

Indicators Assessment , May 2005 Functioning Democratic Institutions

Indicator	Assessment of indicator December 2004	Comment to Indicator December 2004	Assessment of indicator April 2005	Comment to Indicator April 2005	Assessment of indicator May 2005	Comment to Indicator May 2005
1.1 Elections are regular, transparent, free and fair, conforming to international standards, allowing the full and peaceful participation of all communities and ethnic groups.						
a) assessment (free and fair) by elections observer organisations;	Yes, Council of Europe Observation Mission and other. OMiK, as co-organisers, were satisfied with co-operation and level of professionalism of local counterparts.	a) Par.7.1 of Conclusions and Recommendations of CEEOM to the SRSG reads: "After having observed the different phases and aspects of the electoral process in Kosovo in 2004, CEEOMIV reaffirms its view that the elections of 23 October for the Assembly of Kosovo were transparent, free and fair, generally conforming to international standards, in which all communities could participate."	No change.	No Comment	No change.	No Comment
b) number of elections held compared to number foreseen in legal framework;	Frequency complied with: every three years according to legal framework for Kosovo-wide Assembly elections.	No Comment	No change.	No Comment	No change.	No Comment
c) Measures for inducing/enabling participation in elections by smaller communities;	Yes, participation enabled with 2-day Special Needs Voting for vulnerable communities including visits by mobile teams. Smaller communities serviced in separate polling stations (usually). Special Measures by CEC to include recent returnees in the electoral process (otherwise excluded). For IDPs in SaM, in-person voting operation established to complement By-mail voting.	No Comment	No change.	No Comment	No change.	No Comment

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d) level of participation of minority communities compared to level of participation by majority community;	Although no ethnic breakdown of voters is known, participation can be judged by the number of votes received by the political entities representing each community. Kosovo Serb entities received only 2.000 votes (1% of the potential K/S electorate) overall participation –in Kosovo was around 53,5 %.	No Comment	No change.	No Comment		
e) number and gravity of complaints or appeals against the electoral process adjudicated/upheld by ECAC;	Pre-election phase: 92 complaints received, but few of them upheld. 3 serious sanction cases relating to Notification of political events violations. Also, 48 appeals, 26 of which upheld. 50 complaints on polling and counting (E-Day) of which most upheld but one only for deliberate attempt to manipulate process. Recount ordered by CEC as remedy.	No Comment	No Info	No Comment		
f) number of incidents that obstructed peaceful and free conduct of elections or participation (intimidation);	One incident in Jagodina (Serbia). In Kosovo, anti-election campaign from parts of K/S community might have created social pressure to boycott, but no particular proof of intimidation or obstruction of free conduct of elections.	No Comment	No change.	No Comment	No change.	No Comment

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g) % of women candidates in political party lists as per gender quota in Electoral Regulation.	As required, see Comment	g) Section 21 UNMIK Regulation 2004/12 regarding the gender requirement has been observed ("Of the first sixty-seven (67) percent of candidates on a candidate list, at least thirty-three (33) percent shall be male and at least thirty-three (33) percent shall be female, with one candidate from each gender included at least once in each group of three candidates, counting from the first candidate in the list") About 30% women candidates were included in the political parties lists in the October 2004 elections.	No change.	No Comment	No change.	No Comment
1.2 Internally-displaced persons and refugees continue to be fully included in the Kosovo election process and their ability to vote is facilitated.						
a) Measures for inclusion and for facilitation of the vote of IDPs and refugees in election;	Yes, in-person operation (20 polling stations) to complement By-mail voting to IDPs in SaM. By-mail voting available for refugees.	No Comment	No change.	No Comment	No change.	No Comment
b) level of participation by IDPs and refugees in relation to potential electorate and to level of demand for participation;	Level of participation of IDPs in relation to potential electorate only about 2%- but no evidence that demand was higher than that.	No Comment	No change.	No Comment	No change.	No Comment
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).	No such complaints.	No Comment	No change.	No Comment	No change.	No Comment
1.3 An independent, representative and multi-ethnic Central Election Commission administers elections.						

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a) % of CEC (including Secretariat) members from all communities, including women;	About 40% from majority community, about 35% from minority communities (other members Internationals). Gender Ratio: 2M-1F.	No Comment	No change.	No Comment	No change.	No Comment
b) CEC rules covering elections operations;	CEC published 15 electoral rules that covered entire electoral process.	No Comment	No change.	No Comment	No change.	No Comment
c) number of complaints against CEC to ECAC (and percentage of those upheld);	Two complaints filed- with regards to set aside seat distribution. Both dismissed for lack of jurisdiction.	No Comment	No change.	No Comment	No change.	No Comment
d) number of cases where Chair of CEC had to use veto power because consensus could not be reached/ to protect minority rights;	No such cases.	No Comment	No change.	No Comment	No change.	No Comment
e) number of cases where CEC took special decisions to ensure respect of minority interests;	Special decision on inclusion of recent returnees into electoral process.	No Comment	No change.	No Comment	No change.	No Comment
f) assessment by observer organizations that CEC independent/representative/multi-ethnic (yes/no).	Yes, see CEEOM Conclusions	No Comment	No change.	No Comment	No change.	No Comment
1.4 A comprehensive legal framework covering political party operation and finances is adopted and enforced.						
a) legislation in place (yes/no);	Yes, UNMIK Regulation 2004/12. Law on Political Party Funding (2004/41) passed by previous Assembly needs to be harmonized with this Regulation before it can be promulgated.	No Comment	No change.	No Comment	No change.	No Comment
b) number of cases referred to the Political Party Appeals Committee;	N/A, Committee not formed yet.	No Comment	No change.	No Comment	No change.	No Comment

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c) number of cases of violation of financial reporting obligations;	No Info	No Comment	Campaign financial disclosure: PPR Office filed 10+ 4 (late submission) complaints with ECAC regarding this reporting. All ten (main) cases were political parties and 8 of them have seats in the Assembly.	No Comment	No change.	No Comment
d) number of cases of measures/fines imposed on parties for violating provisions of relevant legislation;	No Info	No Comment	ECAC fines related to above cases will be public tomorrow.	No Comment	ECAC fines related to above cases will be provided Friday,20 May by noon.	No Comment
e) distribution formula of public funds to political entities equitable and not discriminating against reserved seats in Assembly.	Distribution formula used by previous Assembly and contained in the new Law (2004/41) -adopted but not promulgated- does not comply with this principle, as it allocates 90% of public funds only to entities (or only parties? excluding other entities) with elected seats in the Assembly.	e) Section 5 of the Law 2004/41 as it stands now provides: To finance regular activities of registered political parties:a) 90% of the Democratisation fund shall be allocated proportionally in line with the seats in the assembly won in previous electionsb) 10% of the Democratisation Fund shall be distributed among the Political Parties represented in the Assembly, according to the number of deputies.	New distribution Formula in place: 100% of public funds are distributed to all entities represented in the Assembly proportionately to the number of seats they hold, <u>including the reserved seats.</u>	The Law on PP funding has not been promulgated by the SRSG. Instead, the Assembly Presidency apparently decided to allocate 100% of public funds to all entities represented in the Assembly proportionately to the number of seats they hold, including the reserved seats.	No change.	No Comment
1.5 A range of democratic political parties contests elections.						
a) number of political entities (and parties) contesting elections;	33 political entities contested elections (at least one representing each of the communities.	No Comment	No change.	No Comment	No change.	No Comment
b) number of parties holding regular conventions;	28 Political Parties have held their regular conventions, except PLSH (Albanian Liberal Party) and BSK (Bosniac Party of Kosovo). ADK as a newly registered political party, has to call the convention of members within six months (expiry date 01/01/2005).	No Comment	No change.	No Comment	No change.	No Comment

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c) number of parties with democratically elected organs;	The total of 28 political parties that have held their conventions do comply with the UNMIK Regulation 2004/11.	No Comment	No change.	No Comment	No change.	No Comment
d) number of parties with democratically elected candidates for lists.	No Info	No Comment	No change.	No Comment	No change.	No Comment
1.6 All communities are proportionately represented at all levels of the PISG, in accordance with applicable legislation. The PISG and local municipal government decide and enact legislation in an open accountable and democratic manner.						
6A. a) % of representation of K/S and other communities in relation to minimum standards for central level PISG (provided by legislation);	9.6% compared to 16.6% provided by legislation (for all minorities);	a) The Revised Rules were never fully recognized by UNMIK, as some aspects were considered to be against Constitutional Framework provisions.	Representation has slightly increased to 10%; anyhow, still far away from the required minimum 16.6%.	No Comment	Percentage of minority employment has remained the same.	Concrete statistics are maintained by the MPS, including seniority levels.
b) % of representation at higher levels;	No Info	No Comment	Of all higher level position at the Cental Level (multiplier 8 and above), K/Albanians hold about 93% and all minorities just about 7%. The representation of minorities in senior positions at the local level still remains negligible.	No Comment	Percentage of minority employment at higher levels has remained the same.	No Comment
c) % of representation of K/S and other communities in relation to minimum standards (as set by fair-share financing) for municipal level PISG;	No Info	No Comment	Pillar II In some cases exceeding fair-share financing percentages (but not at higher levels)	No Comment	Still, almost half of the municipalities do not reach the percentages of minority employment stipulated by fair-share-financing.	No Comment
d) % of representation to K/S and other communities in ministry portfolios.	2 Ministries (about 15% representation) awarded to K/S community and 1 (about 8%) to Other Communities. No Deputy Ministerial positions have been awarded to Kosovo Serbs (one for other minorities).	No Comment	No change in the new Government in the allocation of Ministerial portfolios to communities. Apparently at least one (additional) Deputy Ministerial position has been allocated to the Kosovo Serb community (in MLG)- and two Deputy Ministerial positions are filled by representatives of other communities (Egyptian, Turkish).	No Comment	No change.	No Comment

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6B - a) rules of procedure for operation of Central and Municipal Assemblies, Government and Ministries in place;	New Central Assembly using Revised Rules of Procedure of previous Assembly, until it establishes new rules. New rules are currently under discussion. Municipal Assemblies do have rules of procedure, but not uniform all over Kosovo.	No Comment	All in place.	New, better Kosovo Assembly RoP have been developed and will be adopted shortly. On the 113th government session on February 1st the Government approved its Rules of Procedure.	New, better Kosovo Assembly Rules of procedure to be adopted at the 20 May plenary session. The municipalities Dragash/s, Kline/a and Istog/Istok have recently presented draft municipal regulations for public consultations	The new rules, which are in full conformity with the Constitutional framework, were scheduled to be adopted by the Assembly at the plenary session on 20 May 2005 after the attempt to pass them at the session of 21 April was unsuccessful, as the opposition complained that some revisions were made to the Rules after the draft had been adopted by the relevant Assembly Committee
b) frequency of consultations with civil society/public/communities/women groups before adoption of legislation;	In Central Assembly, consultations of previous Assembly had become frequent recently except during September 2004, when a large number of laws were rushed for adoption. In municipalities, on average twice per year. Sometimes none, sometimes (Prizren, northern municipalities) more often.	No Comment	Public Hearings on four out of 10 laws adopted by the central Assembly during this quarter. In Municipalities, consultations with civil society or public are occasional- no change. Consultation with communities is taking place in 5 out of 30 municipalities (almost never through the Communities Committees).	Public Hearings on the Draft Law on Independent Media Commission, Draft Law on Health Insurance, Draft Law on Freedom of Association in Non-Governmental Organisations and Draft Law on Theatre were held, respectively, on 7, 8, 9 and 10 February.	Public Hearings on the Draft Law on Draft Law on Adult Education and Training, and Draft Law on Administrative Procedures were held on 11 and 13 May.	Additional Public Hearings: on the Draft Law on Adult Education and Training, and the Draft Law on Administrative Procedures. The Rules of Procedure for Assembly incorporate provision for consultative processes (public hearing of draft laws, conformity with EU acquis, etc. in accordance with European practices and there is no reach of such provision

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c) average length of time allowed for discussion/debate before adoption of legislation;	No Info	No Comment	Central Assembly: Perhaps an average of 40 minutes is spent on the first reading of each draft law in the Assembly plenary session, depending on how many Members wish to speak. It is very rare that a Member wishing to make a statement with regard to a draft law during the first reading is denied the right to speak. Most discussion/debate, however, takes place in the committee meetings. A functional committee might spend up to ten hours discussing a draft law, over the course of several meetings and possibly a public hearing. When the Assembly reaches the second reading of the draft law, there is usually little discussion allowed, with the justification that all amendments to be voted upon have already been proposed, and no further changes may be proposed. Members wishing to discuss/debate amendments that have been proposed, however, are usually allowed to do so. Municipalities adopt legislation after two weeks to one month time given for debate/consideration.	No Comment	Overall, perhaps with the exception of the 21-22 April plenary session, there has been improvement from previous reporting periods with regard to compliance with the rules of procedure. Nonetheless, there have been repeated complaints from the opposition (mainly PDK and ORA) about the chairing of the plenary sessions, many of which have been well-founded. Issues such as the agenda-setting procedure, the suppression of debate, and denial of the right to speak resulted in a PDK walkout at the 23 February session, an ORA walkout at the 24 March plenary session, and walkouts by both PDK and ORA at the 21-22 April plenary session. Likewise, the voting procedure remains problematic, with an amendment proposed by a Kosovo Turk representative mistakenly being declared as rejected due to a misinterpretation of the voting rules in one instance (23 February session), and a fully unclear presentation of the subject of a vote necessitating intervention from Assembly members and two repetitions of the vote. Serious and less significant violations are described in regular Assembly monitoring reports submitted by OMiK to the SRSG.	
d) number of serious violations of assemblies rules of procedure;	In new Central Assembly (1 session by 19 December), none. In Municipal Assemblies rarely serious violations, but for example election of new President of the Ferizaj/Uroševac MA considered unlawful.	No Comment	Central Assembly: There have been repeated complaints from the opposition about the chairing of the plenary sessions, mostly regarding the agenda-setting procedure or the suppression of debate. Such issues resulted in a PDK walkout at the 23 February session and an ORA walkout at the 24 March plenary session. Only one serious violation reported at municipal level, when Municipal Assembly in KL decided to demolish building belonging to Kosovo Serb IDPs without consultation with owners.	Overall, there has been notable improvement from previous reporting periods with regard to compliance with the rules of procedure. On the whole, violations that have occurred during the current reporting period were less significant than in previous reporting periods. Serious and less significant violations are described in regular Assembly monitoring reports submitted by OMiK to the SRSG.		

