



EUROPEAN CENTRE
FOR MINORITY
ISSUES KOSOVO



Working Together on Minority Education:

Guidelines for Building Cooperation between Civil Society and Municipal Governments in Kosovo

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I. Introduction

These Guidelines provide municipal officials and civil society representatives with methods of working together to **protect** and **promote** the **rights of minority communities**, with a special focus on the **education** of minority children. They are intended to provide new and creative approaches for positive **interaction, participation** and **cooperation** among the key stakeholders in education in Kosovo. They are based on European best practices and the existing institutional framework with the ultimate aim of finding **lasting and sustainable** solutions for the challenges in minority education.

These materials build on the publications *‘Education for Minority Communities: A Manual for Municipal Officials’* and *‘Education Advocacy for Minority Communities: A Guidebook for Civil Society’*. All were produced by ECMI Kosovo as part of the project *“Improving the Service Delivery and Minority Rights Awareness at the Municipal and Civil Society levels”*, in cooperation with, and with the support of, UNICEF. The project aims to **strengthen** the **capacity** of **municipal officials** and **civil society representatives** to address challenges in minority education in their municipalities, while identifying **mechanisms for enhanced cooperation** between these stakeholders. It is a pilot project, focused on three municipalities: Ferizaj/Uroševac, Peja/Peć and Prizren/Prizren.

II. Civil Society

'Civil society' is commonly referred to as the '**third sector**', distinct from the public and private sectors. This represents a collective of voluntary collective action around **shared interests**, purposes and values distinct from family, state and profit-seeking institutions,. According to the United Nations' definition, 'civil society' is the 'association of citizens (outside their families, friends and businesses) entered into **voluntarily** to advance their interests, ideas and ideologies.' Civil society provides citizens an alternative way of channelling views and interests into the decision-making process other than through involvement in political parties. It builds **social capital**, thereby contributing to the creation of the necessary conditions for **development** and **democracy** to thrive.

The 'civil society' sector is comprised of civil society organisations (CSOs) known as *organised* civil society. According to the Council of Europe's definition, CSOs are 'voluntary self-governing bodies or organisations established to pursue the essentially **non-profit-making** objectives of their founders or members.' CSOs have the purpose of promoting causes and improving the lives of individuals. Their core activities focus on the values of social justice, human rights, democracy and the rule of law. As such, they enjoy, from their members and society, a **unique trust** to represent their interests, to voice their concerns and to gain involvement in causes. CSOs exist to further the needs of their members and for the benefit of wider society, forming a key **channel of participation** and a multiplier for the engagement of citizens.

In Kosovo, the development of civil society has been heavily influenced by the involvement and growth of the **international community** in the country following the 1999 conflict. This has directly impacted the composition and activities of CSOs. In the years following the resolution of the conflict, there was an **influx of funding** and support available to civil society, which led to a mass increase in the number of registered CSOs. As such, civil society did not grow primarily out of the needs and interests of citizens, but from **external influence** and **financial opportunity**. In more recent years, however, international involvement and donor contributions to CSOs have **constantly declined**. Since the Declaration of Independence in February 2008, donors have been channelling more of their funds toward supporting **public institutions** and less to CSOs, resulting in a decrease in their numbers. This rapid **expansion** and subsequent **contraction** of financial resources and support has led to a civil society that is generally **weak** and **donor-driven**, limiting their independent activities and overall participation.

Responsibilities of civil society in minority education

Ensuring **equal access** to quality education is a concern of all citizens and its promotion is an important focus of civil society. This is especially true of community CSOs, as their communities face significant **challenges within the education system**, including: higher drop-out rates from school, lower attendance and performance, a lack of adequate textbooks and qualified teachers and insufficient opportunities to study in their mother-tongue.

CSOs aim to overcome these challenges through three major **types of activities**:

Advocacy: to ensure the **protection** and **promotion** of community rights by public authorities in the education system, especially regarding the drafting and implementation of educational legislation, policies and initiatives. This is based on **monitoring** and **oversight** of the Government. CSOs stay aware of education conditions for their communities, identify problems and provide solutions to the appropriate authorities, **systematically pushing for change** that will improve education for minorities.

Capacity-Building: to strengthen the ability of **decision-makers** to address the education problems facing their communities, including **awareness** of minority rights and their legal obligations, as well as **approaches** to minority inclusion. This is based on the provision of **trainings**, as well as the production of reports and informational materials. CSOs develop their own **expertise** on community education through their connection with their communities, then **transfer** this **knowledge** to relevant public authorities to enable them to effectively meet the needs of minority communities. Capacity-building can also include CSOs **empowering community members** to access their education rights. This entails CSOs using their knowledge of education and minority rights, legislation and policies to train individuals on how to guarantee their rights are protected and promoted, through **legal processes** and advocacy.

