



• ASSEMBLY SUPPORT INITIATIVE  
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# Kosovo's new political leadership



## Strengthening the oversight role of the Kosovo Assembly

## Editorial



Kosovo has a new political leadership. Within one month, a new president, new prime minister and new president of the Assembly took office. President Fatmir Sejdiu succeeded the late President Ibrahim Rugova. Former TMK Commander Agim Ceku succeeded Bajram Kosumi as prime minister. Mr. Kole Berisha succeeded Nexhat Daci as president of the Assembly. Subsequently, the Kosovo Delegation for Status Talks has a new composition. On 24 March 2006, the Assembly conducted an extensive debate on the status talks and in particular the first two rounds of talks on decentralization.

We hope that the debate introduces a pattern of more regular plenary sessions in the Assembly on various policy issues. The new president of the Assembly, Mr. Kole Berisha, intends to bring into the Assembly a new democratic atmosphere and to strengthen co-operation with international institutions. Transparency and full adherence to Rules of Procedure are high on his agenda.

In light of the current changes at the Assembly one can hope that this will enable, in particular the parliamentary groups and Committees, to further enhance their role in overseeing the work of the government and exercising financial oversight on the spending of the Kosovo Consolidated Budget (KCB). These are key issues to come closer to standards of good governance. Additionally, there are challenges at the level of the Assembly administration, which represent an opportunity to reaffirm the full adherence to existing regulations.

This edition of the ASI Newsletter introduces the new political leadership in Kosovo, and focuses on specific legal and policy interest areas that have been presented mainly in the form of a review.

In his article, Mr. David Payne of the National Democratic Institute (NDI) shares his views on the importance of a "question time" for ministers in parliament. Some questions have been initiated in the Assembly of Kosovo, although it can be further enhanced. In his article Mr. Ferid Agani, head of the new parliamentary group "For Integration," elaborates on the creation of this multi-party and multi-ethnic group which intends to play an active role in the legislative work of the Assembly Committees. Ms. Glynaze Sylja, head of the parliamentary group of the Alliance for the Future of Kosovo (AAK), brings attention to a new initiative to establish a constituency relations office in one of the cities in Kosovo.

These three articles reflect three key functions of parliament: overseeing the government, adopting legislation and communication with voters. At a time when Kosovo is entering its most important political period, the current developments in the Assembly deserve heightened attention. Now is the time for all political groups to promote co-operation while dealing with substantial issues for the future. In this joint road, the OSCE and other partners in the "Assembly Support Initiative" are willing to give their contribution. We are sure this Newsletter gives an indication of it.

*Franklin De Vrieze,  
"Assembly Support Initiative" Coordinator.*

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# Mr. Kolë Berisha's speech on the occasion of assuming the Assembly Presidency

Assembly of Kosovo, 10 March 2006

Honourable Assembly member colleagues,

I am fully aware that by expressing your confidence in me to organize, oversee, coordinate and chair the work and other activities of the Assembly, in fact you, with your vote, have given me a huge obligation, you have given me a duty, which requires effort, responsibility and sacrifice.

Kosovo is now facing its crucial months, days, and I would even say even its crucial hours.

This is certainly a historical phase for Kosovo and its institutions, which were voted in by the free vote of its citizens and people, whose will, we along with the understanding and support of our friends, led by the USA and other EU countries, should implement till the end—until we build an independent and sovereign state that will serve as an example for South-eastern Europe; a state which will have perpetual friendly relations with the USA—our greatest ally, which two times, only within one century stood next to us.

Before this Assembly, as one of the greatest mechanisms of making Kosovo an independent and sovereign state, a lot of responsibilities and duties lay ahead.

Therefore, the times we are going through, not only my political party, but your political parties as well, which are more or less smaller in

number, are very significant and precious times; this is the time when we should move beyond party, person, group, religion, gender interests; it is the time of our general cause (question)—Kosovo an independent and sovereign state; it is the present and the future of our children and of our grandchildren.

Rest assured that I will do my best for this sacred house—from which the acts that will determine and sanction political, juridical, economic and other areas of life in a Kosovo state will continue to come out—to become a temple of free speech for all Assembly members; to be a strong voice of both position and opposition, of majority and minority. Hence, the Assembly will be a place, which promotes equal rights for all citizens of Kosovo, regardless of their ethnic, political, gender, religion.

I will do my utmost for the Assembly members to feel themselves (at home) as real heads of this household. I will certainly need your support. And I assure you that you will have mine.

Being the first among the equal members of this house, apart from my continuous efforts for creating better conditions to conduct normal work and to tackle eventual individual problems of each Assembly member but of all common problems too (needless to say, as much as the circumstances permit us), I will also do my



Assembly President Kolë Berisha

utmost to enable the best possible co-operation in the Kosovo Assembly, between parliamentary groups, committees and other Kosovo Assembly bodies, because this is the only way to progress.

I think that the best way to achieve all these and other objectives is by respecting and implementing faithfully the Constitution, laws and other sub-legal acts, including the Assembly Rules of Procedure. Civilized nations are governed by written norms. And we should be able to prove that we are indeed a civilized nation.

I would like to use this opportunity to thank— on my and your behalf— Academician Nexhat Daci for his job done

and contribution, chairing this temple of democracy during very critical moments for Kosovo and its people. I would also like to thank my party—the Democratic League of Kosovo—for the confidence given to me.

Now, we have to take it from here and move on. It will not be easy, but together we can make it, I am confident that our friends first of all Americans and Europeans, will continue to provide their support, as they have done thus far. America and Europe are here to help us become part of western civilisation. Rest assured my friends that this is our real objective.

*Once again, thank you for your confidence! Thank you!*

### Biodata of Kolë Berisha

Kolë Berisha was born on 26 October 1947 in Dobërdol, Klina municipality. He completed primary school in Ujmirë. After finishing high school in Gjakova/Dakovica, he worked two years as a teacher in Ujmirë and Gllarevë of Klina municipality, whereas, since March 1973 he worked as a secretary of “Luigj Gurakuqi” high school in Klina. He graduated in Law from Pristina University. On 28 March 1989, he was arrested and taken to a prison in Belgrade and Pejë/Pec. Three months later he was released, but dismissed from his job.

Following the establishment of the Democratic League of Kosovo, he became a member and during two consecutive mandates he was a member of the presidency of the LDK branch in Klinë, and chairperson of the commission for reconciling hostile families. Since March of 1998 he had served as vice president of the LDK. He was a member of the Transitional Council in post-war Kosovo; a member of the Political Forum of Kosovo established by SRSG Jessen-Petersen; and he’s now a member of the Political Strategic Group for future status negotiations. This is his second mandate as a member of the Kosovo Assembly.

Mr. Berisha has published two books: “Diary of an Isolated Person” and “Kosovo, an Open Wound”. He writes prose and poetry. In 1983, in a literary competition organised by literary magazine “Koha” of Podgorica, he was awarded the second price for a story titled: “Simple Story.” From time to time he writes articles on current political developments. He is married and a father of two.

## President Fatmir Sejdiu talks to BBC

*In an interview with BBC, President of Kosovo spoke about the challenges in his new post, the future of his country and how much has he changed after he took over. BBC Correspondent Muharrem Nitaj interviewed Mr. Fatmir Sejdiu in Prishtina:*

**BBC:** *Was the election of the President, with such a speedy consensus a result of political maturity of the political structures and entities of Kosovo, or is it rather a result of pressure put from outside?*

**Sejdiu:** I think that the most important thing is to attempt to consolidate the institutions, because this reflects and proves the political culture of Kosovo institutions and political parties. Let me also remind you that we have gone through such challenges even during earlier periods.

I always make mention of four elections held in Kosovo, which were evaluated as the best ever elections held in South-eastern Europe and this proves that the people are fully aware of the times (periods) they are going through. Namely, they are getting used with the new democracy.

The second issue is the need to have an international cooperation. We definitely need the international support in the upcoming periods.

**BBC:** *Which are the challenges the President of Kosovo had to face in the first month of his service?*

**Sejdiu:** Many of them. I think this is because of the times we are going through, where we aim at concluding the process

of Kosovo independence.

This was the first challenge and the second important issue in this process is how to create a strong cohesion of Kosovo institutions, Assembly, government as well as ensure co-operation at the local level, in fulfilling the standards and of that part of obligations, which has to do with serving as an official representative at state functions.

**BBC:** *President Sejdiu, since you mentioned the changes in Kosovo government, how much do you think these changes will reflect in the overall processes in Kosovo? Were they really necessary at this time?*

**Sejdiu:** Certainly, as times go by we will face new challenges, I especially appreciate the Prime minister’s efforts to do an internal staff evaluation. The Assembly voted him in to see if he will, within 100 days, be able to improve the performance of the government, by evaluating the performance of all government ministers and other high officials and to make headway, even if he has to make changes.

**BBC:** *President Sejdiu, you have succeeded a person, who was considered perhaps one of the most successful*



President Fatmir Sejdiu

*and popular politicians in the new Kosovo, among the Kosovo people? How difficult it is for you to be in this post, I would say under the shadow of such a great President?*

*Sejdiu:* Yes, I fully concur with your assessment. He was indeed a unique personality.

This is also a good chance for us to use Rugova's legacy.

During this period, I can say that it was an honour and a privilege for me and people of my generation to work with him and also to learn from him from the get go- and be part of the very difficult path that Kosova has gone through.

No doubt, I had to face all these challenges simultaneously plus miss the physical presence of his personality.

I will do my best, taking into account our past joint efforts and experiences- gained over a decade and a half along with other colleagues- to keep the same cohesion and to orientate (direct) this energies based on those principles.

Secondly, it goes without saying that I will do my utmost to give my contribution in the ongoing processes through both my engagement in our joint efforts in the process, but through my studies as well.

*BBC: President Sejdiu, when assigned to this duty, you have stated that you will carry on running the project of the late President Rugova for Kosovo to become a state. How will you proceed in this process now, since it is in its final phase?*

*Sejdiu:* The state of Kosovo exists De facto. You also are aware about very difficult phases of occupancy that people of Kosovo have gone through, we have put in motion mechanisms, which for, envied us even states of advanced western democracy, merely on that how we achieved to walk through an incredibly long hard journey and keep abreast citizen's verve.

In this phase, of course, we would like to encompass the ideal of many departed cohorts, and I believe that the year 2006, shall be an encompassment of this process for Kosovo to get adhered to the range of countries recognized internationally.

*BBC: For the time being, it is believed that maybe in the whole process of determination of the political future of the country, position of the Serbian minority in Kosovo is the most problematic part. What would Institutions of Kosovo provide to them, in order that they become a part of the process of determination of the political future of the country, that as you state it would be independence.*

*Sejdiu:* I might look at it in a different way, I wouldn't like to make a problematic issue out of minorities in Kosovo, but I would like merely to succeed implementing our vision for position of all the citizens of Kosovo including minorities in this concept.