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e) number of cases where SRSG refused to promulgate legislation adopted in the Assembly for violation of the Constitutional Framework/ UN SCR 1244 (also compared to number of laws promulgated).	Not applicable for this quarter	No Comment	4 laws (which were adopted during previous Assembly term).	On 11 March, the SRSG sent a letter to President of the Assembly Daci reminding him of seven Assembly laws that could not be promulgated in their current forms. UN OLA considered four of those laws – Concessions, Obligations, the Bar, and Public Gatherings – to be problematic either because they are “inconsistent with the SRSG’s reserved powers and responsibilities under the [Constitutional Framework]” or there is “no legal basis in the Constitutional Framework for adoption of the Law[s] by the Assembly”. The remaining three laws were considered problematic for other reasons not related to consistency with the Constitutional Framework and UN SCR 1244. It should be emphasized that the four laws in question were not adopted by the Assembly during the current reporting period but in August-October 2004. Initial communications from UNMIK to the Assembly with regard to the four laws were likewise made during the previous reporting period. The Assembly is in the process of meeting with UNMIK to try to reach an agreement on changes that need to be made in order for the legislation to be promulgated. To date, the SRSG has not refused to promulgate any additional laws during the reporting period.		The Assembly recommended for promulgation the Law on the Approval of the Annual Kosovo Consolidated Budget and Appropriations for the Period 1 January to 31 December 2005, which UNMIK has promulgated as an UNMIK Regulation, not an Assembly law. Of the 12 additional laws approved in second reading , four laws – Law on Freedom of Association in Non-Governmental Organisations, Law on Irrigation of Agricultural Land, Law on the Support to Small and Medium Enterprises, and Law on the Independent Media Commission – will require further review by UN OLA in order to ensure conformity with international standards, although not necessarily for inconsistency with UNSCR 1244 or the Constitutional Framework.
1.7 All official languages are respected throughout the institutions of government.						
a) Number of ministries and municipalities that have devoted resources for ensuring the language standards compliance;	No Info	No Comment	Reportedly all ministries except the three newly established ones and 22 out of thirty municipalities (the rest are three K/S majority and five K/A) have translation units. Only five municipalities have simultaneous translation equipment.	No Comment		21 municipalities still do not have equipment for translation in place. Exceptions include Gjilane and Pristina.

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b) % of ministries and municipalities that have translators and interpreters (when multi-ethnic);	In Municipalities about 80% in most cases more staff needed as workload exceeds capacity.	No Comment	See above- Most municipalities have 1-2 translators (except Prizren and Pristina, which have more), others recognise that more staff is needed.	Municipalities request additional funds from central level, central level (MFE) initially had refused to consider it. On 1 April, Economy and Finance Minister, Haki Shatri, agreed to meet with the municipal leaders to discuss options to improve municipal budgeting for Standards and requested that MLGA help prepare a meeting to be held the following week.		
c) % of meeting of assemblies and committees at all levels conducted in all official languages;	In Municipalities it varies, in some cases (for example Northern municipalities) only Communities Committee meetings conducted in both languages (if mixed municipality).	No Comment	100% Central Assembly plenary sessions and Presidency meetings are conducted in Albanian and Serbian. In Municipalities, almost 100% compliance -if necessary (northern municipalities lack in compliance and in Prizren occasional violations).	Central Assembly: When a Kosovo Turk representative delivers a statement in Turkish, the translation service strives to provide translation in Albanian and Serbian. Sometimes the quality of interpretation from Turkish into other languages is poor, with long delays or gaps in translations, because not all interpreters understand Turkish and some must rely on another translation (e.g. those interpreting into English and Albanian must wait to hear the Serbian translation in order to be able to interpret the statement). Assembly interpreters always attend Committee meetings to provide interpretation between Albanian and Serbian/Bosnian. If no Kosovo Serbs or Bosniacs/Gorani attend a committee meeting, the meeting is conducted only in Albanian. Kosovo Turks speak Albanian or Serbian at Committee meetings.		
d) % of municipalities respecting their official names and those of their cities/villages ;	In Municipalities, use of official names in "official/legal" documents at least about 80%. Signage in all official languages (and spelled correctly) is about 60%. In meetings or unofficially, use of different names by majority community is frequent. It is reported that in Malishevë/Mališevo and Lipjan/Lipljan official names are not recognised (not exhaustive).	No Comment	At least 1/3 of municipalities only partially comply with official language policy (but some in process of correcting signs). Road signs by the Ministry of Transport are compliant by about 75%-possibly this percentage has increased thanks to recent action by the Ministry.	Official names of municipalities and places (as in 2004/23) are still not respected fully, although action has been taken in many municipalities to replace non-compliant signs, especially since the relevant letter sent by PM Haradinaj on 23 January 2005. However, many road signs misspell the Serbian version or are still monolingual (for example in Gjakove/Djakovica, Peje/Pec, Decane/Decani). It is reported that the Ministry has replaced a number of these signs, but some of them were immediately defaced. Use of unofficial (albanian) names of municipalities continues, even in official use (e.g. Drenas).		

Apparently some improvements have been made and the process of placing correct s

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e) Whether there is an oversight mechanism and remedial actions foreseen for the implementation of official language policy.	No oversight or remedial mechanism in place.	No Comment	Seven municipalities reportedly have ad hoc inspection mechanisms. Operationalisation of two new planned Oversight Units (in MPS for central level and MLG for local level) will probably result in more methodical implementation.	No Comment		
1.8 PISG and Municipalities ensure the availability of basic public services such as health care, utilities and education, without discrimination to all communities in Kosovo.						
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;	No Info	No Comment	None	Ministry of Finance and Economy has been tasked to prepare model sub-component plans to be used by all PISG, but no concrete progress has been made yet.		
b) Number of municipalities that met the fair-share financing in the relevant budget lines;	No Info	No Comment	Pillar II - OCA	No Comment		
c) Per capita allocation for health care and education for minority communities against that of the majority population;	No Info	No Comment	No info.	Implementation of sub-component plans should be able to provide more concrete info on this.		
d) Actual expenditures incurred on communities against total expenditure by ministries and municipalities;	No Info	No Comment	No info.	Implementation of sub-component plans should be able to provide more concrete info on this.		

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e) % of children not in school for lack of access and % of population unable to access health facilities and public utilities throughout Kosovo;	Suharekë/Suva Reka: RAE in rural areas difficulty to access education	No Comment	Same as before. Also 5% (on average) of population in Western municipalities (Klinë/Klina, Pejë/Peç, Istog/Istok, Deçan/Dečani) might have difficulties accessing public services (for lack of transport, poverty etc).	No Comment		
f) Frequency of meetings of the Joint Steering Board on Public Administration to provide strategic guidance and coordination for strengthening public administration in Kosovo.	No Info	No Comment	INACTIVE	Joint Steering Board is not operational.	Terms of Reference for Capacity-Building Steering Committee developed. PISG/UNMIK Donors Conference on Public Administration convened 21 May to review capacity building needs. Goal: to strengthen institutional capacity of the PISG to have a significant impact on the development of effective and transparent governance in Kosovo. And (i) present and discuss the findings of the Kosovo Capacity Building Assessment Project (ii) present and discuss the needs and challenges of the PISG assessment and promote effective co-operation between the PISG and donor community on capacity building matters.	

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1.9 The civil service is professional, impartial and accountable, representative of all communities in Kosovo and includes a significant proportion of women.						
a) % of women in civil service and in higher positions;	At local level there was only a 3% women's participation in decision making positions, while there is no data available at central level.	No Comment	Waiting for info	OGA:the unavailability of data on seniority of women employed in the Kosovo Civil Service including all levels does not allow to assess gender balance in professional categories. According to the information provided by the OPM, 38% of women are employed in the Civil Service. This data was gathered in 2004 and no comparative analysis can be made, due to the absence of data for 2005.	OGA: unavailability of data on seniority of women employed in the Kosovo Civil Service does not allow to assess gender balance in professional categories. Information was requested on several occasions over the whole reporting period, but the PISG never produced it.	
b) number of civil servants who hold elected positions;	At least 8 cases throughout Kosovo (TBC) in violation of relevant legislation.	b) Civil Servants are described as those taking salaries from the Kosovo Consolidated Budget (Reg 2001/36 #1a). The law forbids civil servants from holding public office (AD 2003/2 #28.2), except as a Municipal Assembly member, although Reg 2000/45 #34.7 states those cases where civil servants may not be Municipal Assembly members: "The CEO, a member of the BoD or a director, departmental, office or section head may not be a member of the Municipal Assembly in the municipality that employs him".	No info.	No Comment		
c) number of cases handled by the Internal Oversight Board that are upheld;	No Info	No Comment	IOB is not functioning.	No Comment		
d) % of civil servants who belong to minorities;	No Info	No Comment	See boxes 28-30.	No Comment		
e) number of major disciplinary proceedings undertaken against civil servants.	No Info	No Comment	No info	TBF		

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1.10 All communities have fair access to employment in public institutions.						
See 6A and:a) % of total number of ads in minority languages;	In Municipalities, most ads for minority positions only issued in minority languages.	No Comment	No change.	No Comment		
b) % of ads posted in minority language media;	Some Municipalities do not have minority language print media (except from Serbia) and therefore post ads only in majority language print media.	No Comment	On a local level the number of ads for minorities in minority media has slightly increased. Central level minority recruitment strategy includes use of more (popular) media.	No Comment		
c) number of ethnic discrimination cases referred to Ombudsperson/ courts and upheld;	No Info	No Comment	No info.	No Comment		
d) % of minorities employed in public service providers.	Overall 5,83 %. Breakdown by POE: KEK less than 1,5%, PTK 4%, Railway 15,38%, Airport 1,70%, WI+W 16,6%, District heating 12%.	No Comment	Overall 6.65%. Breakdown by POE: KEK less than 1,5%, PTK 4%, Railway 15%, Airport 1,8%, Water -Irrigation 18%, District heating 12%, Waste 24%.	No Comment		

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1.11 Code of conduct and enforcement procedures exist to provide for transparent and accountable government; recommendations of Ombudsperson are given full weight.						
a) existence of codes of conduct and enforcement procedures;	Civil Servants Code of Conduct drawn up, but its application is weak. A draft Code for political appointees in the Government is awaiting adoption at the OPM. Rules of Business of the Government and RoP for Ministries not in place.	No Comment	Codes of conduct for civil servants and elected officials exist, but weak or no enforcement procedure in place. No code of conduct yet for political appointees.	No Comment		Code of conduct for political appointed promulgated as Administrative Direction by the Office of the Prime Minister in April 2005 after having been endorsed by all Ministers. Implementation on-going
b) % of Ombudsman recommendations to PISG implemented;	No Info	No Comment	No info.	No Comment		
c) Number of Ombudsperson's recommendations and interim measures related to women's human rights implemented.	No Info	No Comment	No info.	No Comment		
1. 12 Regular and independent audit of KCB, Assembly, government ministries and municipalities.						
a) number and frequency of audits conducted of KCB, Assembly, ministries and municipality;	No Info	No Comment	No info.	No Comment		
b) number of audit recommendations remaining unimplemented or not accepted.	No Info	No Comment	Auditor General's office reports that some of its recommendations remain unimplemented.	No Comment		

<u>Indicator</u>	<u>Assessment of indicator December 2004</u>	<u>Comment to Indicator December 2004</u>	<u>Assessment of indicator April 2005</u>	<u>Comment to Indicator April 2005</u>	<u>Assessment of indicator May 2005</u>	<u>Comment to Indicator May 2005</u>
1.13 Allegations of misconduct are thoroughly investigated, elected officials and public servants responsible for unethical, fraudulent or corrupt behaviour are effectively disciplined.						
a) number of cases handled by the IOB and SPAC in accordance with the established procedures;	No Info	No Comment	UNMIK concerns about SPAC violation of its own procedures in the handling of a case of dismissal of a civil servant.	No Comment		
b) existence of code of conduct and enforcement procedures for elected officials and public servants;	No Info	No Comment	Codes of conduct for civil servants and elected officials exist, but weak or no enforcement procedure in place. No code of conduct yet for political appointees.	No Comment		
c) number of major disciplinary proceedings against civil servants completed vis-à-vis those initiated.	No Info	No Comment	No info.	No Comment		
1.14 Proposed Assembly legislation is reviewed and cleared by Assembly Committee on Rights and Interests of Communities prior to adoption by the Assembly.						
a) percentage of amendments proposed by the Committee that are adopted;	The Committee on the Rights and Interests of Communities during the previous term of the Assembly of Kosovo had proposed less than 10 amendments.	a) On the amendment proposed to the Law on Political Party Funding in September 2004, which was approved, members of the Committee from Other Communities complained to Pillar III that there was a confusion about what had proposed and was approved in the end (actually referring to Section 5 of Law 2004/41- see Standard Goal number 4).	No amendments proposed by the Committee during this quarter.	No Comment		
b) percentage of legislation drafted by smaller communities/in consultation with them (especially K/S).	None (in previous quarter): TBC	No Comment	None.	OPM recently decided that minority representatives should be invited to the working groups drafting legislation affecting/involving minority community interests.	No comment.	Suva Reka is the only municipality which always consults with minority communities before adopting of legislation. Six other municipalities (including Obilic, Ferizai and Strpce and Peja never consult with minority communities.

