

KOSOVO/A CIVIL SOCIETY PROJECT
KOSOVO/A STANDING TECHNICAL
WORKING GROUP
Twelfth Meeting
Review of Activities 2002

Graham Holliday

Grand Hotel, Pristina, 7 December 2002

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I. Introduction

The Standing Technical Working Group (STWG) was established in March 2001 to address important issues of public policy in Kosovo/a at a technical level. It is composed of experts from Kosovo/a NGOs, the main political parties and other civil society representatives. Its membership is fully interethnic and it prides itself on being able to conduct debate in Kosovo/a in an interethnic way. The Group reviews technical aspects of current policy and formulates proposals and critical questions in relation to them. It then seeks to engage the relevant appointed local and international representatives on these issues. In response to the changed political environment in Kosovo/a following the Assembly elections in November 2001, the Group sought to enhance its role in public policy analysis and development through the establishment of four expert working groups. These Expert Committees (ECs) have devoted their activities in 2002 to monitoring policy developments in four areas considered most relevant to the needs of all communities in Kosovo/a:

- 1) Justice, Human Rights, and Law and Order.
- 2) Health and Social Welfare.
- 3) Economic Development and Labour.
- 4) Education and Youth.

On 7 December 2002, the plenary of the STWG organized a workshop to revisit the work of the Expert Committees over the year. At the beginning of 2002, the four Expert Committees were tasked to monitor, consider and initiate developments in public policy in their area of expertise. They were also charged to develop the expertise of their members on a technical level and maintain critical relations with the relevant policymakers and Assembly Committees of the newly formed Kosovo Assembly.

This workshop sought to assess the performance of the Expert Committees over the year and provide an opportunity for the STWG to engage the respective members of the Assembly in critical dialogue. The concluding session to the workshop was set aside to evaluate the effectiveness of the STWG, develop measures to improve its

performance and adopt a work plan for 2003. A summary of the proceedings is provided below.

II. Summary of the Proceedings

The STWG welcomed members of the Kosovo/a Assembly who had come to take part in a review of the STWG's activities in 2002. It was agreed that the purpose of this year-end meeting was to revisit some of the key recommendations that had been generated by the Expert Committees of the STWG over the year, and to establish constructive dialogue with the respective representatives of the Assembly. As the Expert Committee on Economic Development and Labour had reported back to the STWG in the previous day's plenary session, this meeting provided an opportunity for the remaining Expert Committees to reassess their activities in light of developments since their initial plenary workshop. The final session of the day was set aside for the STWG to plan future activities and to develop means of enhancing its policy impact in 2003, especially in terms of advocacy, outreach and the translation of policy recommendations into operational results.

A. The Expert Committee on Justice, Human Rights, and Law and Order

The Expert Committee on Justice, Human Rights and Law and Order recapped its activities over 2002. It was noted that the main area of focus had been on addressing issues of law and order with respect to local governance. This had been brought to prominence as a consequence of the recent municipal elections that had been held in November 2002. In reviewing the STWG's recommendations on local government, the STWG concurred that the main obstacle to reaching clarification on the role of local government was the contradictory nature of UNMIK's Resolutions 45 and 49, concerning municipal governance. The Justice Expert Committee had also provided recommendations on civil service reform, but as the administrative guidelines had yet to be made public at the time of the workshop, the Expert Committee was not in a position to comment on whether any of their policy recommendations had been considered for incorporation into legislation. The third focal point of the EC, recommendations on the draft labour law, on the other hand, had been incorporated to

some degree into national legislation. In this respect, there was additional discussion amongst the members of the STWG about the further need to address issues of maternity leave and the application of applicable labour laws to international organizations.

In 2003, it was noted that the Expert Committee on Justice, Human Rights and Law and Order would look closer into criminal and civil law and procedure. The Expert Committee observed that this had originally been their intention in 2002, but as the relevant codes had yet to be passed by the Assembly there was no law to comment on. A further area of monitoring and concern in 2003 was considered to be that of transparency and accountability, both at the National and Local Assemblies. Finally, the Expert Committee noted the ongoing need to review its recommendations in light of developments in 2002, with a view to considering which of these recommendations should be acted upon by the relevant national institutions. In this, the Expert Committee promised to strengthen its existing contacts with UNMIK and the governmental authorities in order to advocate further reform.

