



- Kosovo leaders meet negotiators from several countries
- Building better healthcare services
- "Coalition Return" at a cross-road

## Editorial

### Crafting strategies for negotiations

It was a unique group. The main Kosovo political leaders met key negotiators and decision-makers from countries around the world to discuss leadership and negotiations during periods of transition in similar circumstances. The setting was the picturesque castle of Burg Schlaining in Austria. From 15 to 19 December 2003, an intensive exchange of experiences with distinguished officials and negotiators from Northern Ireland, the Republic of Ireland, Israel, Palestine, South Africa and Chile took place. The conference on "Crafting Strategies for Negotiations" was co-sponsored by the Project on Justice in Times of Transition of Harvard University and the OSCE Mission in Kosovo and supported by the Kosovo Institute for Policy Research and Development (KIPRED) and the Olof Palme International Centre in Sweden. The initiative was endorsed by several international leaders, including former U.S. President Bill Clinton.

Of particular importance at this historic meeting was the full participation of the five senior Kosovar leaders: President Ibrahim Rugova; Prime Minister Bajram Rexhepi; Speaker of the Assembly Prof. Nexhat Daci; President of the Democratic Party of Kosovo Mr. Hashim Thaçi; and President of the Alliance for the Future of Kosovo, Mr. Ramush Haradinaj. While representatives of Kosovo's Turkish, Bosniak and Ashkali communities participated in this conference, Kosovo Serbs representatives declined their invitations and did not attend the conference. The meeting was co-chaired by Ambassador Wolfgang Petritsch, Permanent Representative of Austria to the United Nations in Geneva, and Thomas Hammarberg, Secretary General of the Olof Palme International Center.

During the event, international speakers gave brief presentations about their previous negotiating experiences, paying special attention to issues that are of particular relevance to Kosovo. Specific topics addressed in the course of the meeting included preparing for negotiations, building trust with negotiators on one's own team as well as with the opposing side, effectively managing multi-party negotiations, creating trust among the larger public and with the international community, and engaging civil society actors and minorities in the creation of a stable future. The meeting gave PISG leaders ample opportunity to discuss the situation of Kosovo both among themselves and with the distinguished international speakers.

Speakers included Mr. John Biehl, Advisor to the Government of Costa Rica during the Central American Peace Accords in 1987 and former Secretary General of the Presidency of Chile; Mr. Ebrahim Ismail Ebrahim, Political Advisor to the Deputy President of South Africa and senior African National Congress participant in the multi-party negotiations in South Africa; Mr. David Ervine, Senior Negotiator in the talks leading to the 1998 Good Friday Agreement and Chief Spokesman of the Progressive

Unionist Party in Northern Ireland; Mr. Pini Meidan, former Foreign Policy Advisor and senior negotiator for Israeli Prime Minister Ehud Barak in the 2002 Camp David talks; Mr. Roelf Meyer, former Chief Negotiator for the De Klerk Government and former Minister of Constitutional Affairs of South Africa; and Mr. Albert Reynolds, former Prime Minister of the Republic of Ireland and key participant in the Northern Ireland peace process.

At the closing session of the meeting, President Ibrahim Rugova stated that the discussions had been refreshing and useful, and that he considered the meeting a great success. Mr. Hashim Thaçi added that Kosovo needs to gain the trust of the international community and that he hoped that this meeting would initiate a fresh effort to cultivate new international relationships. Upon returning to Kosovo, Prof. Nexhat Daci commented to the press: "Participation in this seminar was of dual importance to us. The first benefit was learning from participants from countries that have overcome problems and built their states, such as South Africa, and from countries such as Ireland where there are important lessons to be learned. The second benefit was that we were isolated for three days from our daily problems and all the leaders had excellent communication." Dr. Friedhelm Frischenschlager, former director of OMIK's Democratization Department stated: "The world has suffered from these problems before and still does. And these actors who come here with great experiences, have illustrated to the Kosovar political leaders that they should shake each other's hands when it is necessary to find a solution."

*Franklin De Vrieze and Besnik Tahiri,  
OSCE Mission in Kosovo.*



## Learning From Each Other

**What do South Africa, Northern Ireland, the Middle East and Kosovo have in common? Where do they differ? An immediate reaction might be to stress the differences - geographic, historical and political. But upon reflection, commonalities begin to appear.**

Wolfgang Petritsch,

*Austrian Ambassador to the United Nations in Geneva and co-chairperson of the Symposium "Crafting Negotiations" in Austria*



*Wolfgang Petritsch*

What these countries and regions have in common is a long and bloody history of conflict - ethnic, religious, racial, to name only the most obvious similarities. This is true in particular when it comes to the fate of its peoples, a fate frequently characterised by the total absence of basic human and political rights, economic and social hardship and cultural deprivation.

What better idea than to bring together representatives from these affected regions to compare notes, so to speak, and listen to those who went through similar situations or are still in the middle of a deep rooted conflict, like the one between the Israelis and the Palestinians. Or, for that matter, to learn from those who successfully overcame apartheid, as in the case of South Africa where whites and blacks fought a winning battle against racism.

This, precisely, was the idea behind a recent meeting co-hosted

by the Harvard University's "Project on Justice in Times of Transition" and the OSCE Mission in Kosovo in Burg Schlaining, Austria. This three-day event in mid-December 2003, sponsored in part by Sweden's Olof Palme International Centre, brought together senior representatives of the three main parties in the Provisional Institutions of Self-Government (PISG) with former peace negotiators from the above-mentioned countries and regions plus Central America. Unfortunately Kosovo Serb representatives declined their invitations to attend.

"Crafting strategies for negotiation" was the theme of this highly interesting meeting which dealt mostly with technical

issues, like how to prepare for negotiations, how to build capacity, how to establish working relationships or how to deal with multiple parties and interests in a negotiating process.

But more than just learning the political and diplomatic skills for brokering a political deal, I was personally impressed by the truly breathtaking stories these peace negotiators from around the globe had to tell: the Irish activist who spent ten years in prison only to devote his later life to peace and reconciliation; the South African who had spent twenty years in prison, together with Nelson Mandela, and who decided to reach out to his former oppressors in order to win a just peace for everybody in

his country; his white counterpart who as an official of the apartheid regime decided to join forces with the suppressed majority. These modern day heroes provided a convincing testimony to the power of justice and human freedom.

A final - personal - lesson from these meetings in the wintry surroundings of Burg Schlaining Castle is this: The "secret of success" to achieving the desired goal of a true commitment to the spirit of democratic compromise seems to be to depart from past recriminations and exclusionist attitudes. Thanks to the untiring efforts of everyone involved, this conference proved to be a promising exercise that will continue to benefit the participants.



*Together at the castle of Burg Schlaining: Mr. Ramush Haradinaj, Mr. Nexhat Daci, Mr. Ibrahim Rugova, Mr. Hashim Thaci and Mr. Bajram Rexhepi.*

## "Kosovo citizens deserve better healthcare services"

*During the last two years the Assembly Committee on Health was involved in developing healthcare policies and followed up of its implementation. In monitoring the functioning of healthcare, the Committee participates in elaborating a strategy for healthcare, revises the Government program on healthcare and makes recommendations to the Assembly. ASI interviewed Naim Jerliu, (LDK), Vice-chairperson of the Assembly Committee on Health, starting with the role of the Committee in the field of legislation.*

Interview by David Buerstedde,  
Office of Political Affairs, OSCE Mission in Kosovo.

*Mr. Jerliu, How many laws have passed through your committee? How many have been approved and how many promulgated by the SRSG? What is in the pipeline for 2004? In total, over one hundred new draft laws are waiting to be processed. Which of these laws should be treated as a matter of priority?*

So far the Committee has revised and approved the Draft Law on Sanitary Inspectorate and the Draft Law on Medical Products and Medical Equipment, while the Draft Law on Healthcare is awaiting its second reading. So far, only the Law on Sanitary Inspectorate has been promulgated by the SRSG. In the list of the draft laws for this year there are some ten health-related laws. I believe we should give priority to the Draft Law on Private Healthcare Enterprises, the Draft Law on the Rights and Obligations of Citizens in Healthcare, the Draft Law on Healthcare Insurance, and the Draft Law on Public Healthcare Institutions in Kosovo.

*On 4 December 2003 the Assembly adopted the Draft Law on Medical Products and Medical Devices. What is the purpose of this law?*

The Law on Medical Products and Medical Devices sets the framework for activities in the pharmaceutical sector for both suppliers and users of medical products and equipment. App-

roval of this law was important, since Kosovo was the only part of Europe that had no legislation in this field.

*As you will recall, critics successfully introduced amendments to this draft law during its second reading due to fears that the draft law might prohibit the import of galenic products from outside Kosovo that are currently not produced in Kosovo. Why were these amendments not taken into account ahead of the plenary session for which the second reading of the draft law in question was scheduled?*

The term "Galenic Product" refers to medical products prepared in the galenic laboratories of pharmacies. These products can be supplied by pharmacies to patients directly without prior marketing or factory authorisation as long as certain standards and best practices are observed. Determined to protect such domestic products, the Health Committee clearly supported the initial proposal of the draft law. During the second reading in the plenary, proposals from members of the Assembly, who are not members of the Committee, were adopted in contravention of the Rules of Procedure. This is unfortunate but cannot be changed.

*What can you tell us about the General Health Law?*

The Draft Law on Healthcare



Naim Jerliu

after its initial first reading in the Assembly has entered the Committee stage of the legislative process. Keeping in mind the very unsatisfactory situation of healthcare in Kosovo compared to that elsewhere in Europe and the region, the Committee is now working towards the second reading and approval of the draft law as rapidly as possible. With this law that is so needed for the healthcare sector and for Kosovo, we aim creation of an efficient legal system in the healthcare sector. The draft law determines the basic principals of the system of healthcare and its financing, and the judicial and institutional support in securing the sustainability of the system and the rule of law in the healthcare sector. Draft law proposes that healthcare to be carried out in all levels in institutional manner and this will be secured by organising the activities in the public sector and private sector, and in mixed ones. In general it can be said that this draft law, after its approval, it will be a sound base for the efforts to put the functioning of the health sector in tracks in Kosovo.

***How do you assess the public hearing that took place on 24 November 2003?***

The public hearing that was held on the Draft Law on Health was the first ever conducted by our Committee and has been important and useful for the future work of the Committee. Apart from the sponsor of the draft law, experts and other interested parties were able to air their views. Through this public hearing, the Committee gained additional information, remarks, proposals and suggestions that have been carefully considered and are now included in the draft law as amendments. I believe that these amendments make

the draft law more efficient and improve implementation.