Perhaps, it might be a constrained approach for us sometimes, as held responsible majority assuring more security or guarantee related to

the presence of minorities in Kosovo.

Nonetheless, I feel that Kosovo has provided affluent evidence up to this phase, that affirmative circles that we had to integrate and activate in all the processes have denoted their outcomes. There are hesitations, usually coming from Serbian minority, which in continuity becomes a prey even of numerous reckonings made by Belgrade's policy towards them.

However, we could say that for us it is very important not to go back to history. We should not achieve that what has happened in Kosovo, but of course that our project goal is to move forward, having in mind a treatment of minorities based on highest international standards for better life and integration of all citizens.

I feel that maybe, this is the bottom line of all of it that would bring other outcomes afterwards.

We won't engage ourselves in any case, neither myself nor Kosovo Institutions to create positions which produce parallel life.

*BBC: Do you believe that there exists an international consensus on the independence of Kosovo?*

*Sejdiu:* Perpetual statements coming separately from senior officials of different countries and developed debates in higher international levels plainly justify further opening, or those are directly in accordance with our vision, that independence of Kosovo is a real option having been discussed in the Security

Council, that independence of Kosovo is inevitable as it was discussed some days ago in the meeting of the Ministers for Foreign Affairs of European Union in Salzburg.

In this phase of our development we have provided sufficient evidence that we could live with dignity as an independent state, by having our own objective, an approach for good neighbourhood, and general stable situation in the region.

Political will is impassable, and it is constitutional and international, where nobody could step over this will.

You could look at motion of other people, and their independence or national emancipation. I could give dozens of examples of independence statements of powerful states recently established.

*BBC: Do you believe that at the end of this year, Fatmir Sejdiu will be the President of Independent Kosovo formally?*

*Sejdiu:* Yes. I believe that all of us as a generation will enjoy such a phase and I often think about the elderly generations, hoping they'll live to see the issue of Kosovo resolved.

Thus, practically such dynamics on the go this year and certainly a very clear matter of the course of Mr. Ahtisari vis-à-vis our expressed desire that this takes place as soon as possible.

It will be November time when his mandate or contract signed with United Nations shall expire. This implies simply an

accelerated approach in this direction.

Our task is to contribute in this process, to be players and express our dignity of state like mechanism that would be appreciated in this direction.

You are aware about statements made also in the Security Council that this process will take time, will go past 20 years to achieve ultimate national emancipation or formal statehood legally recognised by other countries, or Internationally recognized Kosovo.

*BBC: During all those years people were addressing to you with professor Sejdiu, now they address to you with President Sejdiu. Which of these do you prefer most Mr. Sejdiu?*

*Sejdiu:* I remain friend, professor, and this is what I have achieved simply with my own efforts at the levels of education and nurturing and education and scientific work at University.

It is not a title, or it is not a call that I hesitate being called. Certainly, I am astonishingly pleased always to get embraced with it and that role remains mine, actual position is an institutional position and accountability assigned by Assembly of Kosovo and political entities' support.

*BBC: How much has this complicated your personal life, private and family life?*

*Sejdiu:* There are dozens of changes. The only change not applied to my approach towards problems and people is that I try to remain

in the normal track of that approach, though it is quite difficult to stick to the former approach which I used to have in the previous phases, notwithstanding I still look at the world with the same eyes as I used to do it previously.

The most important thing for me is to adapt myself in circumstances of the day and accountability required from me.

Certainly, there are dozens of changes in a part of my private life, because dynamics and activities performed here and the role that I am assigned in this Institution require avoidance and leaving aside a portion of my obligations towards my private and family life.

What I miss most is simply what I used to have and what I always liked and preferred, a walk from my office to my house, because this new style of life could perhaps have consequences for my health. We'll see, maybe I will be able to get back to my old way of living.

*BBC: Has your attitude towards the media and journalists changed?*

*Sejdiu:* No, it hasn't. I am the same person and I will stick to it. I believe that we should have regular communication since I think that you are a very powerful instrument of presentation (information) and of share a common vision.

I am looking forward to our mutual and correct (truthful) cooperation.

# “There is no full freedom in Kosovo unless all of Kosovo’s citizens can enjoy it”

Endorsement speech of Kosovo Prime Minister Agim Çeku, 10 March 2006

*Dear Mr. Jessen-Petersen,*

*Dear Mr. President of Kosovo,*

*Dear Mr. President of Assembly,*

*Dear deputies,*

*Distinguished present guests,*

I have just been given your confidence to govern the country and this I appreciate. Today I also take the enormous obligation of heading the government in order to fulfill the duties towards Kosovo’s citizens and I am honored with this obligation. Today I have taken the mandate to head the government, perhaps in the most difficult and most decisive of moments. However, I am ready.

In this crucial moment for Kosovo and its people, your given trust will be a supporting point for my work in heading Kosovo’s government. By taking this responsibility, we say to you and Kosovo’s citizens that our governance will be based on the welfare of Kosovo’s citizens, regardless of ethical, religious and political differences. We shall realize our common goals in co-operation with you all and our international friends.

The principles of the government, which will be headed by me, originate from the government programme. We will remain focused in the further strengthening of our institutions, employment and enhancement of economic conditions for Kosovo’s citizens, strengthening poli-

tical stability and safety, improving of governance and the legal framework, as well as increasing the dynamics of work on standards implementation, aiming thus the creation of more convenient circumstances for recognition of Kosovo’s independence in the shortest time possible.

Even though we are going through the main stage of the process in the creation of a Kosovo state, our aims do not finish at that point. There is still more to be done in the realization of our aspirations.

We want a tolerant and democratic Kosovo, integrated in the European Union and NATO structures. We want a Kosovo, which is a source of stability in the region and a catalyst for positive change in this part of Europe. The creation of a Kosovo state is the will of the Kosovo people and Kosovo government.

This aim obliges us to carry out our responsibilities towards this process with accuracy. The state of Kosovo is the common great objective of us all. But at the same time, welfare, safety and economic perspective are responsibilities that belong to the government, which as such would not be ignored in any way or for any purpose.

Kosovo’s citizens will be at the center of our work and actions. As a government, we will be open for all our obligations, facing the challenges of governing while keeping in mind that we will be held accountable for our work in



Prime Minister Agim Çeku

front of this parliament and in front of Kosovo’s citizens.

We will create a responsible and effective governing that will address the needs of Kosovo’s citizens. In Kosovo’s government there will be no room for those who will not serve as good examples of diligent, accountable, committed and honest politicians. I commit myself to give my very best in order to justify the mandate and your trust given to me today.

*Ladies and Gentlemen,*

We will work in building bridges of confidence between Kosovo’s people and manage to turn interethnic diversities into genuine values of our society. The Kosovo government will cultivate the climate of confidence and mutual cooperation, with the best intention of Kosovo being home to all its citizens.

A time of hatred, discrimination and suffering of Kosovo’s citizens should belong to the

past. Time has come for inter-ethnic reconciliation, overall integrations and prosperity.

One thing remains clear to all of us. There is no full freedom in Kosovo unless all of Kosovo's citizens can enjoy it.

Kosovo's majority population should realize that to achieve their aims they must respect the rights and welfare of the minority. Therefore, caring for the minorities is in the interest of the majority. The minority communities in Kosovo should believe that their interests would be enhanced and protected in the Kosovo that we are building today, therefore their close and constructive co-operation will accelerate this important process for the future of Kosovo.

The Kosovo Serbian community should believe that we are building a society that will be based on the highest human principles of tolerance and confidence. Therefore, I find it important to address them in their mother tongue:

"In a democratic Kosovo, like all of Kosovo's citizens, you too will have a future. Kosovo belongs to all of us and together we will create a society that will guarantee freedom, equality and economic prosperity for everybody regardless of their ethnicity. You should believe in it. In order to achieve this kind of a society, you should fight for your rights together with all other citizens of Kosovo, by taking part in the government, Assembly, institutions and everyday life in Kosovo."

For the creation of a democratic and prosperous Kosovo state, the implementation of standards is like an important

steam engine that speeds up this process; therefore, the increase of dynamics in the standards implementation will play a crucial role in our governing agenda.

In the coming days we will begin our activities for standards implementation. And this is not because the international community set it as a condition for us, but because with their implementation we help ourselves. Therefore, we assure you that assessments made by both the international community and the citizens of Kosovo will reflect our commitment, our actions and as such, they will be positive.

Standards implementation will be the strongest argument in the negotiation process concerning Kosovo's status. The government will play a constructive role in this process, considering the issue of status is a common cause, not only a governmental matter, doing thus everything that is needed to maintain the unity of the full political spectrum involved in this process.

In order to express our stance in regard to negotiation process, let me quote the former US President J.F. Kennedy: "We shall never negotiate from fear, but we shall never fear to negotiate."

I invite you to stick together with this process, united and steadfast. We dare not allow division among us. There is no room for mistakes and there is no time to correct them.

*Ladies and Gentlemen,*

Seven years after the end of war, Kosovo continues to face a wide range of crises that have a direct impact on the lives of citizens and the country's

economy. Unemployment is turning into a chronic disease of our society.

The power supply remains a big problem, despite a huge investment. Kosovo's infrastructure still lacks quality; education and healthcare are in a state requiring serious examination from us all. We should restore the dignity of our pensioners, teachers, doctors, soldiers and police officers.

We do not promise a solution to all problems, which Kosovo is facing today. But, on behalf of the government I will head, I commit myself that we will work on these matters so that they are given greater attention and dedication during our daily activities.

The government will introduce adequate economic policies and needed legislation for attracting investments into industry, business and education of people according to the country's economic needs. We should make use of our geographic position and of our own natural and human resources by providing attractive opportunities for foreign investors.

The government will support and assist in the process of privatization, and it will work intensively to attract more investment to assist Kosovo's economy. We should look beyond existing framework and create a new vision for a sustainable economy, enabling thus a brighter future to our children and our youth.

*Ladies and Gentlemen,*

Allow me now to say a few words in English to the international community:

"We are very grateful to the

United States of America, NATO, European Union, United Nations and all of our friends who have helped us during our difficult times. We aim to continue building our political and economic capacities as well as to work on building a secure environment for all in order to self govern our country so that our citizens and international friends take pride on.

From here, from the Kosovo Assembly, we emphasize our duty to continue cooperation with Mr. Ahtisaari, Special Envoy for the final status and members of the Contact Group to resolve the status of Kosovo. We strongly believe that the state of Kosovo, which will be created by the end of this process, will be a democratic state that will become a beloved homeland to all of its citizens."

*Ladies and Gentlemen,*

Regardless that there will be a NATO presence in a post-status Kosovo, which is the wish of Kosovo's citizens, we will work with dedication toward building our own system of security, including a protection force for Kosovo. We will achieve this in full partnership with NATO and other international friends.

Kosovo will develop defense and security policies aimed at creating a safe and secure environment for all. Kosovo should be transformed from a security consuming country into a country that produces and reflects safety. Our concept of security will be based on co-operation with NATO and our neighboring countries. We will struggle to make Kosovo the largest contributor of peace and sa-



fety in the region.

