

**Republika e Kosovës**

**Republika Kosova – Republic of Kosovo**



**KËSHILLI I PAVARUR MBIKËQYRËS PËR SHËRBIMIN CIVIL TË KOSOVËS**

**NEZAVISNI NADZORNI ODBOR CIVILNE SLUŽBE**

**INDEPENDENT OVERSIGHT BOARD OF THE CIVIL SERVICE OF KOSOVO**

**Annual Report**

**2011**

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**I. ABBREVIATIONS**

KCA - Kosovo Cadastral Agency

ACA – Anti-Corruption Agency

KFA – Kosovo Forestry Agency

PPA – Public procurement Agency

AASK – Academy of Arts and Science of Kosovo

TAK - Tax Administration of Kosovo

DCSA – Department of Civil Service Administration

SOK – Statistical Office of Kosovo

EULEX – European Union Rule of Law Mission in Kosovo

IO – Institution of the Ombudsperson

KJI – Kosovo Judicial Institute

KIPA – Kosovo institute of Public Administration

COE – Chief of Executive (Executive Agency)

CEC – Central Elections Committee

LAP – Law on Administrative procedure

MPA – Ministry of Public Administration

MLGA – Ministry of Local Government Administration

MEST- Ministry of Education Science and Technology

MAFRD - Ministry of Agriculture Forestry and Rural Development

MJ - Ministry of Justice

MEF - Ministry of Finance

MEM - Ministry of Energy and Mines

MKSF - Ministry of Kosovo Security Force

MKK - Ministry for Communities and Returns

MKRS - Ministry of Culture, Youth and Sports

MESP- Ministry of Environment and Spatial Planning

MLSW - Ministry of Labor and Social Welfare

MPB - Ministry of Internal Affairs

MLSW – Ministry of Labor and Social Welfare

MH – Ministry of Health

MTI – Ministry of Trade and Industry

MI – Ministry of Infrastructure

EB – Employment body

OSCE – Organization for Security and Cooperation in Europe

FIC – Financial Intelligence Center

KCPSED - Kosovo Center of Public Security Education and Development

UCCK- University Clinical Center of Kosovo

SC - Students Center

UP - University of Prishtina

OAG – Office of the Auditor General

**II. INTRODUCTION**

Independent Oversight Board for the Civil Service of Kosovo (hereinafter: the Board) oversees rules and principles of the Civil Service of Kosovo, provided under article 101, item 2 of the Constitution of the Republic of Kosovo.

The Assembly of the Republic of Kosovo has adopted Law no. 03/L-192 on Independent Oversight Board for Civil Service of Kosovo, which came into force on 30 August 2010. Also under this Law, the Board is an independent body which reports about its work to the Assembly of the Republic of Kosovo.

Based on Law No. 03/L-192 on Independent Oversight Board for Civil Service of Kosovo, the Board has drafted and adopted two regulations for the implementation of the law on the Board and the Code of Ethics for the members of the Board.

The functions of the Board are: reviewing of appeals of civil servants and applicants for employment in Civil Service of Republic of Kosovo, overseeing the selection of managerial and similar positions of civil servants in Kosovo Institutions and overseeing of the implementation of the Civil Service legislation.

The legal basis for the Board functioning is the Constitution of the Republic of Kosovo, Law No. 03/L-192 on Independent Oversight Board for Civil Service of Kosovo, Law No. 03/L-149 on Civil Service of the Republic of Kosovo and by-laws on Civil Service, Law No. 02/L-028 on Administrative Procedure and by-laws related to the civil service.

During 2011 the Board has been vigorously engaged in the attempt to ensure a qualitative civil service in a professional spirit through the enforcement of civil service legislation, so that Kosovo can have an efficient administration with European values and standards.

The Board is an independent budgetary organization and is financed by the Budget of the Republic of Kosovo and various donations.

**III. GENERAL SECTION**

In order for the Republic of Kosovo to have an efficient and impartial civil service, which is based on merits and which reflects the diversity of the people of Kosovo, while carrying over its functions for the reporting period through the examination of the complaints of civil servants and applicants for employment in civil service, overseeing the compliance with law and guiding principles in the civil service, and monitoring the selection of managerial and similar positions of civil servants, the Board has established that there is progress in the civil service. However, the required professionalism, impartiality, accountability, compliance with the code of ethics, and the implementation of procedures and of the law are yet to be achieved.

In reviewing the complaints of civil servants and applicants, it is established that civil servants are not always recruited according to fair and meritorious procedures, the promotion is not done on the basis of merit and procedures, the annual performance appraisals are not always objective, the employment contracts have not been replaced with documents of appointment (Appointment Letter) as provided by the Law on Civil Service and recommendations provided by the Board.

Some senior management civil servants, who are responsible for the enforcement of the decisions of the Board, have shown negligence and irresponsibility in the enforcement of the decisions of the Board, which are binding according to article 15, paragraph 1 and paragraph 5 of Law No 03/L-192 on the Board. The Board, on regular basis informed in a written form the Prime Minister, the Assembly of the Republic of Kosovo and management of every institution that did not enforce the decisions of the Board.

While overseeing the institutions with regards to the compliance with the law, it was determined that not all institutions have the personnel files as per the standard requirements, standardized job descriptions, disciplinary and complaints committees, which implement principles that often become instruments of impact and pressure on decision making, that personnel managers were not given the role and responsibilities vested to them by the law. The institutions which were given recommendations showed negligence and irresponsibility, not only in terms of their implementation but also in terms of informing the Board for their implementation or not.

The monitoring of the election of the directors of departments and similar levels resulted in an obvious improvement through the special contribution of the Board, thus not allowing the final selection until the legal requirements for proceeding are met, such as those related to the vacancies, the level and composition of the panels. Since the members of the committees are at the senior management level and of equivalent positions, a concerning fact is that some institutions did not show their readiness for cooperation.

**IV.** **INTERNAL ORGANIZATION OF THE BOARD**

The internal organization of the Board is governed by Law No. 03/L-192 on Independent Oversight Board for Civil Service of Kosovo and by the internal regulation on its organization, where the responsibilities of the Board members and every officer employed in the Board Secretariat are specifically provided.

THE BOARD is consisted of 7 (seven) members. The Board Members are elected based on open and transparent vacancy announcements and are appointed by the Kosovo Assembly which reflects the multi-ethnic and gender representation of Kosovo. The tenure of all Board members is 5 years with the possibility of re-election. The President of the Board is elected by the Board members with tenure of 2 years.

The Board SECRETARIAT, is a body that helps the Board in the execution of its functions and duties and it is composed of Executive Director and two departments. Currently, in the Board Secretariat, there are 16 employees hired in the positions of civil servants.

* Executive Director;
* Appeals, Monitoring and Overseeing Department (8 civil servants);
* Administration and Personnel Department (7 civil servants);

The following chapters present a full tableau of the manner the Board executes its functions and other activities during a one-year (1) reporting period, 1 January - 31 December 2011.

**V. BOARD FUNCTIONS**

In accordance with article 10 of Law No. 03/L-192, the Board has these functions:

1. Complaints review function, reviews and renders decisions on the complaints of civil servants and applicants for employment in civil service against the decisions of the employment body in all institutions of Civil Service in accordance with the rules and principles specified in the Law on Civil Service of the Republic of Kosovo.
2. Monitoring function, decides if the appointments of the civil service of managerial level were carried out in accordance with the rules and principles specified in the Law on Civil Service of the Republic of Kosovo.
3. Overseeing function, oversees the enforcement of rules and principles of the legislation on civil service.

**A. COMPLAINTS REVIEW FUNCTION**

During **2011**, The Board received in total **407** complaints, filed by civil servants and applicants for employment in Civil Service of Kosovo. In order to specify the types of complaints more accurately, the Board has divided the complaints in three categories:

a) object of complaints,

b) gender structure and

c) ethnic structure

1. Complaints received according the object:

The grounds of the complaints from civil servants, who file their complaints to the Board, are different. During 2011 most of complaints had for object the termination of employment contract, the challenging of vacancies, material compensation, non-extension of employment contract, demotion in position, change of position and other disciplinary measures, such as suspension from work, non-rising of pay-scale, etc. Hence, it turns out that the largest number of appeals is related to:

**1. Termination of employment ......................................................108 appeals or 26.53%**

**2. Material Compensation ...............................................................108 appeals or 26.53%**

**3. Vacancy challenged……………………….....................................87 appeals or 21.37%**

**4. Demotion...........................................................................................55 appeals or 13.51%**

**5. Non-extension of employment contract......................................27 appeals or 6.63%**

**6. Other disciplinary measures; suspension................................. 12 appeals or 2.94%**

**7. Change of position ....................................................................... 10 appeals or 2.45%**

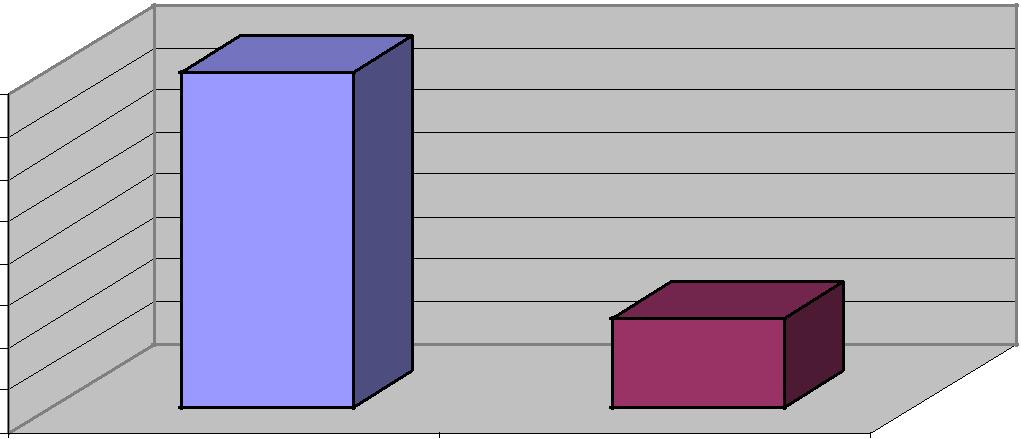
|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | **Complaints received according to object** | | | |  |  |  |
| 30.00% |  |  |  |  |  |  |  |  |
| 25.00% |  |  |  |  |  |  |  |  |
| 20.00% |  |  |  |  |  |  |  |  |
| 15.00% |  |  |  |  |  |  |  |  |
| 10.00% |  |  |  |  |  |  |  |  |
| 5.00% |  |  |  |  |  |  |  |  |
| 0.00% |  |  |  |  |  |  |  |  |
| Termination  of  employment | Material  compensation | Vacancy  challenged | Demotion | Non-continuation  of  employment | Other disc.  measures;  suspension | Change of  Position |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  | 26.53% | 26.53% | 21.37% | 13.51% | 6.63% | 2.94% | 2.45% |  |

**Chart 1. Shows the percentage of complaints received by object**

1. Complaints filed according to the gender structure of the complainants:

Referring to the overall number of 407 complaints filed by complainants in 2011, based on gender and complainant groups that addressed their complaints to the Board, it turns out that the largest number of complainants are male, 322 or 79.11 % and 85 or 20.88% are female complainants. The following chart presents the total number of 407 complaints, divided into percentages:

|  |  |
| --- | --- |
| **Complaints according to gender structure** | |
| **79.11%** |  |
| 80.00% |  |
| 70.00% |  |
| 60.00% |  |
| 50.00% |  |
| 40.00% | **20.88%** |
| 30.00% |  |
| 20.00% |  |
| 10.00% |  |
| 0.00% |  |
| Male | Female |

