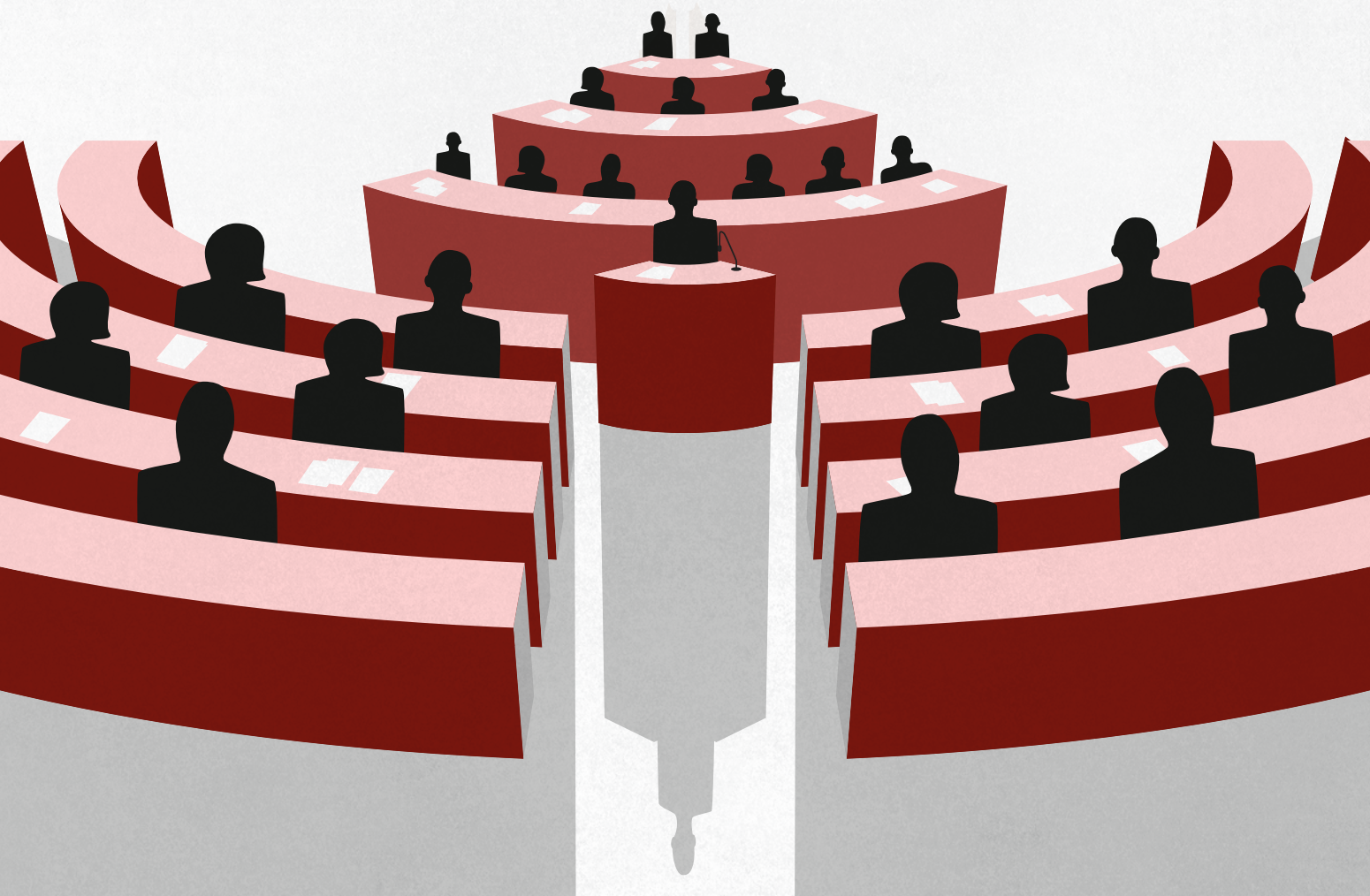


PERFORMANCE OF THE KOSOVO ASSEMBLY DURING THE SPRING SESSION

15 JANUARY – 31 JULY 2024





The Democratic Institute of Kosovo is a branch of Transparency International for Kosovo

KDI's mission is to support the development of participatory democracy and the fight against corruption through the promotion of transparency, accountability and integrity at all levels and sectors of society.

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EXECUTIVE SUMMARY



During the spring session, the Assembly of Kosovo showed the usual shortcomings and a decrease in legislative activity. During this period, no sessions were held for 13 working weeks, while when the sessions were held, they were with overloaded agendas, which prevented the effective review of the legislation. This was a consequence of the lack of quorum which was caused by the unreasonable absences of MPs, resulting in almost every plenary session being closed in half.

Even during this session, the role of MPs in the drafting of laws remains limited, with the legislative work being characterized by minimal involvement of MPs. During this period, 36 laws were approved, fulfilling 28% of the legislative agenda of the Assembly. This has highlighted the lack of stability within the parliamentary majority, which had difficulty maintaining a quorum throughout the session. Only three approved draft laws were part of the government's agenda for 2024.

Among other things, the Assembly has shown a weakening of its supervisory functions, especially in relation to interpellations, reports and parliamentary investigations. Despite important developments inside and outside the country, the prime minister was never invited to report, while parliamentary investigations faced constant obstacles. Some investigative committees failed to fulfill their tasks and some others are still in the early stages of their work. The use of the parliamentary question mechanism has also declined during this session. This has also been influenced by the lack of accountability from the executive, who often avoids answering the questions posed. The absence of a more active role of the President of the Assembly has further weakened parliamentary supervision, since there continued to be no remarks on the irresponsible behavior of ministers towards the Assembly.

Some important events that characterized this year's spring session were the completion of the drafting of the Code of Conduct in the Committee on Legislation, which is an important achievement, although still without final approval in the session. On the other hand, draft laws such as the one for the Independent Media Commission and the Prosecution Council of Kosovo have sparked numerous debates, with strong opposition from the opposition parties and concerns about political influence. These developments underscore the ongoing challenges in improving governance and increasing accountability.

As for the work of the parliamentary committees, during this session, they held 193 meetings, including legislative and supervisory hearings, while the investigative committees held 36 meetings. Compared to the session of the previous year, the number of meetings has decreased.

Some of the committees have handled fewer draft laws and reports than in the previous spring session, reflecting weaker legislative and oversight activity.

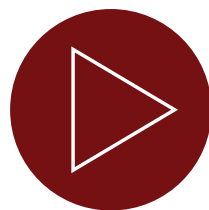
Meanwhile, some committees have had a busy activity and have realized a considerable number of meetings and public hearings, including the approval of draft laws and important reports. However, there has been a lack of in-depth debate and effective oversight in some committees, which has affected the overall quality of parliamentary work. The main problems have included the lack of supervisory activities, delays in handling financial reports and a decrease in legislative activity in some committees, which have reduced their efficiency in fulfilling their functions.

During the spring session, there were advances in the transparency of the Assembly with the return of new electronic devices, although their use did not begin during this period. However, transparency in the Assembly is not limited to only this aspect. In addition, non-transparent activity by the committees has continued, with the non-publication of their documents such as work plans, transcripts and minutes of meetings and hearings, despite the fact that this is required by the Rules of procedure. Out of a total of 229 meetings and hearings held, only for 140 of them the relevant documents were published, reflecting a trend similar to last year's. This fact underlines the need for improvement in the transparency of the activities of the Assembly.





INTRODUCTION



This analytical report evaluates the work of the Assembly of Kosovo, from the beginning of the spring session on January 15 to its end on July 31, 2024.

The report is the result of systematic monitoring by the Democratic Institute of Kosovo, through physical presence and remote monitoring of the work of the Assembly, sessions, committees and other activities developed in the Assembly.

The first part of the report reflects the developments in the sessions of the Assembly. This part, divided into short parts, deals with the legislative process, the supervision of the executive, the issue of the implementation of the Rules of procedure and the transparency of the Assembly towards the public. Unlike previous times, the Report also includes a column composed of special events during the session.

In the second part of the report, the work of the committees is presented, through the provision of quantitative and qualitative data. Along with the presentation of the activity numbers of these committees, the descriptions also offer evaluations for the segments or areas where the committees performed well, as well as criticism for the shortcomings where they should aim to improve.

Finally, the Report, in a summary form, ends with recommendations for the Assembly and the MPs, in such a way that the deficiencies revealed during this session are first identified, and then action is taken in the direction of addressing and avoiding them.



DEVELOPMENTS IN THE SESSIONS

1.1 Legislation

The legislative function of the Assembly of Kosovo represents the central function. In the legislative activity during this session, the presence of the usual shortcomings is visible, while the difference [between the sessions] appears only in the decrease in the intensity of the work. **During the session in question, the Assembly did not hold meeting for 13 working weeks.** Usually, the Assembly has organized the work in busy agendas, set in short periods, the quality treatment of which is hardly possible. Meanwhile, the role of MPs in the drafting of legislative material leaves great room for improvement. **In general, the legislative work column is characterized by a lack of balanced planning: non-systematic work, busy agendas, spread over few sessions and the lack of a direct role of MPs in law-making.**

In the general examination, between sessions, it can be affirmed that in terms of legislative work, there is no development that represents substantive change. The downward trend in terms of numbers has continued, as predicted. This is because since the beginning of this legislature, there has been a continuous decline in the performance of the Assembly. The main reason has been the challenge of the parliamentary majority to ensure the necessary quorum for voting on draft laws. **During the spring session of this year, the Assembly held 29 sessions, 10 of which were plenary sessions, 7 continuation of sessions, 6 extraordinary and 6 solemn sessions.**¹ Whereas, in the spring session of last year, the Assembly held 49 sessions, 22 of which were plenary, 17 continuations, 8 extraordinary and 2 solemn.² We clearly notice the lack of precise planning of the legislative agenda this year as well. The ratio of the numbers, between the plenary sessions and the continued sessions reflects this situation, where there was a need for continued sessions - to complete the agenda of the previous session.

In a common form in the parliamentary practice of Kosovo, the voting of the legislative material, even this session, has been extended several weeks or months from the moment of elaboration in the parliamentary session. The normalization of this practice presents a serious problem for the quality of parliamentary examination. The vote must be preceded by a full and exhaustive debate, which leads to the final consideration by the MPs - it must not be reduced to one organization to achieve the necessary numbers, until the MPs are transformed into voting instruments. For a practice like this, although it has been reasonably criticized, the Assembly has not taken any action in terms of improvement. **During the first 3 months, the Assembly approved 2 draft laws, while in the subsequent period it approved 34 other draft laws**³ - 20 of which in only two sessions.⁴ In optimal circumstances of the continuous presence of the necessary quorum, the Assembly should hold the final review of the legislative material in the discussion session.

Of the draft laws adopted in this session, 20 are international agreements, while there are only 15 draft laws and 1 draft code that content-wise regulate different subjects or topics. **There are 45 draft laws left in the review procedure of the Assembly, of which only 9 are from the Government's 2024 legislative agenda.** The summary of these data highlights the fact that 99% of the Government's 2024 legislative agenda remains for treatment during autumn session. Overall, the disappointing work result during the session represents a predictable development, considering the downward trend in work that this legislature had shown in the previous sessions. The main factor is the lack of stability in the parliamentary majority, problems within which have always appeared during the session. Although with a formally declared majority, the party in power suffered from the lack of the quorum, while a temporary agreement between the Vetëvendosje Movement and the Democratic Party of Kosovo made it possible to vote on 20 international agreements. International agreements were previously supported by other opposition parties, but their vote failed due to lack of numbers.

