feels a need to fix a problem in terms of defining the boundary assets between KEK and KOSST. It is about the assets 400/220/110 kW including transformers 220/35/10 (20) kW as in respective fields and the transformer switcher 35

kW and 10 (20) kW, ownership of which has been undefined till now.

At the meeting of ministerial committee for public enterprises, held on June 11th 2010, KOSST had requested that the trans-

In the privatization process of the distribution and supply company, and the beginning of the public-private partnership to develop new generating capacity, the transfer of the transformer 220/35/10 (20) kW and 110/xkW

Transfer of the property for the energy transformer 220/35/10 (20) kW and 110/xkW in KOSST will ensure better functioning of the energy market, and also there will be more efficient monitoring and controlling of the private operators.

former ownership of 220/35/10 (20) kW to be thrown into the ownership of the latter, a claim which was supported by the commission.

in KOSST will provide better operational power market, and also there will be more efficient monitoring and control of private operators.



## The minimum wage in the Republic of Kosovo is determined

**A**t the 33 meeting, held on August 18th, 2011, the Government of Kosovo approved the decision of the Economic and Social Council for determining the minimum wage.

Based on the Law for Economic –social and Labor law, the board is determined as the final authority in determining the minimum wage in Kosovo. Initially, in April 2011, the ESC had taken the decision that the minimum wage for 2011 is 170 Euros. Thus, with the recommendations of the International Monetary Fund, in the 33rd meeting of the Government, it was decided that the minimum wage in Kosovo for Employees aged 18-35 years to be 130 Euros while for employees over age 35 to 65 years to be 170 Euros.

The law on ESC approved in

August 2010, finally determines the manner of establishing the ESC, the definition of duties, responsibilities, and powers of this body and promotes social dialogue between social partners. In addition, the draft law provides the criteria for representation of workers and employers organizations in the ESC,

In consultation with the IMF, the Economic and Social Council decided on a minimum wage of 130€ (aged 16 to 35), and 170€ (aged 35 to 65) respectively

as an independent and apolitical, which will lead to national consultations on issues such as employment, social affairs and political-economic.

ESC is composed of 15 members: five from the government (5 ministries), 5 members are employers' organizations, and five members from workers' organiza-

tions. This council is chaired by the Minister of Local Government Administration.

This is the second time that the minimum wage is determined in Kosovo. In 2005 three sides of Consultative Council, and the predecessor of the Social Economic Council, had set the minimum sal-

ary for that year. In 2005, the minimum wage was set at 120 Euros. Known as, the General Collective Contract and its annex are never implemented. With the entry into force of the Law of Labor, Economic and Social Council should convene and determine the minimum wage.

## Ministry of Infrastructure pays for the services of humanitarian transport for Mineworkers' Hill residents in Mitrovica

**I**n the 33 meeting of the Government, held on August 2011 was approved the proposal of the Ministry of Infrastructure for financial compensation of humanitarian transport services for residents of Miner's Hill in Mitrovica.

Humanitarian bus transportation from the southern part of Mitrovica to the neighborhood of Miners for 2007-2010 was made by a bus company from Zubin Po-

tok on the recommendation of the municipality of Mitrovica. Transportation services to the company from 2003 to 2005 were paid by UNMIK, while for 2005-2007 the payment is made by the Ministry of Communities and Return (MCR). But for the period 2007-2010 to this Company has not been made any payment, although services have been continued.

After the request of the company for payment of services during

these years the review committee has been established that has proven the performance of certain services debt value of 89.700 Euros that have to be paid to this company, the amount that is taken in consideration to be paid by the (MI), respectively from the Humanitarian Transport Fund.

## PTK allocates 15 million Euros for the Kosovo budget

**A**t the 34th meeting held on August 25, 2011, the Government of Kosovo decided to take 15 million Euros dividend from PTK. The decision was made based on the law for Public Enterprises, respectively Article 3 and 5 and in consultation with

management and board of this company.

The amount of this fund is considered of a particular importance given the fact that the Kosovo government is facing a budget crisis caused as a result of suspended agreement with the IMF.

This is the second time this year that the country's biggest public, allocates PTK funds for the Kosovo budget. At the meeting held in March, the Government had taken 40 million dividends from PTK.

## The 2011-2016 Kosovo Education Strategic Plan is approved

**G**overnment of Kosovo, in its 34th meeting held in August 25th, 2011, approved the Strategic Plan for Education in Kosovo 2011-2016 (SPEK). SPEK is a five year plan that connects education to lifelong education and inclusion in a model of learning to reachable to all students as well as the equal opportunities for quality education for all. Also this is a key plan for investment in the

education sector. Under this plan, the MEST will develop an annual implementation plan,

tion, the MEST will also create mechanisms for regular review of sector performance, includ-

One of the key priorities of this plan is reducing the school shifts, reduction of the double shifts, mainly in urban areas, through the erection of new secondary and elementary schools

which will be a crucial step to provide ongoing support to the education sector. In addi-

ing the impact of main investment decisions.

