

INDICATORS
For Standards Goals Progress Assessment

Report for Malishevë/Mališevo Municipality April - June 2005
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STANDARD 1 - FUNCTIONING DEMOCRATIC INSTITUTIONS.....2

STANDARD I

FUNCTIONING DEMOCRATIC INSTITUTIONS STANDARDS IMPLEMENTATION ASSESSMENT INDICATORS

Rationale for Indicators chosen:

Based on the guidelines provided by the O/SRSG, these indicators were developed with a view to allow for the Standards to become more measurable (as much as possible), which will allow for a more objective assessment of progress in them. However, it has to be noted that a lot indicators will have to be complemented with an analysis that will explain (give meaning to) the statistics or data collected on the basis of the indicators.

The Elections part of the Standard could not be covered by quantitative indicators only. Generally, the assessment given about the elections by the Council of Europe Observation Missions and other observer organizations could be used as an objective indicator for progress/achievement, and other indicators are complementary and provide more detail to the content of the assessment.

The indicators for the PISG part of the Standard aim at measuring the “output”, the result of the efforts of the Institutions to achieve each of the goals. However in some cases the achievement of a goal cannot be measured through a concrete practical result and that makes the indicators that measure things like the “respect” for official languages ranging from those that focus on achievement of a practical result to those that measure the “intention” to achieve the end result (e.g. existence of adequate translators as necessary).

Finally, the media part which includes a lot of very vague goals (except the establishment of the IMC) drew a lot of indicators from the content of the KSIP actions, achievement of which ensure that the framework within which the media are operating does not allow for deviations from the informative role and they play a constructive role in the society.

Standards goal	Indicator	Source of Indicator Information
<p>1. Elections are regular, transparent, free and fair, conforming to international standards, allowing the full and peaceful participation of all communities and ethnic groups.</p>	<p>a) assessment (free and fair) by elections observer organisations b) number of elections held compared to number foreseen in legal framework c) Measures for inducing/enabling participation in elections by smaller communities d) level of participation of minority communities compared to level of participation by majority community e) number and gravity of complaints or appeals against the electoral process adjudicated/upheld by ECAC f) number of incidents that obstructed peaceful and free conduct of elections or participation (intimidation) g) % of women candidates in political party lists as per gender quota in Electoral Regulation</p>	<p>No elections in the reporting period</p>
<p>2. Internally-displaced persons and refugees continue to be fully included in the Kosovo election process and their ability to vote is facilitated.</p>	<p>a) Measures for inclusion and for facilitation of the vote of IDPs and refugees in election b) level of participation by IDPs and refugees in relation to potential electorate and to level of demand for participation c) number of complaints by IDPs/refugees that they were not given equal/full chance to participate in the election (and percentage of those upheld)</p>	<p>No IDPs have returned yet. The 6 RAE families have been fully part of the election</p>
<p>3. An independent, representative and multi-ethnic Central Election Commission administers elections.</p>	<p>a) % of CEC (including Secretariat) members from all communities, including women b) CEC rules covering elections operations c) number of complaints against CEC to ECAC (and percentage of those upheld) d) number of cases where Chair of CEC had to use veto power because consensus could not be reached/ to protect minority rights e) number of cases where CEC took special decisions to ensure respect of minority interests f) assessment by observer organizations that CEC independent/representative/multi-ethnic (yes/no)</p>	<p>Not municipal issue. Central authorities to report on it</p>

Standards goal	Indicator	Source of Indicator Information
<p>4. A comprehensive legal framework covering political party operation and finances is adopted and enforced</p>	<p>a) legislation in place (yes/no) b) number of cases referred to the Political Party Appeals Committee c) number of cases of violation of financial reporting obligations d) number of cases of measures/fines imposed on parties for violating provisions of relevant legislation e) distribution formula of public funds to political entities equitable and not discriminating against reserved seats in Assembly</p>	<p>A Kosovo wide issue</p>
<p>5. A range of democratic political parties contests elections</p>	<p>a) number of political entities (and parties) contesting elections b) number of parties holding regular conventions c) number of parties with democratically elected organs d) number of parties with democratically elected candidates for lists</p>	<p>Seven Political Parties contested elections. All big parties have conventions and have democratically elected organs</p>
<p>6. A All communities are proportionately represented at all levels of the PISG, in accordance with applicable legislation.</p> <p>6. B The PISG and local municipal government decide and enact legislation in an open, accountable and democratic manner.</p>	<p>6A. a) % of representation of K/S and other communities in relation to minimum standards for central level PISG (provided by legislation) b) % of representation at higher levels¹ c) % of representation of K/S and other communities in relation to minimum standards (as set by fair-share financing) for municipal level PISG d) % of representation to K/S and other communities in ministry portfolios. 6B. a) rules of procedure for operation of Central and Municipal Assemblies, Government and Ministries in place b) frequency of consultations with civil society/public/communities/women groups before adoption of legislation c) average length of time allowed for discussion/debate before adoption of legislation d) number of serious violations of assemblies rules of procedure e) number of cases where SRSB refused to promulgate legislation adopted in the Assembly for violation of the Constitutional Framework/ UN SCR 1244 (also compared to number of laws promulgated)</p>	<p>a and b. Only two Romas are employed as Cleaners out of total 47 RAE individuals in the municipality c. FSF not applicable d. Not applicable</p> <p>a. Rule of procedure exists, though not fully respected. c. Usually less than a week time is allowed for intra-party debates. Most of irregularities in the area of voting, rights of assembly members. d. No serious violations in the reporting period. e. No intervention of SRSB in the reporting period</p>