***How would you describe your relationship with the Ministry of Health? Could you imagine drafting your own legislation? Who are the main international actors you deal with?***

In order to fulfil its functions the Committee co-operates with the Ministry of Health, which is obliged to offer the required data and information to the Committee, including the reports from the Minister and from other people authorised by the Ministry. The Committee has from the beginning drawn up a plan of efficient co-operation with the Ministry, but as you know, this Ministry has had some difficulties in its management and this in some ways has been reflected in our co-operation. I believe that co-operation will improve this year. This does not exclude the possibility of the Committee drafting laws for the healthcare sector on its own initiative should this prove necessary. As far as the co-operation with international organisations is concerned, I believe that we will continue to co-operate with the institutions we have had a fruitful co-operation so far. These are primarily the National Democratic Institute (NDI) and Friedrich Ebert Stiftung (FEST.).

***Health is one of the areas where parallel structures prevail. How do Kosovo Serb members in your committee deal with this topic?***

Unfortunately, parallel structures still exist. This is unacceptable and it continues to be a challenge, especially if you consider how much efforts the Kosovo Government and Kosovo Institutions invest to achieve a unified system of healthcare that offers equal services to all

citizens of Kosovo, regardless of their ethnicity and religion. Serb representatives have never taken part in the work of the Committee, although co-operation among the different parties in it and among the different communities that are members of the Committee has been very good. As you know, the Chairperson of the Committee belongs to the Other Communities caucus.

***What are the main challenges for health provision in Kosovo?***

The improvement of the situation in the healthcare sector is one of the main challenges of governance in Kosovo. We need to double our efforts in setting the legislative base and in implementing projects that will secure quality in healthcare where currently very low medical indicators prevail. I think, for this year, it will be important to approve the package of health-related laws I mentioned earlier. Also, I would like to see progress on vital health infrastructure projects: oncology, cardio-surgery, cardiology, laboratory of quality control of drugs. One of the basic elements is also improvement of management in healthcare, which needs to comply with minimum standards set by the Ministry. Kosovo citizens deserve better healthcare services.

***Have you participated in OSCE training and other support activities?***

Members of the Committee have had the chance to participate in such training. This is very positive. I hope that this year the Health Committee will be able to not only learn from countries in transition but also from countries with established democracies in order to establish co-operation in the field of healthcare.

## Europe, Up Close and Personal

***Two young members of the Assembly, Lulzim Zeneli and Nafiye Gas, travelled to Scandinavia in December for a two-week visit to see European parliamentary life firsthand. They were invited by the Swedish Parliament along with delegations from Bosnia and Herzegovina, Croatia, Albania, Macedonia and Serbia and Montenegro.***

"At a time when we are building for the first time a democratic process here, it was great to see a country with a long democratic tradition," Mr. Zeneli said.

At the same time, he highly appreciated the chance to meet with the other Balkan delegations and exchange experiences with them. "The challenges of our parliament in Kosovo were very similar to the challenges of other parliaments of the region," he said.

The visit of the Kosovo delegation was sponsored by the Swedish International Development Co-operation Agency (SIDA). The agency's director in Kosovo, Christoffer Sjöholm, attended the first week of the trip and was impressed with what he saw.

Among the everyday activities the Kosovo Assembly members got a chance to see was the debate in the Swedish Parliament on whether or not to adopt the European common currency.

At the same time, he said, the intensity of the discussion among the Swedish MPs was a surprise. "It was a harsh debate. We thought only we in the Balkans had debates like this."

Jeff Bielej

# Protecting the cultural heritage and developing performing arts

***At a time when many people are wondering whether the election campaign in Kosovo has already begun, some members of the Assembly say politics doesn't keep them from working together across party lines. Ms. Edi Shukriu of LDK and Mr. Lirak Çelaj of PDK are two such Assembly members, who both serve on the Committee for Culture, Youth and Sport. "We are interested to create institutional mechanisms, which will provide support and enable the development of culture," says Ms. Shukriu, the committee chairwoman.***

Interview by Jeff Bielely,  
OSCE Mission in Kosovo.

Moreover, the two say they have worked together since 2000, before they were elected to the Assembly from opposing parties. At that time, Ms. Shukriu was co-head of the UNMIK Department of Culture, while Mr. Çelaj was director of the National Theatre in Pristina. Despite political pressures even then, the two remained dedicated to professional co-operation in the development of culture in Kosovo.

As experts in their fields, both Assembly members take quite seriously their responsibility to oversee the Ministry of Culture, Youth and Sport. "We want the institutions to function, even when our economy is weak and we have few donations to support culture," Ms. Shukriu said.

However, both warn that it has not been easy to hold the ministry accountable for its work.

"The ministers are responsible to the party leaders and not to the Assembly," said Mr. Çelaj, citing the political agreement that formed the Government in 2002.

Ms. Shukriu expressed the same opinion, and at the same time pointed out that the ministry is often unresponsive to the committee's requests for information. "We sent three letters to the ministry to see how the budget was spent, but we got no answer. I think that the Presidency of the Assembly and



*In May 2002 SRSG Michael Steiner brought the "Goddess on the throne" statue back to Kosovo. The "Goddess", believed to be 6,000 years old, is a terracotta figurine dating from the Neolithic age, and was discovered at a site near Pristina in 1956. She had been on loan to the museum in Belgrade since March 1999 as part of a traveling exhibition.*

its Committees should do more to enable the exercising of their competencies."

The ministry took several major decisions in 2003, including the formation of an Opera and Ballet

of Kosovo. Yet the Assembly committee was never consulted, Ms. Shukriu and Mr. Çelaj say, leaving the members quite surprised when they first heard about it.

"All the members of the committee found out while watching the news that the Opera and Ballet of Kosovo was founded," Ms. Shukriu said. Once the committee had a chance to react,

they held a hearing to get more information from the ministry. "The director of the Opera didn't come but the director of the Culture Department came and gave a half-answer to our questions, but he never gave us anything in writing," she said.

Mr. Çelaj said the ministry should have worked together with the Assembly committee and benefit from the ideas of its members. "We wanted to have a long-term strategy to form an opera," he said. Because there are not yet enough professional opera singers in Kosovo, he said, the committee would have preferred to form a group of instructors and "create a new generation of cadres."

The committee is also demanding more transparency from the ministry on the issue, including here the ways in which the director was recruited. Ms. Shukriu said the committee was told that "no competition to hire a director was needed because the Opera was founded as part of the Philharmonic," a tactic she charged was used to dodge proper procedure.

When she isn't in the Assembly, Ms. Shukriu devotes her time to her passion for archaeology, which she teaches at Pristina University. Not long ago she spent some time at Harvard University for scientific research. Ms. Shukriu is hopeful that one day the studying and protecting of Kosovo cultural heritage will bring long-term benefits to Kosovo. "Cultural heritage is a great source even for future tourism and investment, but no one thinks about that." Instead of a serious approach, she says, "The minister made a political decision to find an Archaeology Institute, without previously preparing a project and without prior consultations with archaeologists."



*Edi Shukriu and Lirak Çelaj*

She went on to explain that one of the most important issues in this area is the return of cultural artefacts taken to Belgrade. The Archaeological Treasury of Kosovo was on loan for an exhibition in the Serbian capital during the war, but the only object that was returned was the famous statue, the idol of Prishtina, Ms. Shukriu said. Worse still, she lamented, "Half of the Museum of Kosovo along with its Ethnological Treasury, was looted and transferred with military trucks" during the war.

Despite being a member of the parliamentary committee on culture, Ms. Shukriu puts all her hopes on UNMIK and the international community to secure the return of Kosovo's property from Serbia. "We would like to find a solution to this problem and so, we believe that among many mechanisms, first of all the pressures and conditioning of the international community should be used to-

wards Belgrade on this issues," she said.

Mr. Çelaj agreed, but said he thinks there is little the Assembly can do. "I don't see any other thing to do but pass a resolution because of the relations between Belgrade and Kosovo. It's a political problem in this case."

Besides his parliamentary duties, Mr. Çelaj is in the process of opening Kosovo's first private theatre, being built in part of the Pristina Sports Hall complex. He said he would like to see the Assembly give more support to the performing arts. In particular, a law on Cinematography is needed, he said, to support private film production companies and replace the dominant role once played by state-sponsored KosovaFilm.

However, the committee has no staff or legal experts who can help its members participate in drawing up and reviewing legislation. Three laws within

the committee's competencies were passed in 2003, on sports, libraries and archives, but Ms. Shukriu said that many other laws are needed, starting from the one for Cultural Heritage. The members of the committee do not have suitable conditions for drafting laws.

"We have no office. We simply have to take the documents home," the committee chairwoman added. Mr. Çelaj also said he is disappointed with the means available to committee members. "Infrastructure is the main problem," he said.

Yet both committee members are more optimistic about bridging ethnic differences and finding common cause for co-operation with Kosovo's minorities. "We don't see the culture of Kosovo as divided, since it belongs to all citizens of Kosovo," said Ms. Shukriu. "We see the culture of Kosovo collectively, as a European culture and as part of global culture."

## "Coalition Return" at a cross-road

**Many analyst agree that "Coalition Return" is today one of the most active parliamentary groups in the Assembly of Kosovo, compared with the period of high political tensions in early 2003, when Serb members of parliament very often attempted to boycott the sessions, even threatening seriously to withdraw themselves completely from the Parliament, unsatisfied with the decisions of the Albanian majority. That positive move is praised both by many international representatives and Kosovo Albanians, and it seems that Return leadership is happy with the new approach too.**

Zoran Culafic,  
Radio B-92 correspondent.

Assembly Presidency member Oliver Ivanovic explains that "Coalition Return" has realised that only full and active participation in the work the Assembly, rather than boycotting it, is the only mature and effective way to protect Serb interests in Kosovo. "Earlier we reacted emotionally, tempestuously and often irrationally, thus it happened that we even missed the dates for filing the objections on some draft laws. Today we react more rationally," stresses Ivanovic.

"Coalition Return" is fully determined to be more active in the future and to use all parliamentary mechanisms available to protect their interests, including the Constitutional framework and Resolution 1244, Ivanovic said. The main objection is that Kosovo Albanians are still trying openly and very hard to present Serbs with a fait accompli and to create a foundation for an independent Kosovo before the issue of the final status is solved. Instead of that the Assembly should be focused exclusively on adopting appropriate laws, he said, that are of real interest for all in Kosovo, regardless of their ethnic origin.