For a planned parliamentary practice, the Assembly should increase the number of sessions, while the agendas should be more accessible in terms of the volume they contain. Thus, the sessions would have to fit better into the workday calendar, whereas they would not have to be limited to certain days of the week. The Rules of procedure, as a working day for the meetings of the Assembly, defines all days of the week, excluding weekends and official holidays.⁵

Although during the session there were several cases when draft laws were initiated by MPs, in general, the role of MPs in the legislative process continues to remain unsatisfactory. MPs are further penalized by the lack of resources and knowledge necessary to determine the content of the legislative material in the law-making process. Therefore, it can be concluded that the Assembly has continued to serve as a body for handling the material coming from the executive, a role that should be advanced, with the aim of activating the MPs in the drafting of draft laws. The decrease of work in the legislative body represents the change between sessions. Together with the drastic decrease in the number of meetings, the Assembly has shown a decrease in activity in the implementation of the legislative agenda. **During the session, a total of 36 draft laws were adopted (35 draft laws and one Draft Code), this number is lower than in the same session last year, when 44 draft laws were adopted.** Expressed as a percentage, the agenda of the Assembly has been fulfilled by 28%, but which includes draft laws accumulated over the years. Only 3 draft laws adopted during this session are part of the executive's legislative agenda of 2024. Which means that less than 1% of the Government's 2024 legislative agenda was adopted during this session.

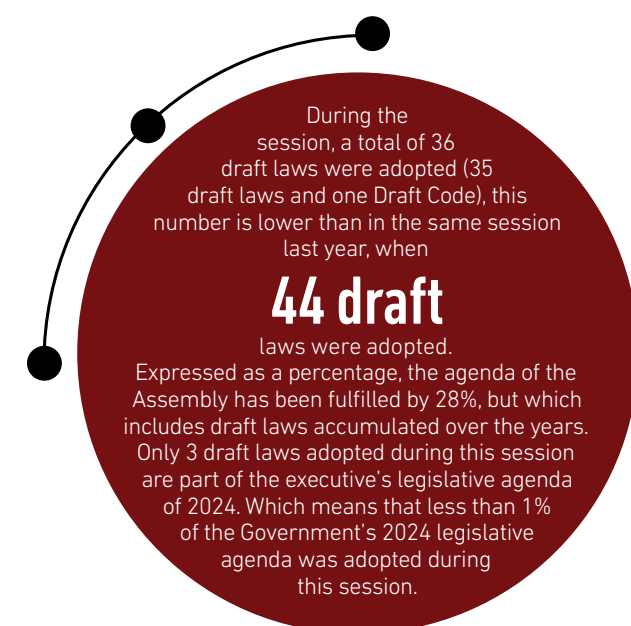


TABLE 1.1 - Number of Sessions

	Spring Session 2024	Spring Session 2023
Plenary	10	22
Continuations	7	17
Solemn	6	2
Extraordinary	6	8
TOTAL	29	49

1.2 Supervision of the Executive

Within the work of the Assembly, supervision – along with legislation – represent the central functions.⁶ Although the supervisory activity represents an essential instrument in parliamentary work, the Assembly, even during this session, has not undertaken measures to strengthen supervision. Moreover, daily data reveals a decline in supervisory activity – both qualitatively and quantitatively.

Throughout the session, despite the most extraordinary developments, the Assembly has never invited the head of the executive to a reporting session or interpellation. An opposition, like this one, although it does not have sufficient numbers to initiate more substantial accountability processes, should at least use the elementary accountability tools – and reports or interpellations were frequent events in Kosovo's parliamentary practice. Similarly, the MPs of the majority block, in contrast to the representatives of the executive, should behave in compliance with the mandate as MPs of the Assembly of Kosovo,⁷ as a supervisory authority to the Government. In the existing practice, as in the sessions and in the committees, the MPs of the parliamentary majority have appeared as figures approving the Government's actions. The approach of the obeying MPs has released the executive from responsibility towards the Assembly, phenomenon that is worrying for Kosovo.

During the spring session, the Assembly faced a devaluation of the main mechanisms of supervision, such as the investigation through a parliamentary committee or parliamentary questions. From this point of view, the obstruction of the work of the Investigative Committee for State Reserves, established during the last session, should be highlighted.⁸ Initially, the investigative body on reserves was prevented from holding the establishing meeting, due to the complete boycott by the MPs of the majority.⁹ However, the further situation was transformed into a partial boycott after the establishment of this Committee. MPs without distinction, whether from the position or the opposition, did not limit their activity in accordance with the investigative mandate given by the Assembly, while the meetings ultimately served more as an opportunity to express political opinions on completely external issues, in relation to the topic under investigation. **Thus, the Investigative Committee for State Reserves completed its full mandate without starting the investigation – without handling any evidence and without conducting any interview session for the witnesses.**¹⁰

In order to exercise the supervisory function against the executive, the Assembly established two more committees: the Investigative Committee for the Management of Labor Relations in the Diplomatic Service¹¹ and the Investigative Committee for the Process of Subsidizing the Purchase of School Textbooks.¹² The work of these two bodies, considering that they are in the middle of interviewing witnesses, cannot be prejudged, but judging by the intensity of the work, it can be concluded that the committees have spent too much time in drafting the investigative plan, whereas at the very end of the session they began investigative action in practice. In both committees, the cooperation of MPs within the investigation is difficult, in the circumstances of the existence of a rift between the party in power and the opposition. In the Committee for School Textbooks, MP Shemsedin Dreshaj, in the capacity of the Chairman of the Committee, ignoring the request of the MPs of the Vetëvendosje Movement, to hold the pre-planned meeting, announced the works of the committee for the session closed ahead of time.¹³ A similar situation occurred at the Diplomatic Service Committee, where members disagreed on how to proceed with the list of interviewees for the next session, until the last meeting ended in the usual antagonistic climate.

On the other hand, two investigative committees are awaiting the presentation of the investigative framework in the plenary session.¹⁴ In both cases, the opposition MPs, with their signatures, made the establishment of these bodies [legally] necessary¹⁵, but they did not present the reasons for the establishment of these bodies in the session of the Assembly. Under any circumstances, the unwillingness to present the reasons and investigative platform, represents an unworthy action for the opposition, which also invalidates the investigation into the issues in question. Also, since in the autumn session this legislature enters its last 6 months, according to the Law on Parliamentary Investigation, they can no longer be established.

The mechanism of the parliamentary question, as a way of supervising the executive, has also experienced a fall in evaluation. **During the spring session of this year, the MPs submitted a total of 110 questions to the executive, this number is lower than in the spring session of 2023, during which the MPs submitted a total of 168 parliamentary questions.**

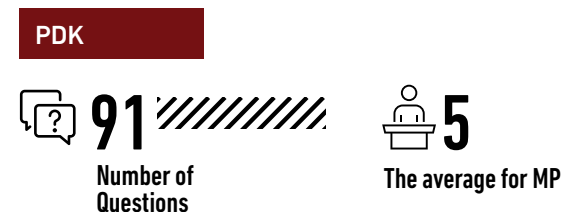
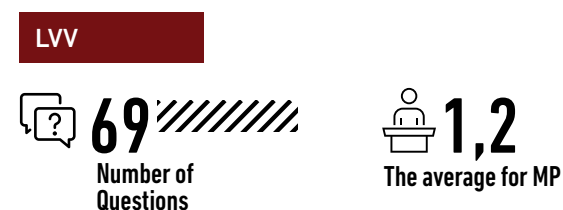
110 parliamentary questions during this session, the MPs submitted to the executive 219 times. This increase, in fact, has been influenced by the lack of responses from the executive, since a number of these questions have been constantly repeated, increasing their final number.

In terms of the scope of the parliamentary questions presented, it must be admitted that the report does not reflect statistics similar to those of the previous year. MPs from both blocs have shown different trends: while the MPs of the ruling party, Vetëvendosje, have recorded a decrease, from 1.8 to 1.2 questions per MP; MPs from

opposition parties have shown improvements. Thus, AAK MPs have tripled the number of parliamentary questions submitted, from 1.6 to 5.3 questions per MP, while upward trends are also observed in PDK, with an increase from 2.8 questions per MP to 5. This party leads with the number of questions asked. In the case of the LDK, there is an increase – with an average of approximately 1 question per MP. At the very end, the lack of questions from the MPs of non-majority communities in the Assembly of Kosovo remains disturbing.

TABLE 1.2 – Parliamentary Questions by Parliamentary Groups¹⁶

Spring Session 2024

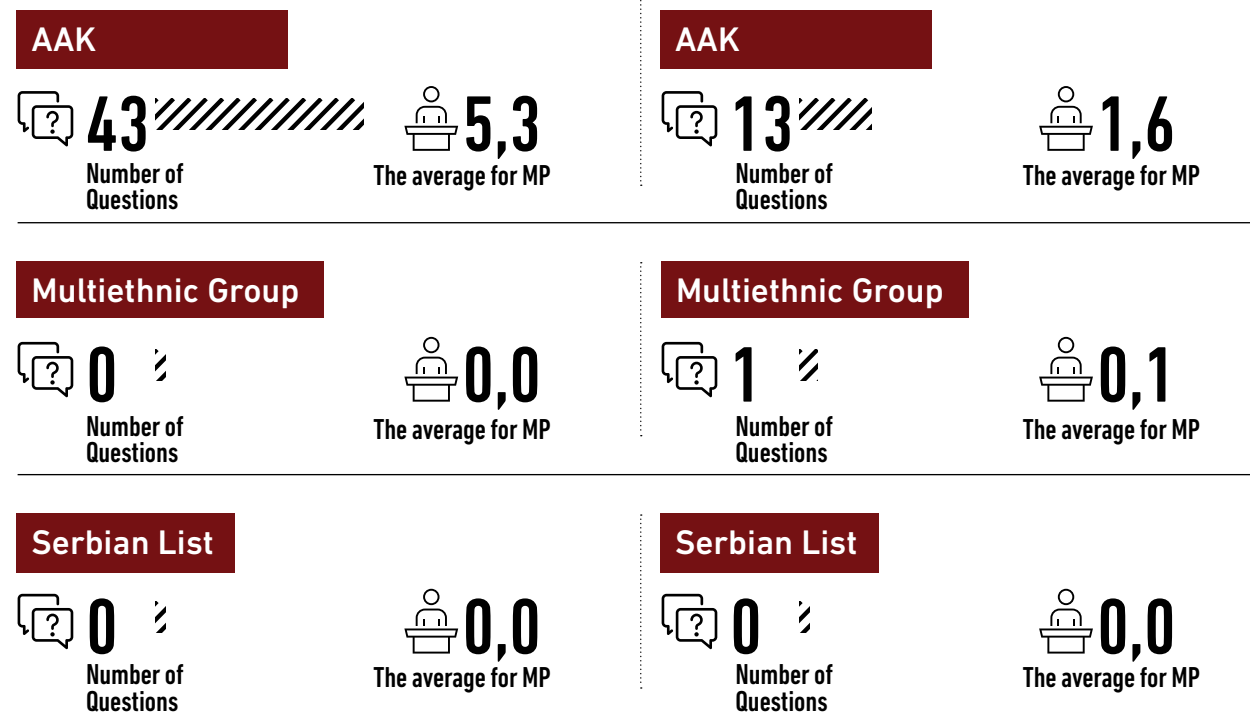


Spring Session 2023



Spring Session 2024

Spring Session 2023



The readiness of the representatives of the executive to answer the parliamentary questions of the MPs, has left much to be desired. The ministers have regularly avoided the sessions, the agenda of which contains parliamentary questions, this action is contrary to the operation defined according to the Constitution of Kosovo and the Rules of procedure of the Assembly. In only 33 cases (15% of the parliamentary questions), the institution of the parliamentary question was successfully used, with answers from members of the executive – indicator of a devaluation of this form of supervision.

