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*Ministarstvo Administracije Lokalne Samouprave*

*Ministry of Local Government Administration*

**REPORT ON THE ASSESSMENT OF TRANSPARENCY IN THE MUNICIPALITY**

**JANUARY-dECEMBER 2023**



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HYRJE

***INTRODUCTION***

*Transparency is one of the most important principles of good governance. Transparency is the obligation of central and local authorities to share information with citizens, to make fair and informed decisions. It serves as a tool to hold officials accountable for their behavior and work. Information, the involvement of citizens in decision-making and accountability are the three most important components of the exercise of democratic power. Public administration is considered one of the most important sectors of a state, as well as, it is a promoter of developments and social changes. Democratic governance means that beyond information, citizens must be heard and be an integral part of the political process. Local authorities must continuously provide information on their work,* *use mechanisms for consultation that respond best to citizens, make interested groups part of policy-making, account to them on a regular basis, as in the planning phase as well as during the drafting and implementation of these policies.*

*Today, millions of people depend on their governments for services on a daily basis. In view of this, the quality of municipal services and the efficient administration of citizens' requests also depend on the way information is distributed, information systems that are applied, technologies, consultation techniques, as well as other follow-up actions of public administration bodies.*

*The use of websites is one of the mechanisms to keep citizens informed about the activities of municipal bodies. Their use is regulated by a sub-legal act of the government, which obliges all public institutions to provide information on the work of their bodies, the services provided, the content and updating of official documents, information on the responsibilities of organizational units of municipalities, financial documents, procurement documents, etc. Also, the information published on the website must be in accordance with the language requirements and standards.*

*In 2018, the Ministry of Local Government Administration has redesigned the websites of 38 municipalities. The redesign enabled the unification of information publication standards, providing opportunities for online application for building permits, submission of requests and concerns in the field of community safety, as well as online broadcasting of municipal assembly (MA) meetings. In addition to the informational character, the municipal websites also enable administrative processes and are connected with other websites, which serve for the public consultation process. Their interconnection with the intranet system in the municipality enables citizens to submit all their requests online to the relevant directorates of the municipality.*

PURPOSE

The Report on the Assessment of Transparency for the January-December 2023 period reflects the level of transparency of municipalities in fulfilling their legal obligations to inform citizens about activities, municipal acts and public documents that must be open to the public.

The purpose of the report is to inform the central institutions, citizens, non-governmental organizations and interest groups about the real condition of the official websites of the municipalities, thereby, raising the responsibility of the municipal bodies and responsible persons to take concrete steps in the implementation of the actions that will affect the advancement of municipal transparency.

Within the report, the data for 38 municipalities of the Republic of Kosovo are included. We estimate that the information provided in this report, and in particular the findings presented, will serve for the benefit of local government, increase institutional responsibility and that municipal bodies take concrete steps to advance services provided to citizens.

The data in this report reflect the difference between the number of acts approved and those published, the number of acts of the Mayor, invitations to the meetings of the municipal assembly, the committee for politics and finance, committees for communities, the number of minutes of the meetings of the municipal assembly, the number of sessions broadcasted online, the publication of strategic documents, plans of the municipal assembly, reports, meetings of the Mayor, financial transparency, procurement and the process of public consultations in the municipalities.

METHODOLOGY

For drafting this report, statistical and comparative methods are included. The data used were obtained through the monitoring of the websites of the municipalities. These data have been compared with:

* ***Legal obligations in this field;***
* ***Official report on the functioning of municipalities January - December 2023 for comparative purposes as well as;***
* ***Report on the assessment of transparency January-December 2022***

EXECUTIVE SUMMARY

The operation and use of official websites of municipalities is regulated by Administrative Instruction No. 01/2015 on the Websites of Public Institutions. While in 2018 the project for the redesign of the websites of all municipalities was carried out, in 2019 their changes brought the integration of the intranet system on the websites of the municipalities, where citizens can address requests for obtaining civil status documents, but during the last two years, problems have started to appear in updating data and accessing documents and information.

The year 2023 has continued to be challenging for the information offices of the municipalities, due to the non-functioning of the official websites of the municipalities, which has created a problem in the updating of data and the regular operation of the official websites of the municipalities. Access to the official websites of the municipalities is not possible all the time and creates difficulties in the slow opening of documents, the accuracy of the data, and there are cases when the official websites of the municipalities go out of the system and do not allow obtaining information for documents, which must be accessible to the public, within the time limits.

The report on the assessment of municipal transparency for the period January-December 2023 reflects the municipal transparency and all the problems as a result of the non-functioning of the official websites of the municipalities. Despite the unstable state of operation of the official websites, the municipalities have continued with the publication of planned activities, paying attention to transparency and informing citizens about direct meetings, active involvement of citizens, interest groups, the use of electronic information systems, as well as other methods that will affect the advancement of transparency for the work of municipal assemblies, committees, public meetings, procurement activities, published acts, financial transparency, public consultations, etc.