¹ Higher level means civil servants who receive salary of 350 euros or above (approximately level of Division Chief)

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<p>7. All official languages are respected throughout the institutions of government.</p>	<p>a) Number of ministries and municipalities that have devoted resources for ensuring the language standards compliance</p> <p>b) % of ministries and municipalities that have translators and interpreters (when multi-ethnic)</p> <p>c) % of meeting of assemblies and committees at all levels conducted in all official languages</p> <p>d) % of municipalities respecting their official names and those of their cities/villages</p> <p>e) Whether there is an oversight mechanism and remedial actions foreseen for the implementation of official language policy</p>	<p>a. Albanian language is the sole official language used. No resources are devoted for this purpose.</p> <p>b. There is only one vacancy for Interpreter under President's office.</p> <p>c. Assembly and Committees meetings are conducted only in Albanian.</p> <p>d. Names are only in Albanian.</p> <p>e. No mechanism in place</p>
<p>8. PISG and Municipalities ensure the availability of basic public services such as health care, utilities and education, without discrimination to all communities in Kosovo.</p>	<p>a) Number of ministries and municipalities that prepared sub-component plans specifying in physical and financial terms the measures to be taken for addressing the needs of the communities that constitute minority in their areas</p> <p>b) Number of municipalities that met the fair-share financing in the relevant budget lines</p> <p>c) <i>Per capita</i> allocation for health care and education for minority communities against that of the majority population.</p> <p>d) Actual expenditures incurred on communities against total expenditure by ministries and municipalities</p> <p>e) % of children not in school for lack of access and % of population unable to access health facilities and public utilities throughout Kosovo</p> <p>f) Frequency of meetings of the Joint Steering Board on Public Administration to provide strategic guidance and coordination for strengthening public administration in Kosovo</p>	<p>a. No specific plan</p> <p>b. Not applicable</p> <p>c. Not applicable</p> <p>e. All minorities students attend schools without any discrimination</p>
<p>9. The civil service is professional, impartial and accountable, representative of all communities in Kosovo and includes a significant proportion of women.</p>	<p>a) % of women in civil service and in higher positions</p> <p>b) number of civil servants who hold elected positions</p> <p>c) number of cases handled by the Internal Oversight Board that are upheld</p> <p>d) % of civil servants who belong to minorities</p> <p>e) number of major disciplinary proceedings undertaken against civil servants</p>	<p>a. 27 out of 170 civil servants are women, only one in BoD.</p> <p>b. Assembly proportion is as per OSCE requirements.</p> <p>c. None in the reporting period.</p> <p>d. 1 out of 170</p> <p>e. None in the reporting period</p>

Standards goal	Indicator	Source of Indicator Information
<p>10. All communities have fair access to employment in public institutions.</p>	<p>See 6A and: a) % of total number of ads in minority languages b) % of ads posted in minority language media c) number of ethnic discrimination cases referred to Ombudsperson/ courts and upheld d) % of minorities employed in public service providers</p>	<p>a. Ads are only in Albanian language. b. Not applicable c. None in the reporting period d. 1 out of 170.</p>
<p>11. Code of conduct and enforcement procedures exist to provide for transparent and accountable government; recommendations of Ombudsperson are given full weight.</p>	<p>a) existence of codes of conduct and enforcement procedures b) % of Ombudsman recommendations to PISG implemented c) Number of Ombudsperson's recommendations and interim measures related to women's human rights implemented</p>	<p>a. There is a municipal code of conduct in place for civil servants b. None in the reporting period c. None in the reporting period</p>
<p>12. Regular and independent audit of KCB, Assembly, government ministries and municipalities</p>	<p>a) number and frequency of audits conducted of KCB, Assembly, ministries and municipality b) number of audit recommendations remaining unimplemented or not accepted.</p>	<p>a. External and internal audits are made on regular basis. b. Audit recommendations are generally implemented</p>
<p>13. Allegations of misconduct are thoroughly investigated, elected officials and public servants responsible for unethical, fraudulent or corrupt behaviour are effectively disciplined.</p>	<p>a) number of cases handled by the IOB and SPAC in accordance with the established procedures b) existence of code of conduct and enforcement procedures for elected officials and public servants c) number of major disciplinary proceedings against civil servants completed vis-à-vis those initiated</p>	<p>None in the reporting period.</p>
<p>14. Proposed Assembly legislation is reviewed and cleared by Assembly Committee on Rights and Interests of Communities prior to adoption by the Assembly.</p>	<p>a) percentage of amendments proposed by the Committee that are adopted b) percentage of legislation drafted by smaller communities/in consultation with them (especially K/S)</p>	<p>No Communities and Mediation Committees are established yet in the municipality.</p>

