



Fullfillment of pledges for good municipal governance

Biannual report on municipalities
Pristina, Prizren, Ferizaj, Peja, Gjakova,
Gjilan and Mitrovica

January – June 2018



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Introduction

During the electoral campaign for municipal elections 2017, Democracy Plus requested the mayoral candidates of the seven municipalities to formally commit to adhere to certain basic principles of good governance if elected to run the municipality. It was encouraging that almost all mayoral candidates for Prishtina, Prizren, Ferizaj, Peja, Gjakova, Gjilan and Mitrovica signed the document of six basic principles of good governance titled "Six Commitments for Good Municipal Governance". The incumbent Mayors of the seven municipalities are also signatories of the commitments.

These six commitments have been carefully selected and drafted by the Democracy Plus team based on the experience of monitoring municipal institutions and the analysis of the basic principles of good governance. The purpose of these commitments is to install an open, transparent and accountable municipal governance for citizens and interest groups.

The reasons for the selection of the commitments is to start with a number of basic principles for a true democracy and then built upon them. These seven larger municipalities have been selected to serve as an example for the smaller municipalities in setting the highest standards of good governance principles in local government in Kosovo.

6 PLEDGES OF MAYORS FOR GOOD MUNICIPAL GOVERNANCE

PRISHTINA / PRIZREN / FERIZAJ / PEJA / GJAKOVA / MITROVICA

TO PUBLISH:

-  **Decisions, Regulations and Urban Plans**
-  **Financial Reports and Results of Job Openings**
-  **Public Consultations in Neighborhoods and Villages**
-  **Public Procurement Plans, Contracts, and Consultations on Procurement Plans**
-  **Annual Report on the Fulfillment of Electoral Promises**
-  **Level of Addressing Citizen Complaints on Online Platforms**

Monitoring Methodology

Following the local elections results, D+ signed Memorandums of Understanding with the newly elected Mayors of the seven largest municipalities in the country, specifying the roles and responsibilities of D+ and the respective municipality in monitoring activities and effective assessment of the implementation level of election commitments.

The first resource for the publication of information and documents related to the six (6) commitments is the municipality's website. Given the extensive use of the Internet and information technology, websites should serve as the primary tool to expand institutional transparency.

Due to a few challenges at the beginning of 2018, official municipal websites were not functional. In their absence, some municipalities have used social media pages for the purpose of informing the public. Now, new websites are functional and unified in content, appearance and functionality, which makes public access to information easier, but also sets a general transparency standard for all municipalities.

For this monitoring and evaluation initiative, D+ has assigned and trained coordinators for each of the seven municipalities, who will perform the monitoring work on a regular daily basis in the designated municipality. D+ has developed the monitoring methodology that consists of direct monitoring through participation of field coordinators in:

- Municipal Assembly sessions;
- Public discussions, including: public meetings, budget hearings, public consultations in settlements or villages, consultations with local communities, and consultations on regulations.
- Meetings of the Board of Directors (in the municipalities where access of D+ coordinators was allowed).

They also monitor official municipal websites for the publication of:

- Decisions of the Mayor;
- Decisions taken in Municipal Assembly sessions;
- Urban plans;
- Expenditures' reports
- Results of vacancies;
- Announcements for public discussions;
- Contracts;
- Procurement plans;

Field coordinators are also obliged to verify citizens' reports on the ndreqe.com platform, inform the municipality-appointed officials on a weekly basis on the reports in their municipality, and verify interventions/adjustments taken by the municipality.

All monitoring works are recorded in the forms designed by the project management, which include information which is then analyzed and shared periodically with the public.