The report on the assessment of municipal transparency for the period January-December 2023 assesses the transparency of 38 municipalities, including indicators that are also a legal obligation of municipal institutions. The report includes a comparison of the publication of municipal activities in relation to the legal obligations for proper information of citizens regarding the publication of acts of the municipal assembly, the transparency of the Mayor, invitations and minutes of the municipal assembly, mandatory committees, strategic plans and documents, financial, procurement activities as well as public consultations, etc.

TRANSPARENCY OF THE WORK OF MUNICIPAL ASSEMBLIES

The Municipal Assembly is the highest representative body of the local government and at the same time a legally authorized body for the supervision of the provision of services by the executive of the municipality, in accordance with the legislation in force. In order to exercise its function, the Municipal Assembly must meet regularly in order to carry out the responsibilities within the municipal legal powers, to approve the necessary normative acts for the functioning of the municipality, which are expressly required by the legislation in force or those which the laws leave open to be issued, depending on the needs of the municipalities, as well as to discuss and decide on the issues of interest for the municipality.

**NOTICES OF MUNICIPAL ASSEMBLY MEETINGS**

Law No. 03/L-040 on Local Self Government has defined the minimum standards that refer to holding meetings of the municipal assembly, to ensure the work of this body. This Law has regulated the holding of at least 10 meetings of the municipal assembly per year, five of which must be held in the first six months of the year. Before each meeting of the assembly, the chairperson is obliged to notify the public at least 7 working days before regular meetings and, 3 working days before extraordinary meetings, as well as within the day, in cases of emergency meetings, by publishing the announcement on the official website of the municipality, social networks or media.

During the period January-December 2023, 422 invitations of the Municipal Assembly were published, from 34 municipalities, while 4 municipalities did not publish any invitation of the municipal assembly and did not fulfill this legal obligation.

Referring to the data from the Report on the Functioning of Municipalities during the year 2023, the assemblies of the municipalities of the Republic of Kosovo have held 534 meetings, while 422 invitations of the Assembly from 34 municipalities have been published, based on these data we find that the publication of another 112 invitations of the assembly is missing.

Municipalities that have not published any invitation of the Municipal Assembly are Zubin Potok, Zveqan, Leposaviq, North Mitrovica.

A figure with data on the publication of notices for the meetings of the municipal assembly is presented below.

*Fig. 1. Publication of invitations to meetings of Municipal Assemblies*

**Committee for Politics and Finance**

Based on the Law No. 03/L-040 on Local Self Government, Article 51, paragraph 51.1 has defined that municipal assemblies establish mandatory committees; as well as the Committee on Politics and Finance and the Committee on Communities as Permanent Committees.

The Committee on Politics and Finance is responsible for reviewing all policies, fiscal and financial documents, plans and initiatives, including strategic planning documents, the medium-term budget framework, the annual procurement plan, the annual regulation on taxes, fees and payments, the annual work plan of the internal audit, the annual budget and any changes to the budget during the fiscal year, as well as is responsible for receiving reports from the Mayor and submitting recommendations to the municipal assembly.

During this period January-December 2023, 290 invitations of the Committee for Politics and Finances have been published from 28 municipalities, while 10 municipalities have not published any invitations for the meetings of the Committee for Politics and Finances.

**Committee for Communities**

The Committee for Communities is responsible for reviewing municipal authorities' compliance with applicable law and for reviewing all municipal policies, practices and activities to ensure that the rights and interests of communities are fully respected. The Committee also recommends to the municipal assembly the measures that should be taken to ensure the implementation of provisions related to the need of communities to advance, express, protect and develop their ethnic, cultural, religious and linguistic identity, as well as to ensure adequate protection of the rights of the communities within the municipality.

For the reporting period, 151 invitations for the Committee for Communities were published by 20 municipalities, while 18 municipalities did not publish any invitations for the Committee for Communities.

Compared to 2022, the number of community committee meetings has increased by 22 more meetings, but the number of municipalities that have published invitations for the Committee for Communities meeting is the same.

A figure with data related to the notices for the meetings of the Committee for Politics and Finance and the notices for the meetings of the Committee for Communities for the period January-December 2023 is presented below.

*Fig. 2. Notices for the meetings of the Committee for Politics and Finance as well as the Committee for Communities*

Taking into account the notices published by the Report on the Assessment of Transparency for the 2023 reporting period, the Committee for Politics and Finance turns out to be more active compared to the Committee for Communities, which had a lower intensity of meetings held in municipalities.