Representatives of the Assembly expressed their interest in the recommendations proffered by the Expert Committee and requested that further recommendations on local government should be generated to incorporate issues concerning the process of decentralization. They also noted that concerns regarding legislative transparency were in fact being discussed, and that there was a general belief in the Assembly that all of their sessions should be transparent and open to the public.

There was broad consensus between the STWG and the Assembly representatives that the transfer of powers from UNMIK to the central authorities needed to be expedited in 2003, as did the passing of laws at the central and municipal levels. There was also broad agreement that the establishment of a ministry devoted to local government should be considered.

B. The Expert Committee on Health and Social Welfare

The Expert Committee on Health and Social Welfare started proceedings by giving a brief overview of their key recommendations concerning reform and improvement of

the health sector in Kosovo/a. The Expert Committee reiterated their guiding principle that the health system should extend to all regions of Kosovo/a and that all citizens of Kosovo/a should have equal access to health care facilities. It was further reiterated that, although all stakeholders in the system should have a role in working to improve the health system, the interests of patients should be foremost. Specific issues that needed addressing, however, included the regulation of private health care providers, the selection of administrative staff, regulation and standardization of drug policy, and the need for checks and balances to be introduced into the administration of the health system. The Expert Committee also pointed to growing concerns about corruption in health care services and the corresponding need to increase transparency in this sector.

The representatives of the Assembly expressed their keen interest in these recommendations and noted that as a consequence of the Expert Committee's deliberations many of these would be incorporated into a health bill that the Assembly was currently deliberating. In fact, it was conceded that the recommendations had formed an integral part in the development of a health strategy from which the bill had been drafted. The Assembly members therefore commended the Expert Committee for its work and invited closer cooperation in future.

The Assembly members then turned to discussing issues of corruption, pointing to the fact that as long as salaries stayed low for healthcare providers the spectre of corruption would continue to be an issue. They further noted that many crucial types of health services remained unavailable in Kosovo/a, requiring individuals to go abroad for health care.

Some members of the STWG questioned how the Serbian population would be incorporated into the health system, asking how the health system would be set up in ethnic enclaves and how the Serbian population would avail themselves of health facilities such as Pristina Hospital. The Assembly members pointed to the fact that in the Assembly there was a Committee for Communities that ensured that laws do not violate minority rights. In terms of health legislation, the Assembly members assured those members convened that equal access to health care facilities for all ethnic groups would be guaranteed throughout Kosovo/a.

C. *The Expert Committee on Education and Youth*

In the third session, the Expert Committee on Education and Youth reviewed the overarching themes of 2002 and their key recommendations for the education sector. They pointed to the process of unifying the educational system and the establishment of a unified education system for Kosovo/a. In order to facilitate these reforms, the Expert Committee highlighted the ongoing need to integrate minorities into the education system and to provide teachers and administrators with adequate vocational training. Further, they stressed the need to depoliticize the education system, increasing transparency as well as access to the educational system. The need to establish a number of schools of technology was also recognized. It was recommended that English be taught as a second language and that ethnic minorities be granted the option to choose to be educated in their mother tongue or in Albanian.

The majority of the discussion was concerned with the creation of a ninth grade in elementary schools. The Expert Committee and members of the Assembly agreed that there had been difficulties in implementing this new system, focusing on the dearth of ninth grade textbooks and lack of classroom space. On reflection, some members of the STWG believed that the ninth grade reform should have been conducted as a pilot programme before being introduced universally. The Ministry of Education was commended, however, for tackling serious reforms of the educational system.

There was some concern, though, raised by members of the STWG with regard to ensuring access of minority groups to educational opportunities. It was highlighted that Roma, Ashkali, and Egyptian students had traditionally underperformed other ethnic groups and that the education system should look into ways to improve their performance over time. In response, one member of the Assembly noted that the new realities in Kosovo made mastery of the Albanian language important for success in the education system, especially at tertiary level. However, the Assembly member stressed the fact that educational policy in Kosovo/a still adhered to European standards with regard to guaranteeing the rights of minorities in the system.