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1.15 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.						
a) ratio of women's representation in elected bodies, both at the central and local levels;	There are 38 women deputies of the new Assembly, or 31% representation. The level of participation of women in the municipal assemblies is 28%.	No Comment	No change.	No Comment		
b) ratio of women appointed to decision making positions executive bodies at all levels and in the Kosovo Civil Service;	At local level there was only a 3% women's participation in decision making positions, while there is no data available at central level.	No Comment	Waiting for info	No change.	OGA: unavailability of data on seniority of women employed in the Kosovo Civil Service does not allow to assess gender balance in professional categories. Information was requested on several occasions over the whole reporting period, but the PISG never produced it.	
c) number of legislative initiatives promoted by the Gender Equality Committee of the Kosovo Parliamentary Assembly;	Only one legislative initiative was promoted by the Gender Equality Committee, the Law on Gender Equality.	No Comment	Waiting for info	OGA: in the past legislature the Gender Equality Commission within the Parliamentary Assembly of Kosovo has been downgraded to a sub-committee and merged with the Committee on Legislative, Judiciary and Constitutional Matters. Some of the most crucial pieces of legislation for the advancement of women have been passed by the Parliamentary Assembly without including a gender equality perspective, what be caused by the lack of involvement of this Commission in the legislative process.		
d) % of women who participate in the Kosovo Parliamentary Assembly Committees;	During the previous legislature, all women deputies of the Parliamentary Assembly (33, 27.5%) participated in the committees. Women chaired 8 out of 19 committees. New committees have not been formed yet.	d) Women deputies participated mainly in "traditionally female" committees, such as Health, Labour and Social Welfare, Culture, Youth and Sports, and Gender Equality. No women representation at all in Com. On the Rights and Interests of Communities, Trade and Industry and Emergency Preparedness.	Women are present in all Committees. In the 10 functional Committees plus one ad-hoc, 28% of the members are women (or 38 out of 133 members). 2 committees are chaired by women (on Health, Labour and Social Welfare and on public services, local administration and media).	Women chair only two of the 11 legislative committees. This constitutes a 24% less compared to the previous reporting period.		

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e) number of laws, UNMIK Regulations, administrative directions and administrative instructions harmonized with the principles and provisions of the Law on Gender Equality;	No one has been reported. The review of some of the legislation that has not been promulgated yet indicates serious concerns in this regard.	No Comment	No info.	OGA: the draft Family Law passed by the Assembly in September 2004 contradicted provisions of the Law on Gender Equality and contained serious violations of international standards on gender equality. The Law has been deferred by the SRSG and it is been currently been revised by the Kosovo Parliamentary Assembly with inputs by international organizations and civil society. The Inheritance Law was passed by the Parliamentary Assembly in July and promulgated by the SRSG on 4 February 2005 without including a gender equality perspective.	OGA: the conceptualization, revision and approval by the Kosovo Parliamentary Assembly of a critical law for civil liberties, namely the Family Law, did not include a gender equality perspective and the whole process was carried out without the involvement of gender experts or consultations with civil society women's organizations. As a result, the Parliamentary Assembly approved a draft Law for the promulgation of the SRSG which contained serious infractions to international instruments for human rights. The promulgation of the Law was deferred by the SRSG upon request of the United Nations Gender Task Force chaired by the OGA. The draft Family Law is currently been amended, even though some resistance from the part of the Legislative Committee has had to be overcome. Similarly, the Inheritance Law has been promulgated without giving the Gender Equality Division of the Office of the Prime Minister the opportunity to contribute to the introduction of a gender equality perspective.	
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;	With the exception of the Law on Gender Equality and the Anti-discrimination Law, no legislation has been consulted with civil society women's groups and women belonging to communities.	No Comment	No info.	OGA: despite some public hearings on draft legislation, that took place during the month of February, civil society women organizations and women leaders have expressed to the OGA their concerns about the lack of sufficient consultation on laws that are critical for the advancement of women.		
g) number of public policies implemented to address gender inequalities in society;	No one observed	No Comment	No info.	TBF		
h) number of affirmative actions enforced to narrow gender gaps in society ;	None are known.	h) Affirmative measures to increase the representation of women in the PISG in a consistent and coherent manner meant to narrow the gender gap in public employment have not been formally instituted through administrative instructions.	No info.	OGA: no affirmative actions detected	OGA: no steps have been taken to assess the specific gender-based needs and interests of women and men in the formulation of public services aiming at achieving gender equality.	

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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 allocation of KCB has been observed	No Comment	No info.	OGA: no KCB funding has been allocated to the Kosovo Action Plan for Gender Equality. The Swedish International Development Agency (SIDA) has provided partial funding through UNIFEM to contribute to the implementation of this Plan.	No info.	
k) amount of KCB allocated for the functioning of the Office for Gender Equality at the organizational and operational levels.	No budget allocation is reported to have been made.	No Comment	No info.	OGA: by a Government decision dated 1 February 2005, the Government agreed to take steps to create the Office for Gender Equality. Despite the request made to the Ministry of Public Services to submit a proposal, this requirement has not been met yet. There is a great grade of uncertainty about the structure and staffing of this Office. No specific budget line has been allocated its establishment.		

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1.16 The proposals of decentralization of the COE have been examined and considered with the aim to create functional structures of local government.						
a) number of meetings of the UNMIK/PISG WG on Local Government Reform held and number attended by K/Serbs;	Three meetings in the period covered were held, none was attended by K/Serbs or other communities.	No Comment	At least five (check with UNOPA), one was attended by K/S representative.	No Comment		
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);	None.	No Comment	None. (?) UNMIK holds such meetings.	No Comment		
c) actions taken for implementation of local government reform.	None yet.	No Comment	None, but Plan on pilot projects has been approved.	No Comment		

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1.1.7 Parallel structures for the provision of services have been dismantled or integrated into PISG structures.						
a) number of municipalities where parallel structures provide services to K/Serb community compared to number of municipalities where PISG structures do so;	In at least 13 Municipalities parallel structures operate and offer services to the Kosovo Serbs (almost all where K/S are present): all K/S majority Northern Municipalities, Rahovec/Orahovac, Prishtinë/Priština Fushë Kosovë/Kosovo Polje, Dragash/Dragaš, Obiliq/Obilić, Istog/Istok, Kamenicë/Kamenica, Gjilan/Gnjilane, Viti/Vitina. (check again).	No Comment	Same as before.	No Comment		Still, in more than a third of the municipalities there are parallel structures operating and offering services to the Kosovo Serbs, practically in almost all, where K/S are present, which are: all K/S majority Northern municipalities, Rahovec/Orahovec, Pristinë/Priština, Fushe Kosove/Kosovo Polje, Dragash/Dragas, Obilig/Obilic, Istog/Istok, Kamenice/Kamenica, Strpce/Shterpce, Novo Berde/Novo Brdo, Gjilan/Gnjilane, Viti/Vitina and Lipjan/Lipljan.
b) number of multi-ethnic schools attended by K/Serbs;	About five cases are reported throughout Kosovo, some of which operate with shifts (use of same building).	No Comment	No Info	No Comment		

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c) number of PISG-run health houses utilized by K/Serbs;	In very few municipalities, less than five.	No Comment	No Info	No Comment		
d) (estimated) % of population utilizing parallel structures(also the standard serves as indicator by itself).	No Info	No Comment	No Info	No Comment		
1.18 A range of private, independent print and broadcast media exists, providing access to information for all communities throughout Kosovo.						
a) Number of broadcasters, including non-majority and multiethnic broadcasters, licensed by the TMC;	111 licensed stations in total (89 radios and 22 televisions): 72 are Albanian, 33 are Serbian, 3 are Bosniak, 2 are Turkish, 1 is Gorani. No RAE broadcasters.	No Comment	TMC has licensed 111 broadcast stations, of which 72 broadcast in Albanian, 33 in Serbian, 3 in Bosniak, 2 in Turkish, 1 in Gorani and none yet in Roma, although one Roma applicant in Prizren will receive a radio license in the near future. At least 21 of the 111, or 19%, broadcast in at least one additional language, which in almost all instances is a minority language. Ten stations broadcast partly in Roma and at least two serve the Ashkali community.	Overall, all Kosovo minority languages are represented – some quite widely – in the programs of Kosovo broadcasters. The TMC is currently considering some 60 applications for additional broadcast licenses for minority and multi-ethnic stations and expects to grant several new licenses.	TMC has licensed 11 broadcast stations of which 72 broadcast primarily in Albanian, 33 in Serbian, 3 in Bosniak, 2 in Turkish, 1 in Gorani and none yet in Roma, although one Roma applicant in Prizren will receive a radio license in the near future. At least 21 or 111 or 19% broadcast in at least one language in addition to their primary language and in almost all instances the additional languages are minority languages. For example, 10 stations broadcast partly in Roma and at least 2 serve the Ashkali community. Thus all Kosovo minority languages are represented. TMC is currently considering 60 new applications for additional broadcast licenses and expects to grant several new ones.	

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b) Proportion of airtime devoted to non-majority programming by main broadcasters;	Three multiethnic radio stations: Radio Contact, Radio K and Radio Kamenica (they have 50% or more program in Albanian and the other part is in minority languages). 19 stations that broadcast in mixed languages (some of them maybe with only one hour program in minority language). 13 stations with Albanian as a main language broadcast also in other Kosovo minority languages (Serbian, Bosnian, Turkish, Roma, Gorani and Ashkali); 5 stations with Serbian as a main language broadcast also in Roma (4 of them) and Albanian (1 of them); 1 radio with Turkish as a main language broadcasts also in Albanian, Bosnian and Roma. Neither of the two main private TV broadcasters, KTV and TV21, have programmes in any minority language.	No Comment	Of the three Kosovo-wide television and four radio stations, two – public television and one of two public radio stations (Radio Blue Sky) broadcast in non-majority languages.	No Comment		
					Of the three Kosovo-wide television and four radio stations, two - public television and one of two public radio stations (radio Blue Sky) broadcast in non-majority languages. Public television devotes an estimated 8% of its airtime to non-majority languages or about half the 15% required under its founding UNMIK Regulation 2001/13.	
c) Proportion of articles devoted to non-majority issues in majority language newspapers;	No Info	No Comment	In general a relatively high proportion is devoted to non majority (i.e. –Serbs) however mostly reporting about problems rather than promoting the Serb community. Frequently news reporting and commentary in Kosovo's eight daily newspapers that pertains to non-majority communities is negative in tone, particularly regarding Serbs, and very little can be said to present issues from a non-majority point of view.	This could only be answered more accurately if a thorough screening of the press was possible.		In general a relatively high proportion of articles are devoted to non- majority communities (i.e. Kosovo Serbs) however mostly these articles report about problems rather than promoting the Kosovo Serb community. Most of the news report and commentary in Kosovo's eight daily newspapers that pertains to the non-majority communities is negative in tone and very little can be said to present issues from a non-majority point of view. One majority newspaper has proposed to a bureau in Gracanica staffed by Kosovo Serbs, which would be the first instance to have minority journalists gather news for a majority paper.
					No change.	