In this development, initially, the responsibility must be transferred to the Government. Some of its representatives have shown irresponsible behavior towards the institution of the Assembly. The executive, starting from its leader and the holders of ministerial positions, in most cases have demonstrated a pronounced lack of accountability. **Prime Minister Kurti, in the questions that were put to him 36 times, did not offer any answers, while the majority of the cabinet showed complete disregard for the parliamentary questions. In this approach, the Minister of Internal Affairs, Xhelal Sveçla, stands out, who is the 'champion of irresponsibility', as he has been completely boycotting parliamentary questions for approximately 2 years.**

Meanwhile, the head of the Ministry of Agriculture.¹⁷ Faton Peci, remains an opposite case within the cabinet, who has shown a higher willingness to answer the MPs. The data show that out of 9 questions that were put to him, he gave only 1 answer, but this was due to the fact that the MPs who submitted the questions were absent themselves.

In this unsatisfactory performance, the irresponsible approach of the MPs also played a big role, since in more than 80 cases, they were absent from the session when the question they officially presented was to be read. In the table below, you can find the report of the questions asked, including the repetitions of the questions and answers provided by the members of the executive.


TABLE 1.2 – Questions submitted to the Executive and the answers

MP	Spring 2024 Session	Spring 2023 Session
Albin Kurti	36 Questions, 0 Answers	17 Questions, 17 Answers
Besnik Bislimi	0 Questions, 0 Answers	1 Questions, 1 Answers
Albulena Haxhiu	1 Questions, 0 Answers	2 Questions, 1 Answers
Liburn Aliu	77 Questions, 17 Answers	48 Questions, 29 Answers
Arben Vitia	14 Questions, 5 Answers	8 Questions, 8 Answers
Faton Peci	9 Questions, 1 Answers	3 Questions, 3 Answers
Elbert Krasniqi	0 Questions, 0 Answers	2 Questions, 1 Answers
Fikret Damka	0 Questions, 0 Answers	1 Questions, 1 Answers

Spring 2024 Session

**TOTAL** **219**  **33**

Spring 2023 Session

**TOTAL** **171**  **57**

1.3 Rules of procedure and normalization of disrespectful precedents

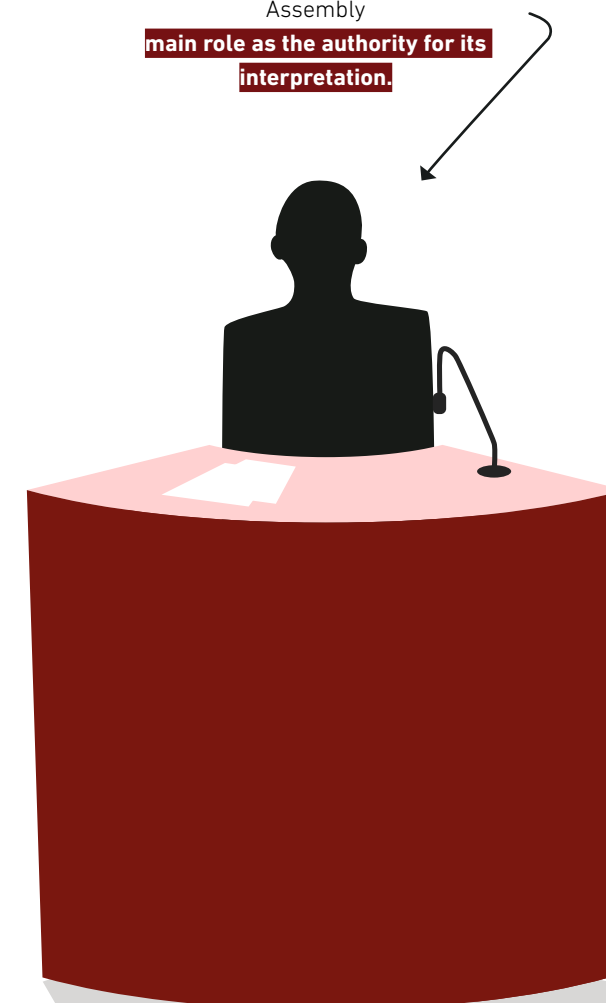
The adoption of the new Rules of procedure, in 2022,¹⁸ was considered an important step in improving parliamentary work. Unfortunately, the difference between the periods is not noticeable, since the inapplicability of the Rules of procedure in many disputes has been constantly repeated, to the extent that a certain practice of its violation has been created. **It should be noted that in the violation activities of the Rules of procedure during this session, the main role has continued to be played by the President of the Assembly, as the authority for its interpretation.**¹⁹

As mentioned above, the boycott of parliamentary questions by the executive has continued during this session as well. **The neutrality of the President of the Assembly, in the face of the boycott of parliamentary questions, represents one of the examples, when he has flagrantly avoided the Rules of procedure, describing the Government's action as acceptable.** In the framework of the parliamentary control chapter, the Rules of procedure delegates to the chairman the power to withdraw a warning²⁰ against the representatives of the executive who behave irresponsibly to the obligation to provide answers to the questions of the MPs. This disregard of the Assembly and MPs represents a violation of the existing Rules of procedure and the leader of this institution should take a critical stance, in order not to turn the boycott of parliamentary questions into a useful political tool.

One of the recidivist violations during this session is the burning of the MP's question, with the excuse of absence. During the past year, we have such a case of exceeding the powers, which the Rules of procedure delegates to the President or Chairperson of the session. During the parliamentary question period, in the session of April 20, 2023, President Konjufca, with the justification of the absence of the deputy Blerta Deliu-Kodra, concluded that the possibility of carrying the question will not be applied in this case, since the absence of the deputy "burn the parliamentary question."²¹ Similarly this year, in the session of February 8, MP Avdullah Hoti was forced to withdraw the question, after the chairperson's insistence.²² An action like this is not justified in any of the materials that regulate the relations between officials in the Assembly and this represents a completely unparliamentary practice.

It should be noted that in the violation activities of the Regulation during this session, the main role continued to be played by the Speaker of the Assembly

main role as the authority for its interpretation.



One of the most prominent violations, which represents an established practice in the Assembly of Kosovo, is the way in which the duration of the mandate of the Investigative Committees is interpreted. In the existing practice, the mandate given by the Law on Parliamentary Investigation, of 6 months,²³ was extended to the Investigative Committees for the period spent in the break between sessions. A clarification provided by the Legal Office of the Assembly explains that this interpretation is based on the definition of the Rules of procedure, more precisely not calculating the break periods between sessions.²⁴ This way of interpretation represents an action contrary to the Rules of procedure of the Assembly, since the determination in question is subject to procedural deadlines in parliamentary work, it cannot in any way limit or extend the mandate given in a precise form, through another law. Secondly, the Rules of procedure of the Assembly, defining all the procedures of parliamentary investigations, has the Law on Parliamentary Investigation.²⁵ While the Law on General Administrative Procedure, did not justify the parliamentary practice of not calculating the period between sessions as the time spent in the mandate.

Despite the fact that the Agreement was signed in 2022, it was not voted on in the Assembly of Kosovo due to its controversial content. This decision was primarily based on the concerns of certain MPs regarding the Agreement's content. Ultimately, the Assembly rejected this Agreement in the session of May 16, with 75 votes in favor and 13 against, expressing its disapproval of the content.²⁶ The Ministry of Justice announced that it had initiated the process of renegotiating the Agreement's content. Subsequently, the Agreement was returned to the Assembly in the same format one week later, after the content review was completed in a non-transparent manner. This procedure had come to an end with voting taking place in the session on May 23,²⁷ with the text of the agreement, which was alleged to have changed, although in the integral dilemmas, about which the MPs had expressed their concerns, the agreement had remained intact. Consequently, the Government has completely disregarded the Assembly's desire for the Agreement in question, as evidenced by the May 17 vote, while it returned the text to the Assembly of Kosovo for vote [in a non-transparent manner], despite the fact that it is identical in content.

The regulation establishes the potential for the return of an agreement in the event of a vote against expressed by the MPs. However, it is evident that the process must be reset by renegotiating the agreement in a transparent manner that addresses the controversial issues, which legislators have expressed skepticism about. The renegotiation process did not address the MPs' objections, and as a result, the Assembly's authorities did not take any action to prevent this violation of the institution's role.

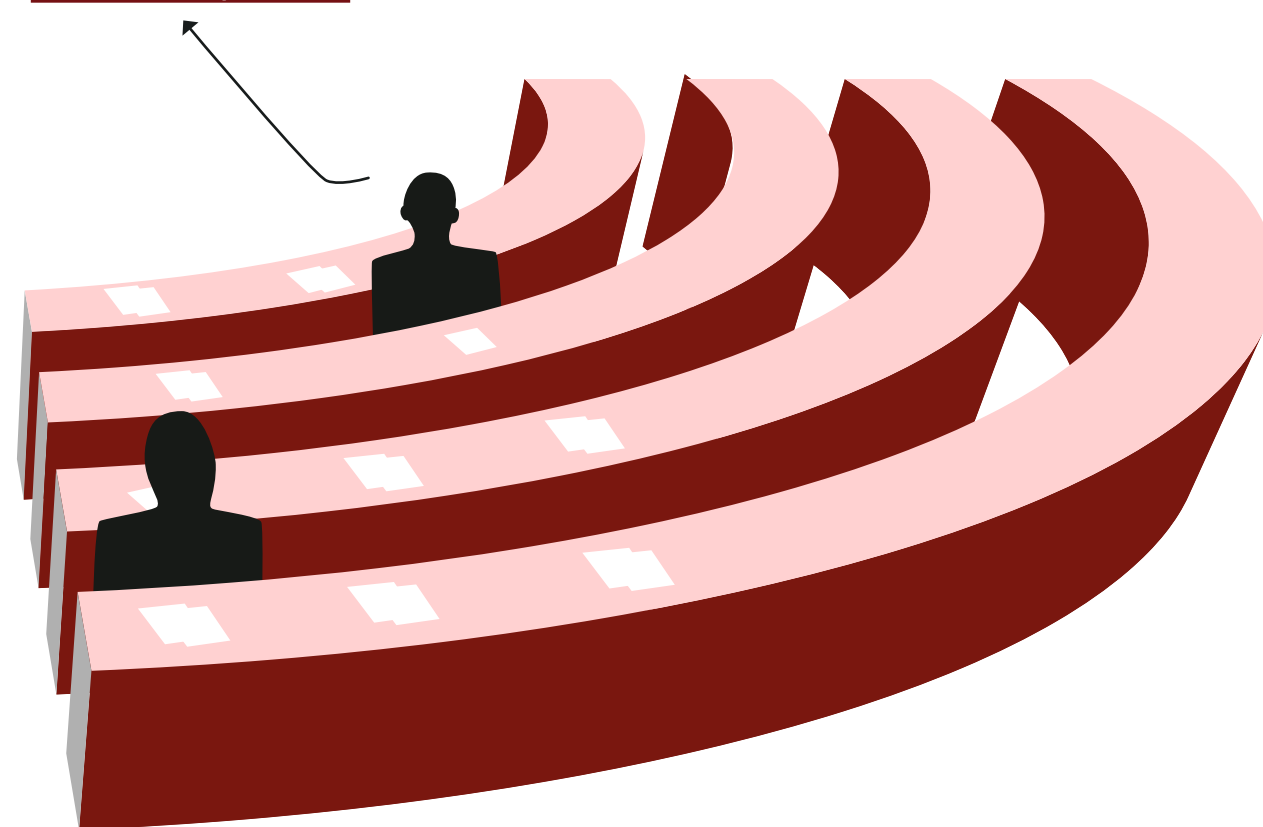
In a separate instance, the President of the Assembly Konjufca has facilitated the violation of the procedure outlined in the Regulation by withdrawing from the agenda during the second review of the Draft Law on the Register of Beneficial Owners.²⁸ On July 11, the representatives of the Committee for Economy requested that this draft law be removed from the agenda and returned to the Committee for Economy for consideration, citing Article 53 for the change in the agenda. Nevertheless, this request is in direct opposition to Article 53 itself, which stipulates that the agenda may be altered at the commencement of the session, rather than in the middle, as was the case in this specific instance.²⁹

Unlike the cases described above, in another case, the attempt of the Deputy President Saranda Bogujevci to put the session in order, through the departure of the MPs Salih Zyba and Ferat Shala, was rejected by the security officials.³⁰ After attempting to ensure the smooth progress

of the meeting, and also warning MPs Zyba and Ferati, the Deputy President Bogujevci, in accordance with the powers that come from the Rules of Procedure,³¹ decided to use the measure of removing the two MPs in question from the session. This situation is an example of a rare occurrence in which security personnel fail to comply with the directive of a leader to implement the measure. Undoubtedly, this event also constitutes a severe breach of the shared responsibilities outlined in the Rules of Procedure. The Assembly should take this omission seriously and implement measures to ensure that it remains an isolated incident and that it cannot be repeated. In this regard, the Assembly, just as it has not explained the context, has not announced any measure applied to non-compliant officials.