We will pay special attention to the preservation and promotion of the core values of the war. Not for a single moment shall I forget where I came from, since one who does not know where he comes from; he does not know where he goes to. I am proud of being a KLA (UCK) fighter and soldier of the legendary commander Adem Jashari. Every single day of my work as a prime minister will begin with having in mind those values, sacred to all citizens of Kosovo.

I will be engaged in the care for the groups which emerged from the war: martyrs' families, war invalids and veterans. We owe a great deal to these groups, which deserve much more from all of us. The closer we get to final status, the greater our debt becomes to them.

Soon Kosovo will be given the possibility of participating in international cultural and sports events. Therefore, we will pay special attention to culture and sports. Also, our Diaspora will occupy a deserved place in our governmental programmes.

*Dear Mr. President of Kosovo,  
Dear Mr. President of  
Assembly,*

*Dear Special Representative  
of the Secretary General,  
Honored members of  
parliament,*

I promise to you today one more time that we will not spare ourselves in our work. At the same time, your support of the Kosovo government will be an additional guarantee that much brighter days are ahead of our people and our

country. I, therefore, request your support from all of you, promising real success that can be felt and touched, as a reward for this support to your country—Kosovo.

I call on you to continue being critical in a democratic manner towards the government, to stress and to prove every potential irregularity during our governance. By doing so, you will fulfill your duties towards your citizens and you will assist the government in performing its job better.

I would like to stress in the end that the government headed by me does not begin anything from the outset. We will carry on the work of previous governments and we will strive with all our efforts to make this government more dynamic and more efficient. I would like to express my gratitude to the previous prime ministers who have served their terms: Mr. Bajram Rexhepi, Mr. Ramush Haradinaj and Mr. Bajram Kosumi, but also to the late president Rugova, who all laid good fundamentals for governing, on which I can rely during my coming work.

We are the luckiest generation in Kosovo's history. History has chosen us to bring freedom to Kosovo, together with our friends. There is nothing here given as a gift, everything has been achieved with the sacrifice of many generations. We are near to final victory. Following sacrifice, there is nothing more unavailing than hankering after to claim victory. Victory goes to Kosovo, its people and its citizens.

*Thank you!*

## Kosovo Serb Leaders Meet Premier Çeku, Consider Joining Government

The list of ministers and deputy ministers that was presented to the Assembly of Kosovo for endorsement by Prime Minister Agim Çeku did not include the names designated by the Serbian List for Kosovo and Metohija (SLKM). During the consultative meetings that Çeku had with the leader of the SLKM, Oliver Ivanović, no concrete agreement had been reached for the return of Kosovo Serbs to Kosovo institutions. One day prior to the endorsement of the Çeku Government by the Assembly of Kosovo, Çeku said that talks with Ivanović failed to reach a conclusion. "We have to talk continuously and the doors are open to the SLKM and I hope this entity will join our team," said Çeku.

Ivanović excluded the possibility that Kosovo Serbs might return to Kosovo institutions in the near future, though

he noted that their return is important. "I think it we'll be back in the institutions tomorrow as that's a very short deadline and it's hard for us to make such a move," said Ivanović. According to him, there's no doubt that the SLKM should be a part of Kosovo's institutions. He added that only through institutions can they defend the Serb community in Kosovo. Çeku promised that concerns of minorities will be a priority for his Government.

On the other hand the minister of returns and communities and the only representative of the Serb community in the Kosovo government, Slaviša Petković, said that he would not refuse to be a part of the new cabinet. The Assembly of Kosovo, which includes representatives of Petković's party, endorsed the Çeku government on 10 March 2006.



# Recent Developments in the Assembly

Franklin De Vrieze, OSCE Mission in Kosovo

## *Assembly elects new Kosovo President*

On 10 February 2006 the Assembly of Kosovo elected a new president, Mr. Fatmir Sejdiu (LDK), after the passing away of the previous President of Kosovo, Mr. Ibrahim Rugova on 21 January 2006. All voting was carried out in full compliance with the Constitutional Framework. In the third round of voting, Mr. Sejdiu was elected by 80 votes in favour (out of a total of 120 Assembly members). In his brief inaugural address, President Sejdiu emphasized that his primary engagement will be to lead the work of the negotiating team of Kosovo and that close cooperation with the UN Status Envoy for Kosovo Maarti Ahtisari will be of special importance. President Sejdiu paid tribute to President Rugova and emphasized his duty as president to foster political and interethnic unity.

## *Assembly debates Administrative Protocol Center in Germia*

On 14 February 2006 the Assembly conducted a heated debate on the Administrative Protocol Center in Germia, in response to a request of parliamentary group ORA submitted on 7 November 2005. ORA Assembly Member Gazmend Muhaxheri questioned the decision to build the Center, worth several million Euro, without the permission of the Assembly presidency. The Assembly Secretary, Isuf Demaj, defended the decision and assessed ORA's actions as politically motivated endeavors against Assembly President Daci. The parliamentary group leaders of ORA and PDK requested the establishment of an 'ad-hoc' committee that would conduct investigations on possible abuse of Assembly funds. Following a debate of several hours, the Assembly decided to resend the issue to the presidency for further review.

## *Assembly allocates public funds to political parties*

On 9 February 2006 the Assembly presidency adopted the same amount as in previous year for the distribution of the Democratic Support Fund. The Fund is intended to provide public funds to all parties in the Assembly to ensure financial support from non-private sources. The Assembly presidency rejected the formula proposed on 6 February by the chairperson of the Budget Committee, Naser Osmani, that would have given a larger share of public financing to the biggest parties. The president of the Assembly of Kosovo had requested the expertise of OSCE to assess Osmani's proposal. The OSCE had expressed the opinion that the new proposal was discriminatory and would not be consistent with the existing legal framework and the Standards for Kosovo.

## *Minister Tërmkolli refuses to respond to interpellation*

On 25 October 2005, PDK submitted a motion calling on Minister of Public Services Melihate Tërmkolli (LDK) to respond to allegations that she violated the Law on Public Financial Management, the Law on Public Procurement, and UNMIK Regulation 2001/36 on the Kosovo Civil Service. On 28 December 2005, the minister sent to the presidency of the Assembly a response to the interpellation, claiming that the question was very general, had no basis for review and therefore "must be refused."



Although the response of Minister Tërmkolli was included on the agenda of the 14-15 February plenary session and the minister was present when the issue was discussed, no debate took place. Representatives of the opposition protested as the Rules of Procedure of the Assembly stipulate that the minister to whom the interpellation is addressed is obliged to address the government regarding the issue raised and that Assembly members may debate the issue raised in accordance with the rules.

## *Assembly adopts new legislation*

During the 23 February 2006 plenary session, the Assembly adopted in second reading the Draft Law on Vocational Education and Training, Draft Law on the Establishment of the Kosovo Judicial Institute, Draft Law on Emergency Health Care, Draft Law on Trademarks, Draft Law on the Rights of KLA War Veterans, Martyrs' Families, and Civil Victims of the War. The Assembly approved in a first reading the Draft Law on the Publication of School Textbooks, Educational Teaching Resources, Reading Materials, and Pedagogical Documentation, and the Draft Law on Natural Disasters and Other Disasters.

## *PM Kosumi resigns, LDK calls for resignation of Speaker*

On 1 March 2006, Prime Minister Bajram Kosumi announced his resignation. Local media reported that Mr. Kosumi lost the confidence of his party, the Alliance for the Future of Kosovo (AAK), because of not being able to implement international standards (UN SG Kofi Annan delivered a critical report to the UN Security Council on standards implementation on 25 January 2006) and supposedly being unloyal to his party. On the same day, the presidency of the Democratic League of

Kosovo (LDK) called for the resignation of the President of the Assembly of Kosovo Nexhat Daci. During the same meeting, the LDK presidency proposed party vice-president, Mr Kolë Berisha, to replace him. The LDK presidency assessed that apart from the allegations of mismanagement and misuse of public funds, it was of crucial importance to ensure proper functioning of the Assembly in the process of determining the future status of Kosovo. A fierce debate in the press followed, and after an intense and long discussion at an extended session of the LDK Parliamentary Group on 9 March, Nexhat Daci resigned as president of the Assembly.

### *Kosovo Assembly elects new government*

On 10 March 2006, the Assembly of Kosovo elected a new government after the resignation of Prime Minister Bajram Kosumi. On 2 March, President of Kosovo Fatmir Sejdiu announced that he had nominated the commander of the Kosovo Protection Corps (KPC), General Agim Çeku, as the next prime minister of Kosovo. Shortly thereafter, General Çeku officially joined AAK and on 10 March, during a break of the plenary session, he entrusted the duties of KPC Commander to his successor, Mr. Sylejman Selimi, at an official handover ceremony. The Assembly elected Mr. Çeku together with his proposed cabinet, which contained very few changes from the previous one. Mr. Adem Salihaj was replaced as deputy prime minister by Mr. Lutfi Haziri, who also keeps his post as minister of Local Governance Reform. Mr. Fatmir Rexhepi (LDK) became Minister of Internal Affairs and Mr. Jonuz Salihaj (AAK) became Minister of Justice.

At the same plenary session, the Assembly endorsed a new president of the Assembly, Mr. Kolë Berisha (LDK), replacing Mr. Nexhat Daci, who had served in the position since the Assembly of Kosovo was established in December 2001. Former member of the Assembly presidency, Mr. Fatmir Sejdiu (LDK), who on 10 February became president of Kosovo, was likewise replaced on the Assembly presidency by Mr. Sabri Hamiti (LDK).

### *Auditor General meets Assembly President*

On 27 March 2006, the OSCE Mission in Kosovo facilitated an introductory meeting between the Kosovo auditor general and the president of the Assembly. On 7 February, the office of the auditor general (OAG) had sent a letter to the Assembly informing of its intent to begin an external review on the financial management of the legislative body as part the regular KCB audit. The start of the audit was delayed due to changes in the leadership of the Assembly, but the SRSG and the head of the OSCE Mission discussed the audit with the president just after his election. President Kolë Berisha expressed no reservations regarding the review, saying that it was in the interest of the financial transparency of the Assembly, and promising the OAG access to all requested documents.

### *Deputy PM Haziri reports to Assembly on Vienna talks*

On 24 March 2006, following an official request by the Assembly presidency, deputy prime minister and minister of Local Governance, Mr. Lutfi Haziri, reported in an extraordinary session on the Negotiation Talks on the future status of Kosovo held in Vienna on 20-21 February and 17 March. In his opening speech, Mr. Haziri stressed that Kosovo was dedicated towards implementing a decentralization process which would bring the decision-making into the hands of the people. He also reiterated that in order for the talks to be successful, it was necessary to dissolve the parallel structures because they endanger Kosovo's territorial integrity. Haziri stated that the Kosovo delegation would not sign any 'special' agreement on decentralization until a final settlement for independence is reached. Commenting on the possibilities of funding from Belgrade for the Serb dominated municipalities, Mr. Haziri stated that "Kosovo is open to international donors also from neighboring countries, including Serbia. All the donations must go through the central treasure, be open and transparent, and apply with the general rules of auditing."