**PUBLICATION OF THE ACTS OF THE MUNICIPAL ASSEMBLIES**

Based on the Law No. 03/L-040 on Local Self Government, the Municipal Assembly has the competence to approve decisions and regulations for the implementation of laws affecting competences at the local level. The Assembly approves the Statute and the Regulations on Rules and Procedure, makes decisions, issues regulations and other general acts. Publication is one of the most important aspects in the process of approval and entry into force of acts of municipal assemblies, after receiving confirmation of legality from the supervisory authority. Also, the publication enables general information about all the acts, which are in force at the local level, based on the Regulation (MLGA) No. 02/2021 on the Procedure for Drafting and Publishing Municipal Acts as well as Administrative Instruction No. 04/2023 for open administration in municipalities, that regulate the principles, rules and procedures for the publication of normative acts of the municipality.

According to data from the Report on the Functioning of Municipalities during the period, January-December 2023, 2210 acts have been approved, while the data from the Transparency Assessment Report reflect that 2090 acts of municipal assemblies have been published, of which 105 regulations and 1985 decisions. These data reflect the lack of publication of 120 acts.

The figure below shows the number of acts published by the 38 municipalities.

Fig. 3 Publication of acts by municipalities

**Decisions of the Municipal Assembly**

Based on the data of the Municipal Functioning Report 2023, there are 2090 decisions of the Municipal Assembly that have been approved, while the data from the monitoring of the official websites of the municipalities reflect that 1985 decisions of the Assembly have been published by 34 municipalities, while 4 municipalities have not published any decision, based on these data we find that 105 decisions have not been published by the municipalities.

Below is presented the figure with data on the number of decisions from municipalities published during the period January-December 2023.

*Fig 4 Number of published decisions of the municipal assembly*

**Published Regulations**

According to data from the Report on the Functioning of Municipalities, during this period, 120 Regulations were approved by the municipal assemblies, while data from the official websites of the municipalities state that 105 regulations were published by 31 municipalities.

These data reflect that 15 regulations approved by the municipal assemblies are not published on the official websites of the municipalities.

The figure below reflects the number of regulations published by municipalities for the period January-December 2023.

*Fig. 5 Number of regulations published by municipalities*

**Minutes from the municipal assembly meetings**

Administrative Instruction No. 04/2023 for open administration in municipalities, has defined that the municipality is obliged to publish on its official website, the minutes of the meetings of the municipal assembly and mandatory committees.

During the period January-December 2023, there were 317 minutes of municipal assembly meetings that were published from 29 municipalities, while 9 municipalities did not publish any minutes of municipal assembly meetings.

Compared with the data of the Transparency Assessment Report for the year 2022, we find that during the year 2023 *we have a decrease in the publication of minutes from the meetings of the municipal assembly, for three (3) municipalities less*.

The municipalities that have not published any minutes of the assembly are as follows: *Decan, Kllokot, Partesh, Ranillug, Zubin Potok, Zveqan, Leposaviq, North Mitrovica, Mamusha.*

**Minutes from the meetings of the Committee for Politics and Finance**

Referring to the data from the monitoring of the official websites of the municipalities, 26 municipalities have published 256 minutes of the Committee for Politics and Finance, while 12 municipalities have not published any minutes from the meetings of the Committee for Politics and Finance.

*Compared to the data from the 2022 Transparency Assessment Report, we have a slight decrease for one (1) municipality less for 2023.*

The municipalities that have not published any minutes of the Committee for Politics and Finance are: Fushe Kosova, Graqanica, Kllokot, Partesh, Ranillug, Shterpce, Viti, Zubin Potok, Zveqan, Leposaviq, North Mitrovica, Mamusha.

**Minutes from the meetings of the Committee for Communities**

Also, when it comes to publishing the minutes of the Committee for Communities, 166 minutes from 17 municipalities have been published, while 21 municipalities have not published any minutes for the meetings of the Committee for Communities.

According to these data, there is a slight increase of 3 municipalities more than in the previous year 2022, as well as a slight increase in the number of minutes published during 2023.

The municipalities that have not published any minutes of the Committee for Communities are as follows: Decan, Fushe Kosova, Gjakova, Gllogoc, Istog, Kllokot, Malisheva, Novoberde, Obiliq, Partesh, Peja, Prizren, Ranillug, Shterpce, Viti, Vushtrri, Zubin Potok, Zveqan, Leposaviq, North Mitrovica, Mamusha.

In the figure below is presented the total number of minutes of Municipal Assemblies, Committees for Politics and Finance as well as minutes from Communities for Communities.

*Fig.6 Minutes of the municipal assembly, the committee for politics and finance and the committee for communities*

Referring to the data from the Report on the Functioning of Municipalities during the year 2023, the municipal assemblies of the Republic of Kosovo have held 534 meetings, while the data from the monitoring of the official websites of the municipalities for the 2023 reporting period, 422 invitations to the municipal assembly meetings have been published.

Based on these data, we find that compared to the number of meetings held, 217 minutes are missing, whereas in the number of invitations published for the meetings of the municipal assembly there are 105 minutes missing, in fact there is a large number of unpublished minutes.