The perspective that restricts the Assembly's decision-making to individual wills has led to the expansion and normalization of practices that violate the Rules of Procedure.

In the 17 meetings for which the Assembly has kept evidence, **MPs were absent 525 times, or 24.3% of the time per session.**



1.4 Behavior of MPs and Absences

In a comprehensive analysis, through the data on the absence of MPs, the conclusion can be drawn that this problem, in addition to showing no signs of improvement, the trend of increasing absences is visible. **In the 17 meetings for which the Assembly has kept evidence, MPs were absent 525 times, or 24.3% of the time per session. The table below shows the extent of absences among the parties in relation to the number of MPs. MPs of the Democratic Party have the highest number of absences during this session.** The table below shows the proportion of absences among the parties in relation to the number of MPs. The Democratic Party's MPs have the highest number of absences this session. They were absent in 26.5% of the sessions, followed by the Democratic League, whose MPs were absent in 22% of cases; MPs of Self-Determination were absent in 13.9% of cases; and MPs of the Alliance for the Future of Kosovo were absent in 9% of cases. This figure also includes the absences of the Serbian List, who were absent in 87.5% of the sessions due to their boycott of the Assembly for nearly the entire legislature; other minority MPs were absent in approximately 15% of the sessions.

The neutrality of the President of the Assembly, in the face of the boycott of parliamentary questions, represents one of the examples, when he has flagrantly avoided the Rules of procedure, describing the Government's action as acceptable. In the framework of the parliamentary control chapter, the Rules of procedure delegates to the chairman the power to withdraw a warning against the representatives of the executive who behave irresponsibly to the obligation to provide answers to the questions of the MPs.

The manner in which the Agreement between Kosovo and the Kingdom of Denmark was handled, for the use of detention facilities in Gjilan, was also disrespectful of the institution of the Assembly and the spirit of the Regulation.

TABLE 1.4 – Absences of MPs during the 2024 Spring Session³²






























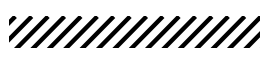










LVV			
 56 Number of MPs	 1008 Anticipated Participation	 140 Absences	 13,9% 
PDK			
 18 Number of MPs	 324 Anticipated Participation	 86 Absences	 26,5% 
LDK			
 16 Number of MPs	 288 Anticipated Participation	 64 Absences	 22% 
AAK			
 8 Number of MPs	 144 Anticipated Participation	 13 Absences	 9% 
MULTIETHNIC			
 8 Number of MPs	 144 Anticipated Participation	 22 Absences	 15% 
SERBIAN LIST			
 12 Number of MPs	 216 Anticipated Participation	 189 Absences	 87,5% 
INDEPENDENT MPs			
 2 Number of MPs	 36 Anticipated Participation	 11 Absences	 30,6% 
TOTAL			
 120 Number of MPs	 2160 Anticipated Participation	 525 Absences	 24,3% 

TABLE 1.5 – Absences of MPs during the 2023 Spring Session






























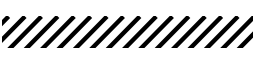










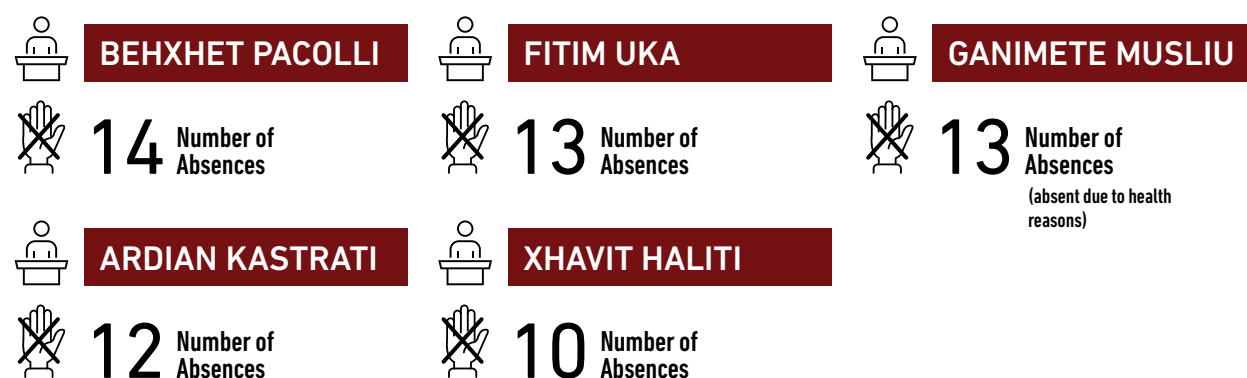
LVV			
 57 Number of MPs	 2052 Anticipated Participation	 188 Absences	 9% 
PDK			
 18 Number of MPs	 648 Anticipated Participation	 129 Absences	 19% 
LDK			
 16 Number of MPs	 576 Anticipated Participation	 122 Absences	 21% 
AAK			
 8 Number of MPs	 288 Anticipated Participation	 52 Absences	 18% 
MULTIETHNIC			
 8 Number of MPs	 288 Anticipated Participation	 41 Absences	 14% 
SERBIAN LIST			
 12 Number of MPs	 432 Anticipated Participation	 431 Absences	 99,7% 
INDEPENDENT MPs			
 1 Number of MPs	 36 Anticipated Participation	 9 Absences	 25% 
TOTAL			
 120 Number of MPs	 4320 Anticipated Participation	 972 Absences	 22,5% 

TABLE 1.6 – MPs with the largest number of absences during the 2024 Spring Session


In comparison, the MPs of the Assembly of Kosovo had roughly similar numbers of absences during the spring session of last year. At that time, the data demonstrate the absences at a slightly lower level, though an insignificant figure in comparison. According to the balance of 36 meetings, the evidence of which was recorded, MPs were absent in 972 cases, or 22.5% of MPs in each session. The political party fluctuations are the most interesting part of the comparative analysis. PDK has shown an increase in absenteeism from 19% to 25%, as Vetëvendosje, from 9% to 15%, while AAK has shown visible signs of reversal of last year's negative data, from 18% missing to 9%. Other political parties or groupings have not shown any movement; LDK, Multi-Ethnic Group, and Serbian List remain absent at levels similar to last year's data. With the exception of the Serbian List MPs, who were absent for 15 sessions, the distribution of individual absences from other parliamentary groups is more balanced. Behgjet Pacolli, Fitim Uka, and Ganimete Musliu³³ are the three MPs with the highest number of absences realized during the spring session of 2024; these three, with 13 absences each, demonstrate this equal ratio.

1.5 Use of non-parliamentary language

Although there were no prominent cases of unparliamentary language like the previous year, it cannot be said that MPs have made any progress in this regard. In comparison to the constant presence of this behavior during the previous year, unparliamentary language and inappropriate vocabulary were part of the proceedings during this session, albeit at a sporadic pace and limited in some cases. One of the reasons for the lack of such incidents was that the Assembly's overall activity decreased significantly during this session. **While, clearly, a portion of the confrontations that produce such**

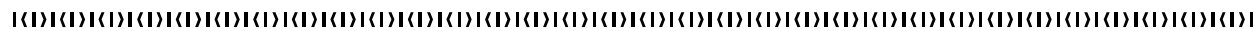
scenes of insults and insults have been transferred to commissions, whose works were filled with inappropriate expressions and vocabulary. Among the ones that stood out were the meetings of investigative commissions, whose vocabulary and content have shown serious deficiencies in terms of meeting an acceptable ethical standard.³⁴

On the other hand, the Code of Conduct of MPs, a document that regulates behavior and establishes punitive measures against MPs, is still awaiting approval by the Assembly. Without a doubt, the Assembly's situation is ideal for putting this type of document into action. However, there is a risk that the Code will be understood as a formal condition while the interpretive approach to punitive measures remains unchanged. As a result, its existence can create the illusion of establishing order, which would not significantly improve parliamentary work. The legislative institution, in conjunction with the Code of Conduct, which contains punishment modalities [necessarily], requires a completely different reading - a shift in understanding and interpretation of punishment measures.



2

SPECIAL DEVELOPMENTS DURING THE SESSION



Although the spring session of 2024 was relatively inactive, it did produce some significant developments or events. Completing the drafting of the Code of Conduct in the Committee on Legislation is one of the events that must be highlighted from the MPs' commitments.³⁵ During this session, too, draft laws were voted on, the contents of which were immediately disputed. The draft laws that sparked the most debate during the session were the Draft Law on the Independent Media Council and the Draft Law on Prosecution Council of Kosovo.

2.1 Drafting of the Code of Conduct

While the Code of Conduct was being drafted during the fall session of last year, there was a significant amount of debate regarding its content, with MPs and representatives of civil society making opposing claims. KDI, a member of the working group, had critiqued the initial version of the text as a whole, emphasizing the inappropriate sexist language, the lack of complaint rate, and the quota for punishing MPs in the event of inappropriate behavior.³⁶

In an effort to provide solutions, the KDI had suggested that the punitive measure be increased. However, the Assembly Report for 2023 made the recommendation to increase the punitive measures by up to 50% of the salary.³⁷ Ultimately, this was proposed during the Committee on Legislation³⁸ meeting, and the punishment modalities were expanded to include a variety of new options, including suspension with participation in up to three sessions.³⁹ The Code was voted on in the Committee on Legislation with this content, but the absence of a final vote in the session indicates that the Assembly is unwilling to modify the document in question.

2.2 Review of the Draft Law on the Independent Media Commission

The Draft Law on the Independent Media Commission was initiated last year, and the drafting process has been ongoing this year. The Council of Europe was requested by the Commission to provide expertise during the drafting process. The analysis concluded that the initial version has significant deficiencies. In terms of content, this evaluation determines that the initiative to reorganize the competencies of the IMC lacks initial clarity. The process is not initiated by a concept document that would provide a detailed analysis of shortcomings and improvement goals. Furthermore, the analysis clarifies that the normative language is vague and leaves undefined scope for punishment, without providing explanations on how potential fines could be limited, resulting in a large scope for arbitrary interpretation.⁴⁰

In passing, the analysis touches on a variety of issues, including the challenges associated with combating fake news, the disproportionate burden that the draft law imposes on online media, and the concept of "audio-visual online media services," which is not recognized in European law. Another perspective of this analysis focuses on the impact that the Draft Law will have directly on the Independent Media Commission, in terms of the relationship between politics and the institution of the IMC.