Following his presentation, the floor was opened for debate, enabling 25 parliamentarians from all groups to express their views. Comments and critics focused on how the negotiation should be handled. Non-Serb Minority representatives took this opportunity to express their concerns about the low level of consultation with the Negotiation Team preventing them from contributing to the negotiation talks. Mr. Sabri Hamiti, a member of the LDK parliamentary group and the Assembly presidency, considered Mr. Haziri's speech to be "political and not substantive," while the head of the PDK group Jakup Krasniqi said the report was 'distorted.' The AAK supported the work of the Kosovo delegation, stressing that the Serb community should be offered 'special rights' in 'special' areas such as education, culture and health. An ORA member insisted that the reform of the local government should be the same across the whole territory of Kosovo.



# Let's learn to hear the voice of the citizen

*Gjylnaze Sylja, Chairperson of AAK Parliamentary Group, Alliance for Future of Kosovo*

We are living at a time when democracy is expanding all over the world. For Kosovo this is a very specific and significant period as we are now in the process of building a democratic state, with democratic institutions. We have managed to successfully establish democratic governing structures.

However, we are now going through a new process of development, the thriving of which requires the strengthening of democratic institutions of Kosovo, including the Assembly.

Can the strengthening of institutions alone be possible without first increasing the capacities of its citizens? In democratic states the government serves the people; the people do not serve the government. Namely, people are citizens of a democratic state, but not its subject (servants). Therefore, the further strengthening of the Assembly in performing its responsibilities in a more efficient way, not only today but in the future too, is a must.

The job of an Assembly member is very complex and challenging, but it's also rewarding. The question is how can you become a successful Assembly member? A medical doctor learns about medicine in a medical school, a lawyer learns about law in a law school and a piano player learns about music in a music school, but an Assembly member does not have a special school to attend in order to become an Assembly member.

From whom then can we learn? I believe that we ought to start learning from citizens. As elected representatives we have to learn to listen to what citizens have to say and hence acknowledge that they play a paramount role in the overall processes and developments in Kosovo.

If we want to be a society where both women and men can voice their concerns on public issues and strive to improve their lives, then it is our duty and responsibility to support them in attaining these objectives.

Moreover, if the voice of the citizens, who are directly affected by the government policies, is not heard in the policymaking process then these policies will not be so successful. After all, citizens can communicate their concerns by visiting the local office of their Assembly member. This way, democracy attains its pragmatic character and the member exercises his/her representative function.

The citizens have to feel that they are being treated fairly by those who have elected them and that their representatives are taking into consideration their needs and protecting their interests. The local offices should serve as a sort of "mini-Assembly" (a small Assembly) in the respective zone.

Listening to peoples' opinions and bringing them up to the Assembly, we are trying to enable the development of policies based on the real needs of the people. Becoming more responsive to the local



Gjylnaze Sylja

problems and helping citizens will prove that parliamentary democracy has a tangible impact in their life.

Effective relations between members and citizens contribute to democracy by strengthening the relations between the citizens and the government and by giving the "real estimation" as to how government policies are implemented.

Assembly members who are more attached to their constituency, have a better chance to be re-elected and to advance in their political career. And voters benefit because their opinions and concerns are heard in the process of policymaking. Namely, they have their representative at the Assembly, who advocate

and represent their interests when the government policies are unfavorable for them.

Therefore, the Assembly member should represent constituency interests. And this can be achieved only if one knows exactly who his/her voters are, regularly cooperates with them and if he/she understands that the future political career of the Assembly member pretty much depends on establishing and preserving the support of his/her electorate.

This is the case of societies with advanced democracies. But, what's the situation in Kosovo? The Assembly has very limited resources to open offices in municipalities, however this should not prevent us from exercising our responsibility

to represent the people.

Opening an office does not require huge sums of money nor an abundance of human resources. Hence, driven by my own feeling of responsibility to be closer to the citizen and aided by the US-based National Democratic Institute (NDI) for International Affairs, I have undertaken the initiative to open such an office to communicate with the citizens of Peja/Pec. I followed the geographical principle; namely, I am from Peja/Pec, I know its citizens and they know me pretty well. Therefore, I consider myself to be their representative.

I believe that this initiative is a serious endeavor towards building our own system of democratic governance, which will also pave the ground for our citizens to practically engage in the governing and other processes and developments taking place in Kosovo. My aim is to give my humble contribution to increasing Peja/Pec citizen capacities, so as they could tackle their own problems.

Although this is the first and a new experience for me, the first lesson that I and my Assembly member colleagues learned is that citizens are our "bosses" and that smart employees are always sensitive and responsible towards their "bosses'" concerns.

The second lesson that I have learned is related to the citizens' needs and requirements. Their concerns are jobs, property rights, education, protecting monuments, missing persons, and pensions.

In tackling citizens' requirements, in general I had three options:

- 1) to address the case and then send/ delegate it to the staff;
- 2) to refuse the case; and,
- 3) to personally deal with the case.

The last option being smarter and nobler.

Despite my desire to personally get involved, oftentimes, I have not been able to help them so much. However, I have learned that it is very important to listen to their concerns carefully and try to help. This is how I learned the third lesson: to be realistic. Although I can not solve all problems, I can still prioritize them. Sometimes I have to find a compromise between the citizens' requirements, my capacities and requested services.

And the fourth lesson has to do with challenges I have faced. Most of the citizens expected my direct and immediate help. The main challenge was the time constraint to deal with all requirements, so I had to be as efficient as I possibly could. In this context, I believe that in order to create good relations with the constituency the following activities should be undertaken.

First: electoral system reform. In order to meet citizens' expectations, the citizens should have the opportunity to elect their representatives. Meaning that in Kosovo we should be able to have an electoral system with open lists and electoral zones.

Second: Citizens should feel that they have the ownership over the Assembly and its activities. Therefore, offices for communication with ci-

tizens should be open, in places where they can easily be accessed, and their privacy should be ensured. Moreover, the office staff should be very professional and able to empathize with citizen's concerns.

Third: The system of communication between the Assembly member and the citizen should become a routine. Communication is essential in strengthening public's acknowledgment for the work done by Assembly members and moreover it is a tool to ensure its legitimacy.

Although the initiative for opening of an office for communication with citizens is paramount, it is still not sufficient. To increase the Assembly

members' capacities and at the same time enable them to efficiently exercise their duties, and consequently increase and strengthen the Assembly's capacities in performing its functions, offices should be open to all members.

The decision and the success regarding these activities depends solely on and from no one else. We shouldn't focus on only lawmaking and overseeing responsibilities. Rather, we should perform our role as representatives by treating citizens as real partners in our endeavors. This can be accomplished by gathering information from citizens, by creating instruments for better communication and by learning from them.

### *OSCE Chairman meets Assembly presidency*

On 16 February 2006 the OSCE Chairman-in-Office (CiO), Belgian Foreign Minister Karel De Gucht, visited Kosovo, where he held meetings with President Fatmir Sejdiu, Principal Deputy SRSG Larry Rossin, the presidency of the Assembly of Kosovo and a delegation of Kosovo Serb representatives. The CiO also visited a returns site in Svinjarë/Svinjare and met a contingent of Belgian KFOR in Mitrovicë/Mitrovica. During the visit, Mr. De Gucht emphasised the need for progress on standards implementation during the status process, and stressed that the OSCE Mission stands ready to assist in this process. Mr. De Gucht also emphasised the long-term presence of the OSCE in Kosovo in a post-status environment.



## Presidency of the Assembly



Kolë Berisha, President



Sabri Hamiti



Ramë Buja



Xhavit Haliti



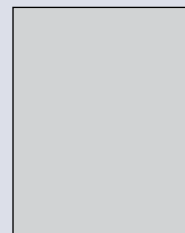
Naim Maloku



Gazmend Muhaxheri



Mahir Yağçılar



Kosovo Serbs

### Committee for Budget and Finance

Chairperson  
Naser Osmani

First Vice Chairperson  
Snežana Milić

Second Vice Chairperson  
Safete Hadërgjonaj

Members  
Ali Sadriu  
Besa Gaxherri  
Lutfi Zharku  
Naxhije Doçi  
Gani Koci  
Demir Lima  
Mazllom Kumnova  
Rifat Krasniç  
Nazim Jashari

Group  
LDK Group

SLKM Group

PDK Group

LDK Group  
LDK Group  
LDK Group  
LDK Group  
PDK Group  
PDK Group  
AAK Group  
6+ Group  
ORA Group

### Chairperson

Hydajet Hyseni

First Vice Chairperson  
Sadudin Berisha

Second Vice Chairperson  
Husnija Bešković

### Members

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Nekibe Kelmendi  
Ramadan B. Kelmendi  
Nerxhivane Dauti  
Hajredin Kuçi  
Gjylnaze Syla  
Dragiša Krstović  
Veton Surroi

### Group

PDK Group

LDK Group

6+ Group

LDK Group

LDK Group

LDK Group

PDK Group

PDK Group

AAK Group

SLKM Group

ORA Group

### Committee for International Cooperation and EU Integration

#### Chairperson

Sabri Hamiti

#### First Vice Chairperson

Bajram Rexhepi

#### Second Vice Chairperson

Džezair Murati

#### Members

Ilmi Ahmeti  
Rudina Bukoshi  
Alush A. Gashi  
Nexhat Daci  
Jakup Krasniqi  
Xhavit Haliti  
Emrush Xhemajli  
Saša Djokić  
Teuta Sahatqija

### Group

LDK Group

PDK Group

6+ Group

LDK Group

LDK Group

LDK Group

LDK Group

PDK Group

PDK Group

No Group

No Group

ORA Group

### Committee for Education, Science, Technology, Culture, Youth and Sports

#### Chairperson

Enver Hoxhaj

#### First Vice Chairperson

Nimon Alimusaj

#### Second Vice Chairperson

Gojko Savić

### Group

PDK Group

LDK Group

Committee for Judicial, Legislative Matters and Constitutional Framework  
with sub-committees for Gender Equality, Petitions and Public Complaints  
and Missing Persons

## Chairpersons of Parliamentary Groups

Alush A. Gashi  
LDKJakup Krasniqi  
PDKGjylnaze Syla  
AAKRandel Nojkić  
SLKMTeuta Sahatqija  
ORADžezair Murati  
6+Ferid Agani  
For Integration

## Members

Remzije Nimani  
Gjylshen Berisha  
Ragip Zekolli  
Mark Krasniqi  
Drita Statovci  
Sala Ahmetaj  
Myrvete Dreshaj-Baliu  
Nuran Malta  
Genc Gorani

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LDK Group  
PDK Group  
PDK Group  
AAK Group  
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ORA Group