Priorities and strategic issues addressed by SPEK, include:

- Developing and promoting a comprehensive educational system that provides equal access to quality education;
- Reduction of shift numbers in schools, reduction of double shifts, mainly in urban areas, through construction of new elementary and secondary schools;
- Development of friendly school environments for children;
- Development and support services in early childhood development, and expansion of upper secondary education;
- Improving the quality of teaching and learning and promoting the quality of teaching and learning outcomes by helping students define and learn what it takes to teach and support learning to learn;
- Restructuring of secondary education and promotion of secondary education and vocational training;
- Competence Development Centre;
- Convenience better education and employment including the development of higher education and vocational training in response to labor market requirements.
- Improving the quality of higher education by ensuring quality control, application of European standards and reviewing the structures of academic organization.
- Extending the spectrum of higher education services and establishing new universities;
- Establishing research institutions within the abovementioned educational institutions; providing services to the private sector and for other purposes;
- Developing the Informational Technology and Communication (ITC) at all levels and segments of education;
- Defining human resource development as a national priority and establishing a lifelong culture of learning.

Each sub sector program follows a logical framework and structure and for each priority, targets, objectives, activities and indicators have been developed.

For the next six years 2011-2016 overall development cost and additional operating cost is estimated to be 480 million Euros. Overall cost of development will reach a value of 242

million Euros, while operating additional cost of 238 million Euros over six years of implementing the SPEK.

SPEK is divided into eight program areas, for which are developed specific results and indicators. These eight program fields are given below:

- Preschool education (PSE) and primary education (PE)
- Pre-university education (PUE)
- Education and professional training (EPT)
- Higher education (HE)
- Professional development of teachers (PDT)
- Education and training of adults (ETA)
- Information Technology and Communication (ICT)
- Raising Human Capacities (RHC).

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## Entrepreneurship and occupations of the future in Kosovo

**Jeton Mehmeti  
& Rudina Heroi**

'Most new jobs won't come from our biggest employers; they will come from our smallest. We've got to do everything we can to make entrepreneurial dreams a reality'  
– Ross Perot

Kosovo has both the youngest population in Europe – 70% is younger than 35 years old, and the highest youth unemployment rates in Europe – 40% of the total number of unemployed. In 2008 the World Bank predicted that in the next five years another 200,000 young people would join Kosovo's labor force.

On the other hand, Kosovo generates very few jobs and as a result, competition for those jobs is harsh. Important factors affecting the job-seeking race are, undoubtedly, the level of education, specific skills for specific jobs and the occupation itself. In the last ten years the trend of degrees that young people select to study and occupations they choose to pursue has significantly shifted its focus.

Several years ago, the Faculty of Medicine and the Faculty of Technical Sciences topped the list of students. In 2011, it is the Faculty of Economics, the Faculty of Law or the Faculty of Education that lead. In 2010, University of Prishtina's Faculty of Economics had about 7000 students.

Similarly, occupations that were once sought after in the market are nowadays considered less attractive by young people. Business management, law, and medicine are now more appealing to job seekers than, say, careers in electrical or mechanical engineering.

In countries with high youth unemployment rates like Kosovo, creating a job versus seeking for and finding one is crucial for economic growth. Kosovo needs creative and innovative young entrepreneurs to strengthen its private sector through new products and services. This would positively influence on decreasing

unemployment too, and therefore act as catalysts for economic and social development.

Worldwide, the 2008/2009 global financial crisis has resulted in increased unemployment rates. In Eastern Europe, for example, youth unemployment reached 25%. Since youth unemployment in Kosovo is more challenging, young people should explore alternative employment opportunities, like entrepreneurship, or be open to opportunities in occupations that will be the future of Kosovo's economic growth.

Where will the job and entrepreneurship opportunities in Kosovo be in the near future? These opportunities will, of course, be in line with the changing demands of the labor and business market in Kosovo. Below is a list of top sectors and specific skills that will be needed increasingly.

Wood Processing Industry. These are companies that manufacture furniture, doors and windows. Research results indicate that six local wood processing companies in Kosovo have an annual turnaround of €1-6 million, which means that this is a highly profitable business. These companies are quite successful, both in the domestic and export markets. However, they lack, for example, staff trained on how to use raw material. As a result, wood processing companies are forced to buy processed material, which bears additional costs. In addition, these companies are finding it hard to employ competent production managers that would make it easier for them to expand their market share or furniture designers to design authentic and modern pieces of furniture that would increase the competitiveness of Kosovo's furniture in the regional



and European markets.