In general, the central concern is the endangered independence of this institution, since in the existing framework, all members of the IMC can be elected during one term, and the political dependence of this institution can be expressed as one of the practical problems it in the future.⁴¹

Although the remarks were important to the possible content and the discussion about them did not appear to be over, the Draft Law on the IMC was eventually approved during this session. Valon Ramadani, Chairman of the Parliamentary Commission for Administration, expressed his opinion that the recommendations had all been addressed, stating that out of 93 comments, there were 93 amendments.⁴² However, several organizations and public figures spoke out in opposition. Based on allegations of political influence on the body of the IMC, the opposition parties PDK and LDK decided to continue contesting the draft law in the Constitutional Court.⁴³

2.3 Drafting of the new Draft Law for the Prosecutorial Council

The reform of the Kosovo Prosecutorial Council was one of the contentious issues that arose during this session of the Assembly. The topic was further complicated by the existence of a law for the same Council, which the Constitutional Court had ultimately declared invalid.⁴⁴ The main issue since its drafting has been the reconfiguration of the Council's composition. In the new version, this body will be made up of seven members, three of whom will not be procuring members. Furthermore, as a decision-making modality in cases of possible deadlock, a simple majority (of at least four members) has been estimated to be sufficient for the development of the procedure. At the end of the process, the Kosovo Prosecution Council remained dissatisfied with the decisions made, a body that assessed that this regulation is intended to put the Council under the influence of politics.⁴⁵ Meanwhile, the opposition parties, despite their lack of cooperation during the drafting process, eventually sent the Law to the Constitutional Court for evaluation.⁴⁶



WORK OF PARLIAMENTARY COMMITTEES

During the spring session of 2024, parliamentary committees convened 193 meetings and public hearings.⁴⁶ While the investigation committees held 36 meetings. During the spring session of last year, the committees held 221 meetings.⁴⁷ From all perspectives, the legislature's work quality has deteriorated. During last year's session, the commissions dealt with 33 draft laws and 35 reports from executive officials.⁴⁸ The committees' activity in these indicators has also decreased; this session, they dealt with 16 draft laws, while there were only 15 reports.

Committee on Budgets, Labor and Transfers

Even in this session, the work of the Committee on Budgets, Labor, and Transfers is notable for its volume. This committee, like the entire legislature, had a busy agenda, a trend that was also evident during the previous session. During this session, the committee held 16 meetings⁴⁷, whereas in the spring session of last year, it organized 23.⁴⁸

This body of work covered a wide range of topics and served a variety of purposes. The Committee has performed its legislative function satisfactorily, approving 28 Draft Laws, including reports on draft laws from other committees, 7 International Agreements, and a Draft Code. These draft laws address a variety of issues, including road traffic, renewable resources, intelligence agencies, the register of beneficial owners, sports, youth, and so on.

Against the executive, the Committee held two reporting meetings, during which Minister of Finance Hekuran Murati reported on two issues: budget revenue realization for 2023 and public debt.⁴⁹ Similarly, Minister Murati took part in the presentations of the Draft Customs and Excise Code,⁵⁰ international agreements, and the Draft Law on Budgetary Allocation. Also, during this session, at the Budget Committee, concerning the meeting in Brussels of the delegation of the Central Bank and the representative of the European Union Miroslav Lajcak, also reported the Governor of the Central Bank, Ahmet Ismaili.⁵¹

As part of its supervisory function, the Committee has reviewed 25 financial reports, performance plans, or budget requests from various public institutions, agencies, and commissions. At this point, it is worth noting the refusal to vote, in a generalized form, on all reports; this practice is used in the work of the Assembly's committees. In some

cases, the Committee has requested a revision of the documentation presented to MPs, citing incomplete content. One example of such treatment is the refusal to vote on the annual performance plan of the Procurement Review Body or the Public Procurement Regulatory Commission.

The late handling of financial reports of public bodies remains problematic in the Committees work. The Committee on Budget, during this session, handled 8 financial reports of 2022, more than 1 year late. Similarly, in dealing with reports or financial statements work, the Committee, after the review meeting, exceeded the limit of an optimal period to vote on the reviewed material.

Committee for the Rights and Interests of Communities and Return

Although the Committee for the Rights and Interests of Communities and Return is a permanent body with a wide-ranging mandate, its practice lacks an agenda to carry out this function. In contrast to other permanent commissions, the Committee for Communities has not developed intensive activity - during the entire session, it held 6 meetings,⁵³ a number that shows a downward trend, since this Committee during the spring session of last year had held 11 gathering.⁵⁴

The absence of eight MPs from the ranks of the communities in this committee has continued during this session as well. This event, in addition to making it difficult to form the necessary quorum, has deprived the committee of an axis of community representatives, the presence of which is required to increase the legitimacy of the committee's work.

During the spring session, the Committee passed 16 draft laws, including reports from other committees and an

international agreement. Although the number of these legal initiatives is satisfactory, their management leaves much to be desired. In general, the Committee's work consists of voting on each draft law submitted to it, with no debate over its content. This Committee's meetings are still primarily used to vote on agenda items.

Furthermore, when the Committee's lack of oversight activity is considered, its work is more deserving of criticism. No official from the executive or any other public institution has been invited to inform the Committee about the state of the community's rights or any related topic. Given the tense situation in the country's north, where the majority of residents are Serbian, the committee should have done more to stay informed. The Committee, as a body established to deal with issues pertaining to Kosovo's minority communities, should play a more active role in national issues, such as the Association of Municipalities with a Serbian Majority. The absence of this very important parliamentary body from the debate reveals a lack of exercise of the supervisory function, which should be criticized.

Committee on Legislation, Mandates, Immunities, Rules of the Assembly and Supervision of the Agency for the Prevention of Corruption

The Committee on Legislation, as one of the Assembly's permanent committees, is responsible for carrying out the legislative agenda. The work of this Committee is always intensive, and this trend continued during this session. Thus, the Committee held 17 meetings in the spring session of this year,⁵⁵ compared to 20 meetings in the spring session of the previous year.⁵⁶

During the spring session, the Committee's primary focus is on carrying out its legislative function. The Committee has approved - whether in the first or second reading - 29 draft laws or reports, four of which are only in principle, while the process of their drafting continues in the working groups established by the Committee. The Committee has established 9 working groups for the drafting of various draft laws, such as: Draft Law on the Prosecution Council of Kosovo, Draft Law on Notary, Seized Property, and the one on Property Rights of Foreign Nationals.

The Committee's commitment during this session also includes the drafting of a Code of Conduct for MPs. The

drafting of this document began last year, and eventually, with some proposals for change, it was approved by this Committee.⁵⁷ *A more detailed explanation, regarding the content of the Code, can be found in the chapter of this report on special developments during the session.*

Given the shortcomings demonstrated, the lack of debate within the committee is the most significant drawback. Meetings are typically scheduled on the day of the session, which limits the amount of time available for debating contentious issues. This remark has been expressed several times by members of parliament from the opposition parties. MP Driton Selmanaj has previously expressed concern about these types of meetings.⁵⁸ Similarly, MP Besnik Tahiri criticized the committee's lack of debate.⁵⁹ Voting within the committee should be preceded by adequate debate that allows for the expression of disagreements, and the practice of quick voting in short meetings prior to sessions should be rejected.

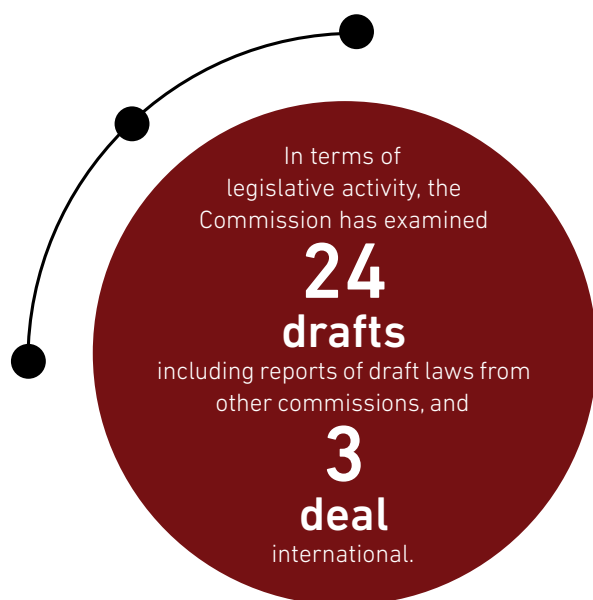
Committee for European Integration

As one of four permanent committees, the Committee for European Integration is responsible for handling legislative agenda material in terms of compatibility with the European integration agenda. The Committee for European Integration did not have a busy agenda during this session, holding only 11 meetings⁶⁰ compared to 12 meetings in the spring session last year.⁶¹

In terms of legislative activity, the Committee has reviewed 24 draft laws, including reports from other committees, as well as three international agreements. To a large extent, this body's meetings are notable for the lack of debates on the content of draft laws; however, meetings frequently devolve into confrontations between the government and the opposition, with deputies using inappropriate vocabulary.

During this session, the Committee for Integration, as part of its supervisory role, has invited two members of the Government to present reports. First, Minister Rozerta Hajdari provided an update on the progress toward European integration⁶² objectives. Meanwhile, Besnik Bislimi, the first deputy prime minister, reported to the Committee, which dealt with the National Program for European Integration.⁶³

Another aspect of the work of this Committee's members is parliamentary diplomacy, which is carried out through meetings, MP visits, participation in international meetings



or conferences, and so on. Thus, the deputies of the Committee for Integration have continued diplomatic activity of this type during this session also.

Committee for Foreign Affairs and Diaspora

The Committee for Foreign Affairs and Diaspora met only three times during the spring session, compared to seven meetings the previous year.⁶⁴ Meetings account for a significant portion of the Committee's work, with approximately 15 diplomatic meetings scheduled. In these cases, MPs have welcomed various diplomatic figures to meetings, and topics relevant to the Committee's activities have been discussed.

This committee's meeting frequency falls short of the minimum requirements. Similarly, the downward trend in meetings from last year is data that should be questioned.

Deputy Prime Minister Besnik Bislimi spoke at one of three meetings organized by the Committee for Foreign Affairs. This reporting meeting focused on the current state of the dialogue process with Serbia.⁶⁵ Although there have been a number of failures in foreign policy, the Committee has remained uninterested in these developments - it has never invited the Minister of Foreign Affairs, Donika Gërvalla-Scharwz, to report to MPs.



The reasons for this committee's inactivity are unclear, but one thing is clear: the number of meetings organized by this committee is extremely low. In its daily practice, the Committee should be satisfied with more substantive work planning rather than diplomatic meetings.