**Online broadcasting of municipal assembly meetings**

Based on Article 6 of Administrative Instruction No. 04/2023 for open administration in municipalities, the responsible bodies of the municipality broadcast the meetings of the municipal assembly through the official website, using the equipment necessary for broadcasting. Municipal bodies are obliged to ensure active access to the use of the telepresence system, in order to create conditions for monitoring and evaluation of processes for the monitoring mechanisms of MLGA, interested parties and other institutions in the meetings of the Municipal Assembly, through the authorized staff of the municipality.

According to data from the monitoring of the official websites of the municipalities for the period January - December 2023, 285 online meetings of the municipal assembly of 24 municipalities were broadcasted, while 14 municipalities did not broadcast any online meeting.

Compared with the data from the Report on the Assessment of Transparency of Municipalities for the period January-December 2022, where 262 online meetings of the municipal assembly were broadcasted, we find that during 2023, while the number of broadcasted meetings is for 23 more.

In the figure below are presented the data on the municipalities that have broadcasted the online meetings of the municipal assembly.

*Fig. 7 Meetings of the municipal assembly broadcasted online*

**WORK PLAN OF THE ASSEMBLY**

Municipalities have a legal obligation to provide direct access to public documents through their official website, such as: the work plan of the municipal assembly, strategies and other approved policy documents.

During the period January/December 2023, 28 municipalities have published the work plan of the municipal assembly, while 10 other municipalities have not published the work plan of the municipal assembly**.**

Referring to the data of 2022, we find that there is a decrease in the publication of the work plan of the municipality assembly for three (3) municipalities less in 2023.

The figure below reflects the data of the municipalities that have published the work plan of the municipal assembly.

*Fig 8. Publication of the work plan of the municipality assembly*

**Strategic plans and documents**

The verified data reflect that 21 municipalities have published Strategic plans and documents of the relevant fields during the period January-December 2023, while 17 municipalities have not published any Strategic plans and documents.

The figure below reflects the number of municipalities that have published Strategic plans and documents of the relevant fields during the period January-December 2023.

*Fig. 9 Strategic plans and documents*

**Zonal Maps**

According to the data from the monitoring of the official web pages of the municipalities for the period January-December 2023, out of 38 municipalities, 13 municipalities have published Zonal Maps, while 25 municipalities have not yet fulfilled this legal obligation.

In the figure below is presented the number of municipalities that have published Zonal Maps.

*Fig 10. Publication of zonal maps*

**ACTION PLAN FOR TRANSPARENCY**

Administrative Instruction No. 2023/04 for open administration in municipalities, defines the obligation that municipalities have to draft a four (4) year action plan for transparency. This plan is required to include actions that promote: meetings of the municipal assembly, committees, public meetings, consultative meetings for projects, transparency in the planning and utilization of the municipal budget, quick access to services, transparent procurement procedures, employment procedures, updating daily activities on the official website, active involvement of citizens in decision-making, etc. The action plan for municipal transparency aims to provide the public with easy access to the monitoring and implementation of policies by municipal bodies, including: quick information, accessible data, publication of all normative acts and documents of public interest, as well as increased opportunities for citizens' participation in decision-making processes.

The main objective of the Action Plan for Municipal Transparency is to "ensure open governance for citizens, full inclusion in the process of planning and policy development, as well as transparent and accountable governance".

* Ensuring a clear framework of organized planning, where the roles of all participants responsible for municipal transparency are defined.
* Strengthening local democracy mechanisms to achieve to have a public interested in public issues;
* Advancement of information mechanisms, so that citizens are heard and encouraged to be active in decision-making processes.
* Creation of an effective governance system, in which the main principle of policy drafting is the basis of information.
* The data from the monitoring of the municipalities for the reporting period January/December 2023 show that 29 municipalities have published the Transparency Action Plan, while 9 municipalities have not published the TAP.
* Below is a figure with the number of municipalities that have published the Transparency Action Plan.

*Fig 11. Action plan for municipal transparency*

***REGULATION ON TRANSPARENCY***

Based on the Law on local self-government No. 03/L-040, Article 68 paragraph 68.4 defines that the Municipal Assembly approves the municipal regulation that promotes transparency of the legislative, executive and administrative bodies of the municipality, increasing the participation of the public in decision-making at the local level, and facilitating public access in the official documents of the municipality.

**The data from the official website reflect the reporting period January/December 2023, where according to these data, 23 municipalities have published the Transparency Regulation, while 15 municipalities have not published the Transparency Regulation.**

In the figure below it is presented the number of municipalities that have published the Transparency Regulation.

*Fig.12 Publication of the regulation for transparency in municipalities*

TRANSPARENCY OF THE MAYOR OF THE MUNICIPALITY

Based on Administrative Instruction No. 04/2023 for open administration in municipalities, the mayor provides transparency for the decision-making and administration process. The mayor of the municipality is responsible for the implementation of legislation on the publication of executive acts and official documents in compliance with Law No. 06/L-82 on the protection of personal data and Law No. 061/081 on access to public documents.