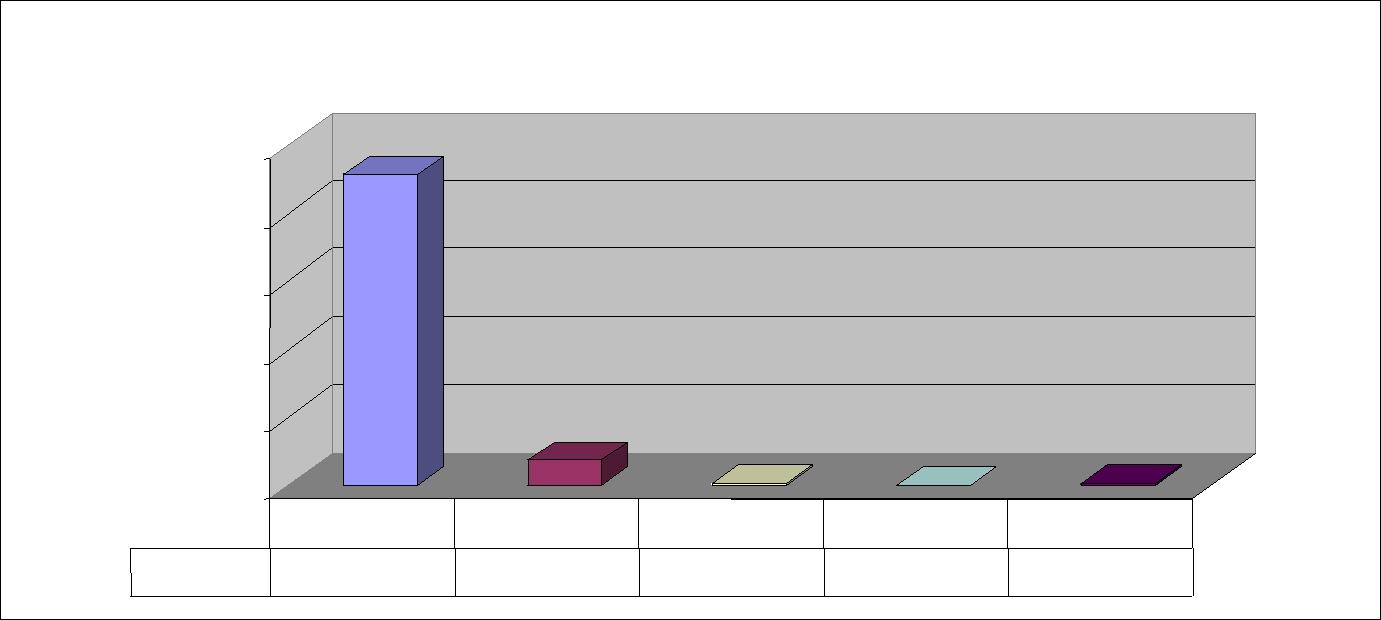


**Chart 2. Shows the percentage of complainants according to gender structure**

1. Complaints filed according to ethnic structure:

The ethnic composition of complainants that contacted the Board is: Albanian - **372 or 91.40%;** Serb **30 or 7.37%**; Gorani **2 or 0.49%**; Bosnian **1 or 0.24%** and other **2 or 0.49%.**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Complaints according to ethnic origin** | | | | | | | | | |
| 100.00% |  | |  | |  | |  | |
| 80.00% |  | |  | |  | |  | |
| 60.00% |  | |  | |  | |  | |
| 40.00% |  | |  | |  | |  | |
| 20.00% |  | |  | |  | |  | |
| 0.00% |  | |  | |  | |  | |
| Albanian | | Serb | | Gorani | | Bosnian | | Other | |
| 91.40% | | 7.37% | | 0.49% | | 0.24% | | 0.49% | |

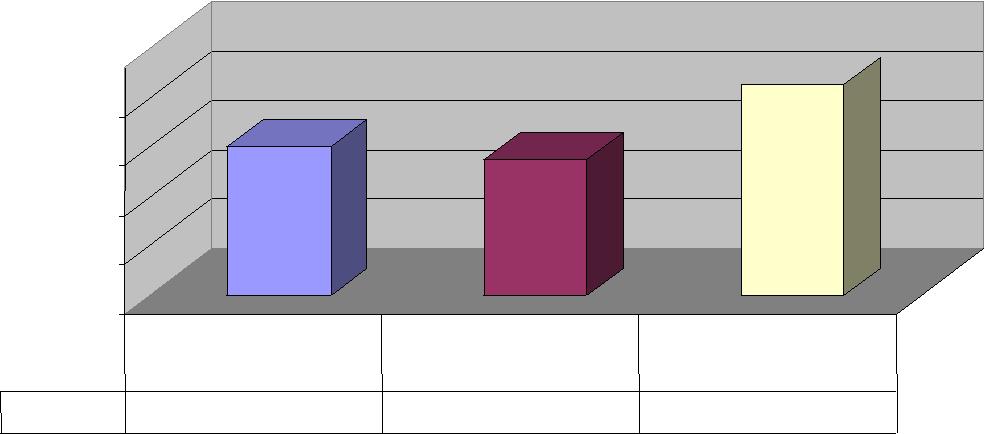


**Chart 3. Shows the percentage of complainants according to their ethnic origin**

1. Complaints filed against the decisions of employment authorities

During the reporting period the Board received complaints from civil servants and candidates for employment. Against Central Administration Institutions there were **122** complaints or **29.97%**, from Independent Agencies **111** complaints or **27.27 %** and from the Municipal Administration **174** appeals or **42.75%.**

**Complaints filed against employment bodies (in %)**



50.00%



40.00%



30.00%

20.00%

10.00%

0.00%

|  |  |  |  |
| --- | --- | --- | --- |
| Institutions of  Central Admin. | Independent  Agencies | Local level (municip) |  |
|  |
|  |
| 29.97% | 27.27% | 42.75% |  |

**Chart 4. Shows the percentage of complaints against the decisions of employment authorities**

1. **COMPLAINTS FILED TO THE BOARD DURING 2011**

Complaints received by the Board according to institutions and object of complaints filed by civil servants against:

1. **Central Administration;**
2. **Independent Agencies and**
3. **Local Administration (municipalities).**
4. Central Administration

Civil servants and applicants for employment in civil service from central administration during the year 2011 filed 122 complaints by the following object of complaint: termination of employment, challenged vacancy, material compensation, non-extension of employment contract, demotion of position. (See chart below).

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Nr.** |  |  | **Institutions of Central Administration** |  |  | **No of complaints** |  |  | **Percent** |  |  |
|  |  |  |  |  |  |  |  |  |
| **1** | |  | Ministry of Health | |  | 43 | |  | **10.56%** | |  |  |
| **2** | |  | Ministry of Labor and Social Welfare | |  | 11 | |  | **2.70%** | |  |  |
| **3** | |  | Ministry of Internal Affairs | |  | 8 | |  | **1.96%** | |  |  |
| **4** | |  | Ministry of Infrastructure | |  | 8 | |  | **1.96%** | |  |  |
| **5** | |  | Ministry of Justice | |  | 8 | |  | **1.96%** | |  |  |
| **6** | |  | Administration of Kosovo Assembly | |  | 6 | |  | **1.47%** | |  |  |
| **7** | |  | Ministry of Public Administration | |  | 5 | |  | **1.22%** | |  |  |
| **8** | |  | Ministry of Culture, Youth and Sports | |  | 4 | |  | **0.98%** | |  |  |
| **9** | |  | Ministry of Foreign Affairs | |  | 4 | |  | **0.98%** | |  |  |
| **10** | |  | Ministry of Local Government Administration | |  | 3 | |  | **0.73%** | |  |  |
| **11** | |  | Ministry of Education, Science and Technology | |  | 3 | |  | **0.73%** | |  |  |
| **12** | |  | Ministry of Trade and Industry | |  | 10 | |  | **2.45%** | |  |  |
| **13** | |  | Ministry for Communities and Returns | |  | 2 | |  | **0.49%** | |  |  |
| **14** | |  | Ministry of Finance | |  | 2 | |  | **0.49%** | |  |  |
| **15** | |  | Ministry of European Integration | |  | 1 | |  | **0.24%** | |  |  |
| **16** | |  | Ministry of Agriculture, Forestry and Rural Development | |  | 1 | |  | **0.24%** | |  |  |
| **17** | |  | Ministry of Environment and Spatial Planning | |  | 1 | |  | **0.24%** | |  |  |
| **18** | |  | Ministry of Economic Development | |  | 1 | |  | **0.24%** | |  |  |
| **19** | |  | Ministry of Diaspora | |  | 1 | |  | **0.24%** | |  |  |
|  | |  | Total | |  | 122 | |  | **29.88%** | |  |  |

Ta **Table 1. The number of complaints – in numbers and percentage received by the Board from the Central**

Ble

**The following table shows the number of complaints filed according to object against the Institutions of Central Administration:**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Complaints received from the Institutions of Central Administration** |  |  | *Termination of* |  |  |  | *Non-continuation* |  |  |  | *Vacancy* |  |  |  | *Material* |  |  |  | *Demotion* |  |  | *Suspension* |  |  |  | *measures* |  |  | *Change of position* |  |  |  |  |  |  | *Total* |  |  |
|  |  |  |  |  |  | *of Cont* |  |  | *challen* |  |  | *Compens* |  |  |  |  |  |  |  |  |  |  |  |  | *Other* |  |  |  |  |
|  |  |  | *Cont* |  |  |  |  |  |  |  |  |  |  |  |  | *Disip* |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Assembly Admin | |  | - | |  |  |  |  |  |  | 2 | |  |  | 3 | |  |  | - | |  | - | |  |  |  |  |  | 1 | |  |  |  |  |  | 6 | |  |  |
| MLSW | |  | - | |  |  | 1 | |  |  | 2 | |  |  | 5 | |  |  | - | |  | - | |  | 1 | |  |  | - | |  |  | 2 | |  | 11 | |  |  |
| MEI | |  | - | |  |  | - | |  |  | 1 | |  |  | - | |  |  | - | |  | - | |  | - | |  |  | - | |  |  | - | |  | 1 | |  |  |
| MLGA | |  | - | |  |  | - | |  |  | 2 | |  |  | 1 | |  |  | - | |  | - | |  | - | |  |  | - | |  |  | - | |  | 3 | |  |  |
| MIA | |  | 3 | |  |  | - | |  |  | - | |  |  | - | |  |  | 4 | |  | - | |  | - | |  |  | - | |  |  | 1 | |  | 8 | |  |  |
| MH | |  | 10 | |  |  | 10 | |  |  | 5 | |  |  | 5 | |  |  | 5 | |  | - | |  | - | |  |  | 3 | |  |  | 5 | |  | 43 | |  |  |
| MAFRD | |  | - | |  |  | - | |  |  | - | |  |  | - | |  |  | - | |  | - | |  | - | |  |  | 1 | |  |  | - | |  | 1 | |  |  |
| MEST | |  | 2 | |  |  | - | |  |  | 1 | |  |  | - | |  |  | - | |  | - | |  | - | |  |  | - | |  |  | - | |  | 3 | |  |  |
| MI | |  | - | |  |  | - | |  |  | 5 | |  |  | 1 | |  |  | - | |  | 2 | |  | - | |  |  | - | |  |  | - | |  | 8 | |  |  |
| MCR | |  | - | |  |  | - | |  |  | 1 | |  |  | - | |  |  | 1 | |  | - | |  | - | |  |  | - | |  |  | - | |  | 2 | |  |  |
| MEF | |  | - | |  |  | - | |  |  | 1 | |  |  | - | |  |  | - | |  | - | |  | - | |  |  | - | |  |  | 1 | |  | 2 | |  |  |
| MTI | |  | 8 | |  |  | - | |  |  | - | |  |  | 1 | |  |  | 1 | |  | - | |  | - | |  |  | - | |  |  | - | |  | 10 | |  |  |
| MFA | |  | - | |  |  | 2 | |  |  | 2 | |  |  | - | |  |  | - | |  | - | |  | - | |  |  | - | |  |  | - | |  | 4 | |  |  |
| MESP | |  | - | |  |  | - | |  |  | - | |  |  | 1 | |  |  | - | |  | - | |  | - | |  |  | - | |  |  | - | |  | 1 | |  |  |
| MJ | |  | 2 | |  |  | - | |  |  | 4 | |  |  | 1 | |  |  | - | |  | - | |  | - | |  |  | - | |  |  | 1 | |  | 8 | |  |  |
| MPA | |  | - | |  |  | - | |  |  | 2 | |  |  | 3 | |  |  | - | |  | - | |  | - | |  |  | - | |  |  | - | |  | 5 | |  |  |
| MCYS | |  | 2 | |  |  | - | |  |  | - | |  |  | - | |  |  | - | |  | - | |  | - | |  |  | - | |  |  | 2 | |  | 4 | |  |  |
| MED | |  | - | |  |  | - | |  |  | - | |  |  | - | |  |  | - | |  | - | |  | - | |  |  | - | |  |  | 1 | |  | 1 | |  |  |
| MD | |  | - | |  |  | - | |  |  | 1 | |  |  | - | |  |  | - | |  | - | |  | - | |  |  | - | |  |  | - | |  | 1 | |  |  |
| **Total** | |  | **27** | |  |  | **13** | |  |  | **29** | |  |  | **21** | |  |  | **11** | |  | **2** | |  | **1** | |  |  | **5** | |  |  | **13** | |  | **122** | | |  |

1. Independent Agencies

Civil servants and applicants for employment in civil service from independent Agencies and other institutions, during the year 2010 have filed **111** complaints by the following objects of appeal: termination of employment contract, disputed vacancy, material compensation, demotion of position, non-extension of employment contract etc.