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d) Existence of non-majority media in all non-majority areas;	In some mixed areas, K/S rely on electronic and print media from Serbia.	No Comment	In larger settlements of non-majority population, especially Serbs, have access to local broadcast media as well as to small amounts of programming from the public broadcaster.	TBF	With Turkish papers and some other minority outlets are present throughout Kosovo, it is still difficult for the Serb press to be offered in the whole territory and the same is the case for Albanian papers in the north. However, Turkish papers are imported from Turkey; there is no Kosovo Turkish newspaper currently in circulation.	
e) Number of print media as a whole servicing both majority and non majority communities.	None of the Kosovo-wide press prints (nor local press) in more than one language.	No Comment	Although we are not currently aware of any mixed- or dual-language print media currently serving Kosovo, but it is reported that newspaper <i>EXPRESS</i> is planning to start a weekly edition in Serbian.	Otherwise, there are no Serb weeklies with very limited circulation and one low-circulation Bosniak newspaper.	The TMC is not aware of any mixed or dual language print media currently serving Kosovo. We are aware of two Serbian-language weeklies with a limited circulation and one low-circulation Bosniak newspapers. Serbian language newspapers imported from Serbia often contain misleading news coverage about Kosovo and cannot be said to properly serve Serbian-language readers in Kosovo.	The TMC is not aware of any mixed or dual language print media currently serving Kosovo. We are aware of two Serbian-language weeklies with a limited circulation and one low-circulation Bosniak newspapers. Serbian language newspapers imported from Serbia often contain misleading news coverage about Kosovo and cannot be said to properly serve Serbian-language readers in Kosovo.
1.19 There is an independent and effective media regulatory authority, aspiring to European standards, recruited					2005. However, parliamentary procedures were not observed and the opposition walked out of the Assembly before the vote. The Chair of the responsible Assembly Committee failed to consider Amendments which would have corrected serious flaws, most notably that the law as passed would make the IMC fully dependent on another PISG-Office which in turn is fully politically controlled.	
a) Adoption of the IMC law by Assembly;	Government recently adopted the draft Law and forwarded it to the Assembly for discussion.	No Comment	Draft IMC law approved at first reading.. Adoption expected in late April.	Whether the IMC law will meet acceptable standards of independence and functionality remains to be determined	The IMC law was passed by the Assembly on 21 April 2005. However, parliamentary procedures were not observed and the opposition walked out of the Assembly before the vote. The Chair of the responsible Assembly Committee failed to consider Amendments which would have corrected serious flaws, most notably that the law as passed would make the IMC fully dependent on another PISG-Office which in turn is fully politically controlled. Other amendment introduced by the Chair of the responsible Committee would further compromise the functionality of the IMC. The law as passed not only compromises the independence of the IMC but would also compromise freedom of expression in Kosovo. Therefore this Standard cannot be said to have been met.	

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b) Appointment of a local Commissioner;	IMC Council a local Commissioner. IMC law, if passed, will create a Commission- not a Commissioner- governed by a 7-member Council which holds all executive authority for granting licenses, issuing sanctions and making policy. Two members of the IMC Council are to be internationals, five are to be Kosovans.	No Comment	Awaiting promulgation of the IMC law.	No Comment	Staff recruitment by the TMC for the future IMC is 75% complete providing that a total staffing of 24 persons remain the approved target.	
c) Percentage of non-majority professional staff in O/IMC;	Non-applicable yet.	No Comment	None (in TMC). No non-majority candidates have presented themselves since mid-2003, despite extensive and repeated recruitment	No Comment	No change.	No Comment
d) Recognition of IMC's independence and effectiveness by external observers;	Non-applicable yet	No Comment	Awaiting establishment of IMC.	No Comment	Awaiting establishment of IMC.	Independence is at risk if some provisions of the law as adopted by the Assembly are not amended before promulgation.
e) Number of IMC cases and percentage of compliance by media with decisions.	TMC receives an average of two formal complaints per week, most of which are dismissed as groundless or resolved by mediation. On sanctions cases brought before a Media Hearing Board, media generally comply to sanctions except Bota Sot which refuses to pay its outstanding fines (court order has been requested).	No Comment	All media that have been subject to TMC sanctions have complied, although in one recent case, compliance required a court order to freeze the media outlet's local bank account until a fine was paid.	No Comment	No change.	No Comment
1.20 Hate speech, or any form of incitement, is condemned by political leaders, the media regulatory authority and media commentators.						

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a) Number of cases of hate speech or other breaches of the Codes of conduct reviewed and number upheld by the TMC;	One out of three relating to March violence has been found to constitute "hate speech" (RTK). Two other main broadcasters also sanctioned for violations of specific principles embodied in the Broadcast Code of Conduct during March. (see Comment).Some other TMC cases under review (not related to the March events) which may qualify as ethnically-provocative statements- no preliminary findings in these cases yet.	In December 2004, the TMC reached settlements with Kosovo's three main television stations relating to complaints against their coverage of the riots on 16 and 17 March. In the settlements the broadcasters acknowledge violations of specific principles embodied in the Broadcast Code of Conduct and agree to commit a specific minimum amount of money in 2005 to professional training of their respective editorial staff. In its agreement, RTK recognises that its broadcasting "fell short of acceptable professional standards", that it did not verify the accuracy of accounts that Kosovo Serbs were responsible for drowning three Kosovo Albanian children and that it aired proclamations that could be considered as "hate speech" since they "implied that a specific ethnic category of people were responsible for criminal activity". As for the KTV case, the Settlement Agreement withdrew the assertion of provocative statements by KTV upon review.	No cases of hate speech this quarter. A TMC allegation of hate speech, against Bota Sot during the election campaign, was not upheld by a Media Hearing Board on 21 March	No Comment	Examples of sanctionable hate speech or open incitement of hatred, discrimination or violence are rare. Far more common, particularly in several newspapers is highly prejudicial journalism that stops just short of hate speech or incitement. Such prejudicial journalism is not routinely condemned by political leaders or media commentators.	No Comment
b) Number of condemnations from public officials of hate speech or incitement to violence;	The President of the Municipal Assembly of Peje/Pec has published a book that contains "hate speech" against Bosniaks in his Municipality. No public condemnation of the book by any official or admission of mistakes in public by him.	No Comment	No public condemnation by any public official on the placing of a banner in the centre of Pristina, listing the names of alleged suspects in a 1999 killing of Kosovo Albanians-which can be said to constitute hate speech or incitement to hatred.	No Comment	No change.	No Comment
c) Existence of a functioning press council;	Expected to be established by end of January.	No Comment	Not yet.	No Comment	Does not yet exist	No Comment
d) Ethnic composition of council;	N/A yet	No Comment	?	No Comment	It is yet to be established.	It is generally accepted by media involved in the establishment of the press council that it should be multi-ethnic.

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e) Existence of a new code of conduct, including clauses against hate speech and gender stereotypes.	A new draft Code for print media is in place, formal adoption expected by the end of January.	No Comment	New press code adopted in March includes clauses against hate speech.	No Comment	A Press Code has been endorsed by 7 of 8 daily newspapers in Kosovo. Efforts are underway to gain endorsement by non-majority editors. The Press Code has been signed but no further steps have been taken toward developing a press council. There is understanding and acceptance on behalf of the mainstream media that the council ought to be multi-ethnic.	Provisions of the Press Code cannot be enforced unless the plan for the establishment of the press council also materialises.
1.21 Publicly-funded media devotes a full and proportionate share of its resources and output to all ethnic communities.						
a) Percentage of RTK's budget allocated to non-majority broadcasting;	No Info	No Comment	10%, according to the new draft RTK law.	No Comment	Publicly funded media devote a full and proportionate share of its resources and output to all ethnic communities.	No Comment
b) Percentage of broadcasting, including prime time, devoted to non-majority communities;	On average, about 8% per week (although Regulation establishing RTK sets a goal of 15% non-majority broadcasting). No data on prime time programming.	No Comment	Still public television devotes an estimated 8% of its air-time to non-majority languages, or about half the 15% required under its founding UNMIK Regulation 2001/13.	No Comment	15% according to applicable legislation	The draft RTK law includes provisions requiring RTK to allocate no less than 15 percent of its broadcasting time and no less than 10 percent of its programming budget to non-majority communities. The allocation as stipulated in the current draft also includes prime time news dedicated to minorities. The strategy for minority broadcasting in its current form as approved by OPM, foresees the establishment of a fund for minority and multi-ethnic media. Private and public media outlets would be able to gain financial assistance for coverage
c) Adoption of law establishing RTK as public broadcaster;	No draft exists. Efforts by liaison sent to Kosovo by OSCE RFoM are underway to establish a working group to draft such law.	No Comment	Not yet, it is in drafting stage.	No Comment	Drafting has been completed; adoption of the law by the Government is delayed without apparent good reason. This standard is therefore not met.	No Comment
d) Percentage of Kosovo's population not covered by RTK's signal (and what percentage of this belong to minority communities).	Dragash / Dragaš: only 30% coverage (minority community not covered by 90% and majority community by 50%)Novoberdë / Novo Brdo: bad coveragePrizren: 92% coverage (90% of which minorities in Zhupa valley)Suharekë / Suva Reka: 70% coverageMitrovicë / Mitrovica: Cabra village not covered.	No Comment	An estimated 25% of the Kosovo population is not covered by RTK's signal. In the absence of census data, estimate of the proportion of minorities not covered is difficult. However even improved coverage projections show a significant area north of Mitrovica as uncovered.	No Comment	This is holding steady at 75%.	A project proposal to increase to coverage meeting European standards awaits more information from the network. Refined coverage maps showing before and after are ready. RTK has not taken an active role in this matter.
1.22 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.						
a) Adoption of Freedom of Association Law;	Draft has been prepared and forwarded by the Government to the Assembly.	No Comment	Law is adopted by the Assembly, but is yet to be promulgated.	No Comment	No change.	Law will need to be revised by the O/SRSG before promulgation to correct provisions that do not conform to international standards.

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b) Number of registered NGOs representing minorities in Kosovo;	About 300 for Kosovo Serbs, 55 for Roma (out of about 2.800)	No Comment	No known change.	No Comment	No change.	No Comment
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.	Relatively free operation throughout Kosovo- less access to donor funding sometimes.	No Comment	Kosovo Serb NGO activists have reported that do not feel that they can operate freely throughout the territory of Kosovo, but that they have more of access locally to PISG (that the Ministry for return recently opened an office in Mitrovica north was mentioned it as a good step forward.) NGO representatives also attend Assembly sessions in their respective municipalities (access to decision making consultation processes with PISG), but this is more problematic at central level because of language and freedom of movement restrictions.	No Comment	No change.	No Comment

igns is ongoing, especially Dragash/s, Gjakove/Djakovica, Istog/Istok, Kline/a and Vushtri/Vucitrn have made progress. Still, around 1/3 of the municipalities are not fully complying with the requirements of UNMIK regula

tions about official names and communication, e.g. Zvecan/Zveca, Mitrovice/Mitrovica, Leposaviq/Leposavic, Zubin Potok. The use of names other than those stipulated by the regulations is particularly worrisome in the fo

Following municipalities: Obiliq/c (using Kastriot in lieu of Obiliq/c), Glogovac/Glogovac (using Drenas in lieu of Glogovac/Glogovac), Suhareke/Suva Reka (using Theranda/Suhareka in lieu of Suhareke/Suva Reka) and Mitrc

vice/Mitrovica, where Svinjare village is incorrectly identified as Frasher.

Indicator
Functioning Democratic

<u>Indicator</u>	<u>Assessment of indicator December 2004</u>	<u>Comment to Indicator December 2004</u>	<u>Assessment of indicator April 2005</u>
1.1 Elections are regular, transparent, free and fair, conforming to international standards, allowing the full and peaceful participation of all citizens.			
a) assessment (free and fair) by elections observer organisations;	Yes, Council of Europe Observation Mission and other. OMiK, as co-organisers, were satisfied with co-operation and level of professionalism of local counterparts.	a) Par.7.1 of Conclusions and Recommendations of CEEOM to the SRSG reads: "After having observed the different phases and aspects of the electoral process in Kosovo in 2004, CEEOMIV reaffirms its view that the elections of 23 October for the Assembly of Kosovo were transparent, free and fair, generally conforming to international standards, in which all communities could participate."	No change.
b) number of elections held compared to number foreseen in legal framework;	Frequency complied with: every three years according to legal framework for Kosovo-wide Assembly elections.	No Comment	No change.
c) Measures for inducing/enabling participation in elections by smaller communities;	Yes, participation enabled with 2-day Special Needs Voting for vulnerable communities including visits by mobile teams. Smaller communities serviced in separate polling stations (usually). Special Measures by CEC to include recent returnees in the electoral process (otherwise excluded). For IDPs in SaM, in-person voting operation established to complement By-mail voting.	No Comment	No change.

