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***Zyra për Çështje të Komuniteteve / Канцеларија за питања заједница / Office for Community Affairs***

**JOINT DOCUMENT:**

**COMMITMENT TO ENHANCED  
CO-OPERATION AND COMMUNICATION  
AMONG CENTRAL-LEVEL INSTITUTIONS  
SERVING KOSOVO COMMUNITIES**

Developed by representatives of the  
**CCC, OPM, MCR and MLGA**

**June 2013**





**REPUBLIKA E KOSOVËS / REPUBLIKA KOSOVO / REPUBLIC OF KOSOVA  
QEVERIA E KOSOVËS / VLADA KOSOVA / GOVERNMENT OF KOSOVA**

MINISTRIA PËR KOMUNITETE DHE KTHIM / MINISTARSTVO ZA ZAJEDNICE I POVRATAK /  
MINISTRY OF COMMUNITIES AND RETURN



**REPUBLIKA E KOSOVËS - ZYRA E PRESIDENTIT  
REPUBLIC OF KOSOVO - OFFICE OF THE PRESIDENT  
REPUBLIKA KOSOVO - URED PREDSEDNIKA**

KËSHILLI KONSULATIV PËR KOMUNITETE / CONSULATIVE COUNCIL FOR COMMUNITIES /  
KONSULTATIVNO VEĆE ZA ZAJEDNICE



**REPUBLIKA E KOSOVËS  
REPUBLIKA KOSOVA-REPUBLIC OF KOSOVO  
QEVERIA - VLADA – GOVERNMENT**

MINISTRIA E ADMINISTRIMIT TË PUSHTETIT LOKAL / MINISTARSTVO ADMINISTRACIJE  
LOKALNE SAMOUPRAVE / MINISTRY OF LOCAL GOVERNMENT ADMINISTRATION



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## **I. INTRODUCTION**

In 2012, the Office for Community Affairs within the Office of the Prime Minister held discussions with the OSCE regarding the need for enhanced co-operation and communication among the central level institutions and mechanisms dealing with community rights and issues. As a result of these discussions, a project was developed and funded by the OSCE in 2013, involving the establishment of a working group composed of key stakeholders at the central level.

The working group is composed of representatives from the four key central government institutions, the two key ministries and the two key policy bodies, dealing with communities issues: the Ministry for Communities and Returns (MCR), the Ministry for Local Government and Administration (MLGA), the Consultative Council for Communities (CCC) and the Office of the Prime Minister, including representatives from the Legal Office and the Office for Communities Affairs (OCA). Each institution or mechanism was requested to delegate senior representatives to work as active participants in the group. The Office for Communities Affairs has played a leading role in co-ordinating the work of the group, including through the Director of the OCA acting as chair of the meetings.

The working group's aim is to strengthen co-operation through discussions and exchange of information on the current situation with regard to joint work and communication, and to propose ways forward for improvement. This involved a series of meetings to explore problems and exchange information on mandates, areas of work, specific thematic areas of joint work, related challenges and examples of good practice. A workshop held in Montenegro in June 2013 provided the opportunity to explore issues in more detail, and the group benefitted from the participation of the Minister for Communities and Returns. The workshop discussions and all participants' contributions allowed for the development of this document, which has the aim of guiding ways forward to enhance institutional co-operation on communities affairs.

## II. CENTRAL INSTITUTIONS WITH KEY RESPONSIBILITIES FOR KOSOVO COMMUNITIES: MANDATES AND PRIORITY AREAS OF ACTION

### Mandate of the Office for Community Affairs

Office for Community Affairs (OCA) was established in 2008 following a decision of the Prime Minister. The mandate of the office is to coordinate the work of government bodies, independent agencies and local level institutions, as well as international organizations in relation to community affairs. In addition, it includes policy implementation by contributing, analysing and providing advice on government policy and, when necessary, inform and advice the Prime Minister, asses community policies, and resolve practical problems the communities face.

In addition to informing the public on important community issues, the OCA analyses the situation, identifies shortcomings in the implementation of legislation, provides recommendations to the Prime Minister on measures to be undertaken, highlights the objectives for each government body and monitors the effect of measures undertaken by each institution for the protection of community rights. OCA assists the Government in setting and jointly and coherently implementing adequate policies, offering analysis, advice and support in policy development. Moreover, it strategically employs its funds meet the needs of communities and works to improve efficient communication with communities, promotes equal treatment of all communities and regularly exchanges information with relevant partners.

### Priorities of the OCA for 2013

1. Cooperation with ministries and central level institutions
2. Cooperation with municipalities
3. Cooperation with nongovernmental organizations
4. Cooperation with foreign embassies and international organizations
5. Assistance to socially vulnerable persons
6. Economic development
7. Education

**Initiative:** Employment policy for non-majority communities

As in 2012 when the OCA leaded the working group to reform the Language Commission reform and creation of language policies, in 2013 the OCA will initiate establishment the working group that will work to improve the legal measures for employment of non-majority communities.