**During the period January/December 2023, 6215 decisions of the mayor from 27 municipalities were published, while 11 other municipalities did not publish any decision of the mayor.**

Referring to the data of 2022, we find that we have a decrease in the publication of decisions and a decrease in the number of municipalities for two (2) municipalities less in 2023.

In the table below it is presented a figure with data on the publication of the mayor's decisions from each municipality.

*Fig 13 Publication of the mayor's decisions*

**PUBLICATION OF THE MAYOR’S REPORT**

Law No. 03/L-040 on Local Self-Government, Article 58 provides that the mayor is obliged to report to the municipal assembly, at least once every six months or whenever required by the municipal assembly, on the economic-financial situation of the municipality as well as the implementation of the investment plans of the municipality.

Based on Administrative Instruction No. 04/2023 for Open Administration in municipalities, the mayor's reports must be published on the municipality's website, along with other mandatory documents. The findings show that 27 municipalities have published the mayor's report, while 11 municipalities have not published any report of the executive on the municipality's official website.

Compared to the year 2022, where 25 municipalities had published the mayor's report on the official website, based on these data we find that there is an increase for two (2) municipalities more in 2023.

In table form is presented the number of municipalities that have published the mayor's report.

*Fig. 14 Publication of the Mayor's Report*

Administrative Instruction (MAPL) No. 04/2023 for open administration in municipalities, defines that the municipality is obliged to publish all official documents, including the annual work plan of the mayor and directorates.

During the period January-December 2023, there are 25 municipalities have published the work plan of the mayor, while 13 municipalities have not published any work plan of the mayor.

In the table below is presented the number of municipalities that have published the mayor's work plan.

*Fig. 15. The work plan of the Mayor of the municipality*

**MAYOR'S MEETINGS**

Every year, the municipality holds at least two public meetings with citizens on issues of general interest. One of the public meetings must be held in the first six (6) months of the year, while the other meeting is held in the second six (6) months of the year. The public meetings must be attended by the highest officials of the municipal bodies, such as: the Mayor, the Chairman of the Municipal Assembly, the Directors of the Directorates, the Chairmen of the Committees and the competent officials for matters under public discussion. Public meetings are led and chaired by the Mayor, or his/her representative. The Mayor is authorized to set the agenda and the procedure for leading the discussions.

**The Report on the functioning of the municipalities**, reflects that during 2023, in 27 municipalities there were held 2 public meetings with citizens, while 5 municipalities held 1 meeting with citizens.

The municipalities that have not held any public meeting with citizens within this reporting period are: Leposaviq, Zubin Potok, Zvecan, North Mitrovica, Novoberde and Mamusha.

Referring to data from the monitoring of official websites for the period January-December 2023, it results that 25 municipalities have published notices of meetings with citizens, of which 23 municipalities have published 2 public meetings with citizens, while 2 municipalities have published only 1 public meeting with citizens, while 13 other municipalities have not published any meetings with citizens.

Comparing the data from the **Report on the functioning of municipalities** f**or the 2023 reporting period** and the Report on the Assessment of Municipal Transparency 2023, the publication of 7 announcements for public meetings of the mayor with citizens is missing.

In the table below are presented the data of the municipalities for the publication of announcements for public meetings of the mayor with citizens, for the period January/December 2023.

*Fig 16. The number of announcements for the meetings held by the mayors of the municipalities during the year 2023*

**Report on Access to Public documents**

Article 31 of Law No. 06/L-081 on Access to Public Documents has defined that, in order to ensure full transparency in their work and, with regards to access to public documents, public institutions, through the official responsible for access to public documents, drafts an annual report latest by the end of January of the current year, for the period up to December 31 of the previous year, which includes the number of cases in when the public institution has allowed access, the number of cases that the public institution has refused access in the documents, as well as the reasons for these rejections.

In the figure below it is presented the number of municipalities that have published the Report on Access to Public Documents.

*Fig. 17. Report on access to public documents*

FINANCIAL TRANSPARENCY

Financial transparency is one of the main criteria of good governance that affects the increase of accountability of municipal bodies towards the citizens. The importance of transparency affects many aspects including economic and financial stability, good governance, as well as the general system of state administration. Through this principle, the openness of the administration to the society is rendered possible, information about its work can be provided in different ways and in different volumes, a principle that can be limited only in the cases specified in the legislation of each country. Financial transparency makes the administration accessible from outside. For this reason, the official websites of public institutions are the basic and most applicable platforms for communicating information to citizens, providing information about their scope, financial management, procurement activities, as well as access to public documents.

Municipalities are obliged to make public the financial documents such as annual budget plans, medium-term expenditure framework, budget hearing notices, 3-month financial reports, annual financial reports, audit reports, list of capital investments, etc.