Assessment of fulfillment of commitments



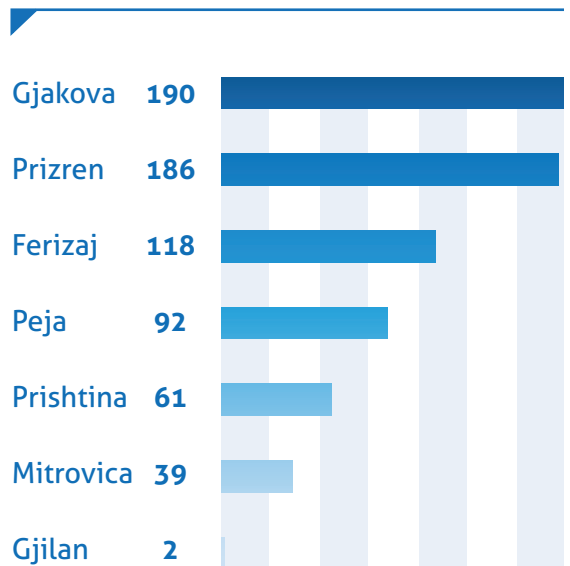
Commitment 1 - Decisions, Regulations and Urban Plans

Prompt publication of decisions taken by the Mayor and the Municipal Assembly is of utmost importance for municipal transparency. It should be noted that this monitoring doesn't analyze the contents of decisions taken, but rather only if they have been published on the municipal website after they have been taken, as the Mayors have committed in the elections campaign.

Monitoring of the publication of decisions of mayors is carried out through the website. Thus far, municipalities were significantly transparent with the publication of decisions in the website. It should be noted that the mayors may have taken a higher number of decisions than those listed below, but in the absence of a benchmark basi, and in order to monitor transparency, the following table only shows the decisions published in the website. The fact that a mayor has taken fewer or more decisions doesn't signal a higher or lower quality of governance; it does, however, signal the importance that the Mayors give to public information on their work. For example, the fact that the Mayor of Gjilan, during the first six months of governance in 2018 only published two (2) decisions on the website, raises concerns about his work as Mayor, but given that more decisions may have been taken than those published on the web site, raises concerns about his commitment to transparency towards the citizens of Gjilan. Regarding the format, all municipalities publish scanned decisions, while Peja does this in Word format.

Decisions of the mayor

Fig 1.



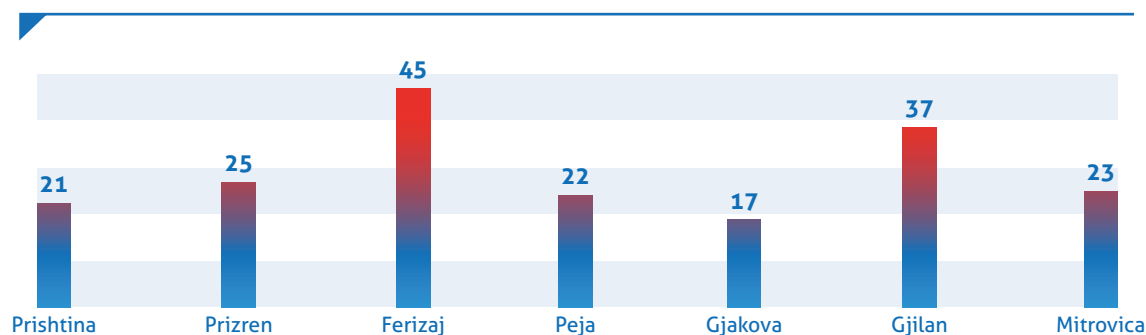
On the other hand, the number of decisions taken in the Municipal Assembly was compared with the number of Assembly decisions published on the municipal website. Regulation on the procedure for drafting and publishing municipal acts, obliges municipalities to publish normative acts on the municipal website within 15 days after the assessment of the legality of the act by the Ministry responsible for local self-government¹. Therefore, for this commitment, the average number of days from the taking of the decision until publication on the municipality's website was also calculated. This data shows that Gjakova was the fastest in publishing the decisions of the Assembly, with an average of 18 days from decision to publication. The municipality of Ferizaj, within this six-month period, has a significantly higher average number of days from decision to publication of Assembly decisions, compared to other municipalities (45 days). Regarding the format of their publication, Gjilan and Gjakova publish them in Word format, while others scanned

Decisions of the assembly **Fig 2.**



Average number of days from the taking of decision to publication

Fig 3.