## Committee for Economy, Trade, Industry, Electricity, Transport and Telecommunication

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LDK Group

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Brikenda Kryeziu  
Milazim Haliti  
Zef Morina  
Sala Berisha-Shala  
Hatixhe Hoxha  
Xhevdet Neziraj  
Sladjan Ilić  
Teuta Sahatqija

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PDK Group  
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AAK Group  
SLKM Group  
ORA Group

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Second Vice Chairperson  
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Shaban Halimi  
Zyhrie Maloku  
Fetah Berisha  
Berat Luzha  
Afrim Arzuallxhiu  
Xhelal Canziba  
Nazim Jashari

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ORA Group

## Committee for Health, Work and Social Welfare

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ORA Group

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Flora Brovina  
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Zahrije Jusufi  
Zylfije Hundozi  
Zlatica Kujundžić

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PDK Group  
PDK Group  
PDK Group  
AAK Group

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Second Vice Chairperson  
Oliver Ivanović

SLKM Group

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Nexhat Rexha  
Kamber Kamberi  
Januz Kastrati  
Hajredin Hyseni  
Selvije Halimi  
Ymer Halimi  
Špresa Murati  
Ylber Hysa

LDK Group  
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LDK Group  
PDK Group  
PDK Group  
AAK Group  
6+ Group  
ORA Group

## Committee for Preparedness and Emergency

Chairperson  
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Group  
AAK Group

First Vice Chairperson  
Ylber Hysa

ORA Group

Second Vice Chairperson  
Džezair Murati

6+ Group

## Members

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Fadil Geci  
Samije Zeqiraj  
Fadil Gashi  
Qibrije Hoxha  
Sokol Bashota  
Emin Krasniqi  
Xhevat Bislimi  
Vesna Jovanović

LDK Group  
LDK Group  
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LDK Group  
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PDK Group  
PDK Group  
SLKM Group

# Why we asked for a new dynamic in Assembly's Work

*Jakup Krasniqi, Chairperson of PDK Parliamentary Group, Democratic Party of Kosovo*

The Parliamentary Group of the Democratic Party of Kosovo requested during the first mandate of the Assembly that more parliamentary sessions be held so that it could fulfil the responsibilities handed to the parliament by the electorate. Our requests were presented during the second mandate of the Assembly, especially following the session of March 2005, when we strongly argued for the establishment of an Investigative Parliamentary Committee, which would examine candidates who were renominated by Bajram Kosumi. At that time, this request was opposed without any debate by the governing coalition. We have brought up this issue in other sessions as well, however, Assembly President Daci neglected to open a discussion to address bad-governance, political differentiation, violation of laws, and corruption.

Being an opposition party, our engagement was that the Kosovo Parliament was not there just to initiate democratic processes in Kosovo, but also to lead the political process regarding an independent and sovereign state, and rule of law. It would be a state where all the citizens would be equal before the law, regardless of their ethnic distinctions. We have raised again these requests at the beginning of 2006, when we proposed issues which should have been included on the agenda, at least in the first trimester of 2006. We had requested that the following issues should start being reviewed as of the beginning of 2006:

- The issue of the documents of the Negotiating Group. We brought up this issue convinced that the Assembly of Kosovo must follow the stream of talks that would develop an independent and sovereign state. But that was possible only if the Assembly held weekly sessions and engaged in special committees. By holding just monthly sessions, the Assembly had no chance to follow the professional and political work of the working teams of the Kosovo Negotiation Team.
- In our request, we also emphasized the issue of education. We stressed it, since we were convinced that the educational process is tied to economic and social development and therefore requires everybody's attention. On the other hand, we were and we are convinced that this field was led by people who were not distinguished as the ones that lead, apply reforms, and advance the education sphere. On the contrary, they have politicized this sector, offering no solution or perspective for the future generations. Look at the situation at primary and secondary schools, at the University of Prishtinë/Priština! The situation there is so grave, it is chaos and the Ministry of Education, Science, and Technology is responsible for this.
- We continue to ask for the establishment of an Investigative Parliamentary Committee to look into budgetary



Jakup Krasniqi

units including the Assembly of Kosovo, the government, the presidency and all the institutions financed by the Consolidated Budget of Kosovo. We possess documents and loads of data proving violations of the laws and the way the Ministry of Economy and Finances covered those breeches. We are convinced that our request was verified even by the Report of the General Audit, as well as other evidence we have. But we want them to be verified by a Parliamentary Investigative Committee. The establishment of that Committee is being hindered by powerful people in the governing coalition.

- We requested that Justice and Security issues be discussed in the first trimester of this year. We are convinced that these segments are highly vital to the current political processes of Kosovo, as well as for the future of its citizens. Without justice and security, there is no rule

of law, no security, and no free movement of people and goods. A profound and thorough reform must take place in those segments.

We requested issues as well. However, we are convinced that the recent developments occurring in Kosovo and about Kosovo, which have been presented before the Assembly of Kosovo, have produced more requests. That means new responsibilities for the Assembly and Parliamentarians. If the Assembly does not start holding weekly sessions, it will neither be able to meet its responsibilities nor deal with the most vital issues that will be presented to the Assembly and other Institutions. Therefore, we continue to be persistent on our request and we will continue to repeat them in the future.

Our Parliament, The Assembly of Kosovo, emerged from free elections and it should start working will full capacity and enhanced accountability. Let us hope that finally something good will start to function in Kosovo's Institutions!



# Our Vision of an Independent Kosovo

*Ferid Agani, Chairperson of Parliamentary Group "For Integration", Party of Justice*



Ferid Agani

In December 2005, Parliamentary representatives of the six political parties represented in the Assembly came to the conclusion that the democratic processes in the most significant institutions of Kosovo, despite progress, have not achieved a stage which shall enable them to fully articulate their political positions ensured by constitutional norms and Rules of Procedure. Consequently, Parliamentary representatives of the Justice Party, the Liberal Party of Kosovo, the Democratic Party of Kosovo Ashkali, the Party for Democratic Action, the Citizen Initiative of Gora, and the United Roma Party of Kosovo, established the Parliamentary Group "For Integration."

The establishment of the new political group was welcomed by officials of Kosovo Assem-

bly and was supported by the OSCE and the USA-based National Democratic Institute (NDI).

The Parliamentary Group "For Integration," with its multiethnic and multireligious consistence represents high civilization values of cultural, historical and political heritage of Kosovar society, sublimated in preparedness for democratic coaction of all its citizens in statebuilding processes for an independent Kosovo. It proves a historical continuity of peaceful and constructive cohabitation of Kosovar society belonging to different ethnicity, religion, social class, political affiliation, and economic level, etc.

Its main goals are to improve the democratic functioning of the Kosovo Assembly and to enhance its political unity

level in the crucial period of determining final status of Kosovo.

Political awareness and promotion of sincere collaboration in the process of joint efforts of statebuilding are an essential quality of our parliamentary group. By our specific multinational structure we aim to show to local and international political factors the existence of the democratic potentials within the Assembly of Kosovo for accomplishing mutual political activity on multiethnic and multireligious basis. I am convinced that political collaboration of parliamentary representatives of political parties representing a part of the Albanian majority population and for the ethnic communities in Kosovo: Roma, Ashkali, Gorans and a part of Bosniac community present more significant and persuasive proof than the dryly verbal statements on multiethnicity and democratic principles.

The Parliamentary Group "For Integration" is concrete proof that political representatives of minority ethnic communities living in Kosovo and political representatives of Albanian people should not collaborate only by sitting in front of each other but firstly to work hand-in-hand for each others causes and political commitment toward mutual aims and objectives. It presents proof of high political unity when it questions major issues related to the future of Kosovo, as well as concrete proof to the international community that the primary goal of Kosovar

Institutions is not an Albanian country, but a multiethnic country, where there shall predominate democratic principles based on the civilized values of native cultures.

The time has come to prove ourselves and others that in Kosovo there are democratic and visionary potentials for an independent, successful, and democratic state. It is clear to our parliamentary group members that national exclusivity it is not a way in this direction.

I am convinced that in no way would we diminish the monumental sacrifices of the Kosovar Albanian people during an age-long war for gaining freedom and independence. On the contrary, the Albanian people are ready to co-operate on a fully equal basis in political as well with other ethnic communities, who they cohabit with and they will be enhanced to the highest pedestal of freedom-loving people of the world which aimed and gained sovereignty and full independence by respecting most democratic and civilized principles.

As the biggest multiethnic political group in the Kosovo Assembly, the Parliamentary Group "For Integration" expects support from all parliamentary groups as well as from its international relevant partners on accomplishing noble goals put forward on better and democratic functioning of the Assembly of Kosovo and well-being of all the citizens of Kosovo, without any exclusion.

Where will Serbs be once status talks are over?

## PAY OFF TIME

*Zoran Culafic, a freelance journalist from Belgrade*

Local Serbian politicians entered the final phase of Kosovo status talks much weaker than they've ever been in the last six years. Proverbially divided and without any vision and strategy, they are not left much space to manoeuvre in the political competition with Kosovo Albanians and the International Community. The only thing that can be undoubtedly anticipated is the escalation of partisan conflicts within the Serbian political block; both politicians and the majority of Serbs in Kosovo are fully aware of this. The representatives of the International administration have also realised this fact and in view of that thoroughly revised the entire political strategy in the final phase of Kosovo status talks. The message is quite clear: it would be good if Serbs take part in Kosovo's democratic processes, however these processes will continue—with Serbs, or without them.

Within the Serbian political

scene in Kosovo, it is now difficult to identify the "big players." Although, there are few political groups and individuals in the game.

The Serbian list for Kosovo and Metohija (SLKM), headed by Oliver Ivanović, comprises a limp coalition of three parties—the Social Democratic Party (SDP), the Serbian Renewal Movement (SPO) and the Democratic Party (DS). The fact that the headquarters of these parties are in Belgrade is critical for the political activities of this coalition and the future moves of Ivanović himself. Thus, all analyses on whether he is going to enter Kosovo government has to be seen in this light, although Ivanović repeatedly proved that he has a high grade of political integrity and is sometimes capable of making important decisions independent of Belgrade's dictate.

The diplomatic representatives visiting Prishtinë/Priština do not miss a chance to meet Oliver Ivanović, thereby

sending a sufficiently clear message to Belgrade of their wish to see him as a partner in the Prishtinë/Priština political scene. The recent appointment of the new Kosovo prime minister was an ideal opportunity for SLKM to enter the government in the least painful manner, however, the selection of former TMK Commander Agim Çeku was unacceptable for Serbian Prime Minister Koštunica and this opportunity was imprudently wasted. However, the public is still speculating that Ivanović could soon make the decision on his own, despite Koštunica's objections, provided, however, that he is given the position of the Minister for Returns and Communities, currently held by Slaviša Petković. The position of Minister for Agriculture, two positions of deputy ministers and several positions on the Steering Board are all reserved for the SLKM Coalition.

