

INDICATORS
For Standards Goals Progress Assessment

Report for Rahovec/Orahovac to June 2005
Prepared by Vladimir Gromov, MR

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>Pillar III, CoE Observation Mission reports, ECAC, Police, other observer organisations</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>Pillar III, CoE Observation Mission reports, ECAC, other observer organisations</p>
<p>3. An independent, representative and multi-ethnic Central Election Commission administers elections.</p>		<p>Pillar III, CoE Observation Mission reports, ECAC, other observer organisations</p>
<p>4. A comprehensive legal framework covering political party operation and finances is adopted and enforced</p>		<p>Pillar III and NDI/IFES</p>
<p>5. A range of democratic political parties contests elections</p>	<p>a</p>	<p>Pillar III and NDI/IFES</p>

Standards goal	Indicator	Source of Indicator Information
<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>c) % of representation of K/S and other communities in relation to minimum standards (as set by fair-share financing) for municipal level PISG <i>Minimum FSF standard is 3.1%. Actual representation of minorities is 13.36%</i></p> <p>d) % of representation to K/S and other communities in ministry portfolios. <i>7.4% of positions at decision-making level are filled by minorities (Serbs), 2 out of 27 position</i></p> <p>6B. a) rules of procedure for operation of Central and Municipal Assemblies, Government and Ministries in place</p> <p>b) frequency of consultations with civil society/public/communities/women groups before adoption of legislation <i>Rarely done on a formal basis but municipal leadership discusses and consults regularly in an informal manner.</i></p> <p>c) average length of time allowed for discussion/debate before adoption of legislation <i>Time limits are not imposed. Everyone wanting to speak is permitted to do so except as provided in the Statute for Public Consultation.</i></p> <p>d) number of serious violations of assemblies rules of <i>procedure Numerous violations especially non-observance of the law for calling the sessions of the MA/committee meetings. Section 15.3 of UNMIK Regulation 2000/45 read with 13 and 14 of the Rules for the Conduct of Meetings</i></p>	<p>Ministries, Municipalities</p> <p>Pillar II and III, JCCs</p>

Standards goal	Indicator	Source of Indicator Information
<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 <i>Rahovec/ Orahovac: One translator's salary. Resources have also been budgeted for a second translator but no recruitment has taken place so far.</i></p> <p>b) % of ministries and municipalities that have translators and interpreters (when multi-ethnic) <i>One translator</i></p> <p>c) % of meeting of assemblies and committees at all levels conducted in all official languages <i>Depends upon meeting participants: if only Albanian participants, meeting conducted only in Albanian, where significant minority participation such as MWGR, meeting fully conducted in both Albanian and Serbian.</i></p> <p>d) % of municipalities respecting their official names and those of their cities/villages <i>No problem re name of municipality; regarding village names, these are respected fully by Registration. CEO has advised Cadastre and Departments to use official names also. In view of UNMIK Reg. 2004/36 and AD. 2004/23, the compliance has increased</i></p> <p>e) Whether there is an oversight mechanism and remedial actions foreseen for the implementation of official language policy <i>No visible mechanism.</i></p>	<p>Ministries, Municipalities, Pillar II, Pillar III</p>