1 Regulation No. 01/2017 on the procedure for the drafting and publication of municipal acts. Article 16: "Publication of normative acts on the municipal website".

Urban plans are of public interest because they show how the neighborhoods and villages where citizens live are regulated and how they are expected to look in the future. Therefore, the publication of urban plans has been introduced as a good governance criterion to the first commitments, as it is one of the most important municipal acts. However, it should be clarified that D+ has also monitored whether the targeted municipalities have published their currently applicable urban plans, not only just those that may have been adopted during this term. Urban plans are medium to long term so it is not common to adopt them on biannual basis.

Prishtina leads with the largest number of published plans (23), followed by Peja (13) and Gjakova (9). None of the other targeted municipalities published their urban plans in the website and their residents cannot obtain quick and practical information from the municipal website on the long-term plan of the development of the municipality and use it to plan their housing, business activities, education, etc. in their municipality.

Urban plans

Fig 4.





Commitment 2 - Financial Reports and Results of Job Openings

One of the six commitments is the publication of the financial report on a quarterly basis, which is also a legal obligation ². This report is an overview of municipal revenues and expenditures for every quarter of the year, and this information is highly important because it shows the extent that the Mayors office managed to collect the planned revenues for the quarter and how it spent the budget approved by the Assembly in that quarter. As such, it is an assessment of where the municipality stands in every quarter, and depending on this situation, further planning of the municipality's activities is done. Moreover, it is a matter of interest to the public and taxpayers who have the right to be periodically informed about how public money is spent by their municipality.

In addition to publishing the report on the website, the financial report must also be submitted to the Assembly for information and review. The assessment of the fulfillment of this commitment was made on May 7, 2018, to see whether it was made accessible to the public through the website and whether it was submitted to the Municipal Assembly for information and review, as required by law.

Of the seven (7) assessed municipalities the Mayors of which committed to publish the report, only Prishtina has published the expenditures on the website and submitted them to the Municipal Assembly. Moreover, Prishtina made it a practice to publish the expenditures through Open Data, to ensure they can be easily processed and analyzed. The report of this municipality included five (5) spending categories and was well-detailed, with 22 pages in .pdf format, and also accessible in Excel. While Prizren and Peja did publish the expenditures on the municipal website, but by May 7, when this assessment took place, they did not have them submitted to the Municipal Assembly. The report of the municipality of Prizren in scanned in .pdf, in poor quality and upside down (which was fixed after the first D+ report, and expanded to 25 pages), while Peja had its reports in Excel for each month separately, rather than a quarterly report as a whole.

Gjilan and Gjakova have submitted them to the Municipal Assembly for members of the Assembly, but Gjilan has not published it on the website, while Gjakova did publish it, but in the wrong section. After D+'s remarks, the report was then placed in the right section of the website. Mitrovica and Ferizaj, two other municipalities the Mayors of which have committed to the 6 points of good governance, by the date of the evaluation, have not published them on the website and did not send the expenditures' reports to their Assemblies.

Regarding the results of the vacancies, the number of results published on the municipal website was monitored. The possibility that some municipalities may have had a higher number of vacancies but did not publish their results on the website cannot be ruled out. All targeted municipalities have published results, ranging from 28 (Prishtina) to 3 (Peja).

Results of vacancies

Fig 5.



² Law No. 03/L-48 on Public Financial Management and Accountability. Article 45: "Quarterly Budget Reports".