"As far as they insist on independence, we are going to insist on return of full Belgrade authority here. Both options are extreme and therefore highly negative and such a climate

is not contributing to the democratic processes and economic development, which is a vital need in Kosovo. Instead of dealing with serious economic issues, we still have the practice that the Assembly is misused for political promotion," Ivanovic said.

As a positive step, the Serbs accept the recently established institution of OSCE Assembly

Monitor, although they argue that it would be more effective if there were clear sanctions foreseen in it for those who abuse the rules. In the Balkans, Mr Ivanovic said, people understand better the language of sanctions.

In addition to that, Serbs claim that legislative and legal experts from the international community should be involved in a more direct way in the early process of preparing draft laws, thus increasing the efficiency

of the Assembly and avoiding badly drafted laws to be adopted.

"There are certain procedures in the Assembly that could be improved, but the main point is to rebuild mutual trust between communities. All of us here have to accept that some proposals could be good although they are coming from the other side," Mr Ivanovic said.

Ilir Deda, political advisor to Kosovo Prime Minister, agrees



*KP Members of the Assembly presidency Oliver Ivanovic and Gojko Savic together with KP Head of the Parliamentary Group Dragisa Krstovic*



that Return has become very active in the Assembly, praising that change as a huge positive step, but he claims that Albanians still see Serb representatives as the extended hand of the Belgrade authorities. The Kosovo Government is hoping that Serb representatives will understand the new reality and focus on improving the living conditions for all citizens, particularly for the Serbs in Kosovo.

Although "Coalition Return" is now submitting amendments to every single law proposed in the Assembly, Kosovo Government representatives would like to see Serbs more co-operative and focused on everyday issues in Kosovo.

"We would like to see some law proposals made by "Coalition Return." We'd like to see them less dependent on Belgrade policy and more focused on the interests of their community in Kosovo. I invite Serbs to be more active in the Assembly and to build together a better future in Kosovo," Mr Deda said.

Although praised as a positive change, the current activity of "Coalition Return" is seen by Kosovo Albanians mostly as an effort to maintain legal unity with Serbia's legal system, which is not acceptable for the majority in Kosovo. From the other side, Serbs do not accept any move in the direction of independence before final status issue is solved.

The "Coalition Return" representatives claim that current Assembly procedures and mechanisms are mainly sufficient, but there is a room for some improvements. One of the main requests that was not accepted or fulfilled yet is the creation of conditions for Serb members of parliament to be present daily in Pristina without additional

security measures, as well as the need of establishing a small team of two or three fulltime employed legal experts that would help members of Parliament in preparing amendments and other legal advice prior to the Assembly sessions.

But "Coalition Return" is faced with its own internal obstacles too. Having in mind the very confusing political messages coming from Belgrade at the time Return was elected, it is quite understandable that - as Mr. Krstovic and Mr. Ivanovic stated - a large number of its members were not the right choice. That could be described as a common understanding among many Serb political representatives in Kosovo. Furthermore, the formation of such a heterogeneous and inefficient coalition was influenced mainly by a confusing policy of particular political party leaders in Belgrade, deeply alienated and struggling between themselves for political domination. As a result of such circumstances many members of "Coalition Return" are simply not competent, not to mention the fact that many are not motivated to actively participate in political activities: "Unfortunately, we have to admit that some members of the coalition are not doing their job properly, some are not participating actively in committee work, even not attending the Assembly sessions. It seems that the only motive for some is just to get their daily fees," "Coalition Return" caucus leader Dragiša Krstovic told ASI.

"I can freely say that, unfortunately, only some eight members of "Coalition Return", out of 22, are fully and actively engaged in its activities, while the others are not interested at all in Assembly activities. It is very often the case that



*Dragisa Krstovic during a meeting with SRSB Harri Holkeri.*

only 8 to 12 members of "Coalition Return" physically attend Assembly sessions, which is less than half of Return's members," Krstovic claims.

But there is no efficient legal mechanism to avoid such an unacceptable practice, because the main decisions on "Coalition Return" activities at the moment are reserved exclusively for the "Coalition Return" Presidency, comprised of alienated leaders of political parties in Belgrade.

"Apart from all these negative trends, as well as some obstacles that are coming from the Albanian majority, we are fully determined to continue the policy of active participation using all available Assembly procedures and mechanisms to protect Serb interests in Kosovo. The Constitutional Framework and Resolution 1244, as well as the Assembly's operating procedure and the role of the SRSB, give us the opportunity to protect our interests in an appropriate way. Practically there is no room now for misusing the Assembly," Mr Krstovic told ASI.

Krstovic said that he personally is very satisfied with the OSCE Assembly Monitor's work, as

well as with the role of the SRSB, who "reacts quite scrupulously," although some minor objections still exist. "Numerous abuses of Assembly procedure did take place in the last quarter of 2003 and I'm very interested to read the OSCE monitor's report on that period," Krstovic said.

"My main objections are that the Assembly majority has often put on the agenda some issues that are completely out of the Assembly's competencies. The preparation procedure for laws should be more serious, and that could be achieved by the participation of international experts in the early process of preparing draft law. And finally, I think it would be very constructive that we establish a regular practice of contacts between representatives of parliamentary groups, together with representatives of the international community. That would help us to avoid some unnecessary conflicts and tensions in the early stage of preparing draft laws. We all should work hard to create a climate of trust and better understanding, which is in the common interest of people in Kosovo," Mr Krstovic concluded.

# Recent developments in the Assembly

*During the last months the Assembly of Kosovo held intensive debates, took decisions and initiatives and passed legislation vital for Kosovo society. The following is an overview of recent political developments in the Assembly, from mid- November 2003 through the end of January 2004.*

Franklin De Vrieze,  
OSCE Mission in Kosovo



*Joint public hearing on the Anti-Discrimination Law and Gender Equality Law*

## Public hearings established as a common practice

Assembly Committees are increasingly making use of public hearings as an important means to gather information, including for the purpose of drafting laws. Since mid- November 2003 several such events have been organised.

On 24 November 2003 the Health Committee conducted a public hearing on the Draft Law on Medical Products, which was subsequently approved by the Assembly. On 9 December 2003, the first joint public hearing was held when the Committee on Judicial, Legislative and Constitutional Framework Matters and the Committee on Public Services together discussed both the Anti-Discrimination and Gender Equality Draft Laws. At the beginning of January 2004, two public consultations took place within five days. One of them was initiated by the Committee on Culture, Youth and Sport, to assess the actual need for and consequences of the ministerial decision to establish an Opera and Ballet of Kosovo. The public hearing conducted on 13 January 2004 by the Committee on Finance and Economy on the draft law on the Chamber of Commerce marked another first. Representatives of the business community were given the opportunity for the first time to express their views on a piece of draft legislation directly affecting them. Both activities have demonstrated the need to make informed decisions and start involving stakeholders from the early stage of the decision-making process. A similar and lively event has been organised on 20 January 2004 by the Committee on Judicial, Legislative and Constitutional Framework Matters to discuss proposed changes to the Constitutional Framework.

The ASI support to public hearings till now, e.g. advice, practical support and publication of a Manual on Public Hearings, can

be assessed positively since public consultations organized by Assembly Committees increased in number and quality and Committees initiated public hearings on their own.

## Assembly declared void Serbia's legislation passed after 22 March 1989

Following recommendations of the Assembly Committee on Judicial, Legislative and Constitutional Framework Matters, the Assembly of Kosovo on 11 December 2003 took a decision to abrogate "all Serbian and Yugoslav laws, legal and sub-legal acts, decisions and other acts issued after 22 March 1989," (when Kosovo lost its autonomy within the former Yugoslavia). The Assembly text pointed out that from that date on every legislation Serbia passed in Kosovo "was forced, passed against the will of the majority of the population and their elected representatives and as such is not acceptable." On the same day, UNMIK issued a press release stating that the decision taken by the Assembly "is beyond the competence of the Assembly of Kosovo and is without validity and effect." The Kosovo Government made clear that it would respect the decision of the Assembly.

## Committee on Environment and Spatial Planning visited Skopje

On 19 and 20 December 2003 a delegation from the Committee on Environment and Spatial Planning, headed by chairperson Naim Maloku, visited the Macedonian Parliament in Skopje. The delegation was received by Mr. Hysni Shaqiri, vice president of parliament, and MP Rafiz Haliti. The delegation met Mr. Tome Trombev, chairperson of the Committee on Transport and Ecology, which covers issues on environment and spatial planning. Both committees agreed that they have a



*Naim Maloku*

common interest to work together since environmental problems are often cross-border problems. Discussions focussed on cleaning up the river Vardar and on pollution by the Kosovo cement factory near the border with Macedonia. The delegation had an extensive meeting with the Minister for Environment, Mr. Dragoljub Matovski.

## Assembly rejected Serbian elections to be held in Kosovo

During an extraordinary session on 22 December 2003, the Assembly of Kosovo adopted a statement declaring the elections for the Parliament of Serbia on the territory of Kosovo, scheduled for 28 December 2003, "unacceptable and unconstitutional." UNMIK was requested to prevent the holding of these elections in Kosovo because they represent a "flagrant interference in the life and institutions of Kosovo." The declaration further called on the "citizens of Serbian ethnicity not to become part of the negative manipulation directed towards Kosovo's interests and against the Serb community in Kosovo itself."

An UNMIK statement the same day rejected the Assembly declaration, stating that, "It is a common, internationally respected practice for voters to participate in elections where they are eligible to vote, whether or not they reside in the area administered by the authority organising the elections." The Assembly Members from Coalition Return (KP) walked out of the plenary session as soon as the issue had been included in the agenda of the session.

## Assembly approved 2004 Kosovo Budget

During the same extraordinary session on 22 December 2003, the Assembly of Kosovo approved the 2004 Kosovo Consolidated Budget (KCB). In conformity with the Law on Management of Public Finances, the KCB had been prepared by the Ministry of Finance and Economy. It had been discussed at the Economic Fiscal Council, the highest advisory body consisting of senior international and local officials including SRSG Harri Holkeri and Prime Minister Bajram Rexhepi.

On 31 December 2003 the SRSG promulgated the UNMIK Regulation on the approval of the 2004 KCB.

The 2004 Budget will be fully financed by Kosovo's own revenues expected to reach 619 million euros, with an additional 13 million euros from the 2003 budget surplus. The 2004 budget has been increased by 20% in comparison to 2003. Assessments by the Ministry of Economy and Finance predict a modest growth of the Gross Domestic Product (GDP) in 2004. While the GDP in 2003 was worth 1,2 billion euros, it is expected to be 1,25 billion euros in 2004.