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **No** |  |  | **Independent Agencies** |  |  | **No of Appeals** |  |  | % |  |  |
|  |  |  |  |  |  |  |  |  |
| 1 | |  | Central Elections Commission | |  | 21 | |  | **5.15%** | |  |  |
| 2 | |  | Food and Veterinary Agency | |  | 51 | |  | **12.53%** | |  |  |
| 3 | |  | Agency for Medical Products | |  | 8 | |  | **1.96%** | |  |  |
| 4 | |  | Statistical Office of Kosovo | |  | 4 | |  | **0.98%** | |  |  |
| 5 | |  | Privatization Agency of Kosovo | |  | 2 | |  | **0.49%** | |  |  |
| 6 | |  | Telecommunications Regulatory Authority | |  | 2 | |  | **0.49%** | |  |  |
| 7 | |  | Cadastral Agency of Kosovo | |  | 3 | |  | **0.73%** | |  |  |
| 8 | |  | Financial Intelligence Center | |  | 1 | |  | **0.24%** | |  |  |
| 9 | |  | Institution of Ombudsperson | |  | 1 | |  | **0.24%** | |  |  |
| 10 | |  | Legal Aid Commission | |  | 1 | |  | **0.24%** | |  |  |
| 11 | |  | Academy of Public Security | |  | 1 | |  | **0.24%** | |  |  |
| 12 | |  | Kosovo Judicial Council Secretariat | |  | 5 | |  | **1.22%** | |  |  |
| 13 | |  | University of Prishtina | |  | 4 | |  | **0.98%** | |  |  |
| 14 | |  | Kosovo Customs | |  | 3 | |  | **0.73%** | |  |  |
| 15 | |  | University of Prizren | |  | 2 | |  | **0.49%** | |  |  |
| 16 | |  | Archives State Agency | |  | 2 | |  | **0.49%** | |  |  |
|  |  |  | **Total** | |  | **111** | |  | **27.20%** | |  |  |

**Table above shows data on the number and percentage of appeals received by the Board during 2011 from independent agencies.**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
|  | Complaints received from independent agencies |  | Term  *of empl*  *contract* | | |  |  | *Non-cont of*  *contract* | |  |  | *Vacancy*  *Challenged* | |  |  | *Material*  *compensat* | |  |  | *Demotion* | |  | *Suspension*  *from work* | |  |  | *Disciplinary*  *measures* | |  |  | *Change of*  *w position* | |  |  |  | *Other* |  |  | *Total* |  |  | |  | |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  | |
| Central Elections Commission | | 1 | | |  |  | 1 | | |  | 6 | | |  | 13 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 21 | | |  | |  | |
|  | |  | | |  |  |  | | |  |  |  |  |  |  |  |  |  |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | | |  | |  | |
| Food and Veterinary Agency | | 48 | | |  |  | 1 | | |  |  |  |  |  |  |  |  |  | 1 | | |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 | |  | 51 | | |  | |  | |
|  | |  |  |  |  |  |  |  |  |  |  | | |  |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  | |
| Agency for Medical Products | |  |  |  |  |  |  |  |  |  | 6 | | |  | 2 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 8 | |  |  | |  | |
|  | |  | | |  |  |  |  |  |  |  |  |  |  |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  | | | | |  |
| Statistical Office of Kosovo | | 1 | | |  |  |  |  |  |  |  |  |  |  | 2 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 | |  | 4 | |  |  | | | | |  |
|  | |  |  |  |  |  |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  | |
| Privatization Agency of Kosovo | |  |  |  |  |  | 2 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 2 | |  |  | |  | |
|  | |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  | |
| Telecommunications Regulatory Authority | | 1 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 2 | |  |  | |  | |
|  | |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | |  |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  | |
| Cadastral Agency of Kosovo | |  |  |  |  |  |  |  |  |  |  |  |  |  | 2 | | |  | 1 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 3 | |  |  | |  | |
|  | |  |  |  |  |  |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  | |
| Financial Intelligence Center | |  |  |  |  |  | 1 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 | |  |  | |  | |
|  | |  |  |  |  |  |  |  |  |  |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  | |
| Institution of Ombudsperson | |  |  |  |  |  |  |  |  |  | 1 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 | |  |  | |  | |
|  | |  |  |  |  |  |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  | |
| Legal Aid Commission | |  |  |  |  |  | 1 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 | |  |  | |  | |
|  | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  |  |  |  |  |  |  |  |  | |  |  | |  | |
| Academy of Public Security | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 | |  |  |  |  |  |  |  |  |  | 1 | |  |  | |  | |
|  | |  |  |  |  |  |  |  |  |  |  | | |  |  |  |  |  |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  | |
| Kosovo Judicial Council Secretariat | |  |  |  |  |  |  |  |  |  | 4 | | |  |  |  |  |  | 1 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 5 | |  |  | |  | |
|  | |  | | |  |  |  |  |  |  |  | | |  |  |  |  |  |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  | |  | |
| University of Prishtina | | 1 | | |  |  |  |  |  |  | 1 | | |  |  |  |  |  | 1 | | |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 | |  | 4 | |  |  | |  | |
| Kosovo Customs | |  |  |  |  |  |  |  |  |  | 1 | | |  |  |  |  |  |  |  |  |  | 2 | |  |  |  |  |  |  |  |  |  |  |  |  |  | 3 | |  |  | |  | |
| University of Prizren | |  |  |  |  |  |  |  |  |  | 2 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 2 | |  |  | |  | |
|  | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | |  |  |  |  |  |  |  |  |  | | |  |  |  |  |  |  | |  |  | |  | |
| Archives State Agency | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 | | |  |  |  |  |  |  |  |  | 1 | | |  |  |  |  |  | 2 | |  |  | |  | |
|  | |  | | |  |  |  | | |  |  | | |  |  | | |  |  | | |  |  | |  |  |  | |  |  | | |  |  |  | |  |  | | |  | |  | |
| **Total** | | **52** | | |  |  | **6** | | |  | **21** | | |  | **19** | | |  | **6** | | |  | **2** | |  |  | **1** | |  | **1** | | |  |  | **3** | |  | **111** | | |  | |  | |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  | |

**Table above shows the number of filed complaints, according to object of the complaint against the independent agencies**

1. Local Administration (municipalities)

Civil servants and applicants for employment in civil service from local administration during the year 2011 filed 174 complaints by the following object of complaints: termination of employment, challenged vacancy, material compensation, non-extension of employment contract, demotion of position.

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **No** |  |  | **Local Administration (municipalities)** |  |  | **No of complaints** |  |  | **%** |  |  |
|  |  |  |  |  |  |  |  |  |
| **1** | |  | Prishtina | |  | 33 | |  | **8.10%** | |  |  |
| **2** | |  | Gjilan | |  | 27 | |  | **6.63%** | |  |  |
| **3** | |  | Lipjan | |  | 12 | |  | **2.94%** | |  |  |
| **4** | |  | Prizren | |  | 8 | |  | **1.96%** | |  |  |
| **5** | |  | Viti | |  | 6 | |  | **1.47%** | |  |  |
| **6** | |  | Skenderaj | |  | 14 | |  | **3.43%** | |  |  |
| **7** | |  | Obiliq | |  | 5 | |  | **1.22%** | |  |  |
| **8** | |  | Mitrovica | |  | 5 | |  | **1.22%** | |  |  |
| **9** | |  | Kamenica | |  | 4 | |  | **0.98%** | |  |  |
| **10** | |  | Podujeva | |  | 4 | |  | **0.98%** | |  |  |
| **11** | |  | Shtërpce | |  | 4 | |  | **0.98%** | |  |  |
| **12** | |  | Rahovec | |  | 13 | |  | **3.19%** | |  |  |
| **13** | |  | Peja | |  | 3 | |  | **0.73%** | |  |  |
| **14** | |  | Ferizaj | |  | 2 | |  | **0.49%** | |  |  |
| **15** | |  | Drenas | |  | 2 | |  | **0.49%** | |  |  |
| **16** | |  | Istog | |  | 2 | |  | **0.49%** | |  |  |
| **17** | |  | Dragash | |  | 2 | |  | **0.49%** | |  |  |
| **18** | |  | Deçan | |  | 2 | |  | **0.49%** | |  |  |
| **19** | |  | Kaçanik | |  | 2 | |  | **0.49%** | |  |  |
| **20** | |  | Junik | |  | 2 | |  | **0.49%** | |  |  |
| **21** | |  | Shtime | |  | 14 | |  | **3.43%** | |  |  |
| **22** | |  | Suharekë | |  | 2 | |  | **0.49%** | |  |  |
| **23** | |  | Klinë | |  | 1 | |  | **0.24%** | |  |  |
| **24** | |  | Hani i Elezit | |  | 1 | |  | **0.24%** | |  |  |
| **25** | |  | Vushtrri | |  | 2 | |  | **0.49%** | |  |  |
| **26** | |  | Gjakova | |  | 1 | |  | **0.24%** | |  |  |
| **27** | |  | Malisheva | |  | 1 | |  | **0.24%** | |  |  |
|  | |  | **Total** | |  | **174** | |  | **42.63%** | |  |  |

**Table above shows data on the number and percentage of complaints received by the Board during 2011, from municipalities.**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Complaints** |  |  | *Term of* |  |  |  | *Non-ext of* |  |  |  | *Vacancy* |  |  |  |  |  |  |  | *Demotion* |  |  | *Suspension* |  |  |  | *Measures* |  | *Change of* |  |  |  |  |  | *Total* |  |  |
|  | **filed against Local** |  |  |  |  |  | *Cont* |  |  | *challenged* |  |  | *Material* | *compensat* |  |  |  |  |  |  |  |  |  |  | *Other* |  |  |  |  |
|  | **Administration** |  |  | *cont* |  |  |  |  |  |  |  |  |  |  |  |  | *Disc* |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | *Pos* |  |  |  |  |  |
|  | **(municipalities)** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Shtërpce | |  | 2 | | |  | - | | |  | 2 | | |  | - | | |  | - | |  | - | | | - | | | - | | | - | | | 4 | | |  |
| Suhareka | |  | - | | |  | - | | |  | - | | |  | - | | |  | 1 | |  | - | | | 1 | | | - | | | - | | | 2 | | |  |
| Rahovec | |  | - | | |  | - | | |  | 1 | | |  | 11 | | |  | - | |  | - | | | - | | | - | | | 1 | | | 13 | | |  |
| Gjilan | |  | 2 | | |  | 1 | | |  | 6 | | |  | 17 | | |  | - | |  | - | | | - | | | 1 | | | - | | | 27 | | |  |
| Ferizaj | |  | 1 | | |  | - | | |  | 1 | | |  | - | | |  | - | |  | - | | | - | | | - | | | - | | | 2 | | |  |
| Prizren | |  | 1 | | |  | 1 | | |  | 3 | | |  | 2 | | |  | - | |  | - | | | - | | | - | | | 1 | | | 8 | | |  |
| Lipjan | |  | - | | |  | 2 | | |  | 9 | | |  | 1 | | |  | - | |  | - | | | - | | | - | | | - | | | 12 | | |  |
| Prishtina | |  | 16 | | |  | 2 | | |  | 5 | | |  | 4 | | |  | 3 | |  | - | | | 1 | | | - | | | 2 | | | 33 | | |  |
| Drenas | |  | - | | |  | - | | |  | 1 | | |  | - | | |  | - | |  | - | | | - | | | - | | | 1 | | | 2 | | |  |
| Istog | |  | - | | |  | 1 | | |  | - | | |  | 1 | | |  | - | |  | - | | | - | | | - | | | - | | | 2 | | |  |
| Mitrovica | |  | - | | |  | - | | |  | 2 | | |  | 1 | | |  | 2 | |  | - | | | - | | | - | | | - | | | 5 | | |  |
| Klina | |  | 1 | | |  | - | | |  | - | | |  | - | | |  | - | |  | - | | | - | | | - | | | - | | | 1 | | |  |
| Podujeva | |  | 1 | | |  | - | | |  | - | | |  | 3 | | |  | - | |  | - | | | - | | | - | | | - | | | 4 | | |  |
| Peja | |  | - | | |  | - | | |  | 1 | | |  | - | | |  | - | |  | - | | | 1 | | | 1 | | | - | | | 3 | | |  |
| Viti | |  | 1 | | |  | - | | |  | 1 | | |  | - | | |  | - | |  | - | | | 1 | | | - | | | 3 | | | 6 | | |  |
| Dragash | |  | - | | |  | 1 | | |  | - | | |  | 1 | | |  | - | |  | - | | | - | | | - | | | - | | | 2 | | |  |
| Kamenica | |  | 1 | | |  | - | | |  | - | | |  | 2 | | |  | 1 | |  | - | | | - | | | - | | | - | | | 4 | | |  |
| Skenderaj | |  | 1 | | |  | - | | |  | - | | |  | 9 | | |  | 1 | |  | - | | | - | | | 1 | | | 2 | | | 14 | | |  |
| Deçan | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | |  | - | | | - | | | - | | | 2 | | | 2 | | |  |
| Kaçanik | |  | 2 | | |  | - | | |  | - | | |  | - | | |  | - | |  | - | | | - | | | - | | | - | | | 2 | | |  |
| Obiliq | |  | - | | |  | - | | |  | 2 | | |  | - | | |  | 1 | |  | 1 | | | 1 | | | - | | | - | | | 5 | | |  |
| Junik | |  | - | | |  | - | | |  | - | | |  | 2 | | |  | - | |  | - | | | - | | | - | | | - | | | 2 | | |  |
| Shtime | |  | - | | |  | - | | |  | 1 | | |  | 13 | | |  | - | |  | - | | | - | | | - | | | - | | | 14 | | |  |
| Vushtrri | |  | - | | |  | - | | |  | 1 | | |  | - | | |  | - | |  | - | | | - | | | - | | | 1 | | | 2 | | |  |
| Hani i Elezit | |  | - | | |  | - | | |  | 1 | | |  | - | | |  | - | |  | - | | | - | | | - | | | - | | | 1 | | |  |
| Gjakova | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | |  | - | | | - | | | 1 | | | - | | | 1 | | |  |
| Malisheva | |  | - | | |  | - | | |  | - | | |  | 1 | | |  | - | |  | - | | | - | | | - | | | - | | | 1 | | |  |
| **Total** | |  | **29** | | |  | **8** | | |  | **37** | | |  | **68** | | |  | **9** | |  | **1** | | | **5** | | | **4** | | | **13** | | | **174** | | |  |

**Table above shows complaints according to object received by the Board from the civil servants of municipal administration (municipalities)**

1. **COMPLAINTS REVIEWED DURING 2011**

In **2011** the Board received **407** complaints, and it reviewed and decided on **383** complaints, which means that **24** complaints are pending review in the next year within the deadline provided by law.