In recent weeks, Slaviša Petković has been losing some

standings in the government, but also within his own party. One of his collaborators, Dragiša Mirić, cut away a SDS KM wing, which about itself assert that they are the authentic descendant of the party, and they even requested Petković's removal. Approximately at the same time, one could hear in Prishtinë/Priština speculations that Petković could even face criminal charges, because of alleged financial malpractice. Further, he failed to establish good relations with Kosovo Prime Minister Čeku. Unsatisfied by the decision to appoint Colonel Dejan Janković as deputy minister of Interior, Petković proclaimed that he was freezing his position as minister, although it's difficult to grasp what this would mean in the reality of the political climate.

However, it appears that at this moment Petković holds at least one solid ace in his sleeve, and it is the fact that two of SDS KM MPs in the Kosovo Parliament have remained loyal to him, and it is those two MPs who can now provide a majority for the governing coalition in Prishtinë/Priština.

With such a power balance, it seems that the first following window of opportunity for Oliver Ivanović could open after the first one hundred days of the governance of the Prime Minister Čeku have passed, as he announced to make an evaluation of the performance of all respective ministries at that instance, and that he will replace all ministers who have underperformed.

The most influential group

in Kosovo is still the Serbian National Council (SNC), particularly as their members are also members of the Serbian Democratic party (DSS), the current leading party in the Serbian Government, which has full control over the activities of the Co-ordination Centre for Kosovo and Metohija. This group is particularly influential in the Northern Kosovo. The recent changes within the SNC have no substantive nature and "the merging" of the North Kosovo SNC with the Central Kosovo SNC could rather be called as a decorative move. Yet, it is very clear that Prime Minister Koštunica thereby demonstrated the direction in which Belgrade's political stance on Kosovo will be headed in the coming months.

Koštunica will, however, very soon have an opportunity to demonstrate in practice how much he cares about Serbs in Kosovo. If all his political wisdom continues to come down to protests about "war criminals" to either the negotiation team or within the leadership of Kosovo government, Serbs in Kosovo will unquestionably gain much less than what Kosovo Albanians and the International Community are willing to concede to them now.

The possible independence of Kosovo is a threat for Serbs, however some analysts point that abolishing entitlements to, so called, Kosovo supplement, i.e. doubled salaries for those employed in Health, Education and other institutions affiliated with the Serbian Government, could present a much stronger blow to Serbs. And making this decision is Koštunica's prerogative.

## Strengthening the oversight role of the Kosovo Assembly

*Fatmire Mulhaxha Kollçaku, Chairperson of the Committee on Health, Labour and Social Welfare, Reformist Party ORA*

In the second mandate of the Assembly of Kosovo, out of two previous Committees, a parliamentary Committee was established with the scope that now covers the work of two ministries, the Ministry of Health and the Ministry of Social Welfare. Although the Committee is composed of 12 members and different parties, all the decisions up to now have been undertaken with full consensus.

Until now the Committee has reviewed several laws, most notably the draft laws on the Health Inspectorate, Emergency Medicine, War Values, Tobacco, Social and Family Services, and Food. The Committee on Health, Labour and Social Welfare has also reviewed the draft legislation on Social Insurance, which is a very important for the proper functioning of the health system, however this law did not go through a second reading in the Assembly since a financial declaration was not fully prepared.

While the Committee reviewed the draft laws, it also held two public hearings with experts and representatives of different institutions, with the goal of gaining as much advice from those who will play a significant role in the implementation and review of the legislation.

In its work, the Committee cooperated with organisations and institutions such as the US-based National Democratic Institute (NDI), the OSCE



Fatmire Mullhaxha, standing right, in a recent visit to a hospital.

Mission in Kosovo, and the Friedrich Ebert Foundation. We are grateful for their continues support.

The review of the laws is a very important part of the work of the Assembly, but there is also an oversight role over the government, in this case of the monitoring of the Committee over the work of the ministries which it covers. As a concrete example, I would like to mention an initiative of the Committee supported by NDI, in the monitoring of the implementation of the law on Health.

The first activity of the Committee in this direction would be the oversight of the Ministry of Health in the approval of certain sub legal acts – non-approval or late approval of which disables the implementation of the law in the most part of it. The second activity were the visits planned in the field, where we had the

opportunity to get acquainted with the law and obstacles in its implementation and also the issue of applicability of the law. Up til now our Committee visited institutions of the primary health care, and also secondary and tertiary health care in Prishtinë/Priština, Ferizaj/Uroševac and Pejë/Peć. In this case we had opportunities to meet many health workers, like the managing staff as well as the other workers, and certainly with the users of the services.

In this scope we plan to organize a couple of public hearings with the providers of health services, users of the same and the staff of the Ministry of Health.

After the end of the fact collection, the Committee will prepare a report with recommendations aimed at bringing about a plenary session in order to raise the issue of health care.

# Challenges and Improvements of the work of Kosovo Assembly

Rebecca Kilhefner, Monitor of the Assembly, OSCE Mission in Kosovo



The Assembly of Kosovo is now approximately halfway into its second mandate. Below is a brief overview of improvements in its functioning and procedural compliance, along with challenges that remain.

## Agenda setting

The Assembly's procedural rules require that the agenda for each plenary session be prepared in advance by the Assembly presidency and presented to the Assembly for approval at the previous

plenary session. Implementation of this provision allows Assembly members to raise objections to the proposed agenda and ensures that the Assembly plenary has the final say in determining the course of its work.

Until recently, the agenda was prepared and made known to Assembly members only a few days before the plenary session. (This difficulty in agenda preparing was partly a result of the Assembly holding meetings on a monthly, rather than weekly, basis, as discussed below.) The agenda was usually not approved formally by the Assembly, even at the beginning of the session in question, unless one or more members raised strong objections at the beginning of the session and were given a chance to speak. This sometimes resulted in lengthy debates during the middle of the plenary session as to whether a certain item should be reviewed on that day or not. In one extreme case, a minister was about to present a draft law for first reading when an Assembly member opined that, according to existing legislation, the issues treated in the draft law should be regulated by subsidiary legislation, not a new law. This assertion led to an extensive debate on whether the draft law should be presented, with Assembly members regretting the "awkward" situation that had arisen, one which could have been avoided if the agenda had been prepared and approved as stipulated in the rules.

On the positive side, the presidency began a couple of months ago to prepare plenary agendas in advance and

present them for approval by the Assembly at the previous session, a welcome change from the previous practice. To ensure that the interests and concerns of parliamentary groups are properly taken into account, the presidency should make a practice of consulting with heads of the groups when preparing the agenda, as stipulated in the rules.

## Voting

Under the Constitutional Framework and the Assembly's procedural rules, a decision of the Assembly requires the support of a majority of members present and voting for or against the proposal, except in special cases where a different requirement is foreseen. That means that in cases when a significant number of members do not vote, a proposal can be passed even when less than half the members present vote in favour of it, provided it receives more votes in favour than in opposition. It is therefore always necessary to call for and count the votes in opposition, even if a proposal has received a relatively small number of votes in favour. This provision has been misinterpreted many times in the past, sometimes leading to fierce debates in the Assembly as to whether a specific proposal has passed or not, and it has even led to a proposal being declared as defeated when it should have been declared as adopted, and vice versa.

The Constitutional Framework and the Rules of Procedure contain no provision on how to vote between a

number of options, which has led to confusion when the Assembly has been asked to elect a specific number of people to a body from a large pool of candidates. The Assembly should develop detailed procedures for more complex voting cases, such as appointments to government and independent agencies and other bodies.

## Debates

There has been a recent trend towards much freer and more extensive Assembly debates than in the past, when members wishing to speak were often denied the floor with the justification that no time remained, or when certain statements were ordered to be "deleted from the record" because of their content. All Assembly members have equal rights to participate fully in the Assembly and plenary debates, under the bodies procedural rules, so the current trend is long overdue. Free debates must, however, be accompanied by responsibility on the part of Assembly members and a certain degree of control by the person chairing the session.

Members are banned by the rules from using "unparliamentary language" (offensive, defamatory, threatening or obscene language, personal attacks or insults, or language that is conducive to inter-community violence) and the chair of the session has a duty to call to order any member who uses such language. It is sometimes difficult, on the spot, to draw the line between provocative statements and true unparliamentary language, especially if the chair-

person does not want to appear to be obstructing free debate. Some parliaments have ever-evolving lists of expressions or other specific types of statements that are considered unparliamentary language, in order to deter arbitrary rulings on members' statements. Statements made at a session that do not appear on the list but nonetheless might qualify as unparliamentary language are sometimes subject to wider discussion. It might be beneficial for a body of the Assembly, such as the presidency or the Committee on Judicial, Legislative and Constitutional Framework Matters, to develop more detailed guidelines on unparliamentary language.

With regard to the length of a plenary debate, it is not unreasonable for the presidency to set a time limit for a particular debate prior to the plenary session, preferably in consultation with parliamentary group leaders. Such an agreement could include an allocation of debate time to each parliamentary group that is approximately proportionate to their representation in the Assembly, also leaving some time for non-affiliated members to speak during the debate if they wish to do so. It would then be up to each parliamentary group to designate its own speakers and divide debate time among them.

## Frequency of plenary sessions

The adoption of a monthly system of plenary sessions two years ago has generated a

multitude of procedural and substantive problems. First, as indicated earlier in this article, it has been difficult for the presidency to compile an agenda in advance and present it for approval at the previous session, as required by the rules, due to uncertainty about which items will be ready for review one month later. Additionally, the procedural rules place a tight timeframe on the first reading of draft laws – "no earlier than ten working days and no later than three working weeks from the day of distribution" – which is difficult to adhere to under a monthly system. Most importantly, though, important agenda items are often unnecessarily delayed for months. For instance, if a minister is not present to answer a question submitted by an Assembly member, or if the review of a draft law must for some reason be postponed until the next plenary session, these items are often delayed by at least a month instead of a week. Likewise, holding sessions on a monthly basis allows little time for business other than the review of draft legislation, such as questions to the government and debates on vital current issues. There have been recent indications that the Assembly will begin to meet on a more regular basis – indeed, plenary sessions were already held more frequently in February and March than in previous months. This trend should be institutionalized with a return to a weekly system of plenary sessions to allow the Assembly to fully play its important role at this crucial time for Kosovo.

# Kosovo's Journey Toward EU Integration

*Torbjorn Solhstrom, Personal Representative of Javier Solana in Prishtinë/Prishtina*

Former British Prime Minister Winston Churchill once said that the Balkans was a region that produced more history than it could possibly swallow. While there might still be an element of truth to that remark, Kosovo and its institutions have recently displayed an ability to digest a considerable amount of political change in a amount of time.

The untimely death of Kosovo President Ibrahim Rugova in January of this year led to the swift election of Fatmir Sejdiu as the new President of Kosovo. A new Government led by former Kosovo Protection Corps Commander Agim Ceku was confirmed on 10 March after the resignation of Kosovo Prime Minister Bajram Kosumi. At the same time, the parliament elected a new speaker, Mr Kolë Berisha. In less than two months, there have been changes on all of the three top positions in Kosovo's

institutions. This has not been easy. But the way in which the Kosovo political establishment has overcome these challenges has been a sign of maturity and responsibility.