D. Concluding Assessment

The final session of the day took place without the Assembly members so that the members of the STWG could have the opportunity to review their own activities and establish a working procedure for 2003.

It was generally agreed that the Kosovo/a Civil Society initiative and its development in 2002 had proved a success. There was a broad feeling of contentment at the level of work that had been achieved over the year and the visible impact that the Group's activities were seen to be having on the development of Kosovo/a's polity. The role of the Expert Committees was also commended and it was agreed that this element should broadly continue in its present form. In this regard, however, it was proposed that the mandate of the Expert Committee on Education and Youth should be amended slightly to take account of changing needs and be more responsive to policy developments. It was therefore agreed that this Expert Committee also take into consideration issues of minority integration and return, where matters of education provision played a crucial role. It was also suggested by one member of the STWG that more be done to cover the whole remit of the Expert Committees, in particular, it was noted that the Health and Social Welfare Committee should focus more attention on issues of access to social welfare provision in 2003. In this context, it was questioned whether the work of the Expert Committees should be apportioned to smaller subcommittees to ensure that no issue areas would be neglected.

It was generally agreed that the Expert Committees and the STWG as a whole needed to take more initiative in advocating their work, creating strategic alliances and communicating their needs for further training. The organizers also welcomed initiatives to take ownership of organizing such training needs. Further, it was suggested that the Expert Committees take a more proactive role in 2003 in undertaking their own work on collating data, initiating surveys and expert studies.

It was agreed that greater advocacy of the STWG's positions and activities would pay dividends for the Group members. Efforts should also be made to consolidate existing links to government and other relevant institutions, as well as to increase the Expert Committees' input into policy formulation at the committee level. It was further

proposed that the STWG should explore ways of getting its message across to a wider cross-section of the public. Part of this effort would entail intensifying media relations and contacts, as well as promoting print, radio and television coverage of the Group's work. In this respect, it was also suggested that the STWG should nominate a spokesperson or publish materials to communicate its work. Linking this to training needs, one member of the STWG proposed that a training workshop should be organized to assist the members of the Group in organizing media campaigns, improving their presentational skills and generally dealing with the media.

In response to this, it was indicated that steps had already been put in place to address this need and that a training workshop on media skills had been foreseen for the beginning of 2003. There was also general agreement that most of these recommendations could be fulfilled through amending the modalities of the STWG plenary sessions in future so as to make them into citizens' forums. It was acknowledged that such a move would have the multiple effect of broadening participation, increasing publicity and ensuring the active involvement of the elected representatives of Kosovo/a. It was also envisaged that media coverage be secured through television coverage of future events to heighten prestige of the initiative, but also to increase governmental transparency and accountability.

In conclusion to the session, the STWG adopted a provisional work-plan for 2003.

III. Annex

A. Programme of the Workshop

TIME	ACTIVITY
9.45-10.00	Registration of participants
10.00-10.15	Introductory Remarks Robert Curis, ECMI Kosovo – Country Director
10.15-11.00	First Session: Expert Committee on Justice, Human Rights, and Law and Order Chair: Hysni Bajrami <ul style="list-style-type: none">• Overview of Activities in 2002• Presentation of Recommendations to Assembly Members• Discussion & Debate
11.00-11.45	Second Session: Expert Committee on Health and Social Welfare Chair: Adem Limani <ul style="list-style-type: none">• Overview of Activities in 2002• Presentation of Recommendations to Assembly Members• Discussion & Debate
11.45-12.30	Third Session: Expert Committee on Education and Youth Chair: Nazmi Halimi <ul style="list-style-type: none">• Overview of Activities in 2002• Presentation of Recommendations to Assembly Members• Discussion & Debate
12.30-13.00	<i>Coffee Break</i>
13.30-14.00	Fourth Session: Graham Holliday, ECMI Research Associate <ul style="list-style-type: none">• Review of STWG Performance 2002• Adoption of Work Plan for 2003• Discussion & Debate
14.00 – 14.15	Closing Remarks Robert Curis, ECMI Kosovo – Country Director