BUDGET PLANNING

Budget planning in municipalities is the main condition for accountability and to prevent mismanagement of public money. The publication of the budget plan is one of the main criteria of good governance that affects the increase of accountability of municipal bodies towards citizens.

During the period January/December 2023, 28 municipalities have published the Budget Plan, while 10 municipalities have not fulfilled this legal obligation.

Based on the data of the Report on the Assessment of Transparency for the year 2022, we find that there is a decrease in the publication of the budget during the year 2023 for three (3) municipalities less.

In the table below it is presented, the number of municipalities that have published the Budget Plan.

*Fig 18 Publication of the Budget in municipalities*

**MEDIUM TERM BUDGET FRAMEWORK**

The Medium-Term Budget Framework is the main financial document, in which the annual budget for the following year is drafted. The Medium-Term Budget Framework defines the priorities based on comprehensive analysis and budget planning for the following year.

As for MTBF, Municipalities remain approximately the same in fulfilling this legal obligation just as in the field of budget planning.

During this period, 29 municipalities have published the Medium-Term Budget Framework, while 9 municipalities have not published the MTBF.

Based on the data from the Report on Transparency for the year 2022, it shows that the year 2023 marks a decrease in the publication of MTBF. For three (3) municipalities less.

In the table below it is presented the number of municipalities that have published the Medium-Term Budgetary Framework during this period.

*Fig19. Publication of MTBF*

**PERIODIC FINANCIAL REPORTS**

In addition to budget planning documents, legislation in force obliges municipalities to make their financial activities public. The publication of periodic financial reports also facilitates other aspects of external control, to evaluate the efficiency of the work of the municipal assemblies, respect of the legality, efficient financial management as well as the general performance of the municipal executive. Article 45.4 of the Law on the Management of Public Finances and Responsibilities has defined that the mayor, in addition to being obliged to prepare them, must also publish them on the website of the municipality.

During the year 2023, there were 29 municipalities that have published 3 monthly financial reports, while 9 municipalities have not published any three (3) monthly financial reports for the year 2023.

In the table below it is presented the number of municipalities that have published periodic reports.

*Fig. 20. Publication of periodic financial reports*

**ANNUAL FINANCIAL REPORT**

There are 27 municipalities that have published their annual financial report, while 11 municipalities have failed to fulfill this legal obligation.

In the table below it is presented the number of municipalities that have published the annual financial report.

*Fig 21 Publication of the annual financial report*

**Announcements of budget meetings**

The municipality is obliged to hold budget meetings with citizens as defined on the Law on the Management of Public Finances and Responsibilities.

Budget meetings are held using the forms and techniques of public consultation including: calls, deadlines, minutes and drafting of reports according to the provisions of this administrative instruction. The announcement for budget discussions, together with the budget proposal and explanatory documents, is published at least 2 (two) weeks before the meeting following the procedure of Article 5 paragraph 2 of Administrative Instruction No. 04/2023 for Open Administration in municipalities.

The municipality also holds other consultative meetings within the neighborhoods, settlements and other locations for issues related to municipal projects, local economic development, use of municipal property, spatial planning, investments, municipal revenues, municipal budget planning as well as other matters of general interest.

As for the Budget meetings, the municipalities are doing well in fulfilling this legal obligation.

During the year 2023, there were 32 municipalities that published 151 notices of budget meetings, while only 6 municipalities did not fulfill this legal obligation.

According to the data from the Report on the Assessment of Transparency for 2022, it results that in the announcements for budget meetings we have an increase for one (1) municipality more in 2023.

In the table below it is presented the number of municipalities that have published notices for budget meetings/discussions during January-December 2023.

*Fig. 22 Publication of announcements for budget meetings*

**EXTERNAL AUDITOR'S REPORT**

Based on Article 27, paragraph 27.2 of Law No. 03/L-040 for Local Self-Government, all auditor reports and responses of local authorities are made public. The publication of the auditor's report is another important indicator, since in this form it provides the public with data on how public money has been managed under the management of the municipalities.

During the year 2023, there are 25 municipalities that have published the External Auditor's Report, while 13 municipalities have not fulfilled this legal obligation according to the legal framework for transparency.

Compared with the data from the Transparency Report for 2022, it turns out that we have an increase for four (4) more municipalities during 2023 in the publication of the External Auditor's Report.

In the table below it is presented the number of municipalities that have published the External Auditor's Report.

*Fig. 23 External Auditor’s Report*

**List of capital investments**

The list of capital investments is a financial document that defines the capital expenditures that are necessary for the implementation of decisions, of certain plans in the municipalities. The list of capital investments defines the time of implementation, cost, sources of financing as well as other detailed information. The publication of the List of capital expenditures is part of financial transparency and defines the highest priority of securing funds, as well as the budget allocation necessary for the regular financing of the capital project during the preparation and approval of the Kosovo Consolidated Budget.