Standards goal	Indicator	Source of Indicator Information
<p>15. Women participate in the institutions of the PISG at rates that equal or exceed rates in the region and the interests of women are fully reflected in its policies and legislation.</p>	<ul style="list-style-type: none"> a) ratio of women’s representation in elected bodies, both at the central and local levels b) ratio of women appointed to decision making positions executive bodies at all levels and in the Kosovo Civil Service c) number of legislative initiatives promoted by the Gender Equality Committee of the Kosovo Parliamentary Assembly d) % of women who participate in the Kosovo Parliamentary Assembly Committees e) number of laws, UNMIK Regulations, administrative directions and administrative instructions harmonized with the principles and provisions of the Law on Gender Equality f) number of laws, UNMIK Regulations, administrative directions and administrative instructions drafted in consultation with civil society women’s caucuses and women belonging to communities g) number of public policies implemented to address gender inequalities in society h) number of affirmative actions enforced to narrow gender gaps in society j) % of KCB allocated to the implementation of the Kosovo Action Programme for Gender Equality and other sectoral strategies and programs for the advancement of women at the ministerial and municipal level k) amount of KCB allocated for the functioning of the Office for Gender Equality at the organizational and operational levels, 	<ul style="list-style-type: none"> a. about 30% women in the municipal assembly. b. 1 out of 13 is woman c. N/A d. N/A e. None in the reporting period f. None in the reporting period g. None promulgated in the reporting period. h. None in the reporting period. j. Very symbolic allocation from KCB. However, the municipality contributes to this area whenever required. k. As above
<p>16. The proposals of decentralization of the COE have been examined and considered with the aim to create functional structures of local government.</p>	<ul style="list-style-type: none"> a) number of meetings of the UNMIK/PISG WG on Local Government Reform held and number attended by K/Serbs b) number/frequency of PISG/WGs meetings held with K/Serb community representatives to consult on decentralization (if they don’t participate in the WG) c) actions taken for implementation of local government reform 	

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<p>17. Parallel structures for the provision of services have been dismantled or integrated into PISG structures.</p>	<p>a) number of municipalities where parallel structures provide services to K/Serb community compared to number of municipalities where PISG structures do so b) number of multi-ethnic schools attended by K/Serbs c) number of PISG-run health houses utilized by K/Serbs d) (estimated) % of population utilizing parallel structures (also the standard serves as indicator by itself)</p>	<p>Not applicable in Malishevë/Mališevo municipality</p>
<p>18. A range of private, independent print and broadcast media exists, providing access to information for all communities throughout Kosovo.</p>	<p>a) Number of broadcasters, including non-majority and multiethnic broadcasters, licensed by the TMC b) Proportion of airtime devoted to non-majority programming by main broadcasters c) Proportion of articles devoted to non-majority issues in majority language newspapers d) Existence of non-majority media in all non-majority areas e) Number of print media as a whole servicing both majority and non majority communities</p>	<p>Not applicable at present in Malishevë/Mališevo</p>
<p>19. There is an independent and effective media regulatory authority, aspiring to European standards, recruited without discrimination and according to merit</p>	<p>a) Adoption of the IMC law by Assembly b) Appointment of a local Commissioner c) Percentage of non-majority professional staff in O/IMC d) Recognition of IMC's independence and effectiveness by external observers e) Number of IMC cases and percentage of compliance by media with decisions</p>	<p>Not applicable</p>

Standards goal	Indicator	Source of Indicator Information
<p>20. Hate speech, or any form of incitement, is condemned by political leaders, the media regulatory authority and media commentators.</p>	<p>a) Number of cases of hate speech or other breaches of the Codes of conduct reviewed and number upheld by the TMC b) Number of condemnations from public officials of hate speech or incitement to violence c) Existence of a functioning press council d) Ethnic composition of council e) Existence of a new code of conduct, including clauses against hate speech and gender stereotypes</p>	<p>Violence in general is condemned by political leaders, however, specific cases are addressed with reservation.</p>
<p>21. Publicly-funded media devotes a full and proportionate share of its resources and output to all ethnic communities.</p>	<p>a) Percentage of RTK's budget allocated to non-majority broadcasting b) Percentage of broadcasting, including prime time, devoted to non-majority communities c) Adoption of law establishing RTK as public broadcaster d) Percentage of Kosovo's population not covered by RTK's signal (and what percentage of this belong to minority communities)</p>	<p>Not applicable.</p>

Standards goal	Indicator	Source of Indicator Information
<p>22. Non-governmental organizations, in particular those representing minorities, are able to operate freely within the law and individuals are free to join them without discrimination</p>	<p>a) Adoption of Freedom of Association Law b) Number of registered NGOs representing minorities in Kosovo c) % of NGOs, especially those representing minorities, operating freely throughout the territory of Kosovo and having access to decision-making consultation processes with the PISG</p>	<p>As throughout Kosovo</p>