

The battle against the increase of the electricity price



The coalition

Prishtina, 20 January 2009—

Ad-hoc coalition of civil society organizations has sent a letter addressed to the Office of Energy Regulator, through which it is required that there should not be a increase of electricity tariff. The high level of poverty and unemployment in Kosovo should be a ground to exempt citizens from fiscal burdens and not charged them further. Eventual establishment of the electricity tariff is pointless while KEK fails to meet the requirements of the citizens of Kosovo for electricity service and the maintenance of electricity network is weak. Citizens sometimes wait all day while KEK fixes any technical problem in the network. Furthermore KEK benefits millions of Euros from the Kosovo budget in the form of Grants and donations from the country, this means the money collected from taxpayers. It gets citizens to pay twice for a service.

The Coalition also sent a letter to the President of the Parliament of Kosovo, with the request to exercise his authority to prevent the eventual establishment of the electricity tariff. Also by the Prime Minister of Kos-

ovo, is required his commitment to support the efficient functioning of KEK. The top management of this enterprise is acting as assignment and this hinders the development of KEK.

Ad-hoc coalition of civil society organizations consist of: Citizen Action FOL'08 (Prishtina), Forum for Civic Initiative (Prishtina), Kosovo Democratic Institute (Prishtina, Prizren) Kosovo Center for International Cooperation (Gjilan), Initiative for Progress (Ferizaj), Eye of the Vision (Peja) and Community Building Mitrovica.

The petition

Prishtina, 13 February 2009 -

Ad-hoc coalition of civil society composed of six organizations from six major centers in Kosovo from January 26 until February 6 has collected over 10 thousand signatures against the raising of electricity tariff as announced in a news conference today.

The first petition in the Republic of Kosovo, was officially handed today over to the President of the Parliament of Kosovo Mr. Jakup Krasniqi, Energy Regulatory Office and the Parliamentary Committee on Energy and Mine. The President of the Parliament of Kosovo, Mr. Krasniqi pledged that

the petition against raising the electricity

tariff will be treated seriously and he will give his personal attention. Mr. Krasniqi agreed that the increase of the price of electricity will spoil more citizens who pay electricity bills regularly. Mr. Azem Kastrati, chairman of the Department for Consumer Protection in the Office of Energy Regulator (ERO), expressed his readiness of cooperation and direct communication with the citizens of Kosovo about the problems which were discussed in this meeting. Mr. Kastrati promised that the petition will be submitted to the competent bodies who examine the ERO.

Ramadan Ilazi, coordinator of the Citizen Action FOL'08 regarding the petition said: "There are 10 529 citizens who have said NO to raising the electricity tariff. This number of signatures can not be ignored and we trust that the institutions of the Republic of Kosovo will take this petition into consideration. We think that citizens are unable to afford a possible price rise of electricity, with this situation in the country, where 38% of the population live in poverty, 18% in extreme poverty and about 350 thousand people are seeking for work".

Ad-hoc coalition of civil society against the raising of electricity tariff encourages KEK to increase the collection of the bills and to improve maintenance of the billing network.

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Highlights

- ✓ Electricity tariffs reduced to 2.5% from 18.3% increase as it was requested
- ✓ Strategy Against corruption receives a NO vote in the Parliament
- ✓ Strengthened scrutiny of the selection process for members of the Constitutional Court

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Against nepotism

Prishtina, 6 March 2009: Citizen Action FOL'08 has provided some documents that represent a reasonable doubt for violation of the Recruitment and Selection Policy in Post Telecommunications of Kosovo (PTK). Recruitment policies of PTK in Article 1.4 states that all countries of the free labor, in rank 13-15, must be declared by foreign competition. From the documentation that we have this article has been violated by at least two seniors in PTK.

1. Mr. Bardhyl Sejdiu and
2. Mr. Demir Limaj

Mr. Bardhyl Sejdiu has the position of Acting Director of the office of support services from the 26th of October 2007 until the 5th of March 2008. In the documents that we have (electronic correspondence) it is noted that for five months Mr. Sejdiu, Acting Di-

rector, holds the position of Director of Support Services, while in March it is noted that he keeps the title of Director of Support Services. Within this period it is impossible to provide the necessary information that there has been an official foreign competition about the position in question. The same is the case with Mr. Demir Limaj, who has the position of Acting Director on the sales and distribution office from the 1st of September 2008 until the 26th of September 2008. In the documents that we have, Mr. Limaj is seen to be signed as Acting Director of Sales and distribution, while his title changes within a month to Director of Sales and Distribution. Considering the timeframe to change positions due to procedures, it would be impossible to carry out the recruitment process. Furthermore, in the research we have done, it is shown that there is no competition for the respective positions, which was published in daily newspapers and in the web site of PTK. Citizen Action FOL'08 on