The Board Panels, in accordance with the legislation decided on the complaints through advisory-voting sessions and hearings.

Based on the following data, the Board decided on the complaints filed by civil servants and applicants for employment in civil service against the decisions related to the employment in civil service of:

* 1. Central Administration,
  2. Independent Agencies, and
  3. Local Administration.

1. Central Administration

The Board received **122** complaints against the decisions of employment bodies of **Central Administration**,out of this number **107** complaints were submitted in 2011 and 15 were carried over from 2010.

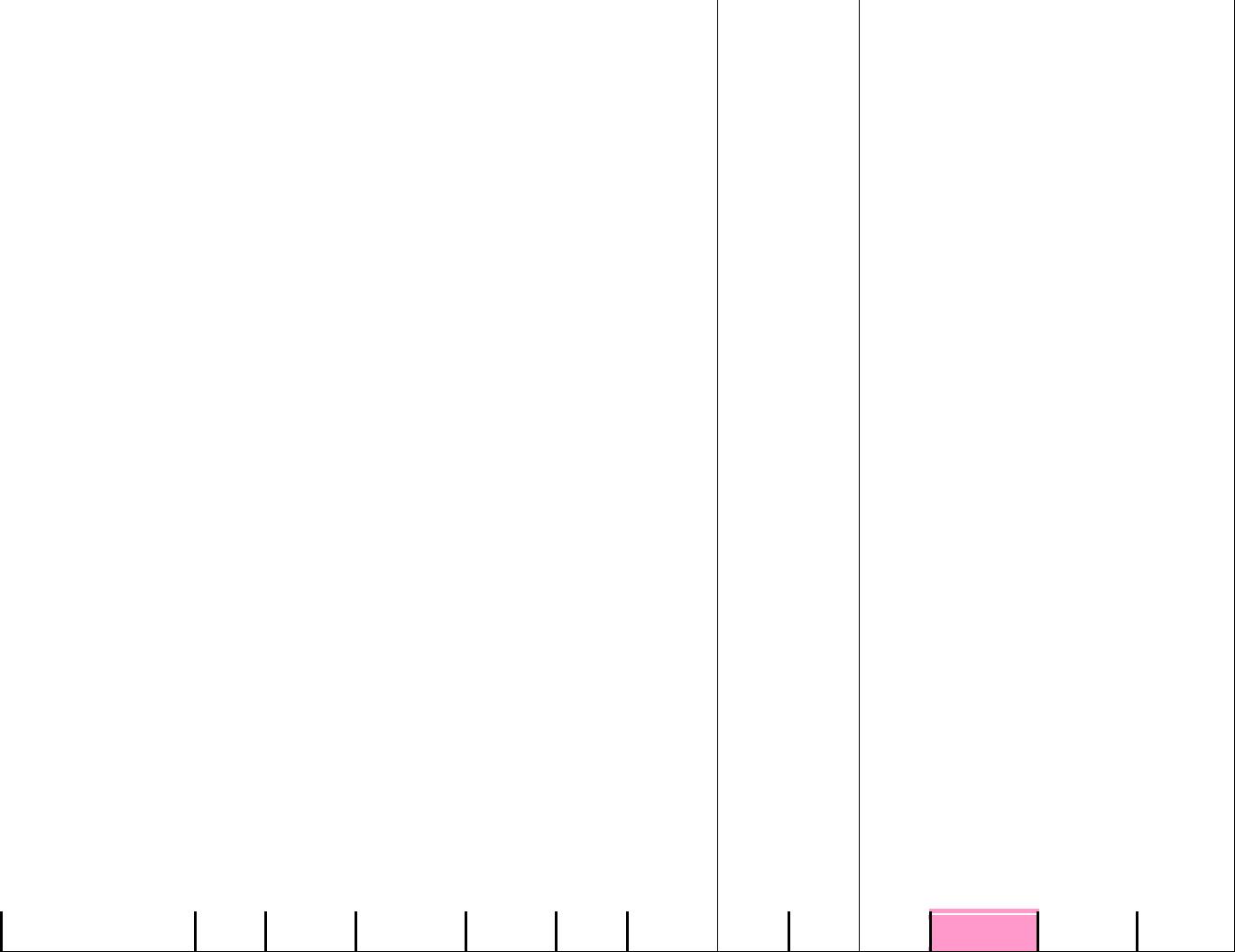
**Table below shows the reviewed complaints of 2011 against the institutions of Central Administration**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Appeals reviewed in 2011 against** | |  |  |  |  | |  |  |  | |  | ***Partially approved*** |  | |  |  |  | |  |  |  | |  |  |  | |  |  |  | |  |  | |  |  |  | |  |  |  | |  |  |  |  | |  |  |  | |  |
| **the Institutions** | |  |  |  |  | |  |  |  | |  |  | |  |  |  | |  |  |  | |  | ***Review Ex-Officio*** |  | |  | ***Not competent*** |  | |  | ***Procedure completed*** | |  |  |  | |  |  |  | |  |  |  |  | |  |  |  | |  |
| **of central Administration (Ministries)** | |  |  |  |  | |  |  |  | |  |  | |  | ***Rejected*** |  | |  |  |  | |  |  | |  |  | |  |  | ***Complaint withdrawn*** |  | |  |  |  | |  |  |  |  | |  | ***Not executed*** |  | |  |
|  | |  |  |  |  | |  |  |  | |  |  | |  |  | |  |  |  | |  |  | |  |  | |  |  |  | |  |  |  | |  |  | ***Enforced*** |  | |  |  | |  |
|  | |  |  | ***Approved*** |  | |  | ***Rejected*** |  | |  |  | |  |  | |  | ***Suspended*** |  | |  |  | |  |  | |  |  |  | |  | ***No. of reviewed*** |  | |  |  |  | |  |  | |  |
|  | |  |  |  | |  |  | |  |  | |  |  | |  |  | |  |  | |  |  | |  |  |  | |  | ***complaints*** | |  |  |  | |  |  | |  |
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| **MH [[1]](#footnote-1)** | |  |  | | | |  | | | |  | | | |  | | | |  |  |  | |  |  |  | |  | | | |  | | |  | | | |  | | | |  |  | | | |  | | | |  |
|  | 20 | | | | 4 | | | | 2 | | | | 7 | | | |  |  | - | |  |  | - | | 10 | | | | - | | | - | | | |  | 43 | | |  | 19 | | | | 3 | | | |  |
| **Assembly Admin** | |  | 1 | | | | 2 | | | | - | | | | 2 | | | |  |  | - | |  |  | - | | - | |  | | - | | | - | | | |  | 5 | | |  | 1 | | | |  |  |  | |  |
| **MLSW** | |  | 3 | | | | 3 | | | | 1 | | | | - | | | |  |  | - | |  |  | 2 | | - | |  | | - | | | - | | | |  | 9 | | |  | 4 | | | | 2 | | | |  |
| **MI** | |  | 5 | | | | 2 | | | | - | | | | 1 | | | |  |  | - | |  |  | 1 | | - | |  | | - | | | - | | | |  | 9 | | |  | 5 | | | | 1 | | | |  |
| **MJ** | |  | 4 | | | | 1 | | | | - | | | | 1 | | | |  |  | - | |  |  | - | | 1 | |  | | - | | | 1 | | | |  | 8 | | |  | 4 | | | | - | | | |  |
| **MIA** | |  | 4 | | | | 1 | | | | - | | | | 1 | | | |  |  | - | |  |  | - | | 2 | |  | | - | | | - | | | |  | 8 | | |  | 3 | | | | 1 | | | |  |
| **MTI** | |  | 2 | | | | - | | | | - | | | | - | | | |  |  | - | |  |  | - | | 1 | |  | | - | | | - | | | |  | 3 | | |  | 3 | | | | - | | | |  |
| **MLGA** | |  | - | | | | 3 | | | | - | | | | - | | | |  |  | - | |  |  | - | | - | |  | | - | | | - | | | |  | 3 | | |  | - | | | | - | | | |  |
| **MFA** | |  | - | | | | - | | | | - | | | | 1 | | | |  |  | - | |  |  | - | | 2 | |  | | - | | | - | | | |  | 3 | | |  | - | | | | - | | | |  |
| **MAFRD** | |  | - | | | | 2 | | | | - | | | | - | | | |  |  | - | |  |  | - | | - | |  | | - | | | - | | | |  | 2 | | |  | - | | | | - | | | |  |
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| **MEST** | | | 2 | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | |  | - | | |  | 2 | | |  | | 2 | | |  | - | | |  |
| **MF** | | | 1 | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | |  | 1 | | |  | 2 | | |  | | 1 | | |  | - | | |  |
| **MCR** | | | - | | |  | 2 | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | |  | - | | |  | 2 | | |  | | - | | |  | - | | |  |
| **MESP** | | | 2 | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | |  | - | | |  | 2 | | |  | | 1 | | |  | 1 | | |  |
| **MPA** | | | - | | |  | 1 | | |  | 1 | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | |  | - | | |  | 2 | | |  | | - | | |  | 1 | | |  |
| **MCYS** | | | - | | |  | 1 | | |  | - | | |  | - | | |  | - | | |  | - | | |  | 1 | | |  | - | |  | - | | |  | 2 | | |  | | - | | |  | - | | |  |
| **MEI** | | | - | | |  | 1 | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | |  | - | | |  | 1 | | |  | | - | | |  | - | | |  |
| **MED** | | | 1 | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | | |  | - | |  | - | | |  | 1 | | |  | | 1 | | |  | - | | |  |
|  | **Total** |  |  | **45** | |  |  | **23** | |  |  | **4** | |  |  | **13** | |  |  | **0** | |  |  | **3** | |  |  | **17** | |  |  | **0** |  |  | **2** | |  | **107** | | |  | |  | **44** | |  |  | **9** | |  |

1. Local Administration - (Municipalities)

The Board received **174** complaints filed against decisions of the Local Administration (**municipalities**), from this number **165** of decided complaints were submitted in 2011 and **9** complaints were carried over from 2010.