3-MONTH REPORT ON EXPENSES

Mayors second commitment

JAN-MAR 2018

PRISHTINA / PRIZREN / FERIZAJ / PEJA / GJAKOVA / MITROVICA

Evaluation - 7 May 2018

	Prishtina	Gjakova	Prizren	Gjilan	Peja	Mitrovica	Ferizaj
Publication in Website	✓ PUBLISHED 3 May 2018	✓ PUBLISHED 3 May 2018	✓ PUBLISHED 11 April 2018	✗ Not until 7 May	✓ PUBLISHED 11 April 2018	✗ Not until 7 May	✗ Not until 7 May
	Open Data and PDF Format	PDF Format Scan	PDF Format Scan		Excel Format and flexible		
	Contains 22 pages	Contains 19 pages	Contains 6 pages		Contains 6 pages		
	Includes Revenues and Expenses	Includes Revenues and Expenses	Includes Revenues and Expenses		Includes Revenues and Expenses		
Placed in Assembly	✓ 3 May 2018	✓ 30 April 2018	✗ Not until 7 May	✓ 26 April 2018	✗ Not until 7 May	✗ Not until 7 May	✗ Not until 7 May
	Includes Revenues and Expenses	Includes Revenues and Expenses		Includes Revenues and Expenses			
	Contains Capital Projects	Contains Capital Projects		Contains Capital Projects			



Commitment 3 - Public Consultations in Neighborhoods and Villages

Good governance requires consulting citizens on issues that affect them directly, as well as to ensure their continued information. Regular consultation with citizens, on the budget or other specific matters of importance to residents, as well as public meetings to inform citizens, are essential for responsible, effective and inclusive governance. In fact, holding at least two public meetings is a legal obligation for municipalities³ but municipal governments are also expected to have consultations with citizens on specific issues and processes such as budgets, urban plans and regulations for various areas under the competency of the municipality.

The largest number of public discussions in the first six months of this year was in the municipality of Peja, with 17 discussions held, of which nine (9) within the city and eight (8) in villages. Immediately after Peja, regarding the number of discussions held, is the municipality of Prishtina with 13 consultations, 7 of which in the Municipal Assembly and six (6) others in various locations around the city, one of which in village Bardhosh. The municipality of Prizren and Ferizaj have held four (4) public discussions, all in the municipal building. Whereas Gjiilan, out five (5) discussions held, four (4) were in the municipal building and one (1) in the city theater. Gjakova and Mitrovica municipalities, although having fulfilled the legal obligation to hold a public consultation in the first six months, remain the two municipalities with the smallest number of discussions held.

Public consultations

Fig 6.



3 Law No. 03/L-040 on Local Self-Government. Chapter IX "Direct democracy and civil participation mechanisms". Article 68: "Public information and consultation". Official Gazette, 2008.



Commitment 4 - Public Procurement Plans, Contracts, and Consultations on Procurement Plans

In the field of public procurement, for the purposes of this assessment and based on the electoral commitments of the Mayors, D+ has evaluated the municipalities if they have published and made accessible the procurement plans on their official websites, if they publish contracts, and whether they hold public consultations on procurement plans.

It is important to note that two elements of this commitment – the publication of contracts and public consultations are not legal obligations; however, the Mayors committed to adhere to this principle of good governance and are therefore monitored, it would anyhow be meaningless if the mayors were monitored on law enforcement, which is a job of the justice authorities. On the other hand, publication of procurement plans is a legal obligation ⁴.

Unfortunately, as far as this commitment is concerned, most of the Mayors have failed to comply thus far. As shown in the table below, only two out of the seven municipalities have published their procurement plans on the website at the designated place for public procurement documents. The municipality of Gjakova has not posted it on a “separate link, in the relevant field”, as required by the Administrative Instruction for Transparency in Municipalities. Moreover, none of the seven municipalities have published contracts, and none has held public consultations on procurement plans.

Procurement plans

Fig 7.

Mitrovica	✗
Gjakova	✓
Gjilan	✗
Peja	✓
Prishtina	✓
Ferizaj	✗
Prizren	✗

Public consultation on plans

Fig 8.

Mitrovica	✗
Gjakova	✗
Gjilan	✗
Peja	✗
Prishtina	✗
Ferizaj	✗
Prizren	✗



Commitment 5 - Annual Report on the Fulfillment of Electoral Promises

The municipalities will be evaluated for the fifth commitment at the end of the year, as the annual report for the realization of the electoral promises is made by the Mayor at the end of the year.