Information Technology (IT). IT is one of the most powerful industries in the world that has bloomed thanks to the quick growth of computer and other software equipment sector. This sector is mainly occupied by young people. Therefore Kosovo has a unique potential to further grow this sector. IT professionals work in several areas, such as e-governing services for citizens; computer software design for institutions, the government, universities, private companies, banks, insurance companies; website design and maintenance, communication between people etc. The need for IT experts in Kosovo is expected to increase due to technological reforms that Kosovo shall have to undertake as a result of the ever increasing number of local companies. This is a good entrepreneurship opportunity as IT experts can always offer e-services through their own companies.

Agribusiness. This is already a profitable activity for many Kosovo families, especially in rural areas where unemployment is more pronounced. Opportunities to work in agribusiness are increasing hand in hand with an increased demand for fresh local products, like meat or dairy products. Small cow farms that sell milk or raise cows for butchering, chicken farms for eggs, milk collection and processing centers for yoghurt, cream etc., have a good potential to be successful. Apiculture, fruit and vegetable cultivation and processing, non-wood forest product collection are other business ideas with potential through which many families can increase their annual income.

Skilled jobs. The need in Kosovo

for certified welders or painters is also increasing. Young people still lack interest in such occupations but the good news is that domestic and international companies operating in our country will need more people with certified skills, such as certified welders and painters. Also, other occupations to look out for, which require higher education, are sociologists, psychologists, researchers, data processors and statisticians.

It is difficult to predict with accuracy which occupations will be the most wanted in the market of Kosovo. However, the current trends suggest that it is not very profitable for either an individual or the society in general for some university faculties to have massive numbers of students, while some others are considered as less attractive, in spite of the importance of what they teach. In addition, young people should consider which might be the most sought after occupations after they graduate regardless of what were the most wanted occupations before they started to study. Current students and a group of those who have graduated should consider entrepreneurship as a way of employment. Entrepreneurship may serve as a very important step towards using their knowledge in practice, and why not, building a successful career.

This article  
was written for  
USAID Young  
Entrepreneurs  
Program



5. Decisions of the 33<sup>rd</sup> meeting of the Government of Kosovo, held on August 17, 2011:
  - 5.1 Decision 02/33, Approval of the draft law on the Government of the Republic of Kosovo, with proposed comments
  - 5.2 Decision 03/33, Approval of the draft on the Kosovo Protection Agency for Radiation and Nuclear Safety with proposed comments;
  - 5.3 Decision 04/33 Approval of the proposed decision of the Economic-Social for determining the minimum salary;
  - 5.4 Decision 05/33, Approval of the decision to amend the decision 7/123 dated 30.4.2010, to establish and monitoring Board for Drafting the Strategy of repatriate Persons;
  - 5.5 Decision 06/33 Approval of the proposed decision on financial compensation for humanitarian transport services for residents of “Kodra e Minatorëve” in Mitrovica;
  - 5.6 Decision 07/33, the Government of Kosovo proposed to the Independent Board of Mines and Minerals; Remzi Krasniqi and Naim Hyseni;
6. Decisions of the 34<sup>th</sup> meeting of the Government of Kosovo, held on August 25, 2011:
  - 6.1 Decision 02/34 Approval of the draft law on Foreigners;
  - 6.2 Decision 03/34 Approval of the draft law on Advisory Services for Agriculture and Rural Development;
  - 6.3 Decision 04/34 Approval of the draft law for amending and supplementing the law on sport no. 2003/24.
  - 6.4 Decision 05/34 Approval of the draft rules of work procedure of the Republic of Kosovo;
  - 6.5 Decision 06/34, Approval of the decision for amending and supplementing the decision no. 03/13 dated 29.04.2011;
  - 6.6 Decision 07/34, Authorized and directed to act on behalf of the Government of Kosovo, as the only shareholder in the PTK, and to take all lawful measures as shareholder as necessary and appropriate actions where PTK and the Board of Directors immediately have to declare and pay dividends to the shareholder in the amount of 15.000.000 Euros;
  - 6.7 Decision 08/34 Approval of the Education Strategy for the period 2011/2016;
  - 6.8 Decision 09/34, Approval of the Kosovo's Domestic Program against Violence, and action plan 2011-2014;
  - 6.9 Decision 10/34, Establishment of the Council for Protection and Justice for Children;
  - 6.10 Decision 11/34, Approval of the Strategy for Maternal Health, Child, Adolescent and Reproductive Health;
  - 6.11 Decision 12/34, Allocation of a fund in the amount of 284 thousand Euros to the Privatization Agency.

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of Kosovo Government Decisions

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