<p>d) level of participation of minority communities compared to level of participation by majority community;</p>	<p>Although no ethnic breakdown of voters is known, participation can be judged by the number of votes received by the political entities representing each community. Kosovo Serb entities received only 2.000 votes (1% of the potential K/S electorate) overall participation –in Kosovo was around 53,5 %.</p>	<p>No Comment</p>	<p>No change.</p>
<p>e) number and gravity of complaints or appeals against the electoral process adjudicated/upheld by ECAC;</p>	<p>Pre-election phase: 92 complaints received, but few of them upheld. 3 serious sanction cases relating to Notification of political events violations. Also, 48 appeals, 26 of which upheld. 50 complaints on polling and counting (E-Day) of which most upheld but one only for deliberate attempt to manipulate process. Recount ordered by CEC as remedy.</p>	<p>No Comment</p>	<p>No Info</p>
<p>f) number of incidents that obstructed peaceful and free conduct of elections or participation (intimidation);</p>	<p>One incident in Jagodina (Serbia). In Kosovo, anti-election campaign from parts of K/S community might have created social pressure to boycott, but no particular proof of intimidation or obstruction of free conduct of elections.</p>	<p>No Comment</p>	<p>No change.</p>

g) % of women candidates in political party lists as per gender quota in Electoral Regulation.	As required, see Comment	g) Section 21 UNMIK Regulation 2004/12 regarding the gender requirement has been observed (“Of the first sixty-seven (67) percent of candidates on a candidate list, at least thirty-three (33) percent shall be male and at least thirty-three (33) percent shall be female, with one candidate from each gender included at least once in each group of three candidates, counting from the first candidate in the list”) About 30% women candidates were included in the political parties lists in the October 2004 elections.	No change.
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1.2 Internally-displaced persons and refugees continue to be fully included in the Kosovo election process and their ability

a) Measures for inclusion and for facilitation of the vote of IDPs and refugees in election;	Yes, in-person operation (20 polling stations) to complement By-mail voting to IDPs in SaM. By-mail voting available for refugees.	No Comment	No change.
b) level of participation by IDPs and refugees in relation to potential electorate and to level of demand for participation;	Level of participation of IDPs in relation to potential electorate only about 2%- but no evidence that demand was higher than that.	No Comment	No change.
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).	No such complaints.	No Comment	No change.

1.3 An independent, representative and multi-ethnic Central Election Commission administers elections.

a) % of CEC (including Secretariat) members from all communities, including women;	About 40% from majority community, about 35% from minority communities (other members Internationals). Gender Ratio: 2M-1F.	No Comment	No change.
b) CEC rules covering elections operations;	CEC published 15 electoral rules that covered entire electoral process.	No Comment	No change.
c) number of complaints against CEC to ECAC (and percentage of those upheld);	Two complaints filed- with regards to set aside seat distribution. Both dismissed for lack of jurisdiction.	No Comment	No change.
d) number of cases where Chair of CEC had to use veto power because consensus could not be reached/ to protect minority rights;	No such cases.	No Comment	No change.
e) number of cases where CEC took special decisions to ensure respect of minority interests;	Special decision on inclusion of recent returnees into electoral process.	No Comment	No change.
f) assessment by observer organizations that CEC independent/representative/multi-ethnic (yes/no).	Yes, see CEEOM Conclusions	No Comment	No change.
1.4 A comprehensive legal framework covering political party operation and finances is adopted and enforced.			
a) legislation in place (yes/no);	Yes, UNMIK Regulation 2004/12. Law on Political Party Funding (2004/41) passed by previous Assembly needs to be harmonized with this Regulation before it can be promulgated.	No Comment	No change.
b) number of cases referred to the Political Party Appeals Committee;	N/A, Committee not formed yet.	No Comment	No change.

c) number of cases of violation of financial reporting obligations;	No Info	No Comment	Campaign financial disclosure: PPR Office filed 10+ 4 (late submission) complaints with ECAC regarding this reporting. All ten (main) cases were political parties and 8 of them have seats in the Assembly.
d) number of cases of measures/fines imposed on parties for violating provisions of relevant legislation;	No Info	No Comment	ECAC fines related to above cases will be public tomorrow.
e) distribution formula of public funds to political entities equitable and not discriminating against reserved seats in Assembly.	Distribution formula used by previous Assembly and contained in the new Law (2004/41) -adopted but not promulgated- does not comply with this principle, as it allocates 90% of public funds only to entities (or only parties? excluding other entities) with elected seats in the Assembly.	e) Section 5 of the Law 2004/41 as it stands now provides: To finance regular activities of registered political parties:a) 90% of the Democratization fund shall be allocated proportionally in line with the seats in the assembly won in previous electionsb) 10% of the Democratization Fund shall be distributed among the Political Parties represented in the Assembly, according to the number of deputies.	New distribution Formula in place: 100% of public funds are distributed to all entities represented in the Assembly proportionately to the number of seats they hold, <u>including the reserved seats.</u>

1.5 A range of democratic political parties contests elections.

a) number of political entities (and parties) contesting elections;	33 political entities contested elections (at least one representing each of the communities.	No Comment	No change.
b) number of parties holding regular conventions;	28 Political Parties have held their regular conventions, except PLSH (Albanian Liberal Party) and BSK (Bosniac Party of Kosovo). ADK as a newly registered political party, has to call the convention of members within six months (expiry date 01/01/2005).	No Comment	No change.

c) number of parties with democratically elected organs;	The total of 28 political parties that have held their conventions do comply with the UNMIK Regulation 2004/11.	No Comment	No change.
No change	No Info	No Comment	No change.
1.6 All communities are proportionately represented at all levels of the PISG, in accordance with appl			
6A. a) % of representation of K/S and other communities in relation to minimum standards for central level PISG (provided by legislation);	9.6% compared to 16.6% provided by legislation (for all minorities);	a) The Revised Rules were never fully recognized by UNMIK, as some aspects were considered to be against Constitutional Framework provisions.	Representation has slightly increased to 10%; anyhow, still far away from the required minimum 16.6%.
b) % of representation at higher levels;	No Info	No Comment	Of all higher level position at the Cental Level (multiplier 8 and above), K/Albanians hold about 93% and all minorities just about 7%. The representation of minorities in senior positions at the local level still remains negligible.
c) % of representation of K/S and other communities in relation to minimum standards (as set by fair-share financing) for municipal level PISG;	No Info	No Comment	Pillar II In some cases exceeding fair-share financing percentages (but not at higher levels)
d) % of representation to K/S and other communities in ministry portfolios.	2 Ministries (about 15% representation) awarded to K/S community and 1 (about 8%) to Other Communities. No Deputy Ministerial positions have been awarded to Kosovo Serbs (one for other minorities).	No Comment	No change in the new Government in the allocation of Ministerial portfolios to communities. Apparently at least one (additional) Deputy Ministerial position has been allocated to the Kosovo Serb community (in MLG)- and two Deputy Ministerial positions are filled by representatives of other communities (Egyptian, Turkish).

6B - a) rules of procedure for operation of Central and Municipal Assemblies, Government and Ministries in place;	New Central Assembly using Revised Rules of Procedure of previous Assembly, until it establishes new rules. New rules are currently under discussion. Municipal Assemblies do have rules of procedure, but not uniform all over Kosovo.	No Comment	All in place.
b) frequency of consultations with civil society/public/communities/women groups before adoption of legislation;	In Central Assembly, consultations of previous Assembly had become frequent recently except during September 2004, when a large number of laws were rushed for adoption. In municipalities, on average twice per year. Sometimes none, sometimes (Prizren, northern municipalities) more often.	No Comment	Public Hearings on four out of 10 laws adopted by the central Assembly during this quarter. In Municipalities, consultations with civil society or public are occasional- no change. Consultation with communities is taking place in 5 out of 30 municipalities (almost never through the Communities Committees).
c) average length of time allowed for discussion/debate before adoption of legislation;	No Info	No Comment	Central Assembly: Perhaps an average of 40 minutes is spent on the first reading of each draft law in the Assembly plenary session, depending on how many Members wish to speak. It is very rare that a Member wishing to make a statement with regard to a draft law during the first reading is denied the right to speak. Most discussion/debate, however, takes place in the committee meetings. A functional committee might spend up to ten hours discussing a draft law, over the course of several meetings and possibly a public hearing. When the Assembly reaches the second reading of the draft law, there is usually little discussion allowed, with the justification that all amendments to be voted upon have already been proposed, and no further changes may be proposed. Members wishing to discuss/debate amendments that have been proposed, however, are usually allowed to do so. Municipalities adopt legislation after two weeks to one month time given for debate/consideration.

<p>d) number of serious violations of assemblies rules of procedure;</p>	<p>In new Central Assembly (1 session by 19 December), none. In Municipal Assemblies rarely serious violations, but for example election of new President of the Ferizaj/Uroševac MA considered unlawful.</p>	<p>No Comment</p>	<p>Central Assembly: There have been repeated complaints from the opposition about the chairing of the plenary sessions, mostly regarding the agenda-setting procedure or the suppression of debate. Such issues resulted in a PDK walkout at the 23 February session and an ORA walkout at the 24 March plenary session. Only one serious violation reported at municipal level, when Municipal Assembly in KL decided to demolish building belonging to Kosovo Serb IDPs without consultation with owners.</p>
<p>e) number of cases where SRSG 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>Not applicable for this quarter</p>	<p>No Comment</p>	<p>4 laws (<u>which were adopted during previous Assembly term</u>).</p>

1.7 All official languages are respected throughout the institutions of government.

<p>a) Number of ministries and municipalities that have devoted resources for ensuring the language standards compliance;</p>	<p>No Info</p>	<p>No Comment</p>	<p>Reportedly all ministries except the three newly established ones and 22 out of thirty municipalities (the rest are three K/S majority and five K/A) have translation units. Only five municipalities have simultaneous translation equipment.</p>
<p>b) % of ministries and municipalities that have translators and interpreters (when multi-ethnic);</p>	<p>In Municipalities about 80%, in most cases more staff needed as workload exceeds capacity.</p>	<p>No Comment</p>	<p>See above- Most municipalities have 1-2 translators (except Prizren and Pristina, which have more), others recognise that more staff is needed.</p>
<p>c) % of meeting of assemblies and committees at all levels conducted in all official languages;</p>	<p>In Municipalities it varies, in some cases (for example Northern municipalities) only Communities Committee meetings conducted in both languages (if mixed municipality).</p>	<p>No Comment</p>	<p>100% Central Assembly plenary sessions and Presidency meetings are conducted in Albanian and Serbian. In Municipalities, almost 100% compliance -if necessary (northern municipalities lack in compliance and in Prizren occasional violations).</p>

d) % of municipalities respecting their official names and those of their cities/villages ;	In Municipalities, use of official names in "official/legal" documents at least about 80%. Signage in all official languages (and spelled correctly) is about 60%. In meetings or unofficially, use of different names by majority community is frequent. It is reported that in Malishevë/Mališevo and Lipjan/Lipljan official names are not recognised (not exhaustive).	No Comment	At least 1/3 of municipalities only partially comply with official language policy (but some in process of correcting signs). Road signs by the Ministry of Transport are compliant by about 75%-possibly this percentage has increased thanks to recent action by the Ministry.
e) Whether there is an oversight mechanism and remedial actions foreseen for the implementation of official language policy.	No oversight or remedial mechanism in place.	No Comment	Seven municipalities reportedly have ad hoc inspection mechanisms. Operationalisation of two new planned Oversight Units (in MPS for central level and MLG for local level) will probably result in more methodical implementation.

1.8 PISG and Municipalities ensure the availability of basic public services such as health care, utilities and education, wi

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;	No Info	No Comment	None
b) Number of municipalities that met the fair-share financing in the relevant budget lines;	No Info	No Comment	Pillar II - OCA

c) Per capita allocation for health care and education for minority communities against that of the majority population;	No Info	No Comment	No info.
d) Actual expenditures incurred on communities against total expenditure by ministries and municipalities;	No Info	No Comment	No info.
e) % of children not in school for lack of access and % of population unable to access health facilities and public utilities throughout Kosovo;	Suharekë/Suva Reka: RAE in rural areas difficulty to access education	No Comment	Same as before. Also 5% (on average) of population in Western municipalities (Klinë/Klina, Pejë/Peć, Istog/Istok, Deçan/Dečani) might have difficulties accessing public services (for lack of transport, poverty etc).
f) Frequency of meetings of the Joint Steering Board on Public Administration to provide strategic guidance and coordination for strengthening public administration in Kosovo.	No Info	No Comment	INACTIVE
1.9 The civil service is professional, impartial and accountable, representative of all communities in Kosovo and includes			
a) % of women in civil service and in higher positions;	At local level there was only a 3% women's participation in decision making positions, while there is no data available at central level.	No Comment	Waiting for info

b) number of civil servants who hold elected positions;	At least 8 cases throughout Kosovo (TBC) in violation of relevant legislation.	b) Civil Servants are described as those taking salaries from the Kosovo Consolidated Budget (Reg 2001/36 #1a). The law forbids civil servants from holding public office (AD 2003/2 #28.2), except as a Municipal Assembly member, although Reg 2000/45 #34.7 states those cases where civil servants may not be Municipal Assembly members: "The CEO, a member of the BoD or a director, departmental, office or section head may not be a member of the Municipal Assembly in the municipality that employs him".	No info.
c) number of cases handled by the Internal Oversight Board that are upheld;	No Info	No Comment	IOB is not functioning.
d) % of civil servants who belong to minorities;	No Info	No Comment	See boxes 28-30.
e) number of major disciplinary proceedings undertaken against civil servants.	No Info	No Comment	No info
1.10 All communities have fair access to employment in public institutions.			
See 6A and:a) % of total number of ads in minority languages;	In Municipalities, most ads for minority positions only issued in minority languages.	No Comment	No change.
b) % of ads posted in minority language media;	Some Municipalities do not have minority language print media (except from Serbia) and therefore post ads only in majority language print media.	No Comment	On a local level the number of ads for minorities in minority media has slightly increased. Central level minority recruitment strategy includes use of more (popular) media.

c) number of ethnic discrimination cases referred to Ombudsperson/ courts and upheld;	No Info	No Comment	No info.
d) % of minorities employed in public service providers.	Overall 5,83 %. Breakdown by POE: KEK less than 1,5%, PTK 4%, Railway 15,38%, Airport 1,70%, WI+W 16,6%, District heating 12%.	No Comment	Overall 6.65%. Breakdown by POE: KEK less than 1,5%, PTK 4%, Railway 15%, Airport 1,8%, Water -Irrigation 18%, District heating 12%, Waste 24%.