These changes come at a crucial period for Kosovo. With the appointment of former Finnish President Martti Ahtisaari as UN Special Envoy, the process aimed at defining the future status of Kosovo began. The foreign ministers of the EU have expressed the full support of the Union for the Special Envoy and have agreed to the appointment of Mr Stefan Lehne as the EU Representative to the Status Process. The EU works closely with President Ahtisaari and his team, and participates in all aspects of the status process.

Given Kosovo's geographic location in the middle of Europe, the status process—and the outcome it will produce—is obviously of

great importance to the EU. Together with international partners in the Contact Group, EU High Representative Javier Solana set out some of the key parameters for future work in the London statement of 31 of January. Most notably, this states that all efforts should be made to ensure that the process is concluded by the end of 2006.

In parallel with the status process, the implementation of standards and other key European reforms listed in the so-called European partnership for Kosovo continues. The last report to the UN Security Council showed uneven progress. At a time when Kosovo's future is discussed, tangible results in this area are essential.

Against this backdrop, the EU views two key challenges in the near future:

- First, to continue to participate constructively in the

status process; and,

- Secondly, to reinvigorate work on standards and other key European reforms.

I was pleased to hear a clear commitment in this respect from Kosovo's new prime minister in his acceptance speech to members of the Kosovo Assembly. Especially encouraging was his promise to reach out to minority populations and to show that Kosovo can be home for all its communities.

For the EU, there is a third challenge: namely to prepare for our engagement after a settlement of the status, and after a subsequent disengagement of UNMIK. We anticipate a future when the EU will be more deeply engaged on the ground in Kosovo and in the region's process into European integration. We will have more EU in Kosovo and more Kosovo in the EU.

We're already in the process of gradually building up our presence in Kosovo, with diplomatic personnel as well as with experts in the area of rule of law. A planning team for a future EU mission in the areas of police and judiciary should be established in Pristina later this spring. This team will work closely with Kosovo authorities, including the newly established Ministries of Interior and Justice.

It's still much too early to define the exact form of the future EU engagement in Kosovo, not least as it will depend on the nature of the status settlement. However, the philosophy is clear:



# Reviewing the Draft Law on Veterans: OSCE Provides Support

*Jade Duchesneau-Bernier and Patrice Quesada, OSCE Mission in Kosovo*

- The EU's approach will be to maximize Kosovo's ownership of its affairs. The authorities – not the international community – will be responsible and accountable;
- the EU will seek to help Kosovo address two categories of challenges. First structural challenges—economic, administrative, and technical — that Kosovo shares with the rest of the region. Second, specific challenges—guarantees for minority rights, cultural heritage, decentralisation, etc — that will follow from the provisions of the status settlement; and,
- the EU's vision will be to help Kosovo towards European integration. The EU Ministers of Foreign Affairs recently in Salzburg reconfirmed the so called Thessaloniki commitment: that there is a future for the whole of the Western Balkans inside the EU once the conditions are fulfilled. That commitment includes Kosovo, and President Sejdiu together with the SRSG Jessen-Petersen, who were present at the Salzburg meeting.

Today, the focus is naturally on standards and status. Historic developments will, however, not end the moment there's a settlement on Kosovo's Status. Only a new chapter will start. That chapter can, if Kosovo wants, be about a journey towards EU and NATO. It will not be easy. But countries in Central and Eastern Europe have proven that the journey itself is very important and that it's possible to reach this final destination.

On 23 February 2006, the Assembly of Kosovo adopted the Law on the Status and Rights of the Families of Martyrs, KLA War Invalids and Veterans, and the Families of Civil Victims of War, a piece of legislation aimed at alleviating the harsh living conditions of those citizens most directly affected by the armed conflict. Long-term co-operation between the Assembly of Kosovo and the OSCE Mission in Kosovo also contributed to this achievement.

The process started almost two years ago, in June 2004, when the draft Law was first introduced to the Assembly. However, because of its shortcomings, it did not make it to second reading. The draft Law sat until January 2005 when a new government re-introduced it and it was subsequently endorsed once again by the Assembly in its first reading. From this point until its final adoption last February, the draft was subject to a series of amendments.

As did other interested parties, such as the war veterans and invalids organisations, parliamentary groups and UNMIK, the OSCE commented on the draft Law. By then, the functional Committee of the Assembly faced a difficult task—to reconcile conflicting demands while ensuring the enactment of a non-discriminatory law with realistic prospects for full implementation. Recognising this complexity, the OSCE Mission extended its offer of

expertise to the Kosovo Assembly President at the end of September 2005. This offer was formally accepted on 7 October.

The OSCE's involvement did not aim to play a direct role in redrafting the law nor to have a final say on needed amendments, but rather to encourage legislators to address the concerns of the most vulnerable fringes of the society in a pragmatic and non-partisan manner. In the Kosovo post-conflict context, where the vast majority of the population suffers from harsh social and economic conditions, the issue of war veterans' rights and benefits is highly sensitive.

The Croatian Law on War Veterans, widely cited as a positive example from the region, was used as a model by the drafters of the Kosovo Law on War Veterans. Taking this into consideration, the OSCE proposed the services of a Croatian expert to assist the Assembly Committee in their task of reviewing and amending the draft Law. Thanks to the co-operation of the Croatian Ministry of Foreign Affairs and European Integration, a suitable candidate was rapidly identified: Mr. Marijan Pokrajčić. As a senior official of the Croatian Ministry of Labour and Social Welfare, he had been extensively involved in the drafting of the Croatian Law on War Veterans and its subsidiary legislation.

Within a four week period, he

reviewed and commented on the Kosovo Draft Law on War Veterans. In December, at the end of his stay, he presented an overview of his comments and concerns to members of the functional Assembly Committee. Most were taken into consideration by the Committee when proceeding to the review and amendment of the draft law. Through this intensive amendment process, the law has been significantly improved in comparison to earlier versions. Nevertheless, certain aspects of it remain problematic.

The adoption of the Law represents a first step of the Kosovo institutions towards taking the responsibility to address the needs of this important social group. Upon its promulgation, the most important phase will commence: implementation. Important challenges are still ahead, as full implementation of the law will largely depend on subsidiary legislation to be issued by various Ministries and on the availability of budgetary resources.

Since the end of the war, the OSCE Mission in Kosovo has had fruitful dialogue with war veteran and invalid organisations and provided its support to ensure their reintegration into society and improve their social conditions. Once more, the OSCE stands ready to provide the Provisional Institutions with assistance in the crucial phase of implementing the Law.

# The Basics of "Question Period"

David Payne, National Democratic Institute (NDI)



David Payne

The right to seek information from a government minister and the right to hold that official accountable before parliament are recognized as two of the fundamental principles of parliamentary government. Members of parliaments usually exercise these rights by asking questions in the parliament, during a formal "question period." The search for, or clarification of, information through questioning is a vital aspect of the duties undertaken by individual Members, and forms a central role in parliamentary strategy. Questions are usually asked without notice, inviting spontaneous answers, but sometimes submitted in writing beforehand.

The government proposes and the opposition opposes, says the traditional dictum of parliaments throughout the democratic world. The time is ripe for a question period to be introduced as a normal

part of the regular sessions of the Kosovo Assembly. The Rules of Procedure contain provisions for one. A question period" is traditionally a fixed daily period set aside for oral questions to be put usually, though not exclusively, by the members of the opposition and answered by government ministers. A minister will sometimes be given notice before the session begins of the intention of a member to put a question, without necessarily informing the minister of its exact formulation, though this is not an obligation, as news, unforeseen events and pressing occurrences will inevitably dictate the necessity of a question.

A question must be directed to a particular minister, parliamentary secretary or the prime minister. The prime minister may defer the answer to one of his/her ministers at his/her sole discretion. The question must be short, usually no longer than one minute followed by a response of similar length. A minister must therefore be well briefed on his or her files and offer a convincing answer on the spot. The media generally prefer to attend questioning session, because this is when the potential of raising an issue can embarrass or enhance the credibility of the government and where a skilful remark can sway public opinion through keen oratorical skill or deft parliamentary skills. A minister can choose to delay the answer, and to come back on the issue at a later date.

But a minister's hesitancy can quickly affect his or her image. A minister who cannot handle a clever questioner will have a short political life.

Ministers are expected to be present at question period, as a normal and necessary part of parliamentary executive oversight. "Les absents ont toujours tort!" or "Be absent at your peril!" Thus, even in the absence of a minister, a question may be put (in his/her place) to the prime minister or next senior minister. A question may not normally be refused by the president because of the absence of a minister.

Although according to most rules of procedure it is forbidden to put forth a question which provokes debate or contains innuendo, the Speaker of the House must use his or her greatest skill in maintaining order. An able questioner can use irony, pathos, and epithet to effect. Governments are traditionally wary of question period, for there is another unwritten rule in the British parliamentary tradition: the opposition should be favored in the spirit of the "underdog," and question period is a privileged moment when the opposition can confront the Government in public on equal terms and call it to account.

Governments have sometimes suffered serious damage by the concerted effort over time of opposition to undermine the Government's integrity through persistent and well-

researched questions. A young and inexperienced Government is vulnerable. Furthermore, the question period is often characterized by insults, jokes, theatrical gags and ugly verbal assaults, a challenge for any Speaker. Whips will insist to their caucuses that the best guarantee of public appreciation is a dignified, restrained and polite poignant exchange between a minister and the opposition. Often to no avail.

The cardinal rule for opposition parties is never to ask a question for which you do not already know the answer. The opposition aims to prey upon weak ministers with the hopes of gaining more air time in the media, while the government tries to deflect attention away from potentially problematic issues. But question period also presents an ideal chance to government ministers to relay the good news of their achievements, and ridicule the naivety and ignorance of the opposition. In any event, the period at its best only enhances parliamentary democracy and executive accountability. A necessary balance for a necessary democracy. Without an authentic question period a parliament is not entirely open and democratic. It's a question of standards to which all true parliaments aspire.

*Before joining NDI, David Payne had served as a Member of the Canadian Parliament, Parliamentary Secretary to three Quebec Prime Ministers, and as Trade Commissioner to China.*



# New OSCE field presence

*Kara Johnston-Molina, OSCE Mission in Kosovo*

Democratic governance means proper functioning of the institutions in particular assuming local ownership, responsibility and accountability. The basic principles of the UNMIK policy are to support the PISG in complying with the Standards, human rights, applicable legislation, rules of procedure and other norms, in particular those pertaining to the protection of the rights and interests of minority communities.

The transfer of responsibilities and competencies to the PISG – most recently seen with the creation of new PISG Ministries of Internal Affairs and Justice within the framework of UNSCR 1244 - necessitates that PISG officials are held more accountable for their actions at every level. The basic premise of the UNMIK policy is that the PISG are monitored and encouraged to take corrective actions in cases brought to its attention, i.e. UNMIK retains the right to intervene in the last resort. Therefore, the OSCE Mission in Kosovo is working on a pro-active monitoring policy to encourage preventive and 'self-corrective' measures through a slight reorientation of its activities and an enhanced field presence. In each policy area, the OSCE is working very much in partnership with our multi-lateral partners – the European Union and the United Nations – in our future planning.