Committee for Education, Science, Technology, Innovation, Culture, Youth and Sports

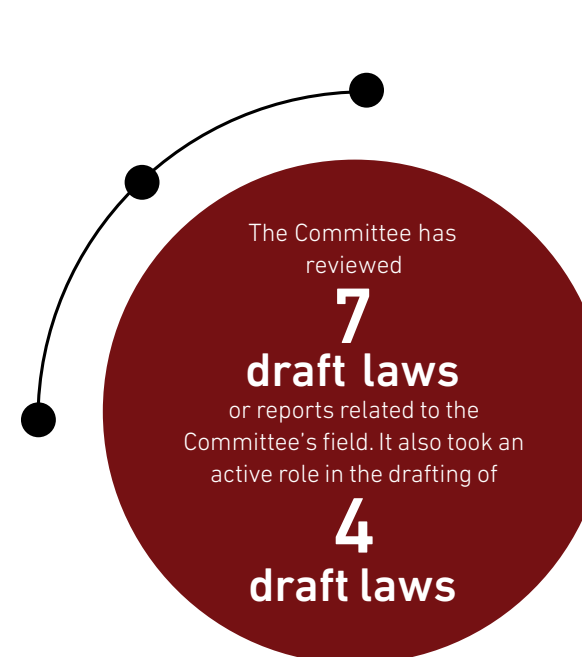
The functional Committee for Education had a busy spring session, with 17 meetings and 9 organized public hearings. In the previous year's spring session, this Committee held 13 meetings and two public hearings.⁶⁶ As a result, it can be concluded that, in addition to demonstrating activity to be evaluated, the Committee has also observed a trend of improving performance.

The Committee has reviewed seven draft laws or reports related to the Committee's field. It also took an active role in the drafting of four draft laws, for it held public hearings and followed recommended practices of including as many citizens, groups, and communities affected by the draft laws as possible.

One of the most important issues addressed by this Committee during the spring session was the University of Prishtina's Statute. During a meeting in May, the Committee voted on a document presented by Minister Arbërie Nagavci and rector Qerim Qerimi and sent it to the session.⁶⁷ While the Committee's efforts to stay informed on various issues are commendable. Such was the discussion meeting organized by the Committee regarding the state of physical and health education in schools in Kosovo, with participants from the Faculty of Physical Education of the University of Prishtina and the Ministry of Education.⁶⁸

Committee on Economy, Industry, Entrepreneurship and Trade

The Committee on Economy represents an important body in the work of the Assembly - in addition to the legislative function, the scope of the Committee includes the oversight and filtering of the performance plans of companies and public organizations. During this session, the Committee held 19 meetings, 3 public hearings and 1 oversight



hearing.⁶⁹ Whereas in the spring session of 2023, it held 24 meetings and 3 public hearings.⁷⁰

During this session, this Committee reviewed 8 draft laws or their reports, one of which was an international agreement, while it addressed 16 annual reports and performance plans. Both of these activities represent the Committee's main commitment in fulfilling its legislative and oversight functions.

However, the oversight work of the Committee on Economy is not limited to these reports - the Committee has organized an oversight hearing on the implementation of legislation by law-enforcement institutions in the water service sector.⁷¹ Similarly, in order to be informed about the plans of the executive, the Committee has on two occasions invited Minister Artane Rizvanolli to report on topics such as the state of the Ministry and the plans or the performance of public enterprises.

Committee on Health and Social Welfare

The Committee on Health represents an important body of the Assembly, whose function is vital, both in the process of drafting laws or even in the oversight of public officials in

the health and social welfare sector. During this session, the Committee held 13 meetings, while in the spring session of last year it held 22 meetings.⁷² Thus, a decrease in activity can be observed in the numerical sense, but part of the commission's work during this year consists of tables or informative meetings.

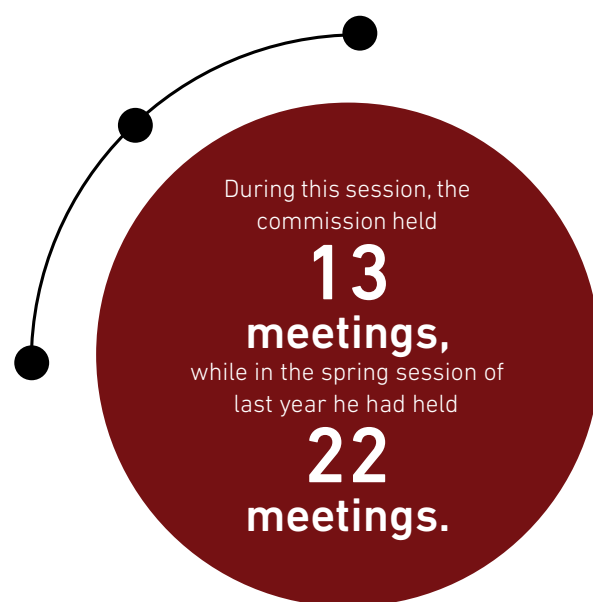
Although the primary function of this Committee is legislative, during this session it failed to examine any draft law, except for the addressing the final report on the Draft Law on Reproductive Health and Medically Assisted Fertilization, at the beginning of January.⁷³ In this regard, the lack of legislative commitment represents the main problem of the Committee during this session.

In the function of oversight, the Committee has [continuously] invited members from the Government or various officials who exercise activity in the field of health or social welfare for reporting. Initially, the Committee invited Minister Arben Vitia to the reporting session, to address the Legislative Strategy of the Ministry of Health.⁷⁴ Meanwhile, the Minister Hekuran Murati was also invited for reporting, whereby the issue of social and pension schemes was discussed.⁷⁵

The Committee has also developed the oversight of the implementation of two laws: the Law on Chambers of Health Professionals and the Law on Social Enterprises. While, in its meetings throughout the session, there have been a number of informative meetings attended by representatives of various institutions or social categories, such as representatives of the University Clinical Hospital Service of Kosovo or representatives of speech therapists.

Finally, in critical language, it can be affirmed that the activity of the Committee on Health has stalled in the substantive sense. In addition to the lack of legislative activity, the oversight activity within the work of the Committee is far from perfect in terms of the way of implementation. The MPs of the ruling party, in the reporting sessions of the ministers, lacked the true will for oversight - their behavior has been rather subordinate to the executive.





Committee on Environment, Food, Agriculture, Planning and Development

During the spring session, the Committee on Environment held 9 meetings and 1 legislative hearing,⁷⁶ while in the spring session of last year it held 15 meetings and 2 public hearings.⁷⁷ **In terms of content, it can be affirmed that the commitment of the Committee on Environment during this session, in addition to having a decline in term of numbers, it also showed downwards trends in the quality of the work.**

During the session, the Committee reviewed 10 draft laws at different stages. Such draft laws include Draft Law on Roads, the Draft Law on Administration of Residential Buildings and Neighborhood, the Draft Law on Strategic Environmental Assessment and the Draft Law on Energy Performance of Buildings. The lack of supervisory activity, both the invitation of the members of the executive to report and the monitoring of the implementation of laws, represents the main drawback of this Committee. In terms of listing the activities where the commission should perform better, oversight takes a leading place. Rather than the call to directly implement the oversight competence, defined by the Regulation, the Committee should devote itself to external and monitoring work, since the scope of the Committee consists of issues related to the environment.



Committee on Public Administration, Local Government, Regional Development and Media

During this session, the work of the Committee on Administration has been notable in terms of activity. During this period as a whole, the Committee held 9 meetings, 9 legislative hearings and 4 oversight hearings,⁷⁸ while during the spring session of last year it held 17 meetings.⁷⁹ **In terms of legislative activity, the Committee reviewed a total of 5 draft laws.**

The work of this Committee began with an important issue, addressing the decision of the Independent Media Commission regarding the permission to broadcast the "Arena Sport" channels.⁸⁰ Although the way the IMC Board members were treated while reporting to the Committee by some majority MPs was not the best, the supervision goal against a decision⁸¹ that produced uncertainty was entirely right. Moreover, the Committee's further investigation has highlighted the fact that for the broadcast of the television channel, there was no license from the broadcast company Artmotion, hence the broadcast was illegal.⁸² In light of this fact discovered during the supervisory hearing sessions, which was also unknown to the IMC,⁸³ the broadcast of the said content has been banned.⁸⁴ Finally, although sometimes with inappropriate language, the oversight hearing for the decision of the IMC, organized in 4 sessions, represents one of the cases when the MPs of the Assembly of Kosovo have successfully exercised their supervisory function.



On the other hand, the Committee, in exercising its oversight function in similar circumstances of an irresponsibility in the field of media, refused to investigate the case of Radio Television of Kosovo. In its main news edition of 22 July, RTK published a story from the Bosnian medium 'Slobodna Bosna', where it was claimed in an unargued form that two private media in Kosovo, 'Periskopi' and 'Nacionale' are funded with funds originating from Serbia.⁸⁵ **In order to discover some behind-the-scenes which cast doubt on the selection of this news,**⁸⁶ the Committee on Administration should continue the oversight practice, by calling an oversight session, this platform where, in addition to interviewing all actors - the Board, the Director of RTK, editors, etc. - punitive measures could be taken for an omission of this nature. Thus, the Committee has acted selectively, failing to hold the elected members of the Assembly to account in a balanced form through precise oversight, regardless of political proximity.

A prominent part of the work of the Committee on Administration included the legislative hearings as well. The Committee held 7 such hearings, which were limited to receiving requests, evaluations and opinions of different social categories for the Draft Law on the Independent Media Commission. Although most of them - seven in total, have been organized for the Draft Law on the Independent Media Commission, the final version of the draft law did



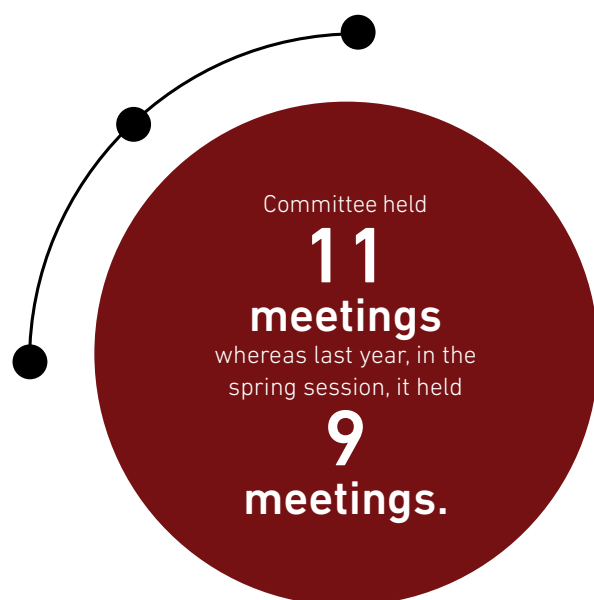
not reconcile the contradictions between the participating groups; while from the organizations that operate in the field of media, the purpose of VV's (Vetëvendosje) power is estimated to be the control of the IMC institution.⁸⁷ This draft law was approved in the Assembly of Kosovo in the session held on 27 June.⁸⁸ *An extended elaboration of its content can be found in the special developments section of this session.*

The work of this Committee, in general, has experienced a qualitative increase during this session. The commitment of the Committee is not limited to meetings, the holding of which is mandatory due to the necessity to deal with the laws; it has also conducted oversight hearings and legislative or consultative hearings. During the oversight hearings, in some cases, there were problems of a technical nature, such as the failure to distribute some documents on time, the lack of translation of either documents or simultaneous translation. In this regard, the Committee should focus on improving its work. Similarly, the Committee should not be satisfied with a high number of legislative hearings, since the way of addressing the inputs received from these meetings represents the essential issue.