**Table below shows appeals reviewed during 2011 against the decisions of the Local Administration (Municipalities).**



|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  | **Complaints reviewed in** |  |  | ***Approved*** |  | |  | ***Refused*** |  | |  | ***Partially*** |  |  | |  | ***Rejected*** |  |  | |  | ***Suspended*** |  | |  | ***Review*** |  |  |  | |  |  | ***Not competent*** |  | |  |  |  | |  |  |  |  | |  | ***No complaints*** | ***reviewed*** |  | |  |  | ***Enforced*** |  | |  |  | ***Enforced*** |  | |  |
|  |  |  |  |  | |  |  | |  | ***Approved*** |  | |  |  |  | |  |  | |  |  |  |  | |  |  |  | |  | ***Procedure*** | ***completed*** | |  |  | ***Complaint*** |  | |  |  | |  |  |  | |  |  |  | |  |
|  | **2011 against** |  |  |  | |  |  | |  |  | |  |  |  | |  |  | |  |  | ***Ex-Officio*** |  | |  |  |  |  |  | ***withdrawn*** | |  |  | |  |  |  | |  |  |  | |  |
|  | **Local Administration** |  |  |  | |  |  | |  |  | |  |  | |  |  | |  |  |  | |  |  |  |  |  |  |  | |  |  |  | |  | ***Not*** |  | |  |
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|  | **(Municipalities)** |  |  |  | |  |  | |  |  | |  |  | |  |  | |  |  |  | |  |  |  |  |  |  |  | |  |  | |  |  | |  |
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| **Prishtina[[2]](#footnote-2)** | |  | 16 | | | | 2 | | | | 1 | | |  | | 3 | | |  | | - | |  | |  |  | 3 | | 4 | | | | |  | | 2 | |  | | 1 | | |  | |  | | |  | | 18 | | |  | | 2 | | |  | |  |
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| **Gjilan** | |  | 3 | |  | | 1 | | | | 4 | | |  | | - | | |  | | - | |  | |  |  | 2 | | 15 | | | | | | | - | |  | | - | | |  | |  | | |  | | 1 | | |  | | 8 | | |  | |  |
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| **Prizren** | |  | 2 | |  | | - | | | | - | | |  | | - | | |  | | - | |  | |  |  | - | | 5 | | | | |  | | 1 | |  | | - | | |  | |  | | |  | | 1 | | |  | | 1 | | |  | |  |
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| **Lipjan** | |  | 3 | |  | | 2 | | | | - | | |  | | - | | |  | | - | |  | |  |  | - | | 1 | | | | |  | | 2 | |  | | - | | |  | |  | | |  | | 2 | | |  | | 1 | | |  | |  |
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| **Skenderaj** | |  | 2 | |  | | 12 | | | | - | | |  | | - | | |  | | - | |  | |  |  | - | | - | | | | |  | | - | |  | | - | | |  | |  | | |  | | - | | |  | | 2 | | |  | |  |
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| **Podujeva** | |  | 1 | |  | | - | | | | - | | |  | | 1 | | |  | | - | |  | |  |  | 1 | | 2 | | | | |  | | - | |  | | - | | |  | |  | | |  | | - | | |  | | 2 | | |  | |  |
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| **Mitrovica** | |  | 3 | |  | | 1 | | | | - | | |  | | - | | |  | | - | |  | |  |  | - | | 1 | | | | |  | | - | |  | | - | | |  | |  | | |  | | 1 | | |  | | 2 | | |  | |  |
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| **Viti** | |  | 2 | |  | | 2 | | | | - | | |  | | - | | |  | | - | |  | |  |  | 1 | | - | | | | |  | | - | |  | | - | | |  | |  | | |  | | 1 | | |  | | 2 | | |  | |  |
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| **Ferizaj** | |  | - | |  | | 2 | | | | - | | |  | | - | | |  | | - | |  | |  |  | - | | 2 | | | | |  | | - | |  | | - | | |  | |  | | |  | | - | | |  | | - | | |  | |  |
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| **Kamenica** | |  | 3 | |  | | - | | | | - | | |  | | - | | |  | | - | |  | |  |  | - | | 1 | | | | |  | | - | |  | | - | | |  | |  | | |  | | 2 | | |  | | 1 | | |  | |  |
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| **Shtërpce** | |  | 2 | |  | | 1 | | | | - | | |  | | - | | |  | | - | |  | |  |  | - | | 1 | | | | |  | | - | |  | | - | | |  | |  | 4 | |  | | 2 | | |  | | - | | |  | |  |
| **Rahovec** | |  | 1 | |  | | 12 | | | | - | | |  | | - | | |  | | - | |  | |  |  | - | | - | | | | |  | | - | |  | | - | | |  | |  | | |  | | 1 | | |  | | - | | |  | |  |
|  |  | |  | |  | |  | |  |  |  | |  | |  | |  | 13 | |  | |  | |  | |  |
| **Obiliq** | |  | 2 | |  | | 2 | | | | - | | |  | | - | | |  | | - | |  | |  |  | 1 | | - | | | | |  | | - | |  | | - | | |  | |  | | |  | | 1 | | |  | | 2 | | |  | |  |
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| **Hani i Elezit** | |  | 1 | |  | | 1 | | | | - | | |  | | - | | |  | | - | |  | |  |  | - | | - | | | | |  | | - | |  | | - | | |  | |  | | |  | | 1 | | |  | | - | | |  | |  |
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| **Istog** | |  | - | |  | | - | | | | - | | |  | | 1 | | |  | | - | |  | |  |  | - | | 1 | | | | |  | | - | |  | | - | | |  | |  | 2 | |  | | - | | |  | | - | | |  | |  |
| **Drenas** | |  | 1 | |  | | - | | | | - | | |  | | - | | |  | | - | |  | | 1 | |  |  | - | | | | |  | | - | |  | | - | | |  | |  | 2 | |  | | 2 | | |  | | - | | |  | |  |
|  |  | |  | |  | |  | |  |  |  | |  | |  | |  |  | |  | |  | |  |
| **Peja** | |  | - | |  | | 2 | | | | - | | |  | | - | | |  | | - | |  | |  |  | - | | - | | | | |  | | - | |  | | - | | |  | |  | | |  | | - | | |  | | - | | |  | |  |
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| **Dragash** | |  | - | |  | | 1 | | | | - | | |  | | - | | |  | | - | |  | |  |  | - | | 1 | | | | |  | | - | |  | | - | | |  | |  | | |  | | - | | |  | | - | | |  | |  |
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| **Deçan** | |  | 1 | |  | | - | | | | - | | |  | | - | | |  | | - | |  | |  |  | 1 | | - | | | | |  | | - | |  | | - | | |  | |  | 2 | |  | | - | | |  | | 2 | | |  | |  |
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| **Shtime** | |  | - | |  | | 13 | | | | - | | |  | | - | | |  | | - | | | | - | | | | 1 | | | | |  | | - | |  | | - | | |  | |  | 14 | |  | | - | | |  | | - | | |  | |  |
| **Suhareka** | | | 2 | | |  | - | | |  | - | | | |  | - | | | |  | - | | |  | - | | | | |  | | - | | |  | - | | |  | | - | | |  |  | 2 | | |  | 1 | | | |  | 1 | | | |
| **Klinë** | | | - | | |  | - | | |  | - | | | |  | 1 | | | |  | - | | |  | - | | | | |  | | - | | |  | - | | |  | | - | | |  |  | | | |  | - | | | |  | - | | | |
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| **Kaçanik** | | | 1 | | |  | - | | |  | - | | | |  | - | | | |  | - | | |  | - | | | | |  | | - | | |  | - | | |  | | - | | |  |  | | | |  | - | | | |  | 1 | | | |
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| **Vushtrri** | | | 1 | | |  | - | | |  | - | | | |  | - | | | |  | - | | |  | - | | | | |  | | - | | |  | - | | |  | | - | | |  |  | | | |  | 1 | | | |  | - | | | |
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| **Junik** | | | 1 | | |  | - | | |  | - | | | |  | - | | | |  | - | | |  | - | | | | |  | | - | | |  | - | | |  | | - | | |  |  | | | |  | - | | | |  | 1 | | | |
|  |  |  |  |  |  | |  |  | |  |  | 1 | | |  |  |
| **Gjakova** | | | - | | |  | 1 | | |  | - | | | |  | - | | | |  | - | | |  | - | | | | |  | | - | | |  | - | | |  | | - | | |  |  | | | |  | - | | | |  | - | | | |
|  |  |  |  |  |  | |  |  | |  |  | 1 | | |  |  |
|  | **Total** |  |  | **48** | |  |  | **55** | |  |  | **5** | | |  |  | **6** | | |  |  | | |  |  | **10** | | | |  | |  | **35** | |  |  | **5** | |  | |  | **1** | |  |  | **165** | | |  |  | **35** | | |  |  | **28** | | |

1. Independent Agencies

The Board received **111** complaints in **2011** and reviewed **111** complaints, against decisions from the independent agencies and 6 complaints that were carried over from 2010.

**Table below shows complaints reviewed during 2011, against the decisions from the independent agencies**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| **Complaints** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Reviewed in** |  |  | ***Approved*** |  |  |  |  |  |  |  |  |  |  |  |  |  |  | ***Suspended*** |  |  | ***Review Ex-*** |  |  |  |  |  |  |  |  |  |  |  |  | ***No complaints*** |  |  |  | ***Enforced*** |  |  |  |  |  |  |
| **2011 against** |  |  |  |  | ***Refused*** |  |  |  | ***Partially*** |  |  |  | ***Rejected*** |  |  |  |  |  |  |  |  | ***Not*** | ***competent*** |  |  |  |  | ***Complaint*** |  |  | ***reviewed*** |  |  |  |  |  | ***Enforced*** |  |  |
| **Independent Agencies** |  |  |  |  |  |  |  | ***Approved*** |  |  |  |  |  |  |  |  |  |  |  | ***Procedure*** | ***terminated*** |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | ***Officio*** |  |  |  |  | ***withdrawn*** |  |  |  |  |  | ***Not*** |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| CEC |  | 5 | |  | 14 | |  |  | - | | |  | - | | |  | - | |  | - | | |  | 2 | |  | - | |  | - | |  |  | | |  | 5 | | |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  | 21 | |  |  |  |  |  |  |
| AKPM |  | 1 | |  | 1 | |  |  | - | | |  | 1 | | |  | - | |  | - | | |  | - | |  | 4 | |  | - | |  |  | 7 | |  | 1 | | |  | - | |  |  |
| AUV |  | 46 | |  | - | |  |  | - | | |  | - | | |  | 2 | |  | 3 | | |  | - | |  | - | |  | - | |  |  | 51 | |  | 49 | | |  | - | |  |  |
| SOK |  | 1 | |  | 1 | |  |  | - | | |  | - | | |  | - | |  | - | | |  | 2 | |  | - | |  | - | |  |  | 4 | |  | - | | |  | 1 | |  |  |
|  |  |  |  |  |  | |  |  |  | | |  |  | | |  |  | |  |  | | |  |  | |  |  | |  |  | |  |  | | |  |  | | |  |  | |  |  |
| PPRC |  | - | |  | - | |  |  | 3 | | |  | - | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | | |  | 3 | | |  | - | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  | 3 | |  |  |  |  |
| PAK |  | 2 | |  | - | |  |  | - | | |  | - | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | | |  | - | | |  | 2 | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  | 2 | |  |  |  |  |
| TRA |  | 1 | |  | 1 | |  |  | - | | |  | - | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | 2 | |  | 1 | | |  | - | |  |  |
| KPMM |  | 1 | |  | - | |  |  | - | | |  | - | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | | |  | 1 | | |  | - | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  | 1 | |  |  |  |  |
| ATK |  | - | |  | 1 | |  |  | - | | |  | - | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | 1 | |  | - | | |  | - | |  |  |
| ASAK |  | 1 | |  | - | |  |  | - | | |  | - | | |  | - | |  | - | | |  | - | |  | 0 | |  | - | |  |  | 1 | |  | 1 | | |  | - | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| QKSPEZH |  | - | |  | 1 | |  |  | - | | |  | - | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | 1 | |  | - | | |  | - | |  |  |
|  |  |  |  |  |  | |  |  |  | | |  |  | | |  |  | |  |  | | |  |  | |  |  | |  |  | |  |  | | |  |  | | |  |  | |  |  |
|  |  |  |  |  |  | |  |  |  | | |  |  | | |  |  | |  |  | | |  |  | |  |  | |  |  | |  |  | | |  |  | | |  |  | |  |  |
| KNJ |  | 1 | |  | - | |  |  | - | | |  | - | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | 1 | |  | 1 | | |  | - | |  |  |
| FIC |  | 1 | |  | - | |  |  | - | | |  | - | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | 1 | |  | - | | |  | 1 | |  |  |
|  |  |  |  |  |  | |  |  |  | | |  |  | | |  |  | |  |  | | |  |  | |  |  | |  |  | |  |  | | |  |  | | |  |  | |  |  |
| IAP |  | - | |  | - | |  |  | - | | |  | 1 | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | 1 | |  | - | | |  | - | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| KJC |  | - | |  | 4 | |  |  | 1 | | |  | - | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | 5 | |  | 1 | | |  | - | |  |  |
| Univ of Prishtina |  | 2 | |  | 1 | |  |  | - | | |  | - | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | 3 | |  | 1 | | |  | 2 | |  |  |
| Kosovo Customs |  | 2 | |  | 1 | |  |  | - | | |  | - | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | 3 | |  | 2 | | |  | - | |  |  |
|  |  |  |  |  | |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | |  |  |  | | |  |  | | |  |  | |  |  | | |  |  | |  |  | |  |  | |  |  | | |  |  | | |  |  | |  |  |
| ASHK |  | 1 | |  | - | |  |  | - | | |  | - | | |  | - | |  | - | | |  | - | |  | - | |  | - | |  |  | 1 | |  | 1 | | |  | - | |  |  |
| Univ. of Prizren |  | 1 | |  | - | |  |  | - | | |  | - | | |  | - | |  |  |  |  |  | - | |  | 1 | |  | - | |  |  | 2 | |  | 1 | | |  | - | |  |  |
| **Total** |  |  | 66 |  |  | 25 |  |  |  | 4 | |  |  | 2 | |  |  | 2 |  |  | 3 | |  |  | 4 |  |  | 5 |  |  |  |  |  | **111** | |  |  | 68 | |  | 6 | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

The above data related to the review and deciding for 383 complaints from the Board, types of decisions for these complaints are shown in the table below:

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Type of decision** |  |  | **Number** |  |  | **Percentage** |  |  |
|  |  |  |  |  |  |  |
|  | Approved |  | 159 | |  | **41.13%** | |  |  |
|  | Approved partially |  | 13 | |  | **3.34%** | |  |  |
|  | Refused |  | 103 | |  | **27.50%** | |  |  |
|  | Rejected |  | 21 | |  | **5.65%** | |  |  |
|  | Procedure terminated |  | 10 | |  | **2.57%** | |  |  |
|  | Review Ex-officio |  | 16 | |  | **4.11%** | |  |  |
|  | Suspended |  | 2 | |  | **0.51%** | |  |  |
|  | Not competent |  | 56 | |  | **14.39%** | |  |  |
|  | Complaint withdrawn |  | 3 | |  | **0.51%** | |  |  |
|  | **Total** |  | **383** | |  |  |  |  |  |

**Table shows types of decisions for the complaints, number and percentage**

From **383** decisions rendered by the Board, **191** (are approved, partially approved and reviewed), employment bodies have a legal obligation for their implementation.