1.11 Code of conduct and enforcement procedures exist to provide for transparent and accountable government; recommen

a) existence of codes of conduct and enforcement procedures;	Civil Servants Code of Conduct drawn up, but its application is weak. A draft Code for political appointees in the Government is awaiting adoption at the OPM. Rules of Business of the Government and RoP for Ministries not in place.	No Comment	Codes of conduct for civil servants and elected officials exist, but weak or no enforcement procedure in place. No code of conduct yet for political appointees.
b) % of Ombudsman recommendations to PISG implemented;	No Info	No Comment	No info.
c) Number of Ombudsperson's recommendations and interim measures related to women's human rights implemented.	No Info	No Comment	No info.

1. 12 Regular and independent audit of KCB, Assembly, government ministries and municipalities.

a) number and frequency of audits conducted of KCB, Assembly, ministries and municipality;	No Info	No Comment	No info.
b) number of audit recommendations remaining unimplemented or not accepted.	No Info	No Comment	Auditor General's office reports that some of its recommendations remain unimplemented.

1.13 Allegations of misconduct are thoroughly investigated, elected officials and public servants responsible for unethical,

a) number of cases handled by the IOB and SPAC in accordance with the established procedures;	No Info	No Comment	UNMIK concerns about SPAC violation of its own procedures in the handling of a case of dismissal of a civil servant.
b) existence of code of conduct and enforcement procedures for elected officials and public servants;	No Info	No Comment	Codes of conduct for civil servants and elected officials exist, but weak or no enforcement procedure in place. No code of conduct yet for political appointees.
c) number of major disciplinary proceedings against civil servants completed vis-à-vis those initiated.	No Info	No Comment	No info.

1.14 Proposed Assembly legislation is reviewed and cleared by Assembly Committee on Rights and Interests of Communities

a) percentage of amendments proposed by the Committee that are adopted;	The Committee on the Rights and Interests of Communities during the previous term of the Assembly of Kosovo had proposed less than 10 amendments.	a) On the amendment proposed to the Law on Political Party Funding in September 2004, which was approved, members of the Committee from Other Communities complained to Pillar III that there was a confusion about what had proposed and was approved in the end (actually referring to Section 5 of Law 2004/41- see Standard Goal number 4).	No amendments proposed by the Committee during this quarter.
b) percentage of legislation drafted by smaller communities/in consultation with them (especially K/S).	None (in previous quarter): TBC	No Comment	None.

1.15 Women participate in the institutions of the PISG at rates that equal or exceed rates in the region and the interests of

a) ratio of women's representation in elected bodies, both at the central and local levels;	There are 38 women deputies of the new Assembly, or 31% representation. The level of participation of women in the municipal assemblies is 28%.	No Comment	No change.
b) ratio of women appointed to decision making positions executive bodies at all levels and in the Kosovo Civil Service;	At local level there was only a 3% women's participation in decision making positions, while there is no data available at central level.	No Comment	Waiting for info
c) number of legislative initiatives promoted by the Gender Equality Committee of the Kosovo Parliamentary Assembly;	Only one legislative initiative was promoted by the Gender Equality Committee, the Law on Gender Equality.	No Comment	Waiting for info
d) % of women who participate in the Kosovo Parliamentary Assembly Committees;	During the previous legislature, all women deputies of the Parliamentary Assembly (33, 27.5%) participated in the committees. Women chaired 8 out of 19 committees. New committees have not been formed yet.	d) Women deputies participated mainly in "traditionally female" committees, such as Health, Labour and Social Welfare, Culture, Youth and Sports, and Gender Equality. No women representation at all in Com. On the Rights and Interests of Communities, Trade and Industry and Emergency Preparedness.	Women are present in all Committees. In the 10 functional Committees plus one ad-hoc, 28% of the members are women (or 38 out of 133 members). 2 committees are chaired by women (on Health, Labour and Social Welfare and on public services, local administration and media).

<p>e) number of laws, UNMIK Regulations, administrative directions and administrative instructions harmonized with the principles and provisions of the Law on Gender Equality;</p>	<p>No one has been reported. The review of some of the legislation that has not been promulgated yet indicates serious concerns in this regard.</p>	<p>No Comment</p>	<p>No info.</p>
<p>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;</p>	<p>With the exception of the Law on Gender Equality and the Anti-discrimination Law, no legislation has been consulted with civil society women's groups and women belonging to communities.</p>	<p>No Comment</p>	<p>No info.</p>
<p>g) number of public policies implemented to address gender inequalities in society;</p>	<p>No one observed</p>	<p>No Comment</p>	<p>No info.</p>
<p>h) number of affirmative actions enforced to narrow gender gaps in society ;</p>	<p>None are known.</p>	<p>h) Affirmative measures to increase the representation of women in the PISG in a consistent and coherent manner meant to narrow the gender gap in public employment have not been formally instituted through administrative instructions.</p>	<p>No info.</p>

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 allocation of KCB has been observed	No Comment	No info.
k) amount of KCB allocated for the functioning of the Office for Gender Equality at the organizational and operational levels.	No budget allocation is reported to have been made.	No Comment	No info.

1.16 The proposals of decentralization of the COE have been examined and considered with the aim to create functional s

a) number of meetings of the UNMIK/PISG WG on Local Government Reform held and number attended by K/Serbs;	Three meetings in the period covered were held, none was attended by K/Serbs or other communities.	No Comment	At least five (check with UNOPA), one was attended by K/S representative.
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);	None.	No Comment	None. (?) UNMIK holds such meetings.
c) actions taken for implementation of local government reform.	None yet.	No Comment	None, but Plan on pilot projects has been approved.

1.1.7 Parallel structures for the provision of services have been dismantled or integrated into PISG structures.

a) number of municipalities where parallel structures provide services to K/Serb community compared to number of municipalities where PISG structures do so;	In at least 13 Municipalities parallel structures operate and offer services to the Kosovo Serbs (almost all where K/S are present): all K/S majority Northern Municipalities, Rahovec/Orahovac, Prishtinë/Priština Fushë Kosovë/Kosovo Polje, Dragash/Dragaš, Obiliq/Obilić, Istog/Istok, Kamenicë/Kamenica, Gjilan/Gnjilane, Viti/Vitina. (check again).	No Comment	Same as before.
b) number of multi-ethnic schools attended by K/Serbs;	About five cases are reported throughout Kosovo, some of which operate with shifts (use of same building).	No Comment	No Info
c) number of PISG-run health houses utilized by K/Serbs;	In very few municipalities, less than five.	No Comment	No Info
d) (estimated) % of population utilizing parallel structures(also the standard serves as indicator by itself).	No Info	No Comment	No Info

1.18 A range of private, independent print and broadcast media exists, providing access to information for all communities

a) Number of broadcasters, including non-majority and multiethnic broadcasters, licensed by the TMC;	111 licensed stations in total (89 radios and 22 televisions): 72 are Albanian, 33 are Serbian, 3 are Bosniac, 2 are Turkish, 1 is Gorani. No RAE broadcasters.	No Comment	TMC has licensed 111 broadcast stations, of which 72 broadcast in Albanian, 33 in Serbian, 3 in Bosniak, 2 in Turkish, 1 in Gorani and none yet in Roma, although one Roma applicant in Prizren will receive a radio license in the near future. At least 21 of the 111, or 19%, broadcast in at least one additional language, which in almost all instances is a minority language. Ten stations broadcast partly in Roma and at least two serve the Ashkali community.
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<p>b) Proportion of airtime devoted to non-majority programming by main broadcasters;</p>	<p>Three multiethnic radio stations: Radio Contact, Radio K and Radio Kamenica (they have 50% or more program in Albanian and the other part is in minority languages). 19 stations that broadcast in mixed languages (some of them maybe with only one hour program in minority language). 13 stations with Albanian as a main language broadcast also in other Kosovo minority languages (Serbian, Bosnian, Turkish, Roma, Gorani and Ashkali); 5 stations with Serbian as a main language broadcast also in Roma (4 of them) and Albanian (1 of them); 1 radio with Turkish as a main language broadcasts also in Albanian, Bosnian and Roma. Neither of the two main private TV broadcasters, KTV and TV21, have programmes in any minority language.</p>	<p>No Comment</p>	<p>Of the three Kosovo-wide television and four radio stations, two – public television and one of two public radio stations (Radio Blue Sky) broadcast in non-majority languages.</p>
<p>c) Proportion of articles devoted to non-majority issues in majority language newspapers;</p>	<p>No Info</p>	<p>No Comment</p>	<p>In general a relatively high proportion is devoted to non majority (i.e. –Serbs) however mostly reporting about problems rather than promoting the Serb community. Frequently news reporting and commentary in Kosovo’s eight daily newspapers that pertains to non-majority communities is negative in tone, particularly regarding Serbs, and very little can be said to present issues from a non-majority point of view.</p>

d) Existence of non-majority media in all non-majority areas;	In some mixed areas, K/S rely on electronic and print media from Serbia.	No Comment	In larger settlements of non-majority population, especially Serbs, have access to local broadcast media as well as to small amounts of programming from the public broadcaster.
e) Number of print media as a whole servicing both majority and non majority communities.	None of the Kosovo-wide press prints (nor local press) in more than one language.	No Comment	Although we are not curenly aware of any mixed- or dual-language print media currently serving Kosovo, but it is reported that newspaper <i>EXPRESS</i> is planning to start a weekly edition in Serbian.
1.19 There is an independent and effective media regulatory authority, aspiring to European standards, recruited			
a) Adoption of the IMC law by Assembly;	Government recently adopted the draft Law and forwarded it to the Assembly for discussion.	No Comment	Draft IMC law approved at first reading.. Adoption expected in late April.
b) Appointment of a local Commissioner;	IMC Councila local CommissionerIMC law, if passed, will create a Commission- not a Commissioner- governed by a 7-member Council which holds all executive authority for granting licenses, issuing sanctions and making policy. Two members of the IMC Council are to be internationals, five are to be Kosovans.	No Comment	Awaiting promulgation of the IMC law.

c) Percentage of non-majority professional staff in O/IMC;	Non-applicable yet.	No Comment	None (in TMC). No non-majority candidates have presented themselves since mid-2003, despite extensive and repeated recruitment
d) Recognition of IMC's independence and effectiveness by external observers;	Non-applicable yet	No Comment	Awaiting establishment of IMC.
e) Number of IMC cases and percentage of compliance by media with decisions.	TMC receives an average of two formal complaints per week, most of which are dismissed as groundless or resolved by mediation. On sanctions cases brought before a Media Hearing Board, media generally comply to sanctions except Bota Sot which refuses to pay its outstanding fines (court order has been requested).	No Comment	All media that have been subject to TMC sanctions have complied, although in one recent case, compliance required a court order to freeze the media outlet's local bank account until a fine was paid.