### Mandate of the Consultative Council for Communities

The mandate of the Consultative Council for Communities is to provide a mechanism for the regular exchange of information between communities and the Government of the Republic of Kosovo, to assist in organizing and articulating the views of communities and their members in relation to legislation, policies and public (strategic) programmes of specific relevance to them. CCC provides a forum for consultation and coordination between communities and ensures the efficient operation of community representative organizations and also provides an opportunity for minority communities, in the early stages, to take part in legal or policy initiatives that may be drafted by the Government or the Assembly, and suggest such initiatives in order to incorporate their opinion in respective programmes and projects including the strategy and the annual report.

**Priorities of the CCC are as follows:**

Establishment and development of communication and coordination mechanism as a necessity to ensure, on the one hand, that the interests of all communities are taken into account and are addressed to the respective stakeholders, and on the other hand, that these mechanisms will make sure that the CCC recommendations are implemented and monitored. Follow-up and strengthen cooperation in community affairs and exchange information between the CCC and the government sectors, non-governmental sectors and other representatives of local authorities. CCC has, among others, the following priorities: to be the competent and qualified staff for specific and important matters for the execution of the CCC mandate, such as legal affairs and communication; CCC must be allocated resources and an independent and sufficient budget in order to implement its mandate; CCC must follow-up the full implementation of constitutional and legal provisions; policies and strategies which are in the interest of communities and drafted by the central and local level, carry out visits in municipalities, visits in the countries of the region (exchange experiences with countries of the region), organization of conferences and regular press conferences and special announcements for the media, regular exchange of information with EULEX, OSCE, EC, COE and other organizations, and establish a database of community NGOs and present monthly reports. In addition, CCC must organize four meetings with NGOs and other local stakeholders within a year. Finally, CCC must maintain its webpage and publish its activities and of the working groups.

**Mission and mandate of the Ministry of Local Government Administration**

Our mission is to enhance local governance by cooperating with municipalities through coordination, strengthening and assistance to ensure accountable and efficient local level services closer to citizens.

**The mandate of the Ministry is:**

1. To develop policies and implement the legislation on effective municipal self-governance
2. To promote and affirm the rights of self-government of local authorities in compliance with the European Charter on Local Self-Government
3. To exercise functions in local administration, as provided by the Constitution of the Republic of Kosovo
4. To coordinate with sectorial ministries to ensure effective service provision controlled by the central level, including human and financial resources
5. To coordinate with the Ministry of Finance to ensure that municipal administration receives adequate financial resources to carry out its responsibilities including public investments
6. To support and back municipalities in promoting and protecting human rights at the local level
7. To coordinate activities with the line ministries in order to implement the Law on Gender Equality, the Law on Use of Languages, the strategies and action plans in the area of human rights at the local level
8. To oversee the functioning of municipalities in line with the applicable legislation
9. To foster the implementation of the European Partnership Action Plan in the local level.

**Key priorities of the MLGA**

1. To work with central level ministries on key interests for the development and implementation of the legal framework for local self-government in order to coordinate the policies and thereby strengthen the rule of law at the central and local level;
2. To continue with capacity-building of municipalities to provide services to their citizens in an efficient and fair way;
3. To further strengthen democratic accountability at the municipal level;
4. To lead and support the implementation of the Human rights Plan in Kosovo at the local level;
5. To develop and build administrative capacities in order to facilitate decentralization, having in mind the interests of all communities in Kosovo;
6. To cooperate with other ministries in order to give solutions in certain areas of fiscal and administrative decentralization;
7. To promote economic development by creating new jobs, land management and cadastre, and to promote agricultural products;
8. To draft the action plan of the strategy for every year.

**Mandate of the Ministry for Communities and Returns:**

Ministry for Communities and Returns was established on 24 January 2005.

1. Ministry for Communities and Returns works to create conditions for the return of displaced persons ensuring necessary conditions for the construction of housing units, creating the conditions for the education of returnees in their native language, providing health services for returnees and assisting them to set up their businesses, which is vital for a sustainable return.
2. The Ministry is working to build trust and reconciliation between communities, and thus through various projects and grants it supports the hosting community.
3. The Ministry cooperates with other central and local level institutions including measures for the protection of communities, the interests of the returnees, freedom of movement and security in general, as well as the rights to use their language, freedom of expression, education and employment.
4. The Ministry coordinates activities with other ministries, municipalities and institutions in order to create the best possible conditions for sustainable return and stabilize the community.