Service-Delivery: to fill any gaps in the **implementation** of legislation, policies and strategies that impact the education of minority communities. This entails **monitoring** the delivery of education and **providing services** needed by the community insufficiently addressed by public authorities, such as the provision of specialised courses, support to community parents to register their children or supporting the design and conduct of **programmes**. CSOs identify means for **cooperation** with public authorities and pursue programmes, with public or donor financial support.

Overcoming challenges in minority education: civil society

Based on these activities, the role of CSOs in minority education can be illustrated through the following **examples**, which are based on **challenges** facing minority communities.

Challenge in Minority Education	Role of Civil Society
Discrimination or segregation in schools	<ul style="list-style-type: none"> • <u>Advocacy</u>: Research anti-discrimination laws and policies; identify and investigate cases of discrimination or segregation; bring these cases to the attention of the relevant school or Government authorities and push for their resolution. • <u>Capacity-Building</u>: Conduct awareness-raising and training activities on minority discrimination with Government authorities, school staff, parents and the general public. • <u>Service-Delivery</u>: Monitor the implementation of anti-discrimination legislation; identify inadequacies in implementation; conduct awareness-raising and anti-discrimination programmes and contribute to the drafting of anti-discrimination legislation, policies and strategies.
Low attendance and high drop-out rates in schools	<ul style="list-style-type: none"> • <u>Advocacy</u>: Research the causes of low attendance and high drop-out rates among minority children; identify solutions to these problems, push for change by public authorities and relevant stakeholders. • <u>Capacity-Building</u>: Conduct awareness-raising and training activities for public authorities and school staff on the causes of low attendance and high drop-out rates of some minority children and approaches to resolving these problems. <p><u>Service-Delivery</u>: Implementation of programmes to improve the attendance and prevent dropping-out of minority children in schools, including awareness-raising activities, provision of homework assistance or after-school courses and negotiating with parents.</p>

III. Municipal Government

While the provision of education to minority communities starts at the central level, with the setting of educational **legislation, policies and strategies**, it is the Municipal Government that takes these standards and brings them into the educational system, directly impacting all children. Municipalities have **full and exclusive powers**, in so far as they concern **local interest**, for the provision of **public education at the pre-primary, primary and secondary education**, with respect to national legislation. This includes the registration and licensing of schools, as well as the recruitment, payment and training of instructors and school administrators (*Law on Local Self Government*, Art. 17; *Law on Education*, Art. 4). Municipalities are further responsible for the **construction of educational facilities, registration and admission** of students based on **non-discrimination** and selection of Directors and Deputy Directors of schools. They should **supervise and inspect** the education process and **monitor and report** on students' **educational and social progress** to parents and relevant authorities (*Law on Education*, Art. 5). The municipality is further responsible for **educational administration**, including the provision of administrative services for pre-primary, primary, secondary and higher education (*Law on Education*, Art. 6).

Municipal Directorate of Education (MDE); Municipal Education Director (MED)

Each municipality is obliged to establish a Municipal Directorate of Education with sufficient professional and support staff to perform the **educational duties** of the municipality. Each MDE will be managed by an appointed Municipal Education Director (MED). The MDE, under the leadership of the MED, is responsible for the provision of public **pre-university education**, the construction and maintenance of the education infrastructure, as well as the management of **education staff**.

Municipal Community Office (MCO)

Municipal Community Offices are responsible for **enhancing the protection** of community rights and ensuring **equal access** for communities to public services at the municipal level. They were obligatory under UNMIK regulation 2007/30 in municipalities that have a substantial minority population. The MCOs are not currently mentioned in Kosovo legislation, but continue to fill their mandate.

Overcoming challenges in minority education: municipal officials

Based on these activities, the role of the Municipal Government in minority education can be illustrated through the following **examples**, which are based on **challenges** facing minority communities.