## Assembly President evaluated the work in 2003

On 29 December 2003, Prof. Nexhat Daci, President of the Assembly of Kosovo, held a widely covered press conference to inform local and international media about the results of the work of the Assembly during 2003. He mentioned that a total of 37 plenary sessions took place in 2003 compared to 22 in 2002, while the Presidency met 38 times last year. In 2003 an average of three Assembly Committees met each working day, while the total number of committee meetings was 565. The output of this intensive activity consists of 32 laws approved, 2 resolutions and 3

declarations, plus 7 recommendations and opinions issued during 2003.

During the press conference, Prof. Daci also gave his prognosis for developments in 2004. He predicted a year of general tensions, with the neighbours from the north, with the residents in northern Kosovo, as well as tensions following the election results and between the local institutions and UNMIK.

## Assembly paid respect to Racak victims

At the start of the plenary session on 15 January 2004 the Members of the Assembly of Kosovo rose to pay respect to the 45 Albanians killed by the Serb security forces in the village of Racak on 15 January 1999. These killings accelerated the process to call the Rambouillet conference, which was followed by the NATO intervention on 24 March 1999. The Serb Members of the Assembly did not participate in the commemoration.

During the subsequent debate on several draft laws, the Head of the LDK parliamentary group, Mr. Sabri Hamiti, denounced what he called "KP's political irresponsibility, non-discipline and destruction orchestrated by Belgrade." Mr. Dragisa Krstovic, the head of the KP parliamentary group, replied that "recent events in the parliament do not lead to a democratic climate in Kosovo."

## Panel recommendations regarding rights and interests of communities

The plenary session on 15 January 2004 reviewed the recommendations of the Special Panel on the draft Law on Public Procurement.

The Panel, composed of the sponsor of the law (government), the opposing party (Coalition Return) and a third party representative (UNMIK), had drafted changes to better protect the rights and interests of communities. The AAK parliamentary group opposed the changes proposed by the panel and asked the Assembly Committee on Legal, Judicial and Constitutional Framework Matters to change the provisions of the Constitutional Framework which governed the special procedure protecting the vital interests of the communities. A PDK Member stated that his party was in agreement with some of the Panel's recommendations, but not all. Prof. Daci argued that the recommendations of the Panel could not be split.

He invited the Assembly members to support the recommendations of the Panel. They were adopted by majority vote.

During its session on 11 December 2003, the Assembly did not approve the recommendations of a special Panel on the draft Law on Census of Population, Households and Housing in Kosovo. KP and Other Communities voted in favour of the recommendations that foresaw five amendments on operational arrangements ensuring equitable participation in the census of eligible members of all Kosovo communities.

## President of Kosovo addressed Assembly

For the first time since his election in early 2002, Kosovo President Ibrahim Rugova addressed the Assembly on 22 January 2004, as required by the Constitutional Framework.

President Rugova assessed that great progress was made in Kosovo in the last four years. He especially praised the Assembly of Kosovo, "which passed dozens of systematic and other laws and different resolutions and declarations in the interest of the people of our country." As far as the Government is concerned, Dr. Rugova assessed that "it functioned well" and "became a stable executive authority."

Talking about future priorities, the President said that the Kosovo institutions should engage themselves in the development of a stable economy, privatisation, support the private sector and find solutions to the problems with the power supply. He advocated the transfer of competencies from the international mission to local institutions. "One of the important elements is the assessment of established standards, both those that we have already achieved and those that are going to be achieved together with UNMIK, OSCE and KFOR," said President Rugova.

## SRSB on 'Other Communities' representation in Assembly Presidency

The SRSB Harri Holkeri wrote to the President of the Assembly, Nexhat Daci, to inform him that he has determined that the decision taken by the Assembly on 22 January 2004 regarding the appointment of an Other Communities representative in the Presidency was without validity. In his letter, the SRSB required that the vote on the representative of the Other Communities (OC) political group in the Assembly Presidency be re-held in conformity with the Constitutional Framework (CF).

"The Assembly should thus have been directed by Mr. Daci to consider and confirm the candidate agreed upon by the OC deputies. Under Mr. Daci's direction, the Assembly did not consider the candidacy of Mr. Džezair Murati agreed upon by OC Assembly members and, instead, voted for Ms. Zehra Elezi, a Vatan representative who did not have the endorsement of the OC. The action taken by the Assembly was thus in clear violation of Section 9.1.7 (f) of the Constitutional Framework, which provides that 'one member [of the Presidency] shall be appointed from among the members of the Assembly belonging to parties having declared themselves representative of a non-Kosovo Albanian and non-Kosovo Serb Community. The method for appointing this latter member shall be determined by members of the Assembly belonging to these same Communities,'" writes the SRSB.

The SRSB directed that the matter be reconsidered by the Assembly in full conformity with the requirements of the relevant section of the CF and the provisions of the Assembly Provisional Rules of Procedure. He noted that representatives of the OC group had expressed to him their extreme concern that a matter that is for them to resolve among themselves had been handled in a plenary session of the Assembly in a manner contrary to their agreed position and without regard for their views.

## Committee on Missing Persons received delegation of Serb relatives

On 28 January 2004, relatives of Serbs that went missing during and after the conflict met the representatives of the Assembly Committee on Missing Persons, chaired by Ms. Flora Brovina. During a tense meeting the representatives of families of missing Serbs demanded that the Assembly Committee engage in finding both ethnic Albanians and Serbs. Emphasising that her Committee deals with shedding light on the fate of all missing persons during the war, Ms. Flora Brovina said that the competencies of her Committee are limited. "We can provide you with humanitarian aid, listen to what you have to say and collect information on how your relatives disappeared but we can do very little in providing concrete help as the competencies of justice and security are within the hands of the U.N. mission," she said.

## Laws considered and approved

Between mid-November 2003 and end of January 2004, the Assembly reviewed and approved several laws. Some laws have been approved at the second reading on the date mentioned. Laws without date have only been endorsed in first reading but are - as of the end of January - still under review in the Assembly committees: Law on Sports (21.11.2003), Law on Cadastre (04.12.2003), Law on Road Transport (15.01.2004), Draft Law on Gender Equality, Draft Anti-discrimination Law, Draft Law on Health, Draft Law on Co-operation with the International Criminal Tribunal for the former Yugoslavia (ICTY), Draft Law on Chamber of Commerce, Draft Law on Trade of Petroleum and Petroleum products in Kosovo, Draft Law on Cinematography.



*Picture of the refurbished Assembly Hall*

# Working conditions and ownership of the building express the Assembly's independence

***As part of the 18-month support programme by the European Agency for Reconstruction (EAR), I have been invited as an expert on behalf of the Belgian Chamber of Representatives to take care of the procurement procedures, the deployment of the network and the refurbishment of the offices. To that aim, by the end of November 2003, two working groups were set up. They will perform a detailed needs assessment by the end of February 2004.***

Peter Vanhoutte,  
*Former Member of the Belgian Chamber of Representatives and key expert for the EAR-support program to the Assembly of Kosovo.*

A first assessment, carried out last October, showed that first of all some urgent problems needed to be solved. A leaking roof, an outdated and super-charged electricity-system were the main issues, before we could continue with the installation of new equipment. Unfortunately, these problems were not easy to solve, because of a major ongoing discussion about the ownership of the Assembly. Though the Assembly claims to be the owner of the building, parts of it, for example the server room, are inaccessible to the Assembly staff. As a result, the Assembly Staff is not able to solve even the most common problems, e.g. a server crash, because this is the competence of the Ministry of Public Services. The same appears to happen with the phone system. This was initially installed by UNMIK, but actually used jointly by UNMIK, the Assembly and PTK. A solution could be to make an agreement between the Assembly and the other partners, describing in detail the competencies of each. We don't consider this to be the best solution.

We are convinced that, as is the case in most Western European countries, a Parliament must be able to act free of external pressure under all cir-

cumstances. The Belgian Constitution therefore provides a strict separation between the Legislative (Parliament), the Executive (Government) and the Judiciary. This offers the Parliament, as the highest body in a state, the possibility to control the Government in a totally independent way. The independence of the Belgian Parliament is always guaranteed: it decides upon its own budget, its own infrastructure and everything related to that. The fact that the Assembly of Kosovo is not able to take care of the maintenance of the whole building and network, but highly depends on third parties such as the Ministry of Public Services, results in a dependence from 'lower' bodies that the Assembly should supervise. So, the independence of the Assembly has to be assured under all conditions.

Nevertheless it is not enough to agree on the principle of independence - this has also to be seen by the citizens. It therefore is absolutely necessary to move all services belonging to the government and to international organisations not linked to the Assembly out of the Assembly building as soon as possible. As the physical symbol of democracy, the Assembly building not only has to belong to the Assembly in theory, but also in practice. This is the main reason why we strongly endorse the plans made by the Ministry of Public Services to move all non-parliamentary services to other buildings. Due

to the lack of office space in Pristina, it will take several years before this process can be successfully concluded, unless the International Community decides to fund the construction of supplementary governmental offices elsewhere.

By the end we hope that this will result in more office space for the parliamentary staff, so that the Assembly will be able to bring in more people to assist the MP's in their activities. It would also become possible to give the MP's their own offices.

This has several major advantages: it would encourage MP's to stay in Pristina when there is only a limited number of committee meetings or a short plenary session on the agenda, because it would no longer be considered a waste of time. It would also strengthen the co-operation between MP's and staff members. If an MP is working on a draft proposal of a law, he or she could more easily contact the experts in the Assembly to clear up possible difficulties. The biggest advantage however would be the fact that by providing offices to the MP's, we could create an environment where MP's from different groups and parties can meet in an informal way, discuss draft laws and proposals, before



*Peter Vanhoutte*

they have to vote on them. As in all other parliaments, these informal contacts and discussions form the basis for a real democratic institution, because they provide the possibility to prepare decisions, far from any pressure and not exposed to the critical eye of the media.

Having their own offices in the same building is also part of a team-building process. By the end, MP's will be colleagues first, even if they don't share the same opinions, even if they are members of different parties. Working together closely will by the end help to create an attitude of mutual respect, which will result in a more efficient and respected Assembly.