date 13.02.2009 has sent a letter addressed to the Chief Executive Officer of PTK Mr. Shyqyri Haxhia to seek clarification about the information but we have not received a response yet. In the meantime, we communicated by phone with Mr. Besnik Jani, Head of human resources for PTK, to whom we have also sought clarification about the issue in question but we have not received any response here either. Also, we contacted the spokesman Mr. Menduh Abazi, but we had no positive response. We consider that this is a case that requires investigation by the responsible institutions for this purpose and we have documents sent to the Anti-Corruption Agency.

Case for nepotism goes to the Prosecutor and the Anti-Corruption Agency

Prishtina, 12 march 2009 - Citizen Action FOL'08 has proceeded to the District Attorney in Prishtina and the Anti-Corruption Agency, the documents that show the appointments without competition of the two directors in PTK, who have violated the policies of Recruitment and Selection of this company. Citizen Action FOL'08, via a media statement last Friday, has announced the denomination of at least two senior officials of PTK, Mr. Bardhyl Sejdiu and Mr. Demir Limaj to have been made in violation of this policy in Article 1.4 which states that for all free labor, in rank 13-15, must be declared by foreign competition. We appreciate that this is a case that requires investigation by the responsible institutions and for this purpose we have sent the documents to the Prosecutors Office and the Anti-Corruption Agency in Prishtina.

FOL'08: Delays unjustifiable in appointing the Head of the CEC Secretariat

Prishtina, 8 January 2009 - Citizen Action FOL'08 considers the statements of the president, prime minister and opposition parties for holding elections, to be meaningless while there is more than one year that the election of Chief Executive of the Secretariat of the Central Election Commission (CEC) is being blocked.

This institution is the key to organize the elections. Law on Elections in Article 66.3 stipulates that any person who is: a) holding or seeking public office; b) holds

any public office or official position on political parties; or c) is sentenced for criminal activity, can not serve as the Chief Executive. The next election, which is also the first in an independent Kosovo, is the true test for democracy in the country.

It is important for institutions and political parties to support the functionality of the Secretariat of the CEC. Citizen Action FOL'08 requires the Kosovo Parliament to be the guarantor of the independence

of the Secretariat of the Central Election Commission and for political parties to not politicize independent institutions. FOL'08 recalls the 21 September 2008 note of reaction on delays in appointing the Chief Executive of the Secretariat of the CEC because the postponements have damaged the institution and are an important indication of political interference in the appointment. Moreover, the recent report of the OSCE has alarmed the lack of human and technical capacities of the CEC to organize the upcoming elections.



The battle against raise of the electricity price

The meetings

Prishtina, 19 February 2009 — Citizen Action FOL'08 today (Thursday) conducted numerous of meetings to discuss the energy tariffs and to present the Petition signed from 10529 people. Meeting with the Speaker of the Parliament Mr. Jakup Krasniqi, the Chairman of the Parliamentary Committee on Petitions, Mr. Ismet Beqiri, The Chairman of the parliamentary Committee on Energy and the Energy Regulatory Office. At these meetings the petition was submitted.

The Protest

Prishtina, 1 April 2009 — A Group of Civil Society Organizations (FOL'08, Youth Initiative for Human Rights, Initiative for Progress and Kosovo Democratic Institute) protested in front of the building of the Energy Regulatory Office (ERO) to reaffirm the opposition against the increase of the electricity tariffs. The protest was being held while the board of ERO was having a meeting. Although the group of the civil society organizations welcomed the decrease from 18.3% to 2.5% for the increase of the electricity bills, the group reminded ERO that the petition of 10529 people can not be ignored.



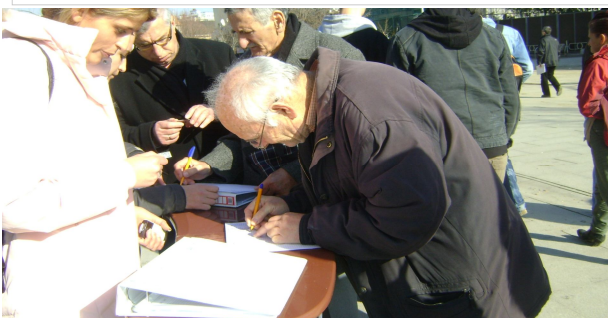
Meeting with the Speaker of Parliament

The Impact

Prishtina, 4 March 2009 — This campaign had two major impacts; a) brought to attention of public democratic means and ways of being part of the decision-making process and b) reduced the increase of the electricity tariffs to 2.5% from 18.3% requested from Kosovo Electricity Company and KOSTT.