Challenges in Minority Education	Responsibilities/Contributions of Municipal Government
Discrimination or segregation in schools	<ul style="list-style-type: none"> • Implement legal norms and international standards that prevent discrimination and segregation of children in separate schools, facilities and classes. • Provide effective measures for the prevention of discrimination and segregation and to enable active desegregation. • Ensure adequate conditions for inclusion of all children belonging to minority communities in the educational system. • Organise extracurricular activities in which all pupils of all communities can interact, share experiences and build friendships, especially in cases where children are divided between languages of instruction, curriculums or because of distance of schools from other communities. • Train school directors, teachers and school administrators in special programmes for elimination of prejudices and for promotion of intercultural and interethnic tolerance. • Build the capacities in minority communities to recognise, document and to take further action in cases of discrimination or segregation in education. • Listen to and respond to reports of discrimination or segregation from CSOs, parents or students.
Low attendance and high drop-out rates in schools	<ul style="list-style-type: none"> • Monitor the attendance of students and identify cases of low attendance and dropping-out at all levels. Investigate and analyse the reasons for low attendance and dropping-out. • Design and implement programmes to increase attendance, prevent drop-out and re-integrate students who dropped out, support or finance such initiatives by CSOs. • Organise informational meetings with community members on compulsory education and legal obligations. Ensure the community is aware of the need for compulsory education and consequences of not adhering to the law, as well as support available for education. • Establish incentives and stimulating mechanisms to increase attendance and bring children back to schools. • Provide scholarships and support for minority children with poor socio-economic conditions.

IV. Conditions for Civil Participation

Civil society and the Municipal Government have different, but equally important, **responsibilities** and **contributions** for the provision of education to minority communities. Meaningful cooperation ensures that both parties work together to effectively meet the needs of minority communities, which should be enabled and promoted accordingly. **Civil participation** is a process of **consultation** and **cooperation** between local, regional and national authorities with CSOs. This allows CSOs to **influence** and **share control** over priority setting, policy-making, resource allocation and access to public goods and services. In this regard, civil society plays an important role in **exercising participatory democracy**, as a key channel of participation for the engagement of its members in public and political life. This is especially important for members of minority communities, who are often **underrepresented** in Government institutions and decision-making bodies. In order to enable civil participation, a number of **external** and **internal** conditions must be met. The following framework is based on the *Code of Good Practice for Civil Participation* produced by the Conference of International Non-Governmental Organisations in Council of Europe member states.¹

Principles of Civil Participation

To encourage civil society participation in the work of government institutions, both actors should act on the **common principles** for civil participation listed below. The respect of these principles guarantees participation based on **good practice** and **valid methods** for engaging with public authorities.

- **Participation**: The benefits of civil participation in the political decision-making process can only be realised if **participation is allowed**, or encouraged by governments at all levels, local and national. For this to happen, the process for participation must be **open**.
- **Trust**: For civil participation to grow there must be mutual **trust** among all actors. Both government and civil society have their own aims and objectives, however, they must concentrate on building trust between each other. This should be based on a **respect** for differing opinions and beliefs, in the knowledge that both actors have the shared aspiration of improving people's lives and the society they live in.
- **Accountability, Transparency**: **Accountability** and **transparency** should be principles adhered to by both actors at all times, whether in dealing with the public, or

¹ Conference of International Non-Governmental organisations of the Council of Europe, *Code of Good Practice for Civil Participation in the Decision-Making Process* (CONF/PLE(2009)CODE1), adopted 1 October 2009, http://www.coe.int/t/ngo/Source/Code_good_practice_en.pdf

amongst themselves. This requires **taking responsibility** for their actions in the knowledge that they are acting on behalf of and for the people and society they represent.

- Independence: Throughout civil participation, CSOs should strive to **maintain** their **independence** at all times and public authorities should respect this. Independence means the **freedom to pursue** their objectives and those of their members without undue influence from external actors.

Enabling Environment for Participation

To ensure effective participation between civil society and public authorities, an enabling environment must be provided in which contributions of CSOs are enshrined in the political decision-making process. To set an enabling environment, the following conditions are required:

- Rule of law and democratic principles: Ensuring **rule of law** and **democratic principles** creates transparency, responsibility, and accountability for all public institutions, as well as **preventing** and combating all forms of **corruption**. This is essential for civil participation, enabling real influence in the decision-making process.
- Political will: Public authorities must be willing to engage with CSOs, **consider** their **inputs** and find ways to **address** their **concerns** throughout policy-making in order for civil participation to have an impact.
- Favourable legislation: A **legally-friendly environment** needs to be established to ensure that CSOs can **function properly** and have the opportunity to take part in political decision-making through inclusive processes.
- Registration and oversight of CSOs: A system of CSO **registration** and **oversight** is required to ensure the functioning of civil society and **authenticity** of CSOs to represent the interests of citizens and take part in political processes.
- Sustainable resources: **Financial** and other resources are necessary for an independent and fully functional civil society, which must be **sustainable** to enable CSOs to participate in decision-making on an ongoing basis.
- Shared spaces for dialogue and cooperation: Public authorities and CSOs need the opportunity to **come together** to discuss policy issues for civil participation to occur, through **ongoing communication** in forums, meetings and public debates.