**Priorities of the Ministry for Communities and Returns:**

1. Returns process of Roma, Ashkali and Egyptian community members from camps in Macedonia and Montenegro
2. Completion of RRK III project and drafting of the RRK IV project
3. Completion of the CSP project, stabilization of communities
4. Drafting of the new strategy of the Ministry for Communities and Returns for the 2014- 2018 period
5. Completion of all adopted applications of returnees and communities which have undergone the procedures
6. Completion of the planned infrastructural projects
7. Establishment of the international working group for the resolution of the returns issue
8. Establishment of the regional working group on returns.

### **III. MONTENEGRO WORKSHOP DISCUSSIONS: KEY CHALLENGES AND GOOD PRACTICES RELATED TO INSTITUTIONAL CO-ORDINATION AT THE CENTRAL LEVEL**

#### **Key challenges**

##### ***i. Lack of information and weak information flows***

- Poor internal communication within institutions, including hierarchies and responsibilities.
- Poor external information outreach to other government institutions and bodies.
- Poor public information outreach – a lack of awareness amongst communities of different institutions' roles and responsibilities. Low levels of media attention to some central institutions compounds this problem of low community awareness.
- A lack of dissemination of key documents and information (contributes to the two previous challenges). For example, for some central institutions, a lack of publicly available information on work plans or annual reports on activities accomplished.
- For some central institutions, problematic or poor communication with municipal mechanisms.

##### ***ii. Resource limitations***

- Lack of financial resources to fulfil key functions and mandate responsibilities (for some central institutions).
- Lack of staff with appropriate professional qualifications and experience working on community issues. Recruiting suitable candidates is a challenge, particularly those from smaller non-majority communities such as the Roma community, Ashkali community or Egyptian community, and particularly at the local level.

##### ***iii. Inaccurate perceptions of institutional roles and inappropriate expectations***

The problem that many non-majority communities perceive the Ministry for Communities and Return (MCR) and the Office for Communities Affairs (OCA) as the only central level institutions who will respond to non-majority community needs. This can lead to expectations of MCR or OCA action on areas such as security, health, employment, etc. where the responsible institution is in fact the Ministry for Internal Affairs, Ministry of Health, Ministry of Labour and Social Welfare, whose roles are to serve all communities and municipalities in Kosovo.

## **Good practices**

### ***i. Inter-institutional co-operation a common objective***

Inter-institutional co-operation is specifically noted as a deliverable in annual plans and policy documents. All four institutions had specifically noted inter-institutional co-operation and communication at the central level, as well as improving communication with local government, as a strategic or activity plan priority. (In the annual work plans or policy documents of the OCA and CCC, in the draft MLGA strategy, and in the outlined priorities of the MCR, whose strategy is currently under development.)

### ***ii. Examples of current co-ordination mechanisms***

Some cases were noted where representatives of some central institutions were regularly included in meetings of other institutions (e.g. the OCA and MCR as members of the CCC). Equally, cases were noted where central institutions' representatives were included in specific processes, such as the working group to develop the legislative and policy framework on language rights.

## IV. RECOMMENDATIONS

### **1. Increase proactive communication and the exchange of information among central-level institutions**

- Exchange all institutions' basic documents: mandate, activity plans, strategies, organigrams, etc.
- Share promptly all relevant reports, including annual reports on completed activities.
- Provide for review by or inputs from other central level institutions in the development of key documents, for example key legislation or strategies, particularly multi-year planning documents.

### **2. Ensure a solid basis of public information is widely available for each institution**

- Set up clear and updated websites for all central institutions in both official languages. Post reciprocal web links on all four central institutions' websites.
- Increase use of the media, including a range of media coverage and promotion to assist public awareness, including monthly bulletin publications (electronic versions).
- Explore possibilities for a 'communities web portal' which could include links to all relevant institutions as a basis, and potentially a wider range of community relevant information.
- For some institutions, increase field visits and public events or debates.

### **3. Undertake regular, technical-level information exchange and consultation among central-level institutions.**

- Appoint thematic focal points in key areas who meet regularly, participate in relevant thematic working groups, and act as consistent contact points for specialised information exchange. In particular, areas where several central-level institutions are active should be prioritised for thematic co-ordination. For example, participants' discussions identified common areas of project activity, including: education, economic development, social assistance, legislation, civil society co-operation, and infrastructure.
- Exchange reports, assessments and other relevant documents on key areas relevant for communities.

### **4. Explore options for building the capacities of central and local civil servants with specific communities-related responsibilities.**

- Identify key areas where specific skills or training is needed, as well as specific areas where skills or knowledge exchange between central-level institutions would be beneficial (e.g. draft legislation review).
- Consider joint provision of capacity-building (e.g. for MOCR staff).

### **5. Explore opportunities for collaboration on specific initiatives that would be of common benefit to central institutions and communities.**

- For example, joint initiatives to create a database of NGOs representing communities or communities' issues, joint field assessments, or joint municipal-level projects.



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