Despite the fact that the decisions of the Board are final as per administrative procedure, as shown in tables above from **191** decisions to be enforced, the employment authorities did not enforce **43** of the decisions of the Board.

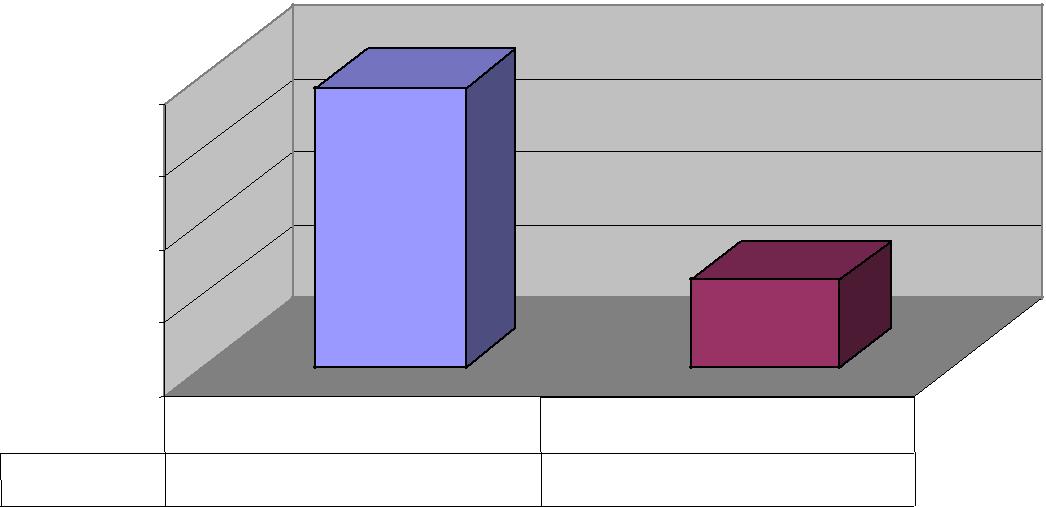
Table below contains data on decisions of the Board that were enforced and not enforced by the Central Administration and the Local Administration (municipalities).

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Central Administration** | | | **Independent Agencies** | | | | | **Local Administration** | | | | | **Total** |
|  | | |  | | | | | **(Municipalities)** | | | | |  |
| **Enforced** | **44** |  | | **Enforced** |  | **69** | **Enforced** | |  |  | **35** | **148** | |  |
|  |  |  | |  |  |  |  | |  |  |  |  | |  |
|  |  |  |  |  |  | |  |
| **Not enforced** | **9** |  | | **Not enforced** |  | **7** | **Not enforced** | |  |  | **27** | **43** | |  |
|  |  |  | |  |  |  |  | |  |  |  |  | |  |
|  |  | |  |  |  | |  |  |  |  | |  |

Table above shows that **148 decisions have been executed or 77.48%** and **43 decisions have not been enforced or** **22.51%.**

17

|  |  |
| --- | --- |
| **Complaints enforced and not enforced in %** | |
| 80.00% |  |
| 60.00% |  |
| 40.00% |  |
| 20.00% |  |
| 0.00% |  |
| Enforced | Not enforced |
| 77.48% | 22.51% |



The following Table contains data from the Secretariat of the Board about the employment bodies which did not enforce the decisions of the Board:

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  | **No. of** |  |  |  | **No. of** |  |  |  |  |  |
|  |  |  |  | **Decisions not Enforced** |  |  |  | **Decisions not Enforced** |  |  |  | **No. of** |  |
|  |  |  |  |  |  |  |  |  |  | **Independent Agencies** |  | **Decisions not Enforced** |  |
|  | **Ministries** |  |  |  |  | **Municipalities** |  |  |  |  |  |  |  |
|  | MH | | 3 | |  | M. Gjilan | 8 | |  | ACA | 2 | |  |
|  | MLSW | | 2 | |  | M. Prishtina | 2 | |  | PAK | 2 | |  |
|  | MI | | 1 | |  | M. Prizren | 1 | |  | UP | 2 | |  |
|  | MIA | | 1 | |  | M. Skenderaj | 2 | |  | SOK | 1 | |  |
|  | MESP | | 1 | |  | M. Podujeva | 2 | |  |  |  |  |  |
|  | MPA | | 1 | |  | M. Mitrovica | 2 | |  |  |  |  |  |
|  |  |  |  |  |  | M. Viti | 2 | |  |  |  |  |  |
|  |  |  |  |  |  | M. Obiliq | 2 | |  |  |  |  |  |
|  |  |  |  |  |  | M. Deçan | 2 | |  |  |  |  |  |
|  |  |  |  |  |  | M. Lipjan | 1 | |  |  |  |  |  |
|  |  |  |  |  |  | M. Kamenica | 1 | |  |  |  |  |  |
|  |  |  |  |  |  | M. Suhareka | 1 | |  |  |  |  |  |
|  |  |  |  |  |  | M. Junik | 1 | |  |  |  |  |  |
|  | **Total** |  |  | **9** |  |  |  | **27** |  |  |  | **7** |  |

**Table above shows that 43 decisions of the Board have not been enforced**

**D. COMPLAINTS DECIDED DURING 2011 AND THE MANNER OF THEIR SETTLEMENT**

The Board during 2011 **reviewed and decided on 383 complaints** including complaints from the previous year.

**The manner of complaints settlement**

The manner the complaints were solved reflects their division into: approved, partially approved, refused, rejected, procedure completed, ex-officio/review and the suspended ones.

1. Approved

These are the complaints filed by the civil servants or applicants for employment where based on the evidence, arguments and facts the panels of the Board annulled decisions of employment authorities, thus obliging the employments authorities to enforce the decisions within the deadline provided in the law. The number of complaints approved during the reporting period is **159**.

1. Partially approved

These are the complaints that have two or more claims and when the complaints are not fully approved. This happens when the employment authority is obliged to fulfill any of the procedural obligations. The number of complaints partially approved during the reporting period is **13**.

1. Refused

These are the complaints filed by the civil servants which, based on evidence, arguments and facts presented by the complainant and the employment authority, are refused as unfounded. The number of complaints refused during the reporting period is **103**.

1. Rejected

These are the complaints which are received and reviewed by the Board Panels but which are rejected when the complaints are not filed within the legal time limit, or when the complainants fail to file the complaint within the legal time limit. The number of complaints rejected during the reporting period is **21**.

1. Complaints declared incompetent

These are the complaints which after being reviewed by the Board Panels are determined not to be under the Board’s competency, so the Board cannot decide on them. In reference to such cases the Law on Administrative Procedure is followed. The Board determined that it had no competence for 56 of such appeals.

1. Review (Ex-officio)

These are the complaints for which the Board obliges employment authorities to, within prescribed legal time-frame, take procedural actions or by obliging the employment authorities to conduct a review of their decisions, and then decide on the complaint, according to the object of the complaint, with a final administrative decision from the Board. Number of such complaints decided with review/ex-officio during the reporting period is **36.**

1. Procedure Completed

These are the complaints of civil servants and applicants where the administrative proceeding is completed because of the complaint withdrawal, rejection of ground of complaint, or because the complaint was abandoned since the complainant was not interested and was inactive for more than three months, as well as when it is determined that the object, for which the proceeding was initiated for, was lost. The number of complaints with completed procedure during the reporting period is **10.**

1. Suspended

These are the complaints of civil servants whose final decision in an administrative procedure is pending the decision of a competent authority or court decision. The number of complaints suspended during the reporting period is **2.**

1. Complaints withdrawn

These are complaints which are withdrawn from being reviewed voluntarily by the complainant for which the complainant submits a written statement. Number of such cases is **3**.

**E. ENFORCEMENT OF BOARD DECISIONS BY THE EMPLOYMENT AUTHORITIES**

It is mandatory for the employment authorities in the Civil Service of Kosovo to enforce the Board’s decisions, since in accordance with article 13 of Law No. 03/L-192 on the Board, the Board’s decisions are final administrative decisions and they are enforced by a senior official or person in charge of institution that renders the first decision against the party. Failure to enforce them by persons in charge is considered a violation of employment rights of civil servant and is considered a serious violation of duties provided in the Law on Civil Service in Kosovo. Under article 13 of the Law on Board, persons responsible for the enforcement of the Board’s decisions are: civil service senior managers, officials of the municipal administration and persons in charge from the respective employment authority.

In accordance with article 15, paragraphs 2, 3 and 5 of Law No. 03/L-192 on Board, after being notified by the complainant that the decision was not executed within the legal time limit, the Board shall in regular manner notify the Prime Minister, direct supervisor of the person in charge of the enforcement, and the Assembly of the Republic of Kosovo, in relation to the non- execution of the Board’s decisions.

The Board continuously made efforts for enforcement of its decisions, by establishing that no senior management civil servant, obliged for enforcement of the decisions, is subjected to disciplinary responsibility, as provided for in article 15 para. 1, 2 and 3 of the Law on Board and the Law on Civil Service of the Republic of Kosovo.

Lack of enforcement of the Board’s decisions, is not solely a disciplinary responsibility, but also a criminal responsibility, pursuant to article 182 and 339 of the Provisional Criminal Code of Kosovo (PCCK), as ascertained by the Municipal Court in Kaçanik, when it declared persons responsible guilty of non-enforcement of the decision of the Board.

Likewise, the decisions from the Municipal Courts that are in the procedure of execution, in relation to the enforcement of the decisions of the Board, as foreseen in article 15 para. of the Law on Board, are not uniformed by the courts of the same level, whereby there are identical cases for the very same executive title, but the decisions rendered are different, which means that some courts (Judges) recognize the decision from the Board as executive one and some don’t.

The Board commends those judges that have taken legal decisions by binding the employment authorities to enforce the decision of the Board through judiciary, by obliging the employment institutions to compensation and reinstatement to the position. But what remains to be a concern is that there are still some dilemmas about the enforcement of the decisions of the Board, using the enforcement procedure.

The Board continuously made efforts for the enforcement of the decisions pursuant to article 49 of the Constitution of the Republic of Kosovo, International Covenant on Human Right, article 15 of the Law on Independent Oversight Board for Civil Service of Kosovo, article 116 of the Law on Administrative Procedure, article 24, 293 and 294 of the Law on Executive Procedure, Decision No 2011-HRRP-78, dated 23 June 2011 of the Human Rights Review Panel (HRRP).

Non-enforcement of decisions within the legal deadline from the employment authorities damages the Kosovo Budget, and this then leads to duplication of compensation for the employees employed before the ending of the procedures of appeal with a final decision and its enforcement.

1. **OVERSIGHT FUNCTION**

**Assessment of compliance with law**

The Board exercises the oversight function in accordance with article 10, paragraph 3 and article 17 of Law No. 03/L 192 on Independent Oversight Board for Civil Service, that employment authorities comply with the Law on Civil Service of Kosovo and its by-laws, which govern the matters of management, overall organization of a politically independent civil service, its rules and principles, working conditions, duties and responsibilities, personal behavior, advancement in career, and professional development of civil servants both at central and local level.

The Board in 2011, according to the work plan was to make 111 visits to the Central and Local Institutions in the Republic of Kosovo, in order to oversee the functioning of the respect of legislation for Civil Service of Republic of Kosovo. Therefore, the Board made 108 visits, whereas visits to three (3) municipalities: Zveçan, Leposaviq and Zubin Potok were not realized due to known reasons.