Standards goal	Indicator	Source of Indicator Information
<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 <i>No specific plans other than FSF plans which are routinely achieved. Strategy paper on Returns is also being implemented.</i></p> <p>b) Number of municipalities that met the fair-share financing in the relevant budget lines <i>Meets FSF targets</i></p> <p>c) <i>Per capita</i> allocation for health care and education for minority communities against that of the majority population. <i>Health: 19.52Euros/minority, 6.09Euros/majority, Education: 67.14 Euros/minority, 38.90 Euros/majority subject to change as per Budget cuts.</i></p> <p>d) Actual expenditures incurred on communities against total expenditure by ministries and municipalities <i>10, 140.15 Euros out of total of 688473.63 or 1.47% (This figure does not include the salaries of Minority Municipal Staff) for the period under report till end May 2005. FSF requirement is 3.1%.</i></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 <i>0%, 0%</i></p>	<p>Pillar II, Pillar III Ministries, Municipalities</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 <i>13% of civil service, 18.5 % of higher positions</i></p> <p>b) number of civil servants who hold elected positions <i>The Chairperson of the Communities Committee though not member of the Municipal Assembly is Kosovo Serbian and a Municipal employee.</i></p> <p>c) number of cases handled by the Internal Oversight Board that are upheld <i>none handled by IOB to date</i></p> <p>d) % of civil servants who belong to minorities <i>13.36% 27 out of 202</i></p> <p>e) number of major disciplinary proceedings undertaken against civil servants <i>During period under report an employee of MCRC was suspended and later on re-instated after inquiry with the penalty of warning and withholding of promotion for a period of one year.</i></p>	<p>MPS, OGA, CEC, Pillar II and III, Municipalities</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 100% but some newspapers have refused ads in Serbian b) % of ads posted in minority language media All ads posted on bulletin boards in Serb enclaves. Now being advertised on Serb language radio as well. c) number of ethnic discrimination cases referred to Ombudsperson/ courts and upheld none referred d) % of minorities employed in public service providers N/A</p>	<p>Ministries, Municipalities, OPM, Pillar III, Pillar IV, Pillar I</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 There is a municipal civil service code of conduct. Also a code of conduct is being adopted for the Municipal Inspectors. b) % of Ombudsman recommendations to PISG implemented None reported c) Number of Ombudsperson's recommendations and interim measures related to women's human rights implemented None reported</p>	<p>Ombudsperson reports, Gender Unit within the Ombudsperson Institution OPM</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 External audit conducted annually. Internal audits conducted more frequently on an ongoing basis. b) number of audit recommendations remaining unimplemented or not accepted. Recent data unavailable for external audits. Internal audit information is incomplete but indicates that, to date, only 7 out of 16 recommendations have been implemented.</p>	<p>Auditor General</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 None reported b) existence of code of conduct and enforcement procedures for elected officials and public servants Code of Conduct exists. Enforcement is weak. c) number of major disciplinary proceedings against civil servants completed vis-à-vis those initiated One initiated and completed during period under report</p>	<p>Ministries, Municipalities, Pillar II, Pillar III</p>

Standards goal	Indicator	Source of Indicator Information
<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>Assembly Monitoring reports</p>
<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 25.8% of Municipal Assembly membership b) ratio of women appointed to decision making positions executive bodies at all levels and in the Kosovo Civil Service 18.5%, 5 out of 27 c) number of laws, UNMIK Regulations, administrative directions and administrative instructions harmonized with the principles and provisions of the Law on Gender Equality No municipal laws harmonized. Although a Committee has been formed as required under the law by the Municipal Assembly d) number of laws, UNMIK Regulations, administrative directions and administrative instructions drafted in consultation with civil society women’s caucuses and women belonging to communities No municipal laws drafted in consultation. No regular submission to Communities Committee. e) number of public policies implemented to address gender inequalities in society None f) number of affirmative actions enforced to narrow gender gaps in society A Gender Officer has been appointed. 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 No budget allocation for this year k) amount of KCB allocated for the functioning of the Office for Gender Equality at the organizational and operational levels, Only the salary of the Gender Officer plus a onetime amount of 2700 euros to procure furniture and office equipment 	<p>Assembly Monitoring reports, OGA, MPS, Municipalities, OPM, MFE, Municipal Gender Officers, Gender Affairs Officers in ministries, civil society women's organizations</p>

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16. The proposals of decentralization of the COE have been examined and considered with the aim to create functional structures of local government.		MPS, UNOPA, Pillars II and III
17. Parallel structures for the provision of services have been dismantled or integrated into PISG structures.	<p>a) number of municipalities where parallel structures provide services to K/Serb community compared to number of municipalities where PISG structures do so</p> <p>b) number of multi-ethnic schools attended by K/Serbs <i>None</i></p> <p>c) number of PISG-run health houses utilized by K/Serbs <i>Two</i></p> <p>d) (estimated) % of population utilizing parallel structures <i>3.1%</i> (also the standard serves as indicator by itself)</p>	Pillar I, Pillar II, Pillar III OPM MEST MoH MPS
18. A range of private, independent print and broadcast media exists, providing access to information for all communities throughout Kosovo.		TMC Pillar III DPI Media associations
19. There is an independent and effective media regulatory authority, aspiring to European standards, recruited without discrimination and according to merit		Pillar III NGOs CoE Media associations
20. Hate speech, or any form of incitement, is condemned by political leaders, the media regulatory authority and media commentators.		TMC Pillar III DPI Media associations

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21. Publicly-funded media devotes a full and proportionate share of its resources and output to all ethnic communities.	a	TMC Pillar III DPI RTK Media associations
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		Pillar III

It is reported that from March 2005 Communities Committee has started meeting regularly but the proposed Municipal Legislation is seldom sent to it as required under Section 5.1.1 of the Administrative Instruction No. 2003/002.