Framework for Civil Participation in Kosovo

In Kosovo, the environment for cooperation between civil society and public authorities has **improved** in recent years, with the strengthening of democratic institutions, introduction of new legislation and development of CSOs through ongoing financial support and capacity-building. At the same time, CSOs continue to face significant **challenges** in achieving meaningful participation, with the Government lacking a **strategic approach** for cooperation.² Civil society representatives are often utilised by the Government as subject matter experts on an *ad hoc* basis, such as during policy drafting, rather than through a systematic process of inclusion in decision-making. This is the result of **weaknesses** within civil society, as well as significant **limitations** in the Government's willingness, obligation and opportunity to enable civil participation.

Environment for CSOs: Since its declaration of independence in February 2008, Kosovo has passed significant **legislation** promoting the functioning of CSOs. **Freedom of Association** is guaranteed in the *Constitution of the Republic of Kosovo*. This was followed by the *Law on Freedom of Association in Non-Governmental Organisations*, which creates the legal environment that strengthens and develops civil society and implements the right to freedom of association. It further establishes **procedures** for NGO registration and regulates their internal **governance, status** and **financial reporting** requirements, which is overseen by the Department for NGO Registration and Liaison within the Ministry for Public Services.

Despite this favourable legislation for the registration and functioning of CSOs, they remain significantly limited in their activities due to **financial constraints**. Of 4,600 registered NGOs, only 280 have **public beneficiary status**, with the remainder dependent on self-financing activities or donations.³ This results in civil society being largely **donor-driven**, leaving NGOs facing issues of **autonomy** and **authenticity** in mission and vision. The lack of sustainable resources limits the capacity of CSOs to push for civil participation in an ongoing and systematic way.

Environment for Cooperation: In November 2007, the Government of Kosovo signed a **Memorandum of Understanding** with Platforma Civikos, a coalition of NGOs, which aimed to establish a **framework for cooperation** between civil society and the Government and to develop a Government strategy for cooperation with civil society. However, no steps have been taken towards its implementation. Within the Government there exist **few incentives** for working with CSOs, especially at the central level where the importance of consultation

² Commission of the European Communities, "Kosovo (Under UNSCR 1244/99) 2008 Progress Report", available at http://www.wbc-inco.net/attach/kosovo_progress_report_en.pdf.

³ United Nations Development Programme, "Civil Society and Development. Kosovo Human Development Report 2008", available at http://www.kosovo.undp.org/repository/docs/HDR_final_eng_small.pdf.

is not fully understood and embraced. Public authorities often consider civil society their **opposition**, aiming to criticise or derail their work, which shows a **misunderstanding** of their responsibilities and also civil society's intentions.

At the municipal level, cooperation with civil society is often complicated by the **close ties** between municipal officials and CSOs, with many municipal officials operating their own CSOs. This undermines the **independence** of CSOs and limits the perceived need for systematic cooperation. Moreover, with minority education, cooperation with civil society is often delegated to the Municipal Community Office (MCO), with **no clear process** for the Municipal Education Directorate to include CSOs, or even to cooperate with the MCO. The result is that CSOs often contribute to minority education by providing needed services, but are **unable to provide regular input** into the work of the Government.

V. Civil Participation in Public Policy

Civil society and public authorities **interact** and **cooperate** in a variety of ways, depending on the **aims** of the Government, **capacities** of CSOs and **opportunities** within the political environment. Civil participation is accordingly possible throughout the public policy process, allowing CSOs to **influence** political decision-making at **all levels**. Public policy is the course of action, or inaction, that the Government makes on particular issues, such as minority education. This includes legislation, policies and strategies, as well as funding priorities that affect the delivery of education and protection of minority rights at the central and municipal levels. Every stage of public policy-making provides **opportunities** for CSO participation. These are presented in this section, with a special focus on the role of the Municipal Government in public policy. Each stage presented provides an opportunity for CSOs and public authorities to **interact** at different levels and for minority CSOs to **influence** the delivery of education to their communities.

Levels of participation

Participation can occur at **different levels**, depending on the level of engagement of civil society with public authorities and the influence of this participation on public policy. This section identifies **four gradual levels** of civil participation from the least involved to the most participatory.