Based on data on the visits carried out and also from the institutions it was established that in **Central Institutions and Independent Agencies** there are 1**4.195** civil servantsand theirprofessional education/gender and ethnic structure is as follows:

a) Education /professional qualification

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Superior | | |  |  | High | | | | | Secondary | |  | Basic | | |  | Total | |  |
| Education | | |  |  |  | | Education | |  | Education | |  |  | Education |  |  |  |  |  |
|  | 6005 | |  |  | 698 | | |  |  | 6970 | |  |  | 499 |  |  | 14.195 | |  |
| b) Gender and ethnic structure | | | | | | | | |  |  |  |  |  |  |  |  |  |  |  |
| M |  | F | Total | | |  | Alb. |  | Serb | Bosn. | Turk | Goran | | Ashk. | Egy. | | Roma | Total | |
| 9053 |  | 5119 | 14.195 | | |  | 13210 |  | 567 | 162 | 156 | 15 | | 15 | 7 |  | 24 | 14.195 | |

**Municipal Administration** has **6379** civil servants, excluding the administrative and supporting staff from schools[[3]](#footnote-3).  The structure of education and professional qualification, gender and ethnic composition is presented below:

c) Education /professional qualification

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Superior | | | High | | | Secondary | | | Basic | | | Total | | No data for Leposaviq, | | | | |  | | |  |
| Education | | | Education | | | Education | | | Education | | |  | | Zubin Potok and | | | | | Total | | |  |
|  | | Zveçan | | | | |  |
|  | | |  | | |  | | |  | | |  | |  | | |  |
|  | | |  | | |  | | |  | | |  | |  | | | | |  | | |  |
| 1926 | | | 494 | | | 3280 | | | 251 | | | 6347 | | 408 | | | | | 6379 | | |  |
|  | d) Gender and ethnic structure | | | | | | |  | |  |  | |  | |  |  |  |  | |  |  | | |  |  |
|  |  |  | |  |  | |  |  | |  |  | |  | |  |  |  |  | |  |  | | |  |  |
|  |  |  | |  |  | |  | *Bosniak* | |  |  | |  | | *Egyitian* |  |  |  | |  | No data for | | |  |  |
|  | M | F | |  | *Albanian* | |  |  | *Goran.* | | *Ashkali* | |  | *Other* |  | | Total | Leposaviq, | | |  |  |
|  | *Total* |  |  | *Room* |  | | Zubin Potok | | |  |  |
|  | *Serb* | *Turk* |  | |  |  |  |
|  |  |  | |  | |  | and Zveçan | | |  |  |
|  |  |  | |  | |  |  | | |  |  |
|  |  |  | |  |  | |  |  | |  |  | |  | |  |  |  |  | |  |  | | |  |  |
|  | 4506 | 1445 | | 5951 | 5270 | | 430 | 115 | | 73 | 5 | | 24 | | 11 | 16 | 7 |  | | 5951 | 408 | | |  |  |

The Board was overseeing the implementation of the legislation and in 2011 advised the institutions to implement the recommendations within the assistance provided for the improvement of the work of the personnel unit, by reviewing personnel files. Also, from institutions it was requested to record all the problems faced during their daily work.

1. OVERSIGHT FIELDS IN CIVIL SERVICE

***Personnel management (Human Resources Unit)***

Most of central and local institutions did not fully comply with the legal obligation which provides for the manager or head of personnel to have the role, responsibility and authorization vested to him by law and in some occasions they do not even have a personnel manager. In order to comply with this requirement, the Board made recommendations by which all institutions at central and local level are obliged to make the reorganization of the personnel units (human resources), in accordance with article 7 of Law No. 03/L-149 on Civil Service of the Republic of Kosovo.

***Recruitment procedures***

During the visits to different institutions the Board Panels determined that in some institutions the authorization for the recruitment of civil servants is not initiated and approved in accordance with procedures, publication of vacancy announcements is not always done on the basis of all-inclusive principles, the composition of recruitment committees is not compatible with the announced position, applicants are recruited in violation of general and special vacancy requirements and of the principle of merit, upon re-announcing the vacancies very often the vacancy requirements are changed which means that they are adapted to certain applicants that constitute violation of guiding principles of civil service. The Board has made recommendations obliging the according to which if a vacant position at managerial level is to be filled then article 18 paragraph 3 of Law No. 03/L-149 on Civil Service of the Republic of Kosovo, article 10 paragraph 1.2 and article 16 paragraph 1.1 of Law on Independent Oversight Board for Civil Service in Kosovo.

Upon the final selection of the candidate, other candidates were not informed about the final results and the right to an appeal. With the Law on Civil Service in Kosovo the senior management staff and employment candidates for these positions have the right to appeal to the Board, whereas the procedures for the final selection before the appointment by the government are completed by MPA. In relation to this several in-clarities appeared about the right to appeal to the Board, during the challenging of the vacancy for senior management civil servant. This right has been denied by the Criteria Assessment Committee and the legal opinion provided by the Legal Office of the Office of the Prime Minister. The Board has no competencies to review complaints from senior management civil servants, but it is clear that with article 23 and 88 of the Law on Civil Service of Republic of Kosovo their status is that of civil servants and they are subjected to all rules and principles of the civil service. The adoption of Regulation for senior management civil servants has created legal gaps, in relation to the right of complaint. But, the Board when receiving complaints from senior management civil servants and employment candidates for these positions, reviewed and decided based on two instances, according to article 50 of the Law on Civil Service of the Republic of Kosovo and article 38 and 101 of the Law on Recruitment Procedures for Civil Servants. In this aspect, MPA, did not express any readiness for cooperation and did not respond to notes from the Board requesting for answers to complaints and sending of recruitment files for the positions for senior management civil servants, which is a constitutional obligation according to article 142 of the Constitution of the Republic of Kosovo, article 18 of the Law on the Board and the Law on Administrative Procedure. Therefore, the Board did review and decided on complaints according to the law, the facts and relevant evidence.

The Board established that some institutions have vacant positions but they do not proceed with recruitment according to the law. Instead, they fill those positions with acting officers and this way they are in violation of legal deadlines.

Despite the fact that the Law on Persons with Disabilities obliges all institutions to employ one civil servant with disabilities in every 50 employees, but this legal requirement is not being met.

***Letter of Appointment – Act of Appointment***

During monitoring the Board has established that some employment authorities did not replace the employment contracts with letters of appointment according to article 96 and 97 of the Law on Civil Service of the Republic of Kosovo, thus avoiding the legal deadline, as prescribed in the law. The reason behind the non-replacement of work contracts with letters of appointment were the files from MPA/DACL and the forum of the General Secretaries who did not show any readiness for the implementation of the recommendations of the Board.

***Disciplinary procedure***

The Board observed that some institutions have not established their disciplinary commissions according to Law No 03/L-149 on Civil Service of the Republic of Kosovo and the Regulation on Disciplinary Procedures in the Civil Service. With regards to the disciplinary responsibility arbitrary decisions are often taken without being proceeded through the personnel manager and disciplinary commission. In some institutions the civil servants are not notified about the Code of Conduct for Civil Servants, which also means they lack of information about the conflict of interest. Therefore, in order to oblige the EA to comply with the legal provisions of this field, the Board made recommendations by which the EA are recommended to establish disciplinary commissions in accordance with article 70 of the Law on Civil Service of the Republic of Kosovo.

Sometimes disciplinary measures taken are not in proportion with the violation made by the civil servant and this is due to the non-appointment of adequate officials in the disciplinary commissions and also lack of trainings from the field of civil service.

***Challenging and Complaints procedures***

During the monitoring in 2011, the panels of the Board observed that some employment authorities are not implementing the recommendations of the Board, despite the fact that from 2010 they are obliged to establish the Challenging and Complaints Committees, according to article 81 and 82 of the Law No 03/L-149 on the Civil Service of the Republic of Kosovo. Complaints filed to the employment authorities often times are not reviewed at all within the legal deadlines, even though they are obliged to provide responses to these complaints filed by the civil servants. But, in some cases the complaints are not reviewed at all within the employment authority, and due to this administrative silence, the Board obliges the employment authorities to review the complaint of the civil servant or the employment candidate, and this is something that causes delays in the process of the review of the complaints by the panels of the Board, in order for them to come up with a final decisions.

***The probation period procedure***

The Board during its monitoring activity has observed that some institutions, compared to 2010, have shown improvements in the implementation of a probation period for 12 months for positions of career civil servants, and the assessment from the completion of probation period which is done according to procedures and the law. The Board made recommendations by which the employment authorities are obliged to act in accordance with article 21 of the Law on Civil Service of the Republic of Kosovo. Some institutions did not provide for the probation period according to the law on Civil Service and the Regulation for Recruitment Procedures, which for career civil servants is 12 months and for non-career civil servants, is 3 months. This dilemma is a result of lacking adequate trainings for recruitment procedures.

***Employment termination procedure***

The Board has observed that termination of employment in some institutions was done in violation of procedures and legal basis. Some institutions have ceased some job positions arbitrarily due to decrease in budget allocation, despite the fact that there was a budgetary line provided for these job positions.

In cases of termination of employment due to retirement age reached the right to compensation was not implemented according to Law on Salaries for Civil Servants.

***Job description procedure***

The Board observed that most of the institutions have not yet standardized the job descriptions, the rules on classification of job positions respectively, thus transferring the final authority of their review and approval to personnel managers and the main administrative official. Therefore, in order to meet this requirement in accordance with the provisions of the Law on Civil Service, the Board made recommendations by which the employment authorities are obliged to comply with them within the legal time limit

***Work performance assessment procedure***

With regards to this procedure the Board observed that employment authorities relatively made the assessment of work performance for the calendar year based on the recommendations provided by the Board. Board has also observed that this assessment in some cases was done in fictitious manner, and during the visits we encouraged that the assessment is made objectively and in accordance with the principles of civil service and in accordance with article 33 of the Law on Civil Service of the Republic of Kosovo.

The lack of the regulation for work performance assessment from the MPA, brings difficulties because of the implementation of the old legal basis, that is the Administrative Instruction No 2003/08 of MPS/DACS - 2003/08, which is in collision with the Law on Civil Service of the Republic of Kosovo.

***Procedure on leaves***

Procedures on leave are managed according to rules provided in Regulation No 06/2011 for leave of civil servants. Also, leave based on declared work experience is implemented, but it was observed that some institutions face problems when granting long medical leaves as a result from serious medical conditions.

*The procedure on working hours and attendance*

During this reporting period the Board observed that almost in all institutions the attendance and the working hours are managed electronically and that working hours are respected. Some employment authorities have not created an attendance mechanism, therefore, the Board made some recommendations which will oblige the employment authorities to meet this requirement within the time limit.

*Personnel files*

Administration and maintenance of personnel files are improving according to the required standards from legal basis in effect. In some institutions it was observed that personnel files are not kept in safe places, are incomplete with personal data and are not updated based on rules so as to ensure promotion and the professional and individual development of civil servants. The Board has advised personnel managers that upon recruitment to provide data on the civil status and criminal records of the recruited candidates.

*Trainings*

The Board during monitoring of institutions has observed that planning, program and the strategy for the training of civil servants is not meeting the needs for the training and professional development of personnel. It is observed that employment authorities and KIPA did not perform proper analysis for the training needs of the staff. Often times, training are a mere formality and in no instance there has been an evaluation

From the data provided during visits and those from institutions it has been established that during 2011 a total of 2249 civil servants have been trained in KIPA, within this number 47.07% were males and 51.47% were females. Attendance from minorities was 2.31%. The structure of participants expressed in percentages: senior management civil servants 0.45%, management civil servants

From the above data it is noted that majority of trainees from the civil service were men; there was a very small number of staff from minority communities; significant participation from e civil servants of professional level, a symbolic participation of senior management civil servants is a concern because they have roles and responsibilities in managing of resources in institutions and implementation of procedures, laws and guiding principles.

The Board has made a unique recommendation for all employment authorities to prepare the plan of trainings for increasing of professional capacity building for all civil servants, in accordance with article 35 of the Law on Civil Service of the Republic of Kosovo, by preparing initial and genuine needs analysis for the training of the civilian staff.

According to data taken from central and local institutions, the Board has established that compared to 2010 the employment authorities during 2011 have implemented the recommendations of the Board because positive actions from employment authorities in the implementation of the legislation on Civil Service of the republic of Kosovo were obvious.

There are however some pending concerns in relation to the management of human resources from the central and local institutions, through non-implementation of a recruitment procedure based on merits, in order to avoid this way any potential political interference. This will fall as a burden on the senior management civil servants of the institutions who are the main responsible persons for planning, direction, control and implementation of the law and civil service procedures.

1. 2 **MONITORING FUNCTION**

The Board has the function of monitoring the procedures for the selection of servants at managerial level in the civil service of Kosovo. This function is provided for in article 10 paragraph 1.2 and article 16 of Law No. 03/L-192 on the Board. In accordance with the said provision, the employment authorities in the Civil Service of Kosovo are obliged to cooperate with the Board to ensure recruitment in accordance with the law and principle of merits. The Board initially verifies the recruitment procedures and assesses if all rules and guiding principles of civil service have been respected.

The Board has established that during this reporting period some employment authorities did not invite the Board to participate with monitoring of recruitment procedures, and there are also cases when there were promotions from the position of a professional civil servant to that of managerial civil servant.

In carrying out the function of monitoring, during the reporting period the Board realized the monitoring of **43** cases of selection of civil servant management staff. From this number, the Board rendered **25** decisions for recruitments (selection) of civil service management staff. For the purpose of avoiding of established violations, the Board rendered recommendations which obliged the employment authorities to pre-avoid infringements before the final selection is made.

