



**Non-government Civil Emancipation Ma Ndryshe
EC MA NDARYSHE**

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PRESS RELEASE

Six violations by the largest Municipal Assemblies of Kosovo have been identified during nine months

During the first nine months of this year, the largest Municipal Assemblies of Kosovo took decisions, in certain cases that were inconsistent with the provisions of the applicable laws. During this period of time, based on the assessments conducted by the Ministry of Local Government and Administration it appears that two breaches were identified in MA of Gjakova, while one legal breach was identified in each Municipality of Prishtina, Prizren, Ferizaj and Gjilan. Meanwhile no violations were identified in the Municipality of of Peja and South Mitrovica.

According to the information obtained from the MLGA, the MA of Prishtina and Gjakova each failed to address one decision with breaches, while the MA of Prizren, Ferizaj and Gjilan have taken corrective measures to align the acts with the applicable legislation.

The MLGA explained that one violation was identified in MA of Prishtina during the period of January-September 2015.

“The decision for the extraordinary meeting held on 14.01.2015, requesting committee members of municipal utilities shareholders to provide information in writing to members of assembly for any action taken to date. On 12.02.2015, MLGA sent a request to the MA of Prishtina to align the act, but the MA failed to take any actions related to that violation” stated in the request of this ministry.

MLGA identified two legal breaches in the decision-making of the MA of Gjakova:

“The decision 01 Nr.-01-31359 of the Municipal Assembly of Gjakova adopted on 29.04.2015 on amending and supplementing the statute of the municipality. The MLGA sent the request to the municipality on 22.05.2015, but the municipality failed to take any action for the review of the act”.

“The Decision no. 011-43953, for the establishment of the working group to draft the regulation for the local communities in the meeting held on 30.06.2015. The MLGA sent the request to the municipality on 03.08.2015, whereas the Municipal Assembly of Gjakova during the meeting organized on 28.09.2015, repealed the Decision in compliance with MLGA’s request for review”.

MLGA returned a decision for review in Prizren.

“The Decision Nr.01/011-011-157145 for the exchange of the municipal property was adopted on 27.08.2015, while the request from the MLGA was sent to the municipality of Prizren on 10.09.2015. Upon the request of MLGA, the Municipal Assembly of Prizren reviewed and aligned the decision in the meeting held on 17.09.2015.

Meanwhile in Ferizaj, after assessing the legality, the MLGA rejected one regulation: "Regulation on decorations of MA Ferizaj approved in the meeting held on 04.03.2015, the MLGA sent the request to the Municipality of Ferizaj on 17.03.2015, whereas the Municipal Assembly reviewed and aligned the regulation on 31.04.2015".

MLGA returned the Decision to Gjilan for review:

"The Decision to allocate for use of the cadastral parcel P-70403013-00162-8 with the area of 233 square meters, in the meeting held on 27 January 2015, the Municipal Assembly of Gjilan reviewed and harmonized the act during the meeting conducted on 26 February 2015".

On the other hand while assessing the legality of acts of the municipality of Peja and South Mitrovica, the MLGA indicated that no violations were identified.

Based on these findings, EC Ma Ndryshe considers that the above mentioned MA-s shall be more accountable in decision-making. It also recalls that the Municipal Assembly is the highest body on the local level and that all members of the MA give an oath that they will perform all duties and exercise authorities under the law.

Therefore, EC Ma Ndryshe recommends to MA that after receiving the assessments from the central level they shall review all acts that are not in compliance to the applicable law within the shortest timeframe, and align them according to the instructions given by the MLGA.

In addition we make an appeal to the abovementioned MA-s to work more in improving their reputation, by working harder to improve the quality of citizens lives and the overall development of the respective municipalities.

Ec Ma Ndryshe started implementing the project "Municipal Transparency Index Reform" since May 2015, thanks to the support of the UK Embassy in Pristina, which covers the largest municipalities of Kosovo, Prishtina, Prizren, Peja, Mitrovica, Gjilan, Ferizaj and Gjakova, as well as in Suharekë, Rahovec, Malisheva, Dragash, Mamusha and Shtërpe. The concerned project is aimed at assisting the municipalities in identifying major gaps in terms of transparency as well as providing guidelines for addressing and overcoming them. Transparency Index presents a structured effort to support Kosovo municipalities in meeting the standards of good governance, defined with the reform of local government and Kosovo's European agenda

Respectfully,

Elmedina Baxhaku, Monitor

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