# Energy Supply - Kosovo's Political Ownership Needed

***The working visit of a delegation of the Assembly of Kosovo to Vienna last December included one highlight: a very interesting and intensive discussion on 12 December about Parliamentary possibilities and political and economic needs to develop a successful energy policy in a society in transition. The visit was organized by the Friedrich Naumann Stiftung as a part of the regional exchange program for Kosovo and prepared in co-operation with OSCE Mission in Kosovo, Department of Democratization.***

Dr. Volker Kier,  
Energy Policy Expert and former Member of the Austrian Parliament

The Kosovo delegation, which included members of the Finance and Economy Committee, the Trade and Industry Committee and the Budget Committee, had earlier visited the OSCE Headquarters and the Austrian Parliament, to meet high representatives of both institutions and to exchange ideas and information. The discussion on energy was the last item of the visit's programme, and it may be that the earlier meetings created an optimal foundation for the "energy round table". Nearly all the questions raised by the Assembly Members touched on elements of central importance for a proper reconstruction of the power industry, as well as for sufficient and profitable energy production in Kosovo in the long run.

Discussing the specific key questions in developing an effective energy policy on a democratic basis, we soon reached the crucial point: How to reorganise KEK and establish a "separation of powers" in light of the specific political and economic circumstances of Kosovo. In other words: how should the so-called ownership issue be resolved?

To find forward-looking solutions for this key issue, it is necessary to bear in mind that the present decision-making process is in the hands of unequal players: on one side are the international organisations and on the other side are the Kosovo Assembly and Govern-

ment, which represent the people of Kosovo. It will certainly be necessary to redefine the role of the "Internationals" as well as the role of the "Locals" to establish a new system of responsibilities. After having constituted an Assembly (created as a result of free and democratic elections) and formed a Government, it is indispensable to transmit the power to deal with energy matters to the Kosovo Government - naturally under Parliamentary control by the Assembly. In this way the de facto undefined status of KEK would come to an end as well.

It must be kept in mind that for the time being in Kosovo there are no normal market circumstances, and therefore the situation in Kosovo is not comparable to an open economy. Under these circumstances it will be impossible to bring normal investors into the energy industry of Kosovo. But "investors" of some kind are needed to finance the regeneration and modernisation of the whole energy sector. In this regard, especially looking at the very well compiled facts included in the comprehensive white paper on energy strategy and policy in Kosovo (EU Pillar, PISG - Energy Office), the next steps should be clear: the international community should take the investor role - using the possibilities of the European Bank for Reconstruction and Development (EBRD) or similar financial tools.



In this way it should be possible to set up a balanced structure of shared interests and influence: putting the political ownership in the hands of the Provisional Institutions of Self-government (PISG) and the responsibility concerning financial and investment issues in hands of the "Internationals" - supervision and oversight included. Only such a kind of "separation of powers" to develop Kosovo expertise and responsible management in this

extremely difficult social, economic and therefore political area could create the needed preconditions for a future energy market to be efficient and open. Privatisation in the energy sector can only take place once these aims are accomplished.

A close co-operation between the PISG and international experience by independent experts is crucial for fast and positive development. From my point of view, this is a special task for the European Union.

# Assembly Prepares Three Laws on Energy

*After an in-depth analysis and the adoption of its recommendations by the Assembly plenary session on 19 June 2003 (see ASI Newsletter no. 8) and following several fact-finding missions, the Assembly Committee on Trade and Industry started to draft three pieces of legislation on energy. Various international experts have assisted the work of the Committee in this respect.*

Bajrush Xhemaili,

*Chairperson of the Assembly Committee on Trade and Industry.*

After many unsuccessful attempts made by the Assembly of Kosovo and certain actors working in the energy sector to resolve the problematic issue of energy in Kosovo, the Trade and Industry Committee was authorised to conduct research on the reasons for the difficult situation in the Kosovo Energy Corporation (KEK).

Upon the conclusion of the fact-finding mission, the committee wrote a report, which was to be discussed at one of the Assembly's sessions. The committee finished its job. We visited the plant and discussed both the particular problems faced by this company and other problems of this branch of industry in general. Once we completed the inspection, we prepared the report. In the conclusion we presented our recommendations - in a parliamentary session debate - which were as follows:

1. To establish a parliamentary Energy Committee
2. To prepare laws on the activities of KEK: the Law on Energy, the Law on Mines, the Law on Geological Research and the Law on the Energy Regulatory Body
3. The Government of Kosovo should take over the responsibilities in the energy sector ASAP, and establish the Ministry of Energy
4. To review the reconstruction of KEK so as to become profitable and competitive in the regional energy market, until relevant systematic laws are in place

5. KEK should seek membership as a special entity in the Institutions of the South-eastern European System of Electro Energy, as a separate entity
6. To support the strategy for building new energy production capacity
7. To build the interconnecting line of 400 kW between Kosovo and Albania
8. To strongly support a strategy that will enable local staff to manage KEK at all levels, and leave to the international staff in an advisory role
9. To support the "KEK-YES" project to increase efficiency and improve the financial situation
10. The Assembly should authorise the Centre for Financial Investigations, to conduct an investigation on possible corruption and mismanagement in KEK.

Despite all the recommendations, the situation in the energy sector is almost the same. The power cuts and a poor heating supply continue to be problematic. Supply to households is still not stable. What's more, in spite of all efforts made and initiatives undertaken to resolve the problem, the situation with the energy supply has not improved yet. Instead, another problem arose: the failure of KEK to recover money for the energy it produced, which resulted in the transfer of funds from the budget surplus. The transfer was done by UNMIK to



*Bajrush Xhemaili*

KEK, though the Assembly did not authorise any of the transfers made.

In December 2003, our Committee decided in one of its meetings to initiate the preparation of the legislation on energy and address this matter to the Presidency of the Assembly. We also sought help from various experts and donors working with the Assembly, such as USAID and EAR, and they expressed their readiness to support us on this issue. Furthermore, we invited all parties from both the public and private sectors to participate in the working group, and the committee appointed the members of the working group.

The process of the preparation in the Assembly turned out to

be very successful. The working group of the Committee of Trade and Industry during the past three months held open and transparent meetings, as often as three times a week. We have finished the first draft, which consists of three laws, the Law on the Energy Regulatory Body, the Law on Energy and the Law on Electric Energy. These laws are based on Slovenian, Croatian, Bosnian, Polish, Hungarian and Bulgarian legislation, and they are in keeping with EU Directives and the Memorandum of Understanding signed in Athens, where Kosovo is a member. The laws, in general, will enable Kosovo to become a part of the competitive and sustainable energy market.

**To be continued at pg. 23**

# Democracy to the Rescue

***The Assembly's Finance and Economy Committee held its first-ever public hearing in January to review a bill on establishing a Chamber of Commerce for Kosovo. The deputy chairman of the committee, Fatmir Rexhepi, declared this test of democracy a big success that brought to light the much-needed views of Kosovo's business community.***

By Jeff Bieley,  
*OSCE Deputy Spokesperson*

"We want to be seen as a partner in developing business in Kosovo," Mr. Rexhepi said. "We were interested in the opinions of everyone and their views on the principles for creating this law."

In fact, it was only natural to invite business leaders to address the Assembly committee, he added, because the bill in question was being considered on their behalf. "We couldn't just do this ourselves. This is a law for another community. We needed their participation."

Taking advantage of the opportunity to be heard, many representatives of Kosovo companies attended the hearing, and addressed several key elements of the bill prepared by the Ministry of Finance and Economy.

Mr. Rexhepi explained that one of the main issues was whether membership in the Chamber of Commerce would be obligatory for all Kosovo businesses, which he said number more than 50,000. In the draft prepared by the ministry, all businesses would be required to become members of the Chamber and pay dues to the organization.

This system follows the model of how chambers of commerce work in several developed European countries, like France and Germany. At the same time, most other countries in the Balkan region have voluntary business associations, Mr. Rexhepi said, where each company can decide for itself

whether or not to join the local Chamber of Commerce and pay membership fees.

At the hearing, representatives of the business community said that the approach taken in the law was too inflexible, and took away from them the right to decide how to organise their own Chamber of Commerce.

Mr. Rexhepi agreed with this principle, saying that the law must "support the interests of business and not the state, which has many other laws passed in its own interest."

Accordingly, he said that the committee would consider an amendment to the bill to allow the Chamber of Commerce to hold a referendum of businessmen on the question of mandatory membership. "This is the more democratic way, to allow the Chamber of Commerce to find its own way of deciding what is most suitable."

Other issues discussed at the hearing included the by-laws of the Chamber and how its leaders would be selected. In this area too, important suggestions were made to improve the draft law and correct provisions that some participants felt would create an overly centralised organization with too strong of a leadership body.

Also, the bill as it was originally written referred only to the Chamber of Commerce, while at the public hearing it was suggested that the draft law should be changed to apply more broadly. Here too Mr. Rexhepi found the views of business leaders helpful in



*Fatmir Rexhepi*

preparing a law "that doesn't close competition, but opens up and allows competition."

"The law should be on the Chamber of Commerce and other associations for the organization of business," he said. "That is, the Chamber should not be a monopoly."

Now, as the measure comes back to the committee for review, suggestions from the business community will be incorporated into the law. "We want to open it up and make it more democratic and business-friendly," the deputy chairman said.

Overall, the holding of a public hearing on the bill has shown that the process of law making is essential to the quality of the Assembly's work. By having

an open exchange of ideas and principles with those whose interests are at stake, the committee empowered itself to represent them in the best way.

"Through the public hearing we avoided the influence of politics. We kept the hand of politics out of their organization," Mr. Rexhepi said.

Though the final law is likely to differ substantially from the draft submitted by the Ministry, the committee's deputy chairman said this is the duty of the parliamentarians to decide. "We, as MPs, have to take this approach to be more democratic, even if this is what the Ministry prepared."

In the end, he said, "The law is the Assembly's."