Submitting the petition to the Energy Regulatory Office



Where are the Lap-Tops ?

Prishtina, 28 January 2009 — FOL'08 sent a letter to the speaker of the Parliament of Kosovo, asking about the lap-tops purchased for the use of the members of parliament. However it has come to our attention that members of parliament who in the last elections of 2008 did not get reelected did not return their lap-tops. The following is the text of the letter:

In the last legislature, (2004-2007) the Presidency of the Parliament of Kosovo has received a decision by which all members (120) should be provided with a computer (lap-top) in the exercise of personal mandate as Member of the Parliament of Kosovo.

On 17th of November 2007, parliamentary elections were held and over 50% of the chosen in the composition of the Assembly were for the first time MP. Meanwhile, the Presidency of the Assembly of the Republic of Kosovo has taken a different decision, on which all former MPs were to be donated with lap-tops. In support of the Law on Access to Official Documents, we are asking you to inform us more regarding the issue of lap-tops that had been given to former deputies. If these lap-top were owned by the Parliament of Kosovo and given to the deputies, please, tell us that there is a legal or administrative guidance to take such a decision?

NO to the Strategy Against Corruption



Above: During the joint press conference of the four organizations opposing the approval of anti corruption strategy 2009-2011

Prishtina, 26 February 2009 — The Parliament of the Republic of Kosovo will discuss the draft Anti-Corruption Strategy 2009-2011. In this context, a group of civil society organizations (Cohu!, Citizens Action FOL'08, Kosovo Democratic Institute—KDI and Initiative for Progress-INPO) in a press conference called on Parliament not to vote the Strategy.

The Group of the Organizations aims to put highlights to the shortcomings of this document and its preparation process in general and thus aims to influence decision-making in Parliament about its potential approval. We believe that this document should not be approved by the Assembly because of the substantial shortcomings that contains the document and the process of drafting this wouldn't make it achieve in practice the goals set forth regarding the prevention and combating corruption.

The strategy can be continually abused by the government as a political document that allegedly is for fighting corruption while in reality it does not provide the basis of genuine and sustainable way through which it may be initiated to fight corruption. The parliament responded positively to this call and did not approve the strategy on its plenary session.

Parliament and Civil Society

Prishtina, 21 January 2009 — Citizen Action FOL '08 and Kosovo Democratic Institute (KDI) have organized a roundtable discussing "The relationship of the Parliament of Kosovo with Civil Society in drafting of laws". In this roundtable participants were: Ismet Kryeziu from Kosovo Democratic Institute (KDI), Bahri Hyseni, Chairman of the Committee on Legislation and Judicial, Ibrahim Makolli, Chairman of the Parliamentary Group of the Alliance for New Kosovo, Shpend Ahmeti, Director of the Institute for Advanced Studies GAP, Ferdinand Nikolla, Director of the Forum for Civic Initiative and Leon Malazogu, independent expert. "The aim of organizing this discussion table is to analyze the existing relations between civil society and the Parliament of Kosovo as well as its participation in the process of drafting laws.

The Parliament of Kosovo should establish an open and effective cooperation with civil society organizations", said Ismet Kryeziu, from Kosovo Democratic Institute (KDI). The chairman of the Committee on Legislation and Judicial, Mr. Bahri Hyseni said that the relationship between Civil Society and the Parliament of Kosovo are very important and its development should be supported. "You need to offer opportunities so that the Civil Society will provide recommendations, advice and warnings about their laws. Civil society can take part in the proceedings of the committee. I am willing to cooperate with civil society", he added.

The credibility of Constitutional Court at Risk

Prishtina, 13 March 2009 — In the state-building process through which Kosovo is undergoing, one of the most important activities is the creation of higher justice in the country. The Constitutional Court is the final authority in the Republic of Kosovo for the interpretation of the Constitution and the compliance of laws with the Constitution. Thus, this institution will be the guardian of the Constitution of the Republic. The process of construction of the Constitutional Court is followed by substantial problems in selecting the defenders of the Constitution, and Judges of the Constitutional Court. A few days ago the selection list of 38 potential candidates for the Constitutional Court has become public. Considering the importance of the Constitutional Court, and the fact that this court should be a democratic and independent body, it is disturbing that in this list there are people who have a history of moral and professional decadence. The selection committee, which has allowed the list of candidates to include names and biographies of suspicious persons who are under investigation for abuse, indicates their seriousness at the start of this commission. This calls