As for the category of Capital Investments, during this period 24 municipalities have published capital investments, while 14 municipalities have not fulfilled this legal obligation.

Compared with the data from the Transparency Report for 2022, it turns out that we have an increase for three (3) more municipalities during 2023 in the publication of the List of Capital Investments.

In the table below it is presented the number of municipalities that have published the List of Capital Investments.

*Fig 24 Publication of the list of capital investments*

TRANSPARENCY IN PUBLIC PROCUREMENT

Public procurement is among the most sensitive processes for any budget organization, for which full transparency and accountability is required according to legal regulations. Municipal authorities are obliged by law to compile a procurement plan where they must plan projects, services and costs for each project and service in this plan. The municipal procurement plan must be compiled and published in the first three months of the year. Likewise, municipalities as contracting authorities based on the Rules and Operational Guideline for Public Procurement from PPRC must provide information on contract notices, notices on cancellations of procurement activities as well as contract award notices/design competition results notices, regardless of type or estimated value.

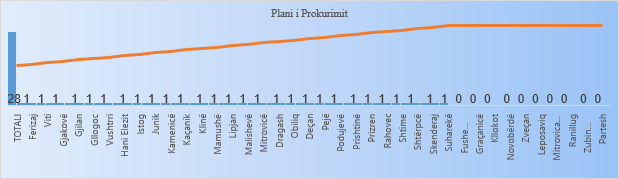
**PUBLICATION OF THE PROCUREMENT PLAN**

Law No. 04/L-042 on Public Procurement has defined that no less than sixty (60) days before the beginning of each fiscal year, each contracting authority must prepare the preliminary procurement plan, in writing, which identifies reasonable details of all supplies, services and works that the contracting authority intends to procure during the fiscal year in question. Procurement plans are important because they define all the expected requirements that will be procured during a period, provide a timeline for the fulfilment of these requirements, as well as predict the value of the procurement.

According to the data from the Report on the Assessment of Transparency in Municipalities for the reporting period, there were 28 municipalities that have published the annual public procurement plan, while 10 municipalities have not published the 2023 procurement plan.

Compared with the data from the Transparency Report for 2022, it turns out that we have a decrease for two (2) municipalities less during 2023 in the publication of the Procurement Plan.

In the table below it is presented the number of municipalities that have published the Procurement Plan.

 *Fig.25 Publication of the Procurement Plan*

**PROCUREMENT REPORT**

For each contract or framework agreement that is covered by the law in force, and whenever a dynamic purchasing system is established, the contracting authority or entity drafts a written report, specifying the name and address of the contracting authority or entity, the object and the estimated value of contract, framework agreement or dynamic purchasing system as the case may be. Procurement reports reflect the expenditure of public money through public procurement. Referring to the data from the Report on the Assessment of Transparency in municipalities for the reporting period, 12 municipalities have not published the annual Public Procurement Report, while 26 municipalities have published the Procurement Report for 2022.

In the table below it is presented the number of municipalities that have published the Procurement Report.

*Fig 26. Publication of the procurement report*

IMPLEMENTATION OF MINIMUM STANDARDS OF PUBLIC CONSULTATIONS

Administrative instruction No. 04/2023 for open administration in municipalities has not defined the minimum standards of public consultation, thus obliges local authorities to ensure the participation of citizens and other interested parties during the process of political and decision-making at the local level, to promote municipal transparency, as well as to influence the development of sustainable policies in the general interest.

This administrative instruction defines the rules, principles, forms, procedures and minimum standards of public consultation in municipalities in the case of the development of municipal policies and by-laws. The municipality is obliged to provide public consultation on all local policy documents, as follows:

1. Acts of the municipality that are subject to the public consultation process;

2. Draft - Statute of the Municipality;

3. Draft municipal regulations;

4. The project-budget of the municipality for the following year, as well as the budget review;

5. The medium-term budget framework for the next 3 years;

6. Development strategies and action plans at the local level within the sectoral fields;

7. All spatial project plans at the local level, defined by spatial planning legislation;

8. All other documents, for which the municipalities estimate that they are necessary to go to public consultation.

**PUBLIC CONSULTATION PLAN**

Based on Article 20 of Administrative Instruction No. 04/2023 for Open Administration in municipalities, the Plan of public consultations must be published on the official website of the municipality. The general planning of public consultations is done at an early stage during the drafting of the municipality's work plan for the next calendar year, as well as when drafting the plan for communication with the public.

**According to the data from the monitoring of the websites of the municipalities, we have the following: 22 municipalities have published the Public Consultations Plan, while 16 municipalities have not published the Public Consultations Plan.**

Compared with the data from the Transparency Report for 2022, it turns out that we have an increase for two (2) municipalities more during 2023 in the publication of the Public Consultation Plan.

In the table below it is presented the number of municipalities that have published the Public Consultation Plan for the period January-December 2023.