# Legislative strategy of the Kosovo government through October 2004

***One of the main duties of the government of Kosovo is the completion of the legislative framework enabling normal life and work in Kosovo. It is obvious that the legislative programme of the government, as approved by the Assembly in early 2002, has considerably changed. A number of draft laws were not processed by the Government and Assembly within the envisaged timeframes, while - luckily - there were cases when the programme orientations were achieved beyond expectations. Taking into consideration that during this year many competencies were transferred to the Provisional Institutions of Self-Government (PISG), a new legislative strategy became a necessity. The Legislative Strategy of the Government for the period October 2003 - October 2004 undoubtedly represents one of the most important acts recently adopted by the Government of Kosovo.***

Azem Hajdari,  
*Secretary to the Government*

The proposal for the preparation of this important document initiated by the Prime Minister's Office was referred to the Government of Kosovo on September 12, 2003. The Government of Kosovo approved this proposal at the meeting held on September 17, 2003. Subsequently, the Prime Minister of Kosovo signed Decision No. 69/4, dated September 22, 2003, on the Establishment of the Working Group for the Preparation of the Strategy. Members of the working group, including nearly all the major actors of legislative policy in Kosovo (the Prime Minister's Office, the Ministries, the Assembly, as well as civil society), after intensive work, managed to prepare the document, which was adopted by the Government of Kosovo at the meeting held on October 15, 2003. The Government's Legislative Strategy for the aforementioned period establishes the framework for the creation of 119 draft laws, determines the legislative priorities of Kosovo, sets out the obligations of the various actors and defines timelines for the execution of these priorities. It is worthwhile mentioning that the Strategy is sufficiently flexible, because it does not impede other legislative initiatives, if such initiatives are deemed necessary by the legislative actors of Kosovo.

The fact that the Government recently has approved legal initiatives that were not envisaged by the adopted Strategy confirms this fact. The Law on International Loans represents a typical example of this flexibility.

The need for the preparation of this Legislative Strategy of the Kosovo Government has several justifications. On the occasion of the establishment of the Government, it turned out that the part of the Government Program dealing with legislation covered a time period through October 31, 2003. The initial legislative program of the Government, in some of its important elements, was assessed as deficient. Clearly the Government program, as far as the legislative field is concerned, was prepared in a rush and at a time when the Provisional Institutions of Self-Government were in the very initial stages. At that time, there were only a few national experts involved in the process. Even those experts who were involved were only partially or not at all engaged in the program's preparation. Circumstances are now different in Kosovo; therefore the determination of legislative priorities is considered a timely imperative.

Pursuant to the Constitutional Framework on Provisional Self-Government in Kosovo and in order to accelerate the transfer

of competencies, the completion of legal infrastructure, which is currently a competence lying with the UN Mission in Kosovo, represents an essential issue.

The legislative strategy of Kosovo for the period October 2003 through October 2004 is expected to produce multiple and diverse effects. Some of the most important impacts that the strategy would have are listed below:

**First** - By means of laws identified as priorities for the legislative strategy of the Government, Kosovo will manage to regulate, in many fields, a series of important relations in society;

**Second** - These laws will put an end to the legislative vacuum, to many legal gaps, and to the applicability of a variety of laws of Serbia and the former Yugoslavia in the territory of Kosovo;

**Third** - Once it is confirmed that these laws conform to UN standards and the laws of UN member states, they will play an important role in bringing Kosovo closer to integration in Europe and more widely;

**Fourth** - The fourth effect is undoubtedly of a political nature because these laws will guide Kosovo to its desired future;

**Fifth** - This array of laws will also have an important effect on the fulfilment of Kosovo citizens' interests, because they will, for the first time, regard the laws adopted by the Assembly of Kosovo as the laws of their own country, and

**Sixth** - These laws will provide adequate conditions for the fulfilment of the collective and individual needs of Kosovo's citizens, because they will regulate important fields of life in Kosovo, including in economic, social and environmental areas.



*Prime Minister Bajram Rexhepi*

# Study Visit to Belgian and European Parliament

***In the second week of December 2003, a mixed delegation of two Assembly Members and five Secretariat Staff of the Assembly of Kosovo visited the Belgian House of Representatives and the European Parliament in Brussels. The main purpose of the study visit was to provide a practical introduction to a proven parliamentary electronic document management system (DMS) in a multi-lingual environment. The visit enabled participants to obtain detailed information concerning the philosophy, parliamentary culture, operating environment and practical interaction with the Belgian Parliamentary Secretariat staff.***

By Roger F. Roy,

*Project Manager, SPEAK Project in Support of the Assembly of Kosovo, Inter-Parliamentary Union/UNDP-Kosovo*

The Delegation received a warm welcome from the recently elected Secretary General of the Belgian House of Representatives, Mr Robert Myttenaere. It was evident as the study program progressed that Mr. Myttenaere and his staff spared no effort in preparing a detailed programme that addressed the needs of the Kosovo delegation in the context of the project in Support to Parliamentary Electronic Archives in Kosovo (SPEAK). The walk between meetings at the Belgian Parliament proved to be a rich experience for the delegation. The many hallways and rooms connecting the House of Representatives and Senate display Belgium's rich cultural heritage including the history of its Parliament, established in 1830. This is portrayed through many large tapestries, oil paintings, sculptures and antiques.

The program was shaped in such a way that all members of the Kosovo Delegation were able to gain some useful information and practical insight on exactly how a parliament works in an "electronic world" and using the Belgian parliament's Document Management System as a touchstone.

## Day One

Following a presentation on the Belgian legislative system and its procedures, the delegation had an in-depth tour of the Belgian Parliamentary Library relating to document number management, microfilming and scanning of documents for the



*Kosovo Delegation during its visit to the Belgian Parliament in Brussels*

development of their databases. In the afternoon, the delegation received a presentation on the role of information technology in the overall legislative process. This was followed by a live session of the Parliamentary Working Group of the Ministry of Scientific Policy. The Ministry provided the very positive conclusions to a recent national survey on the public acceptance of public electronic voting. The day concluded with a presentation on all administrative aspects of draft laws, legal initiatives and legislative amendments.

## Day Two

The morning began with a presentation on the Parliamentary Document and Archives Division with reference to the

work presently in progress. The session proved to be very helpful for the Kosovo Librarian, Ms. Memishi, and Ms. Shukriu, the MP with an archive background. This was followed up with a session on the present system of numbering and digitisation of archives and parliamentary documents. In the afternoon, there were presentations on digital recording of minutes, the use of Digivox for recording Committee Meetings. Finally a visit was arranged to view the parliamentary printing house.

## Day Three

The delegation was given a very helpful presentation on the use of IT in the translation of parliamentary documents and on the establishment of a

Carrefour Bank of Databases with respect to all aspects of Belgian Legislation.

The afternoon session was dedicated to an in-depth look on the drafting of text of legislative sessions and the administrative instruments used for this drafting work. Participants were shown how this work is carried out on the computers of the staff.

## Day Four

The Belgian House of Representatives arranged a special morning session with the Belgian State Council that oversees the legality of all proposed legislation introduced by Belgian Ministers at the federal and state levels.

The afternoon was devoted to a

visit of the European Parliament that was specially prepared for the delegation in co-operation with the Inter-parliamentary Union. Presentations were made by the Director General - Division for Relations with National Parliaments and Assemblies who are not members of the European Parliament. Other sessions focused on work of the Secretariat Bureau, and a visit to the Parliamentary Documentary Centre. The afternoon concluded with a very lively session involving Mr. Geoffrey Harris and Ms. Sabina Mazzi-Zissis of the South West Europe Bureau. A very thorough and frank discussion was held on the situation in Kosovo and concluded with excellent presentations by Mr. Fatmir Sejdiu, MP and Member of the Kosovo Assembly Presidency and Ms. Edi Shukriu, MP.

#### Documentation and Presentations

As a result of the study visit to Brussels, a great deal of very useful, practical information was collected in English and French. This material is being compiled into a database using reference sites provided to us by the Belgian House of Representatives, the Belgian Senate and the European Union. A hard copy of all the documents and presentations collected will be catalogued and made available through the SPEAK Office at the Assembly of Kosovo.

In his conclusions about the Study Tour to Brussels, Mr. Sali Rexhepi, Head of Plenary and Procedural Section (Table Office) summed up the visit to Brussels by observing: "We gained valuable knowledge about the functioning of the Belgian House of Representatives on how to deal with legislation and on the use of information technology to support the preparing, retrieving and distribution of parliamentary documents."

## Assembly Committee visits colleagues in Sarajevo

***As part of its regional parliamentary exchange program, the Friedrich Ebert Stiftung (FES) organised a working visit to Sarajevo with the Kosovo Assembly Committee on Labour and Social Welfare. The visit took place from 29 November to 3 December 2003, at a time when the procedure for privatisation in Bosnia and Herzegovina was being revised. The delegation was led in a very professional way by committee chairperson Stojanka Petkovic.***

Besa Luzha,  
FES programme co-ordinator for Kosovo

One can say that some aspects of the economic, political and social situation in Kosovo and Bosnia and Herzegovina are similar. Firstly, they had a common history in the former Yugoslavia. Both have different ethnic groups and have to think about balanced governing. Also the employment situation, social system and economic development are quite similar, though Bosnia and Herzegovina has advanced some reforms in this regard. The experience with the legislative process where three ethnic communities are working together at the federal level was an important element that we wanted to share with the Kosovo parliamentarians. The fact that Bosnia and Herzegovina also experienced a period of time where a UN mission was involved in the policymaking and administration of the country was a challenge for the group in understanding the functioning of a comparable scheme in Kosovo.

FES had been in contact for a long time with the Parliament in Bosnia and Herzegovina in order to arrange these meetings that we thought would be most valuable for the Kosovo delegation. The composition of the delegation was based on proportional party and ethnic representation. The group consisted of 8 MP's, a translator and

the FES Pristina co-ordinator.

In order to ensure a well focused visit, we decided this time to approach only one Kosovo committee, the Committee on Labour and Social Welfare, matching it with two committees from the Sarajevo side, the Committee on Labour, Health and Social Welfare and the Committee on Invalids, War Veterans and Missing People.

We arrived in Sarajevo at a time when the committees were focussed on a procedure for revising the privatisation process in BiH. The delegation had meetings with the chairpersons and other members of the committees. The delegation also had a chance to participate in the plenary session upon the invitation of the President of the Parliament, Mr. Muhamed Ibrahimovic who joined the delegation during three evenings and actively participated in the discussion. The Kosovo delegation has been assured by their Bosnian colleagues that they are ready to help them as experts.

The Deputy Minister of Labour and Social Welfare also received the Kosovo delegation and gave an overview of the situation concerning employment, the social scheme, pensions and other issues. Another important meeting was held with the

Governmental Board of Minister's working group on the Strategy for Poverty Reduction and Development, represented by Mr. Haris Mesinovic, a former Minister of Labour.

The delegation received lots of materials from the Federal Parliament and the Ministries they visited, including the draft of the strategy mentioned above. All Bosnian legislation in this field is now available to Kosovo parliamentarians to read and compare.

The group was led by Mrs. Stojanka Petkovic, MP from Coalition Return. She led the delegation in a very constructive way, avoiding ethnically divisive discussions and stimulating meaningful debate on professional issues. She also presented in a fair manner the work of her committee, its problems, results and challenges. Although it was somehow accidental, the group consisted mostly of women, so the gender factor played an important role in the positive course of the visit.