B. List of Participants

	Name	Organization
1	Hysni Bajrami	Democratic Party of Kosovo (PDK)
2	Ruzhdi Hamza	Democratic Party of Kosovo (PDK)
3	Alberta Troni	Democratic League of Kosovo (LDK)
4	Illir Salihu	Democratic League of Kosovo (LDK)
5	Besnik Osmani	Democratic League of Kosovo (LDK)
6	Valon Murati	Alliance for the future of Kosovo (AAK)
7	Gafurr Podvorica	Liberal Party of Kosovo (PLK)
8	Nazmi Halimi	Social Democratic Party of Kosovo (PSDK)
9	Sebahate Grajqevci	Alliance for the Future of Kosovo (AAK)
10	Sabrije Rama	Alliance for the Future of Kosovo (AAK)
11	Mejreme Berisha	Alliance for the Future of Kosovo (AAK)
12	Şerafetin Ömer	Turkish Democratic Party (TDB)
13	Nexhmedin Sejdiu	Kosovo Protection Corps (KPC)
14	Luan Jaha	Roma Doctor
15	Ali Bajgora	NGO Centre for Human Rights and Juridical Initiatives
16	Gjylieta Mushkolaj	NGO Legal Reform
17	Avdullah Qafani	Egyptian Party
18	Ymer Shatri	NGO 'Handikos'
19	Gani Toska	Roma Party
20	Senad Adrovic	Unaffiliated
21	Fahri Beqa	Democratic Party of Kosovo (PDK)
22	Diamant Kastrati	Organization for Security and Co-operation in Europe (OSCE)
23	Fedzat Sagdati	Organization for Security and Co-operation in Europe (OSCE)
24	Halit Ferizi	NGO 'Handikos'
25	Arbnor Pula	NGO 'Forum for Democratic Initiative' (FID)
26	Bersant Disha	NGO 'Kosovo Initiative for Democratic Society' (KIDS)
27	Ibrahim Makolli	NGO 'Council for Human Rights' (KMDLNI)
28	Suzana Arni	NGO 'Kosovo Civil Society Foundation' (KCSF)
29	Bersant Disha	NGO 'Kosovo Initiative for Democratic Society' (KIDS)
30	Artan Venhari	NGO 'Kosovo Initiative for Democratic Society' (KIDS)
31	Fahredin Tahiri	Unaffiliated
32	Mujo Dacic	NGO 'Bosniac Citizen Initiative' (GIB)
33	Adem Limani	Alliance for the Future of Kosovo (AAK)
34	Boban Nicic	Community Office, Lipjan

35	Blerim Burjani	Alliance for the Future of Kosovo (AAK)
36	Xhangyle Ilijazi	Organization for Security and Co-operation in Europe (OSCE)
37	Misket Sinani	Organization for Security and Co-operation in Europe (OSCE)
38	Naim Korca	NGO 'Handikos'
39	Enesa Kadic	Unaffiliated
40	Lendita Ajazaj	NGO
41	Laura Kryeziu	NGO
42	Haxhi Thaci	Organization for Security and Co-operation in Europe (OSCE)
43	Salije Gajtani	Unaffiliated
44	Muharrem Qeska	The New Party of Kosovo
45	Veton Berisha	Unaffiliated
46	Myrvete Pantina	Unaffiliated

Members of the Assembly

1	Fetije Kepuska	(LDK) Commission on Health and Public Services
2	Sadudin Berisha	(LDK) Commission on the Rights and Community Interests
3	Zehra Elezi	(Vatan) Commission on Labour and Social Welfare
4	Naim Jerliu	(LDK) Commission on Health
5	Sofije Hargji	(LDK) Commission on Labour and Social Welfare & Commission on Health

ECMI Staff

1	Robert Curis	ECMI Kosovo – Country Director
2	Graham Holliday	ECMI Flensburg – Research Associate
3	Donika Krasniqi	ECMI Kosovo – Office Manager