Committee on Security and Defense Affairs

The scope of the Committee on Security Affairs, besides being important for the subject it deals with, is quite broad and requires the commitment to cover all functions. In practice, the Committee in question had not been active during the previous sessions, while partially, this session has shown improvements. During this session, the Committee held 11 meetings,⁸⁹ whereas last year, in the spring session, it held 9 meetings.⁹⁰

In terms of activity, it can be affirmed that the Committee's agenda consists of legislative and oversight activities. In exercising its legislative function, the Committee has reviewed 9 draft laws, in different stages, this number can be assessed as satisfactory. Whereas, the Committee's oversight was, in a similar way, quite prominent in the entirety of the Committee's activity. The heads of security institutions have reported to the Committee, such as: Minister of Internal Affairs, Xhelal Sveçla; Minister of Defense, Ejup Maqedonci; Commander of the Kosovo Security Force, Bashkim Jashari; General Director of the Kosovo Police, Gazmend Hoxha; as well as the Chief



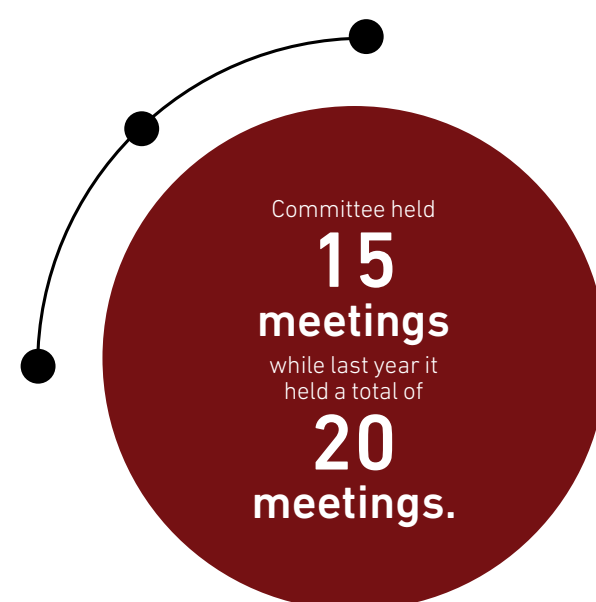
The agenda of the Committee, in almost every session, consists of similar activity. Different social categories provide information to the Committee, whereas in the end, the results of these discussions do not bring any substantive impact on the Committee's policy-making agenda. This session, as usual, the Committee hosted the representatives of the Government Commission for Missing Persons in an informative meeting and it also hosted the representatives of the groups of paraplegics and tetraplegics, but ultimately, the findings from these meetings failed to translate into demands that the Committee and its members articulate in front of representatives of the executive or other authorities. The failure to integrate such data in the intra-parliamentary political process, apart from leaving out of consideration important topics in the field of human rights, reflects the lack of results in the Committee's work.

Another issue that should be emphasized is the completely passive approach of this Committee in relation to the Draft Civil Code. Thus, in the circumstances of the lack of clarity, this topic so worthy of consideration, should not pass without a contributing touch of the Committee. Meanwhile, the role of this Committee in relation to this legal document becomes even more problematic, when considered the position of the Chairman of the Committee, Duda Balje. Along with the consideration of the vital importance of the free expression of opinion without being prejudiced, it must [necessarily] be affirmed that the work of the Committee as a whole is undermined, if the position of the Chair is held by a person who, relying on her particular convictions, opposes a Code that advances human rights.

Executive of the Police Inspectorate of Kosovo, Kushtrim Hodaj. In general, the topic of the discussion was the developments in the field of security, while it is worth highlighting the report of the Minister Sveçla⁹² on the works and developments during 2023 and the report of the Minister Maqedonci⁹³ on the developments in the field of security, with special emphasis on investments in this field.

Committee on Human Rights, Gender Equality, Victims of Sexual Violence during the War, Missing Persons and Petitions

The agenda of the Committee on Human Rights, during this session, was characterized by a decrease in the number of meetings compared to the same session last year. The Committee held 15 meetings this session⁹⁴, while last year it held a total of 20 meetings.⁹⁵ From a more general perspective, the weakness in the Committee's work despite numbers includes lack of involvement in the legislative process. Although it has addressed several reports and petitions, the Committee's work ends there.



On the other hand, bearing in mind the difficulties in implementing laws that fall into the field of human rights, the Committee should do more to supervise the applicability of laws. On the other hand, the practice of meetings and visits to different institutions is to be appreciated, but it does not suffice.

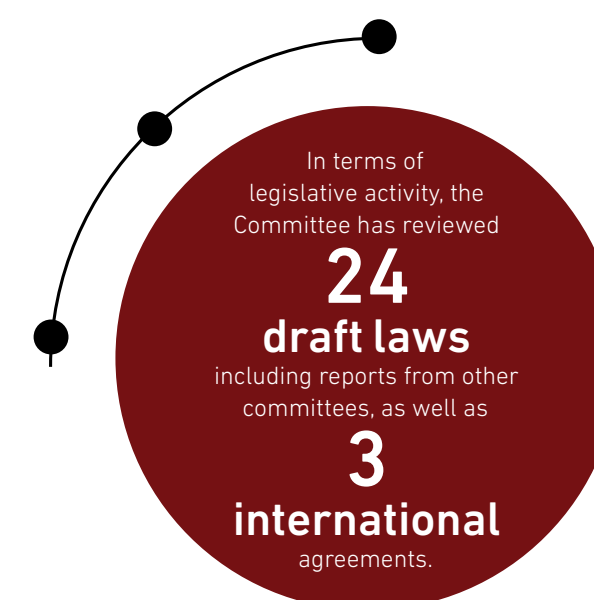
Ultimately, the Committee failed to yield the required result, especially the connection of its oversight activity with the legislative one, remains the main challenge.

Committee for Oversight of Public Finances

The activity of the Committee for Oversight of Finances, during the spring session, has been completely typical for its scope. The Committee held 14 meetings,⁹⁶ while in the spring session of 2023 it held 19 meetings.⁹⁷ Comparatively, in terms of volume, the work of this Committee has shown a decline, which is easily evident.

Until the spring session of 2023, this Committee had reviewed 19 audit or performance reports⁹⁸, this session it has reviewed 14 such reports. It should be noted that some of them are audit reports for various projects or issues, such as, for example, the Report on Mining and Minerals, the Performance Report "Negotiated Procurement without Publication", or the Performance Report "Information Systems in the Company of Prishtina Regional Waterworks". However, another part of the reports that this Committee has reviewed belong to various institutions, such as the Kosovo Post Office, the National Audit Office, etc.

Although the volume of work has shown a decrease, it can be affirmed that overall, the oversight activity, in terms of reviewing financial reports, was abundant.



Committee for Oversight of the Kosovo Intelligence Agency

The Committee for Oversight of the Kosovo Intelligence Agency has had a downward trend in terms of the number of meetings during this session. During the session, this Committee held 6 meetings.⁹⁹ While, during the same session, last year, 9 meetings were held.¹⁰⁰

The activity of this Committee, in a quite usual form, even during this session, was limited to the reporting of the leader of the Kosovar Intelligence Agency, Petrit Ajeti. The latter has reported three times before this Committee, while the sessions were inaccessible to the public.

In terms of legislative activity, the work of this Committee is non-existent.



TRANSPARENCY OF THE ASSEMBLY

From the point of view of transparency, the situation during the spring session has undergone changes, since the Assembly has officially concluded the process of installing new electronic voting devices. During the period that this process was going on, there were suspicions of errors in the physical counting of votes - while the MPs raised their doubts about the voting process of the two draft laws.¹⁰¹ More precisely, MP Visar Korenica had asked for clarification on the voting of the Draft Law on Medically Assisted Fertilization and the Draft Law on School Textbooks, based on allegations of wrong counting. Thus, the process of administering the voting of MPs was plunged into ambiguity, from which only the return of the electronic devices could restore the credibility necessary for a political process with full legitimacy.

central theme, there is a lack of transparent activity of the commissions, in the sense of non-publication of subsequent documents, such as work plans, transcripts or minutes. Although their publication is required by the Regulation,¹⁰² the data show that the number of published documents is less than the number of meetings. During the last year, in the spring session, out of 221 meetings, only 143 of them had published the follow-up documents requested on the platform of the Assembly. Meanwhile, the similar trend continues this year, since from a total of 230 meetings and hearings, the subsequent documents of the meetings have been published only for 140 of them (60%).

In the table below, you can find the data on the activities of the Committees and the publication of minutes by them.

However, the issue of transparency in the Assembly cannot be reduced to electronic voting. Apart from this

TABLE 1.7 - Publication of Committee minutes compared to meetings held

Spring Session 2024	Spring Session 2023 ¹⁰³
Committee on Budget, Labor and Transfers 16 Number of meetings and hearings 14 Number of minutes published	23 Number of meetings and hearings 9 Number of minutes published
Committee on the Rights and Interests of Communities and Returns 6 Number of meetings and hearings 6 Number of minutes published	11 Number of meetings and hearings 9 Number of minutes published
Committee on Legislation, Mandates, Immunities, Rules of procedure of the Assembly and Oversight of the Anti-Corruption Agency 17 Number of meetings and hearings 14 Number of minutes published	20 Number of meetings and hearings 10 Number of minutes published
Committee on European Integration 11 Number of meetings and hearings 11 Number of minutes published	12 Number of meetings and hearings 9 Number of minutes published

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Committee on Foreign Affairs and Diaspora 3 Number of meetings and hearings 3 Number of minutes published	7 Number of meetings and hearings 7 Number of minutes published
Committee on Education, Science, Technology, Innovation, Culture, Youth and Sports 26 Number of meetings and hearings 14 Number of minutes published	13 Number of meetings and hearings 6 Number of minutes published
Committee on Economy, Industry, Entrepreneurship and Trade 23 Number of meetings and hearings 21 Number of minutes published	24 Number of meetings and hearings 21 Number of minutes published
Committee on Environment, Food, Agriculture, Planning and Development 10 Number of meetings and hearings 8 Number of minutes published	15 Number of meetings and hearings 14 Number of minutes published
Committee on Health and Social Welfare 13 Number of meetings and hearings 12 Number of minutes published	22 Number of meetings and hearings 17 Number of minutes published
Committee on Public Administration, Local Governance, Media and Regional Development 22 Number of meetings and hearings 4 Number of minutes published	17 Number of meetings and hearings 2 Number of minutes published
Committee on Security and Defense Affairs 11 Number of meetings and hearings 4 Number of minutes published	9 Number of meetings and hearings 0 Number of minutes published



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Committee on Human Rights, Gender Equality, Missing Persons, Victims of Sexual Violence during the War and Petitions

**15** Number of meetings
and hearings**15** Number of
minutes
published**20** Number of meetings
and hearings**16** Number of
minutes
published

Committee on Oversight of Public Finances

**14** Number of meetings
and hearings**13** Number of
minutes
published**19** Number of meetings
and hearings**13** Number of
minutes
published

Committee on Oversight of the Kosovo Intelligence Agency

**6** Number of meetings
and hearings**0** Number of
minutes
published**9** Number of meetings
and hearings**0** Number of
minutes
published

Investigative Committee for State Reserves

**8** Number of meetings
and hearings**0** Number of
minutes
published**0** Number of meetings
and hearings**0** Number of
minutes
published

Investigative Committee for Labor Relations in the Diplomatic Service

**15** Number of meetings
and hearings**0** Number of
minutes
publishedNumber of meetings
and hearingsNumber of
minutes
published

Investigative Committee for School Textbooks

**13** Number of meetings
and hearings**0** Number of
minutes
publishedNumber of meetings
and hearingsNumber of
minutes
published

TOTAL

**229** Number of
meetings
and
hearings**140** Number of
minutes
published**221** Number of
meetings
and
hearings**143** Number of
minutes
published

Although, from the point of view of transparency, the situation in certain Committees is unacceptable, the situation in investigative Committees or ad-hoc committees remains incomparably more deficient. The Assembly does not reflect their activity anywhere, while it does not even publish the news informing about the meetings of these bodies and the topics addressed. Currently,

these Committees operate in completely non-transparent practices: there are no portfolios of these Committees, where the minutes and subsequent documents of the held meetings could be published. Thus, the Assembly has actively contributed to distancing these Committees and the information that is addressed during the meetings from the public.