into question all the work that the Commission has made in selecting and questioning the candidates who have applied for the Constitutional Court. As seems the commission has not used any method for filtering candidates biographies. And, precisely because of the non-verification of their biographies in the past, the selection of candidates who are professionally and morally inadequate for the post undermines the credibility of the main pillar of justice in Kosovo. List of candidates who have applied is 41, while 38 of them were interviewed, thus we can deduce that 90% of the total number of competing candidates were invited to be interviewed. This testifies also for an amateur ability of analyzing the applications. Kosovo's constitution, namely Article 4 of Law on the Constitutional Court states that the Judges of the Constitutional Court should "be an individual with excellent moral character, who have full ability to act and who are not convicted of a criminal offense." The names below are intended to indicate that the careful vetting of candidates biographies is very necessary and important to ensure that the Constitutional Court will be in the service of justice and in no way should it be subject to political influences and misuse as is the case today with the Kosovo judiciary system. Sources of FOL'08 have provided a list of candidates who are in the list consisting of 38 persons for judges of the Constitutional Court and for whom there is reasonable based suspicion who are not worthy for the Court, the highest justice court in Kosovo. The media has made pub-

lic the names of at least two candidates who have an indecent biography. The following are other names and give some doubts about these persons.

1. Mr. Anton Nokaj: Judicial Inspection Unit has presented many submissions which are being investigated. The case is also under investigation for the Disciplinary Committee of the Kosovo Judicial Council who has also been recently discussed in the media for racket abuse and property issues (land / property).
2. Mr. Halit Muharremi: Since taking the post of Director of the Secretariat of the Kosovo Judicial Council is charged with violations of workers rights, alienation of people from work, nepotism, neglecting complaints, financial abuse, etc. Independent Board of Appeals (which has operated within the Ministry of Public Services, now operates as an independent body), has publicly accused Mr. Halit Muharremi for all those presented above. For more information about the case in question, contact the Independent Appeals Board.

We call the Election Commission for candidates for the Constitutional Court to establish a rigorous process of filtration and biography studying of persons who are competing for the Constitutional Court.

OSCE Discriminates Kosovar citizens

Prishtina, 22 February 2009 - In a notice (the competition), published in the daily Koha Ditore', dated February 21, 2009, at page 47, for two vacancies to work in the OSCE Mission in Kosovo, within the conditions prescribed in the application, that persons who apply for the relevant positions, must be inhabitants of Kosovo and that it must prove through UNMIK identification card or the competitor to be a citizen of Serbia. Ramadan Ilazi, coordinator of FOL'08 said: "With this condition OSCE discriminates against all those persons who possess identity documents of the State of Kosovo.

OSCE fully recognizes the right for Serbian citizens applicants, but not for those of Kosovo. This shows that OSCE is not neutral on Kosovo's status, but it is rather biased in favor of the Serbian state". This behavior of the organization discriminates the citizens of Kosovo and represents a violation of human rights. I do appeal to the Kosovo institutions to respond to this action that violates human rights for freedom, identity and as such is unconstitutional.



Prishtina, 11 March 2009 — FOL'08 organized a round table to discuss the communication of the government officials with citizens. Njomza Emini-member of parliament and a representative from National Democratic Institute spoke with students of "Universum" College, on alternatives to improve the necessary relationships between electorate and elected-officials.



If people lead than leaders will eventually follow

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Letter to the International Civilian Officer

His Excellency Mr. PIETER FEITH

International Civilian Representative

*"Blue Building" / St. Ahmet Krasniqi PN
 10000 Prishtina, Republic of Kosovo*

25th March 2009, Prishtina

Dear Mr. Feith,

The ongoing process of establishing and recruiting the judges for the Constitutional Court is facing heavy criticism from the media and civil society in regards to the professionalism and transparency of this process. There are two important issues that concern us the most:

1. The commission is ignoring the facts presented by the media proving that some of the candidates do not fulfill criteria set in the Constitution of the Republic of Kosovo and
2. The composition of the commission on electing the candidates lacks the representatives from the Judicial Court (as requested by the Law on Judicial Court Article 6/2.6)

We are concerned that this very important process of establishing the Constitutional Court is not managing to stand strong against the political interferences. Having in mind the authority that the Constitution of the Republic of Kosovo grants to the International Civilian Officer we hereby request from you to ensure a strong scrutiny of the process and the work of the commission on bases of professionalism and transparency. We want to see people with extreme achievements in judiciary and with clean biographies become judges of the highest authority of justice in Kosovo.

We welcome any initiative from the ICO to engage civil society and media in the scrutinizing the process of selecting the judges and establishing the Constitutional Court of the Republic of Kosovo.