⁴ Operational guidelines for Public Procurement. Public Procurement Regulatory Commission January 2012.



Commitment 6 - Level of Addressing Citizen Complaints on Online Platforms

Municipal accountability towards citizens' complaints on public services is a criterion of good municipal governance. Therefore, the last but not the least important commitment is addressing citizens' complaints on online platforms. As a source for the evaluation of this criterion, D+ used ndreqe.com platform where citizens' complaints and interventions of municipalities are recorded and made public. Through this platform, citizens can report on six categories of public services: public lighting, potholes, sewage, road signs, uncollected waste (including illegal waste landfills) and damaged sidewalks.

For this commitment, D+ staff has provided ongoing assistance to municipal officials of the seven targeted municipalities, through small groups training on platform management, account administration with all the powers of managing the status of reports and direct communication with citizens. Field coordinators also carry out day-to-day reporting verifications and fixes, and send weekly reports to municipal officials and monthly reports to Mayors, with accurate locations and follow-up information on citizens' reports. The table below shows the number of citizens' reports and the number of fixes by municipalities in the first six months of 2018. The municipality with the largest number of reports is Prishtina, which also has the largest number of fixes. The municipality with the lowest number of reports is Peja, while the one with the lowest number of interventions by the municipal staff is Gjilan.

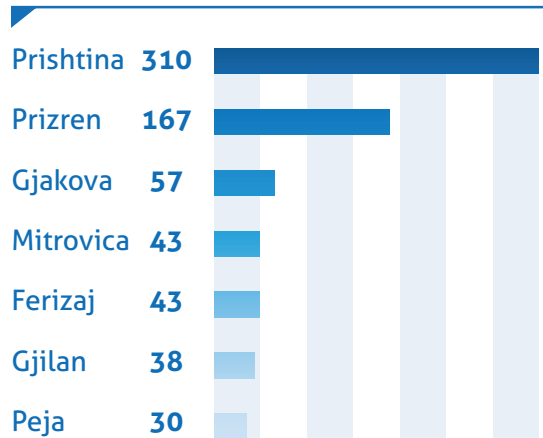
The number of reports depends on the citizens' willingness to use the platform and does not give any direct indication of the quality of municipal governance, while the number of regulations/fixes is an indication of the level of engagement of the municipality to address the public service problems reported by citizens.

Reports & fixes on the ndreqe.com platform

January – June 2018

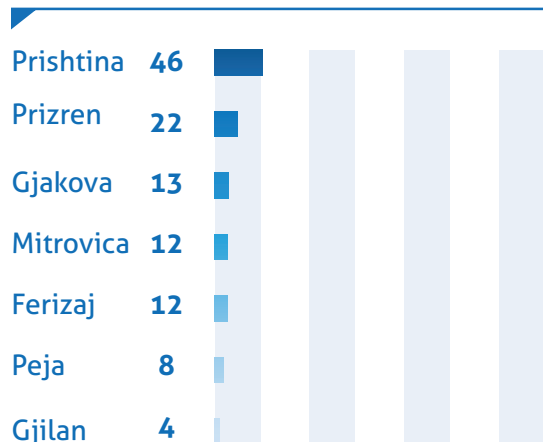
Number of reports

Fig 9.



Number of fixes

Fig 10.



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Democracy Plus (D+) is a non-governmental organization that brings together people with strong beliefs in democratic values and in a Kosovo with sustainable democracy. The main goal of D+ is to promote democratic values and practices as well as policies that stimulate civic activism.

D+ is organized into three programs: Good Governance, Rule of Law, and Elections & Political Parties. D+ supports government institutions, citizens and the media in improving governance, advancing public policy and empowering the rule of law.

Our organization focuses on the use of information technology for the aforementioned purposes, and as a result has built two online platforms ndreqe.com and qeverisjatani.info which provide space for civic participation in decision-making and accountability of government institutions. Moreover, D + is a member of ProOpen, a coalition of NGOs aimed at increasing transparency in public procurement and preventing the misuse of public money.

www.dplus-ks.org

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