MP's from both Pristina and Sarajevo agreed to continue co-operation and the FES concept of the visit was evaluated by both sides as professional and content-oriented, thus worthy to be continued.

# The Rules of Procedure of the Assembly: An Update

***For any legislature to work effectively, all members of the legislature must understand the rules by which the chamber operates. Without clear and universally understood rules, a legislature will face many procedural and, ultimately, political battles.***

By Kevin Deveaux,  
National Democratic Institute (NDI)



Kevin Deveaux

The Assembly of Kosovo was convened shortly after the November 2001 elections. To assist with the inaugural session of the Assembly, UNMIK drafted Provisional Rules of Procedure that were to be used by the Assembly until they had time to draft and develop revised rules. It was always understood that the Provisional Rules of Procedure would be used by the Assembly of Kosovo for a short period of time.

In the summer of 2002, the Assembly appointed a working group of MPs to draft new Rules of Procedure. The group was chaired by Arsim Bajrami and consisted of Fatmir Sejdiu, Nekibe Kelmendi, Bajram Kosumi, Muhamet Kelmendi and Dragiša Krstović. The mandate of the working group was not to rewrite all the clauses

of the Provisional Rules of Procedure, but to improve upon the Provisional Rules while ensuring the rules comply with the Constitutional Framework.

The National Democratic Institute (NDI) has been working with the Assembly of Kosovo since it was established in late 2001. Through the Assembly Support Initiative (ASI) and with the assistance of USAID, NDI provided technical support to the working group in drafting new Rules of Procedure.

Through the latter half of 2002, the working group met on a regular basis to discuss changes to the Rules. Of particular concern to the MPs was ensuring the ability of residents of Kosovo to participate in the legislative process, either through public hearings or through the submission of petitions. The review of the Rules was completed in December 2002 and the draft revisions were submitted to the Assembly in January 2003. The Revised Rules of Procedure were adopted by the Assembly plenary session on January 9, 2003.

## The highlights of the changes to the Rules of Procedure include:

- Committee meetings are presumed to be open to the public, except in very limited circumstances

- Members have the right to submit interpolations – a means of forcing the government to explain specific decisions or policies

- Deadlines were set for filing documents and motions with the Assembly, ensuring translations will be completed in a timely manner

- Committees and individual members have the right to draft laws and submit the draft laws to the Assembly for debate

- Parliamentary groups have more authority and responsibility

- At a committee, a Minister can be compelled to attend and testify

- Ad hoc committees can be established to investigate specific issues

- The mandates of all committees have been spelled out in detail in an annex to the Rules

The Assembly of Kosovo views the Rules of Procedure as an internal document that does not require the approval of the SRSG. However, UNMIK has a different opinion and in February 2003, UNMIK noted seven concerns with the revised Rules. UNMIK was not prepared to endorse the revised Rules until those seven changes were made. UNMIK was

concerned with those changes that it believed infringed upon the Constitutional Framework.

In March 2003, UNMIK's Office of Legal Affairs (OLA) and the Assembly met to discuss a resolution to the impasse. Progress was made at that meeting and four of the seven issues were resolved. The Assembly agreed to reconstitute the working group to review the seven concerns and recommend further changes to the revised Rules of Procedure. The working group reported back to the Presidency and the Assembly in October 2003. The Assembly approved changes to the Rules to reflect many of the concerns of UNMIK.

However, not all of UNMIK's concerns were addressed. Therefore, the Revised Rules of Procedure still have not been approved by the SRSG. The Assembly still relies on the Revised Rules when conducting its business. It is hoped that the confusion caused by this impasse will be dealt with in the near future.

NDI will work one-on-one with each parliamentary group in the next couple of months to provide training on the revised Rules of Procedure. By providing support to each group, it is hoped that the parliamentary groups will increase their influence in the Assembly of Kosovo and, in turn, ensure the Assembly adheres to the Rules of Procedure and works more effectively.

# Friedrich Naumann Foundation organises a working visit in the Austrian Parliament

***A delegation of the Assembly of Kosovo, composed of chairpersons and members of the Committees of Finance and Economy, Trade and Industry and Budget, visited Austria on December 9, 2003. The visit was organised by the Friedrich Naumann Foundation Office in Pristina. The delegation met with counterparts from the Austrian committees, with the Deputy Head of the Austrian Parliament, Mr. Heinz Fischer, with OSCE representatives in Vienna and with consultative organisations.***

By Haki Shatri and Minire Çitaku

The group of Kosovo MPs had the chance to become closely acquainted with the structure, functioning and history of the Austrian Parliament. Afterwards, the delegation of the Kosovo Assembly held separate meetings with their counterparts from committees of the Austrian Parliament, including with the presidents of the Budget Committee, the Economy Committee and the Trade Committee.

In the course of all these meetings, the Austrian parliamentarians expressed their willingness and readiness to continue meeting with their Kosovo colleagues, both to put the Austrian experience at their service, and in terms of official contacts in Pristina, too. The fact that the discussions with the Austrian MPs were highly focused on exploring new possibilities for a higher scale of involvement of Austrian enterprises in different fields of economy in Kosovo is also worth mentioning.

Meeting with Mr. Heinz Fischer, for many years President of the Austrian Parliament and now its Deputy President, was of particular interest. Mr. Fischer, at the beginning of his speech, mentioned his visit to Kosovo in 2002 at the invitation of the Assembly of Kosovo and the OSCE. He said that he is familiar with the current situation in Kosovo. Besides consultations and exchanges of information, Mr. Fischer responded to a question made by one of the Kosovo parliamentarians regarding Kosovo's chances to be-

come a member of the European Union, saying that the accession of Kosovo to the EU currently depends on its final political status. Mr. Fischer expressed his wish for a peaceful and fair solution to this issue. Conveying his final message for the last stage of EU expansion, Mr. Fischer said that Kosovo - together with some neighbouring countries - should be listed among EU accession countries. At the end of the meeting, Mr. Fischer and Mr. Haki Shatri gave an interview to the Austrian News Agency about the role and importance of the visit.

In addition to these meetings, a representative of the Ministry of Education, Science and Culture received the delegation of the Assembly of Kosovo. Through this meeting the delegation had the opportunity to get better acquainted with Austria, from the viewpoint of its historical and current situation and educational system, among other areas.

A nice reception for the Kosovo parliamentarians was organised also in the OSCE headquarters in Vienna. On this occasion, the Kosovo delegation familiarised themselves with the structure of this organisation - with a special emphasis on the OSCE activities in Kosovo and the region. Mr. Alexander Nitzsche, OSCE Public Information Officer, introduced this institution's way of functioning, highlighting its contribution in organising the last parliamentary election and the upcoming election in Kosovo, as well as OSCE's in-



*Representatives of the committees of the Kosovo Assembly meet their colleagues from the Austrian Parliament.*

volvement in and assistance to the Police School in Vushtrri/Vucitrn.

Also, Ms. Margaretha Uebber, political officer of the Mission of the Federal Republic of Germany to the OSCE Permanent Council, made a presentation on the role and engagement of Germany in the OSCE.

Among many meetings organised with the Austrian Parliament colleagues, a very fruitful one was the meeting with Austrian experts on energy. In this meeting, which was the case with all the other meetings, the Kosovo delegation was able to exchange professional ideas and experiences with competent Austrian consultants. This meeting clearly reflected on the current situation and the needs, opportunities and prospects for energy development, particularly electrical energy, in Kosovo. The issue was also discussed in relation to and in comparison with the energy situation in other neighbouring countries. In this context, a discussion was held with the Austrian energy expert Dr. Volker Kier, who is

very knowledgeable about the general circumstances in Kosovo.

The concept of the visit - the combination of theoretical and practical insight - was well appreciated by all the participants, as a continuation of the Friedrich Naumann Foundation's assistance to the respective committees since the establishment of the Assembly.

The knowledge and experiences that the members of the Kosovo Assembly committees obtained in Austria can be noticed in the commitment they showed immediately following their return to Kosovo. A public hearing on the role, functions and tasks of the Chamber of Commerce was held in January, and later another law on energy is expected, among others.

The Friedrich Naumann Foundation Office in Pristina will continue with its engagement and assistance in building democratic institutions as well as providing its insight for creating a developed economy based on the EU "Acquis Communautaire" criteria.

## Support activities to the Assembly

### German MP discusses parliamentary decision-making processes

The Friedrich Ebert Stiftung (FES) invited Mr. Karsten Schoenfeld, MP from the German Bundestag, to meet with Kosovo politicians on 29 and 30 November 2003 in Gjakovë/Djakovica to discuss decision-making processes within and between political groups. Among the participants from the Assembly were Fatmir Sejdiu, Hydajet Hyseni and Naim Maloku as well as politicians from the municipal level and from the parties' youth forums.

Mr. Schoenfeld gave an overview of his experiences in organising a group of young parliamentarians within his political group. He gave details on initial concerns by the party leadership and the following improvement of internal decision-making processes by structuring the internal discussion in a consensual way. The group then discussed the applicability of his experiences to the political situation in Kosovo and in regard to finding political solutions for problems like education, environment, economic development, the rule of law and European integration.

### Assembly launches its web-site

The Division for Media and Publications of the Assembly of Kosovo is expected to launch the web-site of the Assembly of Kosovo during February 2004. This will be the first official web-site to be launched by the PISG. The web-site contains information about the Assembly Members as well material on the Assembly structure and secretariat. The laws adopted by the Assembly so far and a calendar of present activities in the Assembly will also be included. The web-site aims to increase the visibility and transparency of the Assembly of Kosovo. The web-site has been designed by the local company "Rrota Interactive". The project has been supported by the OSCE Department of Democratization.

### TV Programme on the Assembly's Work in 2003

What were the most important decisions made by the Assembly of Kosovo during the last year? What would improve the work of the Assembly? How much are the Assembly Members themselves critical of the work of the Assembly? What do the members find stressful in their work, what are their challenges?

These were the questions addressed to MPs of the Kosovo Assembly in the third 30-minute TV programme done by print and broadcast journalists from RTK, KTV and Bota Sot, and produced under the guidance of trainer Ms. Ljerka Bizilj of RTV Slovenia. The program echoed how the Assembly's work was evaluated, criticised or justified by the public and political analysts, putting it in context of the demands of the electorate.

The first two programs focused more on the weekly work of the Assembly whereas the third and final part was built on an analytical angle of the annual work of the Kosovo Assembly.