CONCLUSION AND RECOMMENDATIONS

In a summarized form, the Assembly has conducted a session, apart from consisting of the usual shortcomings, also with a trend of decreasing activity. Although the decline was a predictable trend, the current numbers were unexpected and reflect a session during which MPs have exercised their constitutional functions in an unsatisfactory manner.

Description of the weaknesses that appeared during the session comprises a repetition of the usual delays, since in content they were typical for the Assembly of Kosovo. Thus, the eighth legislature, during the last spring session of its mandate, similarly continued to organize work on busy and poorly planned agendas; while the quorum remained the key factor in the failure of the sessions, whereas the MPs showed irresponsibility with the increase in the number of absences as well. Likewise, in exercising the oversight function, the Assembly and its bodies have failed to perform properly. While, there is an improvement in transparency with the return of electronic devices, however steps to implement this movement in practice remain to be done. In the end, no improvement was observed in respect of the Regulation and in the behavior of the MPs; inadequate language and inappropriate behavior continue to be present in the proceedings of the Assembly of Kosovo.

The dominant practice of busy agendas versus few sessions has continued to be followed as an approach to the administration of parliamentary work. This session has produced continuations of the sessions, proportionally to the same extent as the previous sessions. The Assembly should apply a more careful approach to agenda planning, which underlines the importance of meticulous handling of legislative material, drafting accessible agendas and extending them to more frequent sessions throughout the work calendar.

The lack of quorum has continued to be a determining problem in the organization of the work of the Assembly. Although in previous years, MPs had shown a high number of absences, an increase is noted in the absence indicator, which has risen to 24.3% this session, from 22.5% during the spring session of 2023. Assembly and parliamentary parties should see the possibilities of more accurate administration of evidence for MPs who fail to participate in plenary sessions until their conclusion. An alternative to be considered is to condition the participation until the end of the session, with the financial compensation for the session.

Deterioration movements [clearly] have also been observed in the exercise of the oversight function, through each oversight instrument. Neither the head of the executive nor any minister reported in the session before the Assembly, while their reporting before the Committees often turned into unchallenged monologues of the representatives of the executive. Parliamentary questions have been ignored by both the executive and the MPs. Practices like these should present a model to be rejected, while part of the responsibility for their application in the Assembly of Kosovo falls on the opposition that refused to use these means of control. Although created to exercise oversight of the activity of the executive, the investigative Committees during this session failed to investigate the subject for which they were established. All MPs without distinction, especially the opposition ones, should use precisely and on a regular basis these means of control, while on the topic of parliamentary investigative Committees, in order to improve the situation, the process for the amendment of the Law on Parliamentary investigation should begin, since under these conditions, part of the difficulties for the investigation stem from its content and shortcomings.

Although in doubt regarding certain cases when the MPs voted during the spring session, in terms of transparency, equipping the plenary hall with new equipment marks an important step towards the restoration of parliamentary transparency. In the publication of the work of the Committees, there is no improvement in transparency, while the work of the investigative Committees remains completely unpublished. The Assembly should act in the direction of increasing the transparency of the work of the Committees, especially the investigative ones, by opening a separate portfolio for the work of the investigative Committees, where the data and documents of their work are published.

The relationship between parliamentary work and the Rules of Procedure of the Assembly continues to be a controversial issue. In certain cases, Speaker Konjufca, this session too, has continued the administration of the sessions and the handling of requests or problems based mainly on his free will. During the session, in certain cases, actions were taken completely contrary to the provisions of the Rules of Procedure, while this practice continues to remain uncriticized. The Head of this institution, as the authority to whom the competence of interpretation of the Rules of Procedure is delegated, should be more careful, limiting the parliamentary practice only to the definitions of the Rules of Procedure.

Finally, inappropriate behavior and inadequate language continued to be present, although due to the inactivity of the Assembly in terms of organizing the sessions, it was transferred to the work of the Committees. The Assembly should aim to improve the behavior and language of the MPs. Thus, in addition to the adoption of the Code of Conduct, an increased care is needed for a more precise application of the documents that regulate the behavior of MPs, with special emphasis on the section on punitive measures.

Based on the developments during this session, KDI offers the following recommendations to be addressed during the autumn session. These recommendations are aimed at improving the efficiency, strengthening the oversight role and increasing the transparency of the Assembly.

- 1 Planning of Sessions:** The Assembly should develop the work through a better planning by increasing the number of sessions and avoiding weeks without sessions. Also, the agenda for each session should be realistic and manageable, so that all points can be addressed.
- 2 Participation of MPs:** MPs should be more responsible in participating in sessions and stay until their conclusion. The Speaker and Presidency of the Assembly must implement the strictest observance of the Rules of Procedure, demanding accountability from MPs who are absent without reason.
- 3 Active Role of the Speaker:** The Speaker should take a more proactive role in the management of the sessions. This includes reprimanding the Prime Minister and Ministers when they do not answer MPs' questions.
- 4 Strengthening Parliamentary Oversight:** MPs should make better use of oversight mechanisms by increasing the number of questions addressed to the executive. They must also participate in hearings where their questions are addressed and initiate parliamentary debates, interpellations and executive reports in hearings and committee meetings.
- 5 Adoption of the Code of Conduct:** The Assembly should speed up the adoption of the Code of Conduct for MPs, establishing clear standards for their behavior and discipline during parliamentary work. This will contribute to increasing their responsibility and professionalism.

6 Increasing Transparency: While the regulation of the electronic system is a positive step, the Assembly must continue to increase transparency. This includes the publication of documents such as work plans, transcripts and minutes from Committees. Also, the Assembly should make public the summaries of the work of the ad-hoc and investigative Committees.



ENDNOTES

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74. The news is available on the official website of the Assembly, in the link : <https://www.kuvendikosoves.org/shq/punesimi/per-publikun/lajmi/nga-mbledhja-e-komisionit-per-shendetesi-dhe-34363/>
75. The news is available on the official website of the Assembly, in the link : <https://www.kuvendikosoves.org/shq/punesimi/per-publikun/lajmi/komisioni-per-shendetesi-dhe-mireqenie-social-34442/>
76. Information on the Votaim platform , on the website: <https://votaime.org/Admin/CommissionMeeting/ViewByCommission/46>
77. KDI Report on the Spring Session of the Assembly: "Legislation in the midst of challenges", p. 19-20; accessible at the website: <https://kdi-kosova.org/wp-content/uploads/2023/08/Raporti-Final-Sesioni-Pranveror-i-Kuvendit.pdf>
78. You can find the information on the Votaim Platform, on the website: <https://www.votaime.org/Public/Commissions/ViewCommission/48>
79. KDI Report for the Spring Session of the National Assembly: "Legislation in the midst of challenges", p. 20; accessible at the website: <https://kdi-kosova.org/wp-content/uploads/2023/08/Raporti-Final-Sesioni-Pranveror-i-Kuvendit.pdf>
80. The news is available on the official website of the Independent Media Commission: https://kpm-ks.org/lajmi_i_plot/3666
81. The Assembly, more precisely the Committee for Public Administration, began a supervisory hearing on the decision of the Independent Media Commission to allow the broadcast of Arena Sport's television channels. This decision, in fact, was to restore the transmission of these channels, since the IMC had made a decision to stop the transmission, as a temporary measure, after the display of images honoring the members of the terrorist group that carried out the attack in Banjska.
82. Document published on the official account of the Chairman of the Committee on Administration, Valon Ramadani , on the website: <https://www.facebook.com/photo/?fbid=923137129815773&set=a.338634528266039>
83. Statement on the official account of the IMC, on the Facebook social network; accessible on the link: https://www.facebook.com/permalink.php?story_fbid=826617352840395&id=100064764128454
84. Statement on the official account of the IMC, on the Facebook social network; accessible on website: https://www.facebook.com/permalink.php?story_fbid=849342097234587&id=100064764128454
85. "RTK publishes the reporting without facts of " Slobodna Bosna "that two mediums in Kosovo are financed by Serbia", Sbunker , accessible at the website: <https://sbunker.org/sr/disinfo/rtk-ja-publikon-raportimin-pa-fakte-te-slobodna-bosna-se-two-media-in-Kosovo-financed-by-Serbia/>
86. "Editor Musliu distances himself from the scandalous news of Slobodna Bosna" - tells who told him that it should be published", DUKAGJINI, accessible on the website: <https://www.dukagjini.com/redaktori-musliu-distancohet-nga-lajmi-skandaloz-i-slobodna-bosna-tregon-who-said-that-it-should-be-published/>
87. See: <https://telegrafi.com/agk-dhe-shoqeria-civile-demon-political-interference-ne-punen-e-kpm-se-putetet-e-lvv-se-exhtruan-presion-ndaj-anetareve-te-the-commission/>
88. The news is available on the official website of the Assembly, in the link: <https://www.kuvendikosoves.org/shq/punesimi/per-publikun/lajmi/nga-seanca-plenare-e-kuvendit-35532/>
89. You can find the information on the Votaim Platform, on the website: <https://www.votaime.org/Public/Commissions/ViewCommission/49>
90. KDI Report for the Spring Session of the National Assembly: "Legislation amid challenges", p.20; accessible at the website: <https://kdi-kosova.org/wp-content/uploads/2023/08/Raporti-Final-Sesioni-Pranveror-i-Kuvendit.pdf>
91. The news is available on the official website of the Assembly, in the link : <https://www.kuvendikosoves.org/shq/punesimi/per-publikun/lajmi/nga-mbledhja-e-komisionit-per-ceshtje-te-sigu-34255/>
92. The news is available on the official website of the Assembly, in the link : <https://www.kuvendikosoves.org/shq/punesimi/per-publikun/lajmi/mbledhje-e-komisionit-per-ceshtje-te-sigurise-34430/>
93. You can find the information on the Votaim Platform , at the link : <https://www.votaime.org/Public/Commissions/ViewCommission/50>
94. KDI Report for the Spring Session of the Assembly: "Legislation amid challenges", p. 21; accessible at the website: <https://kdi-kosova.org/wp-content/uploads/2023/08/Raporti-Final-Sesioni-Pranveror-i-Kuvendit.pdf>
95. You can find the information on the Votaim Platform, at the link: <https://www.votaime.org/Public/Commissions/ViewCommission/51>
96. KDI Report for the Spring Session of the Assembly: "Legislation in the midst of challenges", p. 21; accessible at the website: <https://kdi-kosova.org/wp-content/uploads/2023/08/Raporti-Final-Sesioni-Pranveror-i-Kuvendit.pdf>
97. Ibid
98. You can find the information on the Votaim Platform , on the website: <https://www.votaime.org/Public/Commissions/ViewCommission/52>
99. KDI Report for the Spring Session of the National Assembly: "Legislation amid challenges", p. 21; accessible at the website: <https://kdi-kosova.org/wp-content/uploads/2023/08/Raporti-Final-Sesioni-Pranveror-i-Kuvendit.pdf>
100. " VV's Korenica raises doubts that "there was not enough quorum for the voting of some draft laws", DUKAGJINI, accessible on the website: <https://www.dukagjini.com/korenica-i-vv-se-ngre-doubts-that-there-wasn-t-a-sufficient-quorum-for-the-voting-of-several-draft-laws/>
101. Regulation of the Assembly, Article 117, Par. 6.2, p. 50; <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=61266&fbclid=IwAR2pkg1WSEcT137FBSGcbPz0Vh5lt7ysr9n-vzqMndq-6nYhvijlBQF00qKQ>
102. KDI Report for the Spring Session of the Assembly: "Legislation amid challenges", p. 23; accessible at the website: <https://kdi-kosova.org/wp-content/uploads/2023/08/Raporti-Final-Sesioni-Pranveror-i-Kuvendit.pdf>

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