**Table below shows institutions and positions approved by the Board**

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **No** | | **Institution** |  |  | **Positions approved by IOBCSK** | | | | | |  |  |
|  | |  |  |  |  | | | | | |  |  |
| 1 | | Independent Media Commission |  | 1. | Director of Procurement Department | | | | | |  |  |
| 2 | | Ministry of Foreign Affairs |  |  | 1. 1. Director of the Department for Regional Matters | | | | | |  |  |
|  | |  |  |  |  | | | | | |  |  |
| 3 | | Agency for Medical Products | |  | 1. Director of the Administration for budget and Finance | | | | | |  |  |
|  |  | | | | | |  |  |
|  | |  |  |  |  |  |
|  | |  |  |  |  | | | |  |  |  |  |
|  | |  | |  | |  | | | | |  |  |
| 4 | | Railways Regulatory Authority | | 1. | | Head of Legal Department | | | | |  |  |
|  |  |  | | 1. | | Director of DEPQA | | | | |  |  |
| 5 | | Ministry of Public Administration | | 2. | | Director of the Department for EI and Coordination of Policies | | | | |  |  |
|  |  |  | |  | |  | | | | |  |  |
|  |  |  | |  | |  | | | | |  |  |
| 6 | |  | | 1. | | Director of Department for Analysis and Security Policy | | | | |  |  |
| Kosovo Security Council | |  | |  | | | | |  |  |
|  |  |  | |  |  |
|  |  |  | | 2. | | Director of Situation Center | | | | |  |  |
|  |  |  | |  | |  | | | | |  |  |
|  |  |  | | 1. | | Chief-Inspector of Labor Inspection in the Correctional Service of Kosovo | | | | |  |  |
|  |  |  | |  | |  | | | | |  |  |
|  |  |  | |  | |  | | | | |  |  |
| 7 | | Ministry of Justice | | 2. | | Director of the department for EI and Coordination of Policies | | | | |  |  |
|  | |  | | | | |  |  |
|  |  |  | |  | |  |  |
|  |  |  | | 3. | | Director of the Department for International Legal Cooperation | | | | |  |  |
|  |  |  | |  | |  | | | | |  |  |
|  |  |  | | 4. | | Director of the Department for Legal Issues. | | | | |  |  |
|  |  |  | | 1. | | Director of the Department of Pharmacy | | | | |  |  |
|  |  |  | | 2. | | Director of the Department for Strategic Development | | | | |  |  |
|  |  |  | |  | |  | | | | |  |  |
| 8 | | Ministry of Health | | 3. | | Chief-Inspector for Health | | | | |  |  |
|  |  |  | | 4. | | Director of the Clinical University Center | | | | |  |  |
|  |  |  | | 5. | | Director of the Institute of Labor Medicine in Gjakova | | | | |  |  |
|  |  |  | |  | |  | | | | |  |  |
|  |  |  | | 1. | | Director of the Youth Department | | | | |  |  |
|  |  |  | | 2. | | Director of the Department of EI and Policy Coordination | | | | |  |  |
| 9 | | Ministry of Culture, Youth and Sports | |  | |  | | | | |  |  |
| 3. | | Director of the Department of Culture | | | | |  |  |
|  |  |  | |  |  |
|  |  |  | | 4. | | Director of the Office for Author’s Rights and Related Rights | | | | |  |  |
|  |  |  | |  | |  | | | | |  |  |
| 10 | | Municipality of Shterpce | | 1. | | Head of Personnel | | | | |  |  |
| 11 | | Ministry of Internal Affairs | | 1. | | Director of Department of Procurement | | | | |  |  |
| 12 | | Ministry of Environment and Spatial Planning | | 1. Director of the Department for Expropriation | | | | | | |  |  |
|  | |  | |  |  |  | | |  |  |
|  |  |  | |  |  |  | | |  |  |
| 13 | | Ministry of Diaspora | | 1 . Director of the Office for Public Information | | | | | | |  |  |
| **Total** | | **13** | |  | | **25** |  |  | | |  |  |

The table above shows all managing civil servant positions and their selection was monitored by the Board and the final decisions for their selection were taken.

Due to violation of recruitment procedures, the Board recommended annulment of the vacancy advertisements for these positions, according to the institutions, as follows:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **No** | **Institution** | **Annulled vacancies** | | **Reasons of annulment** |  |
|  | Ministry of Local | 1. | Director of the Department of Procurement | Criteria of the vacancy violated |  |
| 1 | Government |  |  |  |  |
|  | Administration |  |  |  |  |
| 2 | Ministry of Finances | 1. | Director General of the Budget | Lack of proceeding within legal time |  |
|  | |  |  |
|  |  |  |
| 3 | University of | 1. | Director of the Department of Procurement | Annulment due to complaint |  |
| Prishtina |  |  |  |  |
|  |  |  |  |
|  |  | 1. | Director of the Clinical University Center | 1. Adjustment of the vacancy for a certain candidate |  |
|  | Ministry of Health |  |  |  |  |
| 4 | 2. | Chief-Inspector of Health | 2. Violation of procedures for the appointment of the recruitment panel |  |
|  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |  |
| 5 | Ministry of Internal Affairs | 1. | Director of the Office for Public Information | The selected candidate did not meet the criteria |  |
|  |  |  |  |  |
|  |  |  |
|  |  | 1. Director of the department for EI and Coordination of Policies | | Violation of recruitment procedures and not meeting of the criteria by candidates |  |
| 6 | Ministry of Trade and Industry |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  | 1. | Director of the Department for Procurement | According to the recommendation from the panel of the Board – candidates did not meet the criteria of the vacancy |  |
| 7 | Ministry of Justice |  |  |  |  |
|  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |  |
| **Total** | **7** |  | **8** |  |  |

Following the recommendations from the Board for the annulment of the vacancies, employment authorities implemented the recommendations and filled these vacancies in compliance with the legal provisions and according to rules and guiding principles of the civil service.

**VI.** **BUDGET**

Budget approved for the Board, according to Law 04/L-001 on the Budget of the Republic of Kosovo for 2011, adopted in the Assembly of Kosovo was 218.637.00€, allocation according to economic categories. The table below shows the budget allocation:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Nr. | **Economic Categories** | **Approved Budget** | | **Reviewed Budget** | **Difference** |
|  |  | **04/L-001 - initial** | | **Final - SIMFK** |  |
|  |  |  |  |  |  |
| 1 | Salaries and compensation | 152.007. 00 | **€** | 152.007.00 € |  |
| 2 | Goods and Services | 64.130.00 **€** | | 58.482.00 € | -5.648.00 € |
|  |  |  |  |  |  |
| 3 | Capital Expenditures | 0 | **€** | 0 € | 0 |
|  |  |  | |  |  |
| 4 | Municipal Expenditures | 2.500.00 **€** | | 4.300.00 € | +1.800.00 € |
|  |  |  | |  |  |
|  |  |  | |  |  |
|  | **Total** | **218.63** | | **214.78** | **- 3.848** |
|  |  |  |  |  |  |

***Table 1 – Allocation of means according to economic categories***

Table below shows clearly that there is a difference between the approved initial budget and the final budget (reviewed), in amount of: 3.848.00 €, which were not allocated to us from the Ministry of Finances, according to the Government’s Decision No 04/26, date 27.07.2011 on the reduction of allocations for the category of goods and services.

1. **Oversight of expenses**

During 2011, from the budget approved by the Assembly of the Republic of Kosovo, the Board has realized **99.78**% of the planned budget. Budget was allocated for categories:

* Salaries and Compensation, the amount spent is **99.87%** .
* Goods and Services, the amount spent is **99.64%** from the planned budget for this category.
* Municipal Expenditures, the amount is **98.42%** of the planned budget;

Table below shows the above data.

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **No**. | **Budget Code** |  | **Final Budget** |  | **Spent** |  | **Unused** |  | **In percentage** |
|  |  |  |  |  |  |  |  |  | **%** |
| 1 | **Salary and Compensation** |  |  |  |  |  |  |  |  |
|  |  |  | 152.007.00 € |  | 151.807.93 € | 199.07 | | € | 99.87% |
|  |  |  |  |  |  |  |  |  |  |
| 2 | **Goods and Services** |  |  |  |  |  |  |  |  |
|  |  |  | 58.482.00 € |  | 58.269.22 € | 212.78 | | € | 99.64% |
| 3 | **Municipal Expenditures** |  |  |  |  |  |  |  |  |
|  |  |  | 4.300.00 € |  | 4.232.18 € | 67.82 | | € | 98.42% |
| 4 | **Capital Expenditures** |  |  |  |  |  |  |  |  |
|  |  |  | 00.00 € |  | 00.00 € | 00.00 | | € | 0.00% |
|  | **Total** | **214.789.00 €** | |  | **214.309.33 €** |  | **479.67** | **€** | **99.78%** |
|  |  |  |  |  |  |  |  |

**Table 2. Budget spending according to economic categories**

**VII.** **COOPERATION**

During the reporting year, the Board has further cultivated the spirit of good cooperation with institutions and local and international organizations.

The Board has had a productive cooperation with the OSCE Mission in Kosovo.

In this respect during 2011 with the support from the OSCE Mission in Kosovo, the Board organized five (5) round-tables in five (5) regions of Kosovo, in relation to difficulties and challenges of the enforcement of the decisions of the Board. Round-tables were organized in Prishtina, Gjilan, Prizren, Mitrovica and Peja.

These round-tables have had a positive impact in the information about the role and the function of the Board and the awareness-raising of employment authorities on one hand and the representatives from the Judiciary of the Republic of Kosovo for the enforcement the decisions of the Board.

***Official and study visits***

For the purpose of professional development and exchange of experiences with respective authorities in the region, the Board during the reporting period realized two study visits.

With the support from the OSCE Mission in Kosovo, the Board realized a study visit in Great Britain, that is in the British Council for Civil Service and the British Parliament, that is the Committee for Public Administration.

The Board also had a study visit in Croatia, in the Agency of Civil Service.

**VIII. PROBLEMS AND DIFFICULTIES**

Problems and difficulties which the Board faced during the reporting period are the following:

* Failure to execute some decisions of the Board by some employment authorities, despite their legal obligation to do so;
* Lack of adequate space (facility) for the exercise of Board’s activity; as a result the Board was unable to recruit the required staff of the Secretariat which would greatly help in the conduct of a more effective work in the field for the supervision of institutions, related to the compliance with Law on Civil Service of Kosovo.
* Insufficient budget, insufficient financial stimulation for Board members taking into consideration the level of salaries from other bodies that report to the Assembly. This due to the fact that this is a constitutional body and Board members are appointed by the Assembly of the Republic of Kosovo, therefore we consider that current level of salaries for the Chairman of the Board and its members are very low and inadequate to the work and status they have. Furthermore, this salary is lower than the base payment in every Board or independent agency established by the Assembly of Kosovo. It is lower than the salaries of civil service senior management staff, lower than in the administration of the Board itself, or other public institutions of the Republic of Kosovo.
* Lack of necessary cooperation with respective institutions of different countries would serve the Board in applying of experiences from the countries with a more advanced civil service.
* Very old inventory and electronic equipment, etc.

**IX.** **FUTURE CHALLENGES**

In the future the Board will face great challenges during the exercise of its functions.

There is a possibility that most of the problems that Board faced during the year 2011 are to be carried over also in year 2012, such as: the possibility of failure of employment authorities to execute the Board’s decisions, insufficient budget to complete the entire professional staff of the Secretariat for the accomplishment of Board’s objectives, improvement of conditions and sufficient financial stimulation for Board members and secretariat staff at the level of independent agencies and other institutions; lack of adequate space for the exercise of Board’s activity.

In addition, the Board will face other challenges since in 2010 the Assembly adopted the Law on Civil Service of the Republic of Kosovo and probably there will be difficulties to implement it by the employment authorities because of the slow dynamics of adoption of additional bylaws for the implementation of this law by MPA on one hand, and lack of awareness of EA on the other.

All this will impact the rise in the volume of Board’s activities for the exercise of its functions.

For the year 2012 the Board is planning the measures taken by the persons in charge of civil service, in the employment authorities of both central and local levels. This will be done in order to raise their awareness related to the necessity for the execution of Board’s decisions in accordance with the Laws and principles of Civil Service.

In order to successfully accomplish this objective the Board does not have sufficient financial means, therefore, we may face challenges that would jeopardize the accomplishment of this objective.

**X. CONCLUSION**

During the reporting period the Board faced certain difficulties that hindered this institution in fully implementing the three functions provided for by the law.

Failure of certain employment authorities to execute the Board’s decisions was the biggest concern and challenge of the Board..

For the execution of decisions by the employment authorities at central and local level, the Board expects the involvement of the Government, immediate supervisors (Ministers, Municipal Mayors), high managerial staff of the institutions (General Secretaries, Chief Executives, Executive Directors and Board chairmen), the Assembly of the Republic of Kosovo and Courts, so that the Board’s decisions are eventually executed pursuant to the law on the Board.

The Board continues to be strongly committed in order to ensure a sustainable, professional, impartial, reliable Civil Service, always in accordance with rules and principles of civil service.

1. Within Ministry of Health appeals from the administration of University Clinical Center of Kosovo (UCCK), National Institute of Public Health (NIPH) and Regional Hospitals. [↑](#footnote-ref-1)
2. Within the municipality of Prishtina appeals of civil servants from main Family Medical Centers [↑](#footnote-ref-2)
3. According to data from MEST the number of employees in municipal education institutions is in total 4888, from this number 1357 are administrative staff, 1015 male and 342 female. Supporting staff 3531; from this number 3048 male and 483 female, excluding here schools in teaching in Serbian language. . [↑](#footnote-ref-3)