The programs were produced in co-operation with Teams on Media Support and Central Governance Support from the OSCE Department of Democratization, with a view to helping journalists covering the Assembly to extend their knowledge and consolidate their skills on producing balanced programs reflecting the views of various political parties. The project also included a visit to Ljubljana by journalists covering the Kosovo Assembly, to observe RTV Slovenia and its coverage of the Slovene Parliament. This study trip in October was of great benefit to the journalists, allowing them to enrich their experiences.

The overall aim of the project was to contribute to more objective media coverage of the Assembly's work, and at the same time provide additional information to better acquaint the population of Kosovo with developments in the political arena and increase the transparency of the Assembly in the eyes of the electorate. (By Lizabeta Paloka)

### Preparing the implementation of the Law on Access to Official Documents

The Law on Access to Official Documents was promulgated by the SRSG in November 2003. This law ensures the right of all residents of Kosovo to access public documents in the possession of the PISG, municipalities and many other government institutions. The National Democratic Institute (NDI) worked closely with the Office of the Prime Minister and other NGOs, including IREX, to develop the draft law for submission to the Central Assembly. NDI also worked with the Public Services Committee to conduct public hearings on the draft law.

Now that the law has been passed, NDI will provide training to civil servants, MPs and municipal staff to ensure the law is properly implemented. This training will take place from 16-20 February 2004. Other NGOs will provide training of journalists and other interested groups in 2004.

### Country Offices in Pristina updated

On 15 December 2003 a consultative meeting with country office representatives was held at OMiK HQ. On this occasion, Ambassador Pascal Fieschi gave an update on the progress of preparations for the 2004 Assembly Election, mentioning that no concrete election date had been established yet. The Election Department pointed to the establishment of the CEC Secretariat and the challenge of handing over responsibilities for election operations to this newly created and independent body. The Central Governance Support Team gave an outline of the support activities focusing on the Assembly since its inception and presented the priorities for 2004. Of these priorities, the co-ordination of international assistance programmes to the Kosovo Assembly in the framework of the Assembly Support Initiative (ASI) has a primary role. ASI partner organisations presented their 2004

priorities in supporting the Assembly and discussed with country office representatives various policy-related issues. Among these issues were the huge demand for legislative work that the executive intends to put on the Assembly during the upcoming election year, which requires additional assistance and streamlining of international support programmes.

### Final report of Sarajevo conference available

On 2-4 October 2003 parliamentarians from 11 parliaments in Southeast Europe, including the Kosovo Assembly, met in Sarajevo to discuss common challenges in relation to poverty reduction and economic development. The final report of this OSCE conference has been published in English, Serb-Croat-Bosnian, Albanian and Macedonian and can now be obtained from all OSCE Missions in Southeast Europe, including the OSCE Mission in Kosovo.

### Manual on Public Hearings available

During the last year, several ASI organisations have actively encouraged and contributed to the organisation of public hearings by Assembly committees. NDI has prepared a Manual on Public Hearings, with input from other organisations as well. The Manual includes best practices and sample questions as well as practical tips for preparing public hearings. It has been published in English, Albanian and Serbian. Copies can be obtained at NDI and OSCE.

### New colleagues supporting the Assembly

Several new people have joined organisations working with the Assembly. Ms. Doina Ghimici (Romania) and Mr. Uli Steinle (Germany) have joined the Central Governance Support Team within the OSCE Democratization Department. Mr. Patrick R. Cadle (USA) became Program Director for Legislative Support within NDI. We are looking forward to work with them, to the benefit of the Assembly.

### The Civic Herald

ASI Newsletter welcomes the first issue of its electronic twin, the Civic Herald, the electronic media arm of the Civic Dialogue project. The Civic Dialogue Project is implemented by the Mother Theresa Society from Pristina and the Centre for Regionalism from Novi Sad with the assistance from the OMiK Democratization Department, the Freedom House Foundation and the Rockefeller Brothers Fund.

The Civic Herald aims at promoting and informing the public about civic dialogue initiatives in the SEE region, with a focus on Kosovo and Serbia. Civic Herald will be produced on a bi-monthly basis in three languages, English, Albanian and Serbian. It is available on [www.osce.org/kosovo](http://www.osce.org/kosovo) and soon on the Civic Dialogue project web site: [www.civil-dialogue.org](http://www.civil-dialogue.org). For comments or subscription request, please contact: [mario.maglov@omik.org](mailto:mario.maglov@omik.org)

### *Continuation from pg. 15*

It may be that the Law on the Energy Regulatory Body is the most important one. This law will enable the establishment of an independent regulatory body, which will be responsible for licensing the producers and suppliers of the energy in Kosovo, based on objective, transparent and non-discriminatory principles. The Energy Regulatory Body will be responsible for regulating and approving the tariffs and tariff methodology for household customers, which will bring about a greater energy supply at a more reasonable price.

Two other laws are part of a package: the Law on Energy and the Law on Electric Energy. The Law on Energy deals with the most important principles and with the role of different parties in the establishment of a strategy and programmes for the energy system of Kosovo. Included in this law are policies that will ensure a more efficient use of energy and at the same time enable the use of renewable resources.

The Law on Electric Energy deals with the rules and conditions for the production, transfer, distribution and supply of electric energy, as well as the market for electricity. In general, both these laws will bring about better conditions and better functioning of the energy sector, that is to say a higher quality, more sustainable and more secure energy supply for all. We sincerely hope that other institutions will join us in our plans and efforts. It should suffice to say that we are well aware of the fact that this is a process and it will take some time. However, we are confident that with transparent enforcement of the proposed laws, the problems in the energy sector will be resolved once and for all.

## ASI Mission Statement

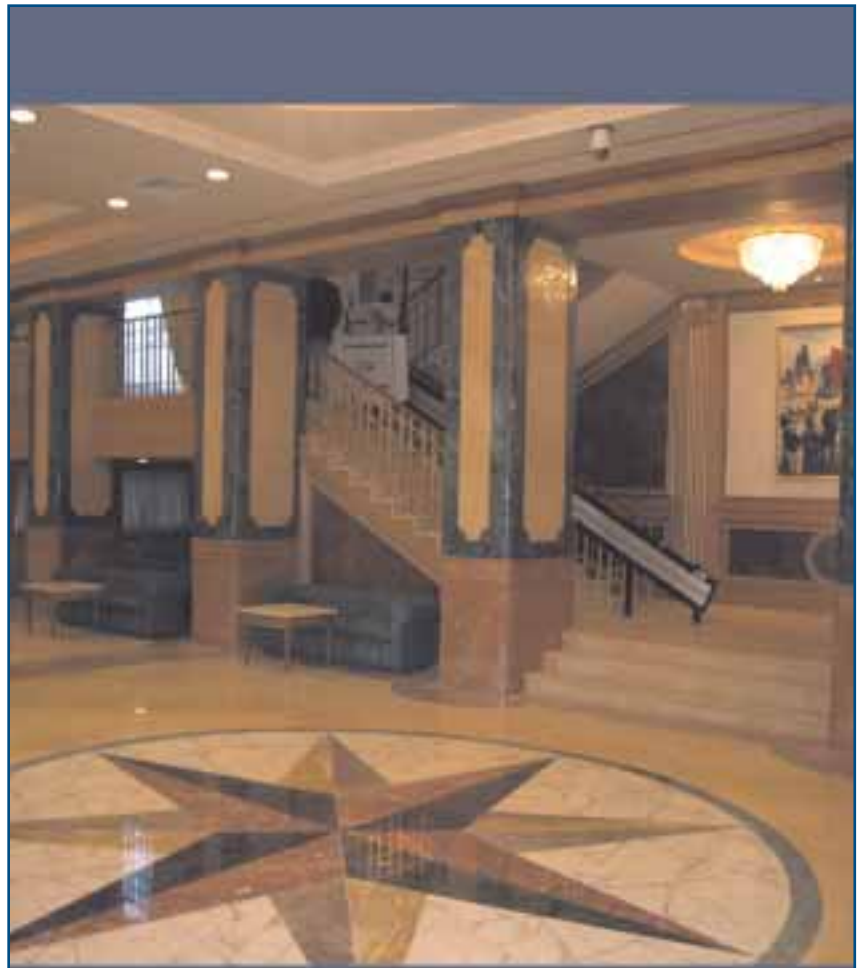
As the inter-agency coordinator of democratization programs to support the Assembly of Kosovo, the Assembly Support Initiative (ASI) seeks to strengthen and professionalise the Assembly of Kosovo in developing skills so that it may become a stable, functional and productive legislative assembly, operating in accordance with the rule of law and on behalf of all communities and citizens equally.

Members of ASI will work to bring resources together in a common pool in the furtherance of this goal. The work of ASI will focus on a democratic political culture based upon knowledge of and respect for democratic rules of procedure, transparency and accountability to the public, developing and implementing a legislative agenda, oversight over the Executive and respect for multi-linguality of the Assembly.

As the inter-agency coordinator of support to the Assembly of Kosovo, ASI supports the Assembly via conferences and training, workshops with the Committees, technical assistance on the legislative process, advise to the Presidency, Committees chairpersons and individual Assembly Members, working visits to other parliaments, training for the legislative staff and interpreters of the Assembly. The work of advisers and consultants to the Assembly and its Committees is also part of the ASI-coordination.

## Currently participating in ASI:

*Council for the Defence of Human Rights and Freedoms (CDHRF), Friedrich Ebert Stiftung (FES), Friedrich Naumann Stiftung (FNS), Konrad Adenauer Stiftung, East-West Parliamentary Practice Project (The Netherlands), European Agency of Reconstruction (EAR), United States Agency for International Development (USAID) in co-operation with National Democratic Institute (NDI), United Nations Development Program (UNDP) in co-operation with the Inter-Parliamentary Union (IPU), Consortium of French, German and Belgian parliament, OSCE Democratization Department and the Assembly Secretariat with the active support of the Office of the Prime Minister, UNMIK's Pillar IV (EU) and the country offices in Pristina of Austria, Belgium, Germany, Italy, The Netherlands, Switzerland, United Kingdom and United States.*



Picture of the refurbished lobby of the Assembly Hall

*Pictures in this Newsletter:*

*Harvard-University: p. 1, 2 ; OSCE: p. 3, 4, 7, 8, 10, 11, 12, 13, 14, 16, 17, 20, 21, 24; UNMIK-DPI: p. 6, 9;*

*FNST.: p. 15; UNDP: p. 18.*



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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.