***Fig. 27 Planning of Public Consultations***

Draft proposals for public consultation

Draft-proposals that are subject to public consultation must be clear and complete with all accompanying documents.

During this period, the municipalities have also published draft proposals and draft acts.

According to the data from the monitoring of the websites of the municipalities, there are 19 municipalities that have published on the official website 155 Draft Acts, Project Proposals, while 19 other municipalities have not fulfilled this legal obligation.

In the table below it is presented the number of municipalities that have published Draft-Proposals for public consultation during the period January-December 2023.

*Fig27. The number of draft proposals published for public consultation*

Reports for Public Consultations

Administrative Instruction No. 04/2023 for open administration in municipalities, defines that the official responsible for drafting the project-proposal during the public consultation gathers comments and prepares a report on the results of the public consultation. The review of the comments is done by the working group of the project proposal, which decides on the acceptance or rejection of the recommendations received from the interested parties. All proposals, remarks and suggestions that have been submitted by the public within the manner and deadline defined by the Administrative Instruction No. 04/2023 for open administration in municipalities, are included in the report on the public review.

Regarding the publication of the number of Reports for Public Consultations, the municipalities are doing relatively well.

**During the year 2023, there were 21 municipalities that have published the Public Consultation Reports, while 17 municipalities have not fulfilled this legal obligation.**

Based on the data of the 2022 Report on the Assessment of Transparency, we find that here we have an increase for two municipalities more in the publication of reports for public consultations.

In the table below it is presented the number of municipalities that have published Reports for public consultations.

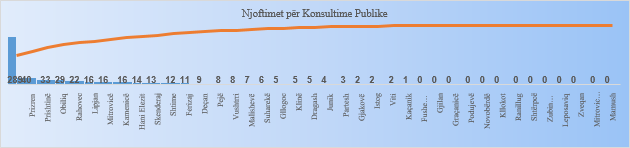
*Fig. 28 Number of reports for public consultations*

Based on Article 27 Administrative Instruction No. 04/2023 for Open Administration in municipalities, the Proposing Body provides conditions for the development of written and electronic consultation, including timely information on the methods and deadlines of public consultation.

The written and electronic notification contains: the project proposal for which comments are requested, the exact address where the written and electronic comments should be sent, information (name, surname and e-mail) for the person responsible for receiving comments and the deadline for submission of comments.

Notices for public consultations during the period January-December 2023, have been published by 25 municipalities, while 13 municipalities have not published any notice.

In the table below it is presented the number of announcements for public consultations for each municipality.

 *Fig. 29 Notices for public consultations*

CONCLUSIONS / RECOMMENDATIONS

Based on the analysis of the data presented in this report, it is noted that the legal obligations in the field of transparency in some municipalities of the Republic of Kosovo during the year 2023, result in a decrease in some legal obligations, but at the same time stagnation and progress in the fulfillment of legal obligations in some of the municipalities.

The malfunction of the official website of the municipalities of the Republic of Kosovo is causing problems in updating the data on the official website of the municipalities, difficulties in monitoring the official websites and collecting data, thus it is noted that it has resulted in a decline and stagnation in fulfilling some legal obligations set for municipalities.

Regardless, the malfunction of the official website of the Municipalities of the Republic of Kosovo, which has caused a delay in the fulfillment of some legal obligations, the municipalities must continue their care in the prior notification of the interested parties for the holding of the meetings of the municipal assemblies, meetings, debates, the publication of municipal acts and other public documents, through the official websites of the municipalities.

Municipalities must fully implement the legal obligations established by Instruction No. 04/2023 for open administration in municipalities, the legal provisions that regulate the relevant field as well as Administrative Instruction No. 01/2015 for the websites of Public Institutions, so that the websites of public institutions must have developed and functionalized the search module, which must be located on the front page. The search module should be optimized so that documents and information on the web page can be found quickly and easily. Search based on the first letters of the first word from the name of the document, file, date, number, etc. similar to the most advanced web browsers.

Bearing in mind that the problem of malfunctioning of official websites was also in 2022, the estimates for the decline, stagnation and increase of municipal transparency have been compared with the data from the Report on the Assessment of Transparency of 2022 and the Report on the Functioning of Municipalities for 2023, therefore, we recommend municipalities that have not fulfilled this legal obligation to be more attentive in fulfilling their obligations as follows:

* Publication of invitations for municipal assembly meetings
* Publication of Invitations to the Community for Politics and Finance and the Committee for Communities
* Minutes from the meetings of the municipal assembly and committees
* Budget transparency
* Acts of the Mayor of the municipality
* Announcements about the mayor's meetings with citizens
* Annual procurement plan
* The annual procurement report
* Municipalities must publish the public consultation report together with the draft act proposed for approval in the municipal assembly
* The municipality should continue to put the notices for public consultations on the Public Consultations link so that they are accessible to the third party.