1.20 Hate speech, or any form of incitement, is condemned by political leaders, the media regulatory authority and media c

<p>a) Number of cases of hate speech or other breaches of the Codes of conduct reviewed and number upheld by the TMC;</p>	<p>One out of three relating to March violence has been found to constitute “hate speech” (RTK). Two other main broadcasters also sanctioned for violations of specific principles embodied in the Broadcast Code of Conduct during March. (see Comment).Some other TMC cases under review (not related to the March events) which may qualify as ethnically-provocative statements- no preliminary findings in these cases yet.</p>	<p>In December 2004, the TMC reached settlements with Kosovo’s three main television stations relating to complaints against their coverage of the riots on 16 and 17 March. In the settlements the broadcasters acknowledge violations of specific principles embodied in the Broadcast Code of Conduct and agree to commit a specific minimum amount of money in 2005 to professional training of their respective editorial staff. In its agreement, RTK recognises that its broadcasting “fell short of acceptable professional standards”, that it did not verify the accuracy of accounts that Kosovo Serbs were responsible for drowning three Kosovo Albanian children and that it aired proclamations that could be considered as “hate speech” since they “implied that a specific ethnic category of people were responsible for criminal activity”. As for the KTV case, the Settlement Agreement withdrew the assertion of provocative statements by KTV upon review.</p>	<p>No cases of hate speech this quarter.A TMC allegation of hate speech, against Bota Sot during the election campaign, was not upheld by a Media Hearing Board on 21 March</p>
<p>b) Number of condemnations from public officials of hate speech or incitement to violence;</p>	<p>The President of the Municipal Assembly of Peje/Pec has published a book that contains “hate speech” against Bosniaks in his Municipality. No public condemnation of the book by any official or admission of mistakes in public by him.</p>	<p>No Comment</p>	<p>No public condemnation by any public official on the placing of a banner in the centre of Pristina, listing the names of alleged suspects in a 1999 killing of Kosovo Albanians-which can be said to constitute hate speech or incitement to hatred.</p>
<p>c) Existence of a functioning press council;</p>	<p>Expected to be established by end of January.</p>	<p>No Comment</p>	<p>Not yet.</p>
<p>d) Ethnic composition of council;</p>	<p>N/A yet</p>	<p>No Comment</p>	<p>?</p>

e) Existence of a new code of conduct, including clauses against hate speech and gender stereotypes.	A new draft Code for print media is in place, formal adoption expected by the end of January.	No Comment	New press code adopted in March includes clauses against hate speech.
1.21 Publicly-funded media devotes a full and proportionate share of its resources and output to all ethnic communities.			
a) Percentage of RTK's budget allocated to non-majority broadcasting;	No Info	No Comment	10%, according to the new draft RTK law.
b) Percentage of broadcasting, including prime time, devoted to non-majority communities;	On average, about 8% per week (although Regulation establishing RTK sets a goal of 15% non-majority broadcasting). No data on prime time programming.	No Comment	Still public television devotes an estimated 8% of its air-time to non-majority languages, or about half the 15% required under its founding UNMIK Regulation 2001/13.
c) Adoption of law establishing RTK as public broadcaster;	No draft exists. Efforts by liaison sent to Kosovo by OSCE RFoM are underway to establish a working group to draft such law.	No Comment	Not yet, it is in drafting stage.
d) Percentage of Kosovo's population not covered by RTK's signal (and what percentage of this belong to minority communities).	Dragash / Dragaš: only 30% coverage (minority community not covered by 90% and majority community by 50%)Novoberdë / Novo Brdo: bad coveragePrizren: 92% coverage (90% of which minorities in Zhupa valley)Suharekë / Suva Reka: 70% coverageMitrovicë / Mitrovica: Cabra village not covered.	No Comment	An estimated 25% of the Kosovo population is not covered by RTK's signal. In the absence of census data, estimate of the proportion of minorities not covered is difficult. However even improved coverage projections show a significant area north of Mitrovica as uncovered.
1.22 Non-governmental organizations, in particular those representing minorities, are able to operate freely within the law.			
a) Adoption of Freedom of Association Law;	Draft has been prepared and forwarded by the Government to the Assembly.	No Comment	Law is adopted by the Assembly, but is yet to be promulgated.

b) Number of registered NGOs representing minorities in Kosovo;	About 300 for Kosovo Serbs, 55 for Roma (out of about 2.800)	No Comment	No known change.
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.	Relatively free operation throughout Kosovo- less access to donor funding sometimes.	No Comment	Kosovo Serb NGO activists have reported that do not feel that they can operate freely throughout the territory of Kosovo, but that they have more of access locally to PISG (that the Ministry for return recently opened an office in Mitrovica north was mentioned it as a good step forward.) NGO representatives also attend Assembly sessions in their respective municipalities (access to decision making consultation processes with PISG), but this is more problematic at central level because of language and freedom of movement restrictions.

rs Assessment , June 2005

Institutions ZUBIN POTOK MUNICIPALITY

<u>Comment to Indicator April 2005</u>	<u>Assessment of indicator May 2005</u>
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articipation of all communities and ethnic groups.

No Comment	No change.
No Comment	No change.
No Comment	No change.

No Comment	
No Comment	
No Comment	No change.

No Comment	No change.
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to vote is facilitated.

No Comment	No change.
No Comment	No change.
No Comment	No change.

No Comment	No change.
No Comment	No change.
No Comment	No change.
No Comment	No change.
No Comment	No change.
No Comment	No change.
No Comment	No change.

No Comment	No change.
No Comment	No change.

No Comment	No change.
No Comment	ECAC fines related to above cases will be provided Friday,20 May by noon.
The Law on PP funding has not been promulgated by the SRSG. Instead, the Assembly Presidency apparently decided to allocate 100% of public funds to all entities represented in the Assembly proportionately to the number of seats they hold, including the reserved seats.	No change.

No Comment	No change.
No Comment	No change.

No Comment	No change.
No Comment	No change.

licable legislation. The PISG and local municipal government decide and enact legislation in an open acc

No Comment	Percentage of minority employment has remained the same.
No Comment	Percentage of minority employment at higher levels has remained the same.
No Comment	Still, almost half of the municipalities do not reach the percentages of minority employment stipulated by fair-share-financing.
No Comment	No change.

<p>New, better Kosovo Assembly RoP have been developed and will be adopted shortly. On the 113th government session on February 1st the Government approved its Rules of Procedure.</p>	<p>New, better Kosovo Assembly Rules of procedure to be adopted at the 20 May plenary session. The municipalities Dragash/s, Kline/a and Istog/Istok have recently presented draft municipal regulations for public consultations</p>
<p>Public Hearings on the Draft Law on Independent Media Commission, Draft Law on Health Insurance, Draft Law on Freedom of Association in Non-Governmental Organisations and Draft Law on Theatre were held, respectively, on 7, 8, 9 and 10 February.</p>	<p>Public Hearings on the Draft Law on Draft Law on Adult Education and Training, and Draft Law on Administrative Procedures were held on 11 and 13 May.</p>
<p>No Comment</p>	<p>Overall, perhaps with the exception of the 21-22 April plenary session, there has been improvement from previous reporting periods with regard to compliance with the rules of procedure. Nonetheless, there have been repeated complaints from the opposition (mainly PDK and ORA) about the chairing of the plenary sessions, many of which have been well-founded. Issues such as the agenda-setting procedure, the suppression of debate, and denial of the right to speak resulted in a PDK walkout at the 23 February session, an ORA walkout at the 24 March plenary session, and walkouts by both PDK and ORA at the 21-22 April plenary session. Likewise, the voting procedure remains problematic, with an amendment proposed by a Kosovo Turk representative mistakenly being declared as rejected due to a misinterpretation of the voting rules in one instance (23 February session), and a fully unclear presentation of the subject of a vote necessitating intervention from Assembly members and two repetitions of the vote. Serious and less significant violations are described in regular Assembly monitoring reports submitted by OMiK to the SRSG.</p>

Overall, there has been notable improvement from previous reporting periods with regard to compliance with the rules of procedure. On the whole, violations that have occurred during the current reporting period were less significant than in previous reporting periods. Serious and less significant violations are described in regular Assembly monitoring reports submitted by OMiK to the SRSG.

On 11 March, the SRSG sent a letter to President of the Assembly Daci reminding him of seven Assembly laws that could not be promulgated in their current forms. UN OLA considered four of those laws – Concessions, Obligations, the Bar, and Public Gatherings – to be problematic either because they are “inconsistent with the SRSG’s reserved powers and responsibilities under the [Constitutional Framework]” or there is “no legal basis in the Constitutional Framework for adoption of the Law[s] by the Assembly”. The remaining three laws were considered problematic for other reasons not related to consistency with the Constitutional Framework and UN SCR 1244. It should be emphasized that the four laws in question were not adopted by the Assembly during the current reporting period but in August-October 2004. Initial communications from UNMIK to the Assembly with regard to the four laws were likewise made during the previous reporting period. The Assembly is in the process of meeting with UNMIK to try to reach an agreement on changes that need to be made in order for the legislation to be promulgated. To date, the SRSG has not refused to promulgate any additional laws during the reporting period.

The Assembly recommended for promulgation the Law on the Approval of the Annual Kosovo Consolidated Budget and Appropriations for the Period 1 January to 31 December 2005, which UNMIK has promulgated as an UNMIK Regulation, not an Assembly law. Of the 12 additional laws approved in second reading, four laws – Law on Freedom of Association in Non-Governmental Organisations, Law on Irrigation of Agricultural Land, Law on the Support to Small and Medium Enterprises, and Law on the Independent Media Commission – will require further review by UN OLA in order to ensure conformity with international standards, although not necessarily for inconsistency with UNSCR 1244 or the Constitutional Framework.

<p>No Comment</p>	<p>21 municipalities still do not have equipment for translation in place. Exceptions include Gjilane and Pristina.</p>
<p>Municipalities request additional funds from central level, central level (MFE) initially had refused to consider it. On 1 April, Economy and Finance Minister, Haki Shatri, agreed to meet with the municipal leaders to discuss options to improve municipal budgeting for Standards and requested that MLGA help prepare a meeting to be held the following week.</p>	
<p>Central Assembly: When a Kosovo Turk representative delivers a statement in Turkish, the translation service strives to provide translation in Albanian and Serbian. Sometimes the quality of interpretation from Turkish into other languages is poor, with long delays or gaps in translations, because not all interpreters understand Turkish and some must rely on another translation (e.g. those interpreting into English and Albanian must wait to hear the Serbian translation in order to be able to interpret the statement). Assembly interpreters always attend Committee meetings to provide interpretation between Albanian and Serbian/Bosnian. If no Kosovo Serbs or Bosniacs/Gorani attend a committee meeting, the meeting is conducted only in Albanian. Kosovo Turks speak Albanian or Serbian at Committee meetings.</p>	

<p>Official names of municipalities and places (as in 2004/23) are still not respected fully, although action has been taken in many municipalities to replace non-compliant signs, especially since the relevant letter sent by PM Haradinaj on 23 January 2005. However, many road signs misspell the Serbian version or are still monolingual (for example in Gjakove/Djakovica, Peje/Pec, Decane/Decani). It is reported that the Ministry has replaced a number of these signs, but some of them were immediately defaced. Use of unofficial (albanian) names of municipalities continues, even in official use (e.g. Drenas).</p>	
<p>No Comment</p>	

without discrimination to all communities in Kosovo.

<p>Ministry of Finance and Economy has been tasked to prepare model sub-component plans to be used by all PISG, but no concrete progress has been made yet.</p>	
<p>No Comment</p>	

<p>Implementation of sub-component plans should be able to provide more concrete info on this.</p>	
<p>Implementation of sub-component plans should be able to provide more concrete info on this.</p>	
<p>No Comment</p>	
<p>Joint Steering Board is not operational.</p>	<p>Terms of Reference for Capacity-Building Steering Committee developed. PISG/UNMIK Donors Conference on Public Administration convened 21 May to review capacity building needs. Goal: to strengthen institutional capacity of the PISG to have a significant impact on the development of effective and transparent governance in Kosovo. And (i) present and discuss the findings of the Kosovo Capacity Building Assessment Project (ii) present and discuss the needs and challenges of the PISG assessment and promote effective co-operation between the PISG and donor community on capacity building matters.</p>
<p>a significant proportion of women.</p>	
<p>OGA:the unavailability of data on seniority of women employed in the Kosovo Civil Service including all levels does not allow to assess gender balance in professional categories. According to the information provided by the OPM, 38% of women are employed in the Civil Service. This data was gathered in 2004 and no comparative analysis can be made, due to the absence of data for 2005.</p>	<p>OGA: unavailability of data on seniority of women employed in the Kosovo Civil Service does not allow to assess gender balance in professional categories. Information was requested on several occasions over the whole reporting period, but the PISG never produced it.</p>

No Comment	
No Comment	
No Comment	
TBF	

No Comment	
No Comment	

No Comment	
No Comment	

Recommendations of Ombudsperson are given full weight.

No Comment	
No Comment	Code of conduct for political appointed promulgated as Administrative Direction by the Office of the Prime Minister in April 2005 after having been endorsed by all Ministers. Implementation on-going
No Comment	
No Comment	

No Comment	
No Comment	

fraudulent or corrupt behaviour are effectively disciplined.

No Comment	
No Comment	
No Comment	

ies prior to adoption by the Assembly.

No Comment	
	No comment.
OPM recently decided that minority representatives should be invited to the working groups drafting legislation affecting/involving minority community interests.	Suva Reka is the only municipality which always consults with minority communities before adopting of legislation. Six other municipalities (including Obilic, Ferizai and Strpce and Peja never consult with minority communities.

women are fully reflected in its policies and legislation.