To be effective in its monitoring role, the Mission must be present in each of Kosovo's 30 municipalities and the pilot municipal units. This has

meant that, at the municipal level, OMiK has had to be reinforced our field presence. OSCE will soon be the only international organization in Kosovo with an extensive field structure: Municipal Teams in each of the 30 municipalities of Kosovo as well as its three pilot municipal units. This entails a transition of responsibilities from the Department of Civil Administration (DCA) to OSCE as the two work closely together to manage a seamless handover of functions and responsibilities as UNMIK 'right sizes'. At the municipal level, co-operation with UNMIK DCA takes place on monitoring, reporting and analysis and providing recommendations to the Special Representative of the Secretary-General (SRSG) on executive intervention.

Each of the Municipal is made of an international and local Democratization Officers, paired up with a similarly constructed team from the Department of Human Rights and Rule of Law. Staff receive field direction from Senior Officers placed in each of five OSCE Regional Centres in the field. Municipal Teams represent the 'eyes and ears' of the whole Mission, with a stress on analysis resulting from proactive monitoring and to support the PISG.

UNMIK's Office of the SRSG relies on the strong field presence to remain apprised of compliance with Standards implementation and implement an accountability policy. Persuading PISG officials to act in accordance with their responsibilities, competencies



Ismet Beqiri, Mayor of Prishtinë/Priština, in Municipal Assembly

and applicable law and Standards. And just as these can be used to highlight successes, they can also be used to highlight the remaining legal and procedural impediments to the non-discriminatory access for all citizens to human, economic, social and political rights. As part of UNMIK, OSCE relies on the PISG, and all political parties, at all levels including the municipalities to act against such malcontents if and when they are identified, and to ensure that civil servants act within the law. UNMIK is ready to act under the accountability policy if the PISG and municipalities do not act in accordance with the framework of obligations. Its mandate demands nothing less.

The success of the accountability policy relies heavily on the principle that OSCE and its extensive field presence is well-integrated with the rest of UNMIK in Kosovo. Co-ordination is essential to ensure a consistent approach

across the mission, especially at the field level. The need for co-ordination will only increase as a status settlement approaches, and we begin transitioning to post-status international arrangements.

In the post-status phase (and thus possibly after the disappearance of UNMIK), OSCE will have an independent role and may be asked to take on a leading role in the international presence in Kosovo. This should be used in an optimal way to monitor the implementation of any outcome of the Future Status talks at municipal level during 2006. Hence, the role of the OSCE in Kosovo must reflect preserve its participation within the existing pillar structure of the international presence, while also allowing for the continuity of its work in a future structure. In either event, and irrespective of status outcome, OSCE will focus on making the democratic system and a multiethnic society in Kosovo sustainable.

# Translation/Interpretation: Keeping the Meaning the Same

*Lirak Karjagdiu, OSCE Mission in Kosovo*

Never have there been so many people in the history of humanity engaged in translation activities as there are today. Everyday, thousands of translators and interpreters facilitate the inter-human, linguistic, social, political, cultural, artistic, scientific and mass media communication between different nations, with their human and pertinacious activity.

The role of interpreters and translators in the development of international relations, economics, arts, movies and scientific exchange, is enormous. One can not imagine the conductance, organisation, functioning and success of any conference, summit, congress, symposium or meeting, be it international, scientific, political, diplomatic or cultural, without the participation, involvement, engagement, and noble mission of interpreters and translators in our era. Thus, translation has become, not merely a condition for mutual communication, but also an incentive for our progress, co-operation, understanding, tolerance, amiability, peace and stability.

Recently, in Kosovo as well, scores of young translation experts have been engaged and hired and now exercise the mission and task of the interpreter or translator. They work not only in KFOR,

UNMIK and the OSCE, but also in liaison, diplomatic, economic, tourist, political and marketing offices; different agencies and institutions; various humanitarian, health, educational and cultural organizations. With their assiduous efforts, they facilitate communication between international and national representatives, politicians, diplomats, experts, leaders, managers and employees. Furthermore, without being so aware of it, they contribute to understanding between two parties, mutual co-operation, deepening of amity and, what is most essential, to the transmission of organisational, institutional, legislative, scientific, cultural, state-forming and democratic experience of foreign experts, both into Albanian and other regional languages.

However, translation and interpretation in Kosovo before the 1999 war had only been practiced by a few talented and experienced interpreters, but after the war—due to the sudden, extraordinary need for interpretation—the skill is being exercised as Vedat Kokona puts it “by those who are in need and those who do it indeed.” They do this for money, says Kokona, and mother nature calls upon them to work the way it called them and not otherwise. Mother nature is the talent, the gift. The passion to read, understand, adopt and

transmit text, a message, an idea, an opinion into a clear, lucid and original manner. Whereas interpreters in need as Kokona explains, are those who are not assigned by the “Call of Nature” to work on something and they cannot do it properly, thus they are now dancing like a bear where once they appear funny the other time dangerous. This type of interpreter possess no gift of talent, preparation or qualification. They are lazy and believe that interpretation is the easiest thing in the world. They do not accomplish their task; they destroy not only the text and message, but also the style, by misinforming the reader and/or listener.

According to Edmond Tupja, a well-known Albanian interpreter and theorist, apart from interpreters in need or those talented, there are two other categories: sub-interpreters and pseudo-interpreters. According to Tupja, “the first one is accountable, modest, hardworking and gives it their best, but lacks talent and as a result their translations/interpretations are mediocre and need to be retranslated by another interpreter so the proofreader finds himself in the position of co-translator. The second of these, the pseudo-interpreter, is best described by Kokona, as one who has no gift, knowledge nor wish to work. This category—as he points out—is the most common, in

written and electronic media, and even in literary translations.”

No doubt, one of the major challenges is the inadequate translation quality of texts, administrative notes, brochures, etc., as well as poor simultaneous and consecutive interpreting during conferences, trainings and other important events, be it at the national or international level. But in case of written translations the translator has the chance to intervene, correct and proofread the texts through proofreaders, and this is something that cannot be done during an oral translation.

Poor interpretation can even result in the failure of an event. In the worst case scenario, interlocutors misunderstand each other, and get a wrong intellectual, professional picture of each other due to poor interpretation. Such a situation can arise due to the lack of responsibility of the organizer, the lack of discipline of participants, poor articulation, and most frequently due to lectures which lack terminology knowledge and accuracy, topic relevance, respect for language styles and underestimate interpreters and interpreting. To avoid such situations the speaker should be aware he/she is speaking through an interpreter, and in case the speech is confusing,

lacking order and logic then the interpreter has no other alternative than to be confused and transmit an unclear message.

The orator should also take into account the rhythm or the pace of the speech. He/she should address in a normal tone and, if possible, follow what the interpreter is doing. Speakers should not talk all at once as the interpreter cannot interpret for them all. Further, they should avoid long and complex sentences or paragraphs and speak in simple, concise and organized sentences. The speaker should take into account the pronunciation as this may easily alter the meaning and thus be misunderstood. An

orator should also avoid using idioms, jargons, acronyms, and specific humour as this may take on the form of an inadequate meaning.

Facilitation and assistance to the interpreters is best provided by the relevant institutions which employ interpreters by:

1. in time information on agenda, purpose of meeting and the context of the speeches;
2. informing them about the importance of the meeting and the level of participants;
3. defining and informing them about the type of interpretation (consecutive or

simultaneous);

4. ensuring a list of terminology specialized and acronyms to be used during the conference
5. providing copies or talking points of speeches or presentations;
6. meeting the organizer before the events start to answer possible questions an interpreter might have about the terminology and the meeting format.

After all, the transparency and success of interpretation depends both on the quality and quantity of the preparatory work before the event and the training, competence and qualification of interpreters.

An important role that might be played by the language and literature departments of the University of Pristina, which in co-operation with international organizations in Kosovo, could send interpreters for language proficiency and specialization in translation abroad. Lately the idea of establishing an Institute for translations/interpretations has emerged. This idea, if supported by the international community would enable the qualification, training and professional capacity building of interpreters at the international level. Such an idea is useful, especially now as Kosovo aims to be a part of Euro Atlantic integration.





## ASI Mission Statement

The Assembly Support Initiative (ASI) is the inter-agency co-ordination mechanism of democratization programmes in support of the Assembly of Kosovo, seeking to strengthen and professionalize the Assembly of Kosovo. The work of ASI focuses on a democratic political culture based upon acknowledge of and respect for democratic rules of procedure, transparency and accountability to the public, developing and implementing a legislative agenda, oversight over the Executive, respect for the multi-linguality and participation in regional and inter-parliamentary contacts.

ASI partners work to bring resources together, share information and coordinate programs while identifying needs in direct interaction with the Assembly. As coordinator of the ASI, the OSCE Mission in Kosovo liaises with all ASI partners and calls regular coordination meetings in consultation with Assembly representatives. A regular ASI Newsletter informs a broad domestic and international public on the developments in the Assembly of Kosovo as well as the ASI support programmes.

### *Currently participating in ASI:*

*Friedrich Ebert Stiftung (FES), Friedrich Naumann Stiftung (FNSt.), Konrad Adenauer Stiftung (KAS), East West Parliamentary Practice Project (EWPPP), European Agency for Reconstruction (EAR) in cooperation with the Consortium of the parliaments of France, Germany, Belgium, Slovenia and the Institut International de Paris la Defense, United States Agency for International Development (USAID) in cooperation with the National Democratic Institute (NDI), United Nations Development Program (UNDP) in co-operation with the Inter-Parliamentary Union (IPU), OSCE Mission in Kosovo and the Assembly of Kosovo*



### Editorial board:

Sven Lindholm, Franklin De Vrieze, Chris Cycmanick, Blerim Vela, Labinot Hoxha, Edmond Efendija, Krenar Loshi.

OSCE Mission Headquarters, 10000 Prishtinë/Priština

Tel. (+381-38) 500 162 Fax: (+381-38) 500 188

contact: franklin.devrieze@osce.org

<http://www.osce.org/kosovo>

The views expressed by the contributors to this Newsletter are their own and do not necessarily represent the views of the Assembly, OSCE Mission in Kosovo or the ASI partner organisations.

### Pictures in this Newsletter:

OSCE: pg. 2, 17, 14, 26 • Daily Newspaper Express: pg. 1, 2, 20 (Visar Kryeziu) pg. 3, 7, 11 (Ermal Meta) pg. 5, 9, 13, 16 (Astrit Ibrahim) pg.10 (Ferdi Limani) pg. 25 (Fisnik Dobreci) • UNMIK DPI: pg. 18 • Assembly of Kosovo: pg. 14, 15. • NDI: 24.