



2008 GOVERNANCE OVERVIEW for KOSOVO under UNSCR 1244*

The Public Administration Reform Strategy and Action Plan covering the period 2006-2011 are in place. Overall, despite some progress, public administration reform still needs to be implemented. The most important legal acts remain to be adopted.

Civil Service: The Ministry of Public Services issued implementing laws relating to the civil service and the management of public administration. The functional review of the public administration started in April. The review aims at reducing overlapping competences between institutions and increasing the effectiveness of the public administration. The Law on the Civil Service, the Law on the Kosovo Institute for Public Administration and the Law on Public Administration have yet to be adopted. Civil servants continue to be vulnerable to political interference, corruption and nepotism. The results of the Public Administration Reform Strategy and Action Plan – more than a year after their adoption – are still unclear.

Anti-corruption policy: Corruption is still widespread and remains a major problem. This is mainly due to insufficient legislative and implementing measures and lack of determination and the weakness of the judicial system. An anti-corruption strategy and action plan remain to be adopted. The Law on the Prevention of Conflict of Interests entered into force. The institutional framework to tackle corruption is still unclear. The inter-ministerial Working Group on Anti-Corruption is not yet operational. The mandate of the Anti-Corruption Council and its role vis-à-vis the KAA remain unclear.

Public procurement: The Public Procurement Law is the central piece of legislation in this area. It is broadly in line with European standards, although a number of provisions of the directives adopted in 2004 have not been implemented. The new Procurement Review Body was set up in July and is a quasi-judicial body. Its role is to review administrative decisions issued by central procurement institutions and appeals and complaints from tenderers. The success of the body depends on the allocation of sufficient resources and its building on an authoritative track record of review decisions.

Public Internal Financial Control (PIFC): The assembly adopted a new Law on Public Financial Management and Accountability which provides for the establishment of a central unit for harmonisation of financial control. The government is reviewing the Internal Audit Law. The operational independence of internal audit and the harmonisation with EU standards are due to receive particular attention. In the context of external audit, the assembly adopted a new Law on the Auditor General which regulates the transfer of external audit competences from UNMIK to the Kosovo authorities.