No Comment	
No change.	<p>OGA: unavailability of data on seniority of women employed in the Kosovo Civil Service does not allow to assess gender balance in professional categories. Information was requested on several occasions over the whole reporting period, but the PISG never produced it.</p>
<p>OGA: in the past legislature the Gender Equality Commission within the Parliamentary Assembly of Kosovo has been downgraded to a sub-committee and merged with the Committee on Legislative, Judiciary and Constitutional Matters. Some of the most crucial pieces of legislation for the advancement of women have been passed by the Parliamentary Assembly without including a gender equality perspective, what be caused by the lack of involvement of this Commission in the legislative process.</p>	
<p>Women chair only two of the 11 legislative committees. This constitutes a 24% less compared to the previous reporting period.</p>	

<p>OGA: the draft Family Law passed by the Assembly in September 2004 contradicted provisions of the Law on Gender Equality and contained serious violations of international standards on gender equality. The Law has been deferred by the SRSB and it is been currently been revised by the Kosovo Parliamentary Assembly with inputs by international organizations and civil society. The Inheritance Law was passed by the Parliamentary Assembly in July and promulgated by the SRSB on 4 February 2005 without including a gender equality perspective.</p>	<p>OGA: the conceptualization, revision and approval by the Kosovo Parliamentary Assembly of a critical law for civil liberties, namely the Family Law, did not include a gender equality perspective and the whole process was carried out without the involvement of gender experts or consultations with civil society women's organizations. As a result, the Parliamentary Assembly approved a draft Law for the promulgation of the SRSB which contained serious infractions to international instruments for human rights. The promulgation of the Law was deferred by the SRSB upon request of the United Nations Gender Task Force chaired by the OGA. The draft Family Law is currently been amended, even though some resistance from the part of the Legislative Committee has had to be overcome. Similarly, the Inheritance Law has been promulgated without giving the Gender Equality Division of the Office of the Prime Minister the opportunity to contribute to the introduction of a gender equality perspective.</p>
<p>OGA: despite some public hearings on draft legislation, that took place during the month of February, civil society women organizations and women leaders have expressed to the OGA their concerns about the lack of sufficient consultation on laws that are critical for the advancement of women.</p>	
<p>TBF</p>	
<p>OGA: no affirmative actions detected</p>	<p>OGA: no steps have been taken to assess the specific gender-based needs and interests of women and men in the formulation of public services aiming at achieving gender equality.</p>

<p>OGA: no KCB funding has been allocated to the Kosovo Action Plan for Gender Equality. The Swedish International Development Agency (SIDA) has provided partial funding through UNIFEM to contribute to the implementation of this Plan.</p>	<p>No info.</p>
<p>OGA: by a Government decision dated 1 February 2005, the Government agreed to take steps to create the Office for Gender Equality. Despite the request made to the Ministry of Public Services to submit a proposal, this requirement has not been met yet. There is a great grade of uncertainty about the structure and staffing of this Office. No specific budget line has been allocated its establishment.</p>	

tructures of local government.

<p>No Comment</p>	
<p>No Comment</p>	
<p>No Comment</p>	

No Comment	Still, in more than a third of the municipalities there are parallel structures operating and offering services to the Kosovo Serbs, practically in almost all, where K/S are present, which are: all K/S majority Northern municipalities, Rahovec/Orahovec, Pristine/Pristina, Fushe Kosove/Kosovo Polje, Dragash/Dragas, Obilig/Obilic, Istog/Istok, Kamenice/Kamenica, Strpce/Shterpce, Novo Berde/Novo Brdo, Gjilan/Gnjilane, Viti/Vitina and Lipjan/Lipljan.
No Comment	
No Comment	
No Comment	

; throughout Kosovo.

Overall, all Kosovo minority languages are represented – some quite widely – in the programs of Kosovo broadcasters. The TMC is currently considering some 60 applications for additional broadcast licenses for minority and multi-ethnic stations and expects to grant several new licenses.	TMC has licensed 11 broadcast stations of which 72 broadcast primarily in Albanian, 33 in Serbian, 3 in Bosniak, 2 in Turkish, 1 in Gorani and none yet in Roma, although one Roma applicant in Prizren will receive a radio license in the near future. At least 21 or 111 or 19% broadcast in at least one language in addition to their primarily language and in almost all instances the additional languages are minority languages. For example, 10 stations broadcast partly in Roma and at least 2 serve the Ashkali community. Thus all Kosovo minority languages are represented. TMC is currently considering 60 new applications for additional broadcast licences and expects to grant several new ones.
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No Comment	Of the three Kosovo-wide television and four radio stations, two - public television and one of two public radio stations (radio Blue Sky) broadcast in non-majority languages. Public television devotes an estimated 8% of its airtime to non-majority languages or about half the 15% required under its founding UNMIK Regulation 2001/13.
This could only be answered more accurately if a thorough screening of the press was possible.	No change.

TBF

With Turkish papers and some other minority outlets are present throughout Kosovo, it is still difficult for the Serb press to be offered in the whole territory and the same is the case for Albanian papers in the north. However, Turkish papers are imported from Turkey; there is no Kosovo Turkish newspaper currently in circulation.

Otherwise, there are wo Serb weeklies with very limited circulation and one low-circulation Bosniak newspaper.

The TMC is not aware of any mixed or dual language print media currently serving Kosovo. We are aware of two Serbian-language weeklies with a limited circulation and one low-circulation Bosniak newspapers. Serbian language newspapers imported from Serbia often contain misleading news coverage about Kosovo and cannot be said to properly serve Serbian-language readers in Kosovo.

2005. However, parliamentary procedures were not observed and the opposition walked out of the Assembly before the vote. The Chair of the responsible Assembly Committee failed to consider Amendments which would have corrected serious flaws, most notably that the law as passed would make the IMC fully dependent on another PISG-Office which in turn is fully politically controlled.

Whether the IMC law will meet acceptable standards of independence and functionality remains to be determined

The IMC law was passed by the Assembly on 21 April 2005. However, parliamentary procedures were not observed and the opposition walked out of the Assembly before the vote. The Chair of the responsible Assembly Committee failed to consider Amendments which would have corrected serious flaws, most notably that the law as passed would make the IMC fully dependent on another PISG-Office which in turn is fully politically controlled. Other amendment introduced by the Chair of the responsible Committee would further compromise the functionality of the IMC. The law as passed not only compromises the independence of the IMC but would also comprise freedom of expression in Kosovo. Therefore this Standard cannot be said to have been met.

No Comment

Staff recruitment by the TMC for the future IMC is 75% complete providing that a total staffing of 24 persons remain the approved target.

No Comment	No change.
No Comment	Awaiting establishment of IMC.
No Comment	No change.

commentators.

No Comment	Examples of sanctionable hate speech or open incitement of hatred, discrimination or violence are rare. Far more common, particularly in several newspapers is highly prejudicial journalism that stops just short of hate speech or incitement. Such prejudicial journalism is not routinely condemned by political leaders or media commentators.
No Comment	No change.
No Comment	Does not yet exist
No Comment	It is yet to be established.

No Comment	A Press Code has been endorsed by 7 of 8 daily newspapers in Kosovo. Efforts are underway to gain endorsement by non-majority editors. The Press Code has been signed but no further steps have been taken toward developing a press council. There is understanding and acceptance on behalf of the mainstream media that the council ought to be multi-ethnic.
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No Comment	Publicly funded media devote a full and proportionate share of its resources and output to all ethnic communities.
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No Comment	15% according to applicable legislation
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No Comment	Drafting has been completed; adoption of the law by the Government is delayed without apparent good reason. This standard is therefore not met.
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No Comment	This is holding steady at 75%.
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and individuals are free to join them without discrimination.

No Comment	No change.
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No Comment	No change.
No Comment	No change.

Comment to Indicator June 2005

No change from the report stating that no participation from ZUBIN POTOK

No Comment

No comments

No comments

0

No such a case

No comments

No specific change

Not available

Zero / No change

No change

No change

No complaints

No change

No change

No change

No change

No change

No change

No change

No information

No change from the report stating that no participation from ZUBIN POTOK

No information

No change

ountable and democratic manner.

Albaban minority = 2/17 present in Municipal Assembly

No change

No change (11.6%)

No change

No change

No Change (Monthly Municipal Assembly)

No defined

No complaints / No change

N/A

No change

No change

Interprters are present in all meetings for both communities

No change

No change

No change

No FSF has been met in the first quarter because not expenditures made - Late funds allocation. - correction

Health is entirely taken care by minorities themselves, however in education the minorities and majority alike €

No change

Zero / No change

Any time if necessary

No change

No change

No change

20.00%

none

100%

100%

None

none

No change

One

None

None

None

None

None

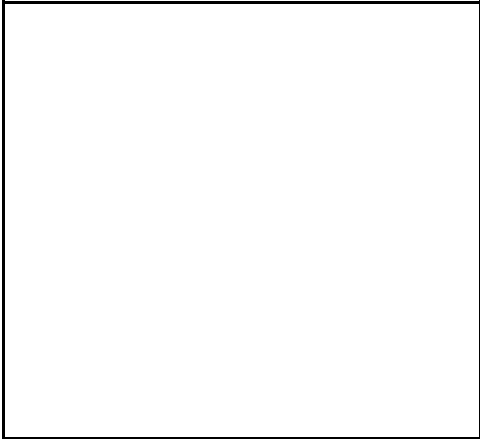
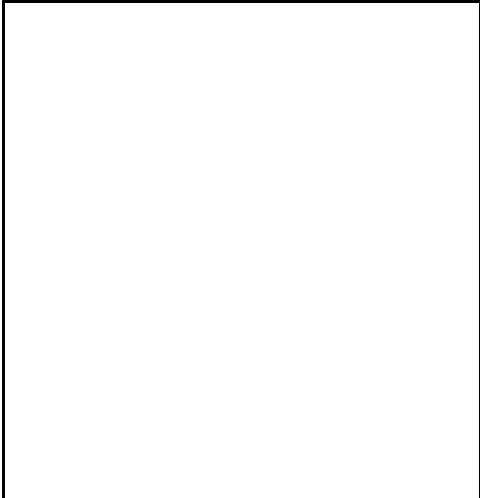
None

No change

None during the reporting period.

No Changes from last Vushtri/Vučitrn report.

No change



No change

No change

No change

NONE

NONE

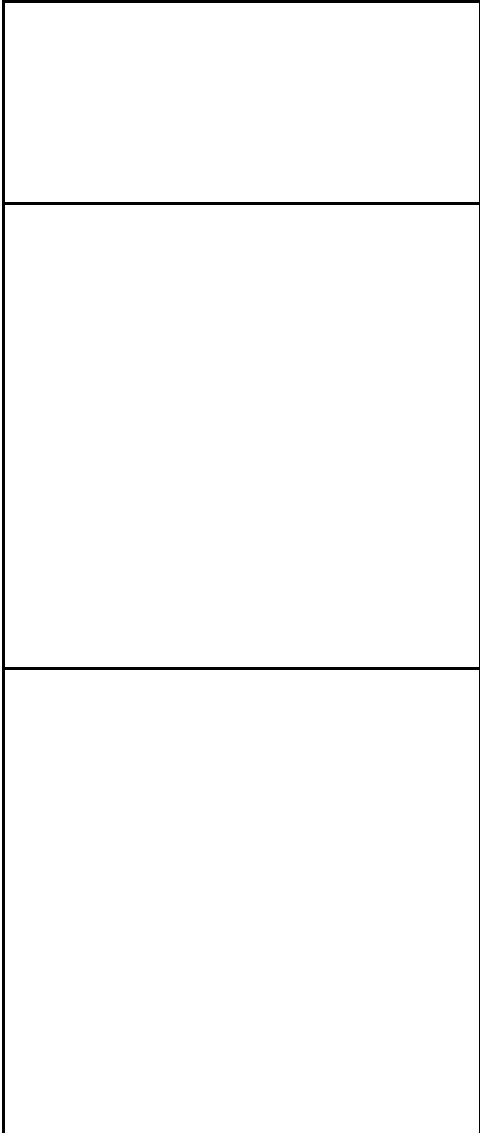
100% SERBS

No change

In general a relatively high proportion of articles are devoted to non- majority communities (i.e. Kosovo Serbs) however mostly these articles report about problems rather than promoting the Kosovo Serb community. Most of the news report and commentary in Kosovo's eight daily newspapers that pertains to the non-majority communities is negative in tone and very little can be said to present issues from a non-majority point of view. One majority newspaper has proposed to a bureau in Gracanica staffed by Kosovo Serbs, which would be the first instance to have minority journalists gather news for a majority paper.



The TMC is not aware of any mixed or dual language print media currently serving Kosovo. We are aware of two Serbian-language weeklies with a limited circulation and one low-circulation Bosniak newspapers. Serbian language newspapers imported from Serbia often contain misleading news coverage about Kosovo and cannot be said to properly serve Serbian-language readers in Kosovo.



No Comment

Independence is at risk if some provisions of the law as adopted by the Assembly are not amended before promulgation.

No Comment

No Comment

NONE

No Comment

It is generally accepted by media involved in the establishment of the press council that it should be multi-ethnic.

Provisions of the Press Code cannot be enforced unless the plan for the establishment of the press council also materialises.

No Comment

The draft RTK law includes provisions requiring RTK to allocate no less than 15 percent of its broadcasting time and no less than 10 percent of its programming budget to non-majority communities. The allocation as stipulated in the current draft also includes prime time news dedicated to minorities. The strategy for minority broadcasting in its current form as approved by OPM, foresees the establishment of a fund for minority and multi-ethnic media. Private and public media outlets would be able to gain

No Comment

A project proposal to increase to coverage meeting European standards awaits more information from the network. Refined coverage maps showing before and after are ready. RTK has not taken an active role in this matter.

11.6 Albanian

Law will need to be revised by the O/SRSG before promulgation to correct provisions that do not conform to international standards.

No Comment

No Comment

will be made in the 2nd quarter

exceed the number of teachers