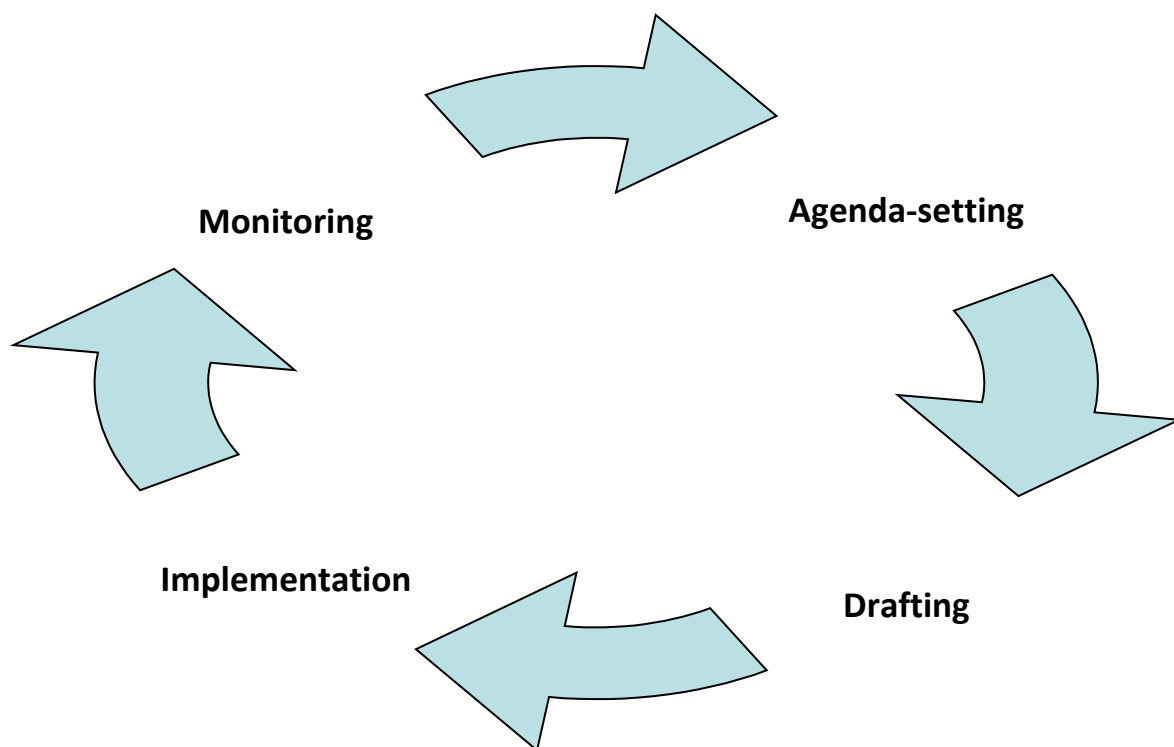
Information-sharing: Information-sharing is the **one-way provision** of information on public policy from public authorities to civil society. This is a necessary pre-condition for civil society to **get involved in** and **influence** the decision-making process. It is linked to transparency in that the Government should provide a **basic level of information** to CSOs to ensure their **awareness** of the issues most relevant to them. Information-sharing must also be present for the following three levels of participation.

Consultation: The next level up from information sharing is **consultation**. This is where public authorities ask civil society for their **opinion** on a specific policy topic or development, allowing a one-way provision of **feedback**. In consultation, CSO participation is at the initiative of the Government, connected to a specific activity. For example, the Government might share with CSOs information about a specific strategy or action plan to be produced and ask for **comments** and **recommendations**.

Dialogue: Unlike consultation, which is requested by the Government, dialogue can be initiated by either the Government or civil society and is based on **two-way communication**. It can be broad or collaborative. **Broad dialogue** refers to ongoing communication,

exchange of ideas on issues of mutual interest on a regular basis. **Collaborative dialogue** is built on mutual interests for a specific project or policy development. For example, the Government and CSOs may meet regularly to discuss developments in minority education.

Partnership: **Partnership**, unlike consultation and dialogue, implies **shared responsibilities** and places CSOs on the same level as the public authorities that they are cooperating with. Cooperation is **close** and it will often result in tasks being **delegated** to CSOs, such as implementation of a project or delivery of a service. Partnership is the highest level of participation, as CSOs are asked to **contribute directly** to public policy, rather than to merely provide input.



Participation in the policy-cycle

Public policy is developed through the 'policy-cycle', which starts with **identifying** a policy need and proceeds to **drafting** policy and ultimately to the **final implementation** and **assessment** of this. As such, the policy-cycle is a useful tool to analyse **opportunities for cooperation** in all stages of policy decision-making. Each stage provides opportunities for civil participation, enabling contributions from civil society and **establishing responsibilities** for municipal officials to support and utilise these contributions.

Agenda setting: This is the stage at which **issues** are **raised** by stakeholders, including politicians, civil society and citizens, for the development of legislation, policies and initiatives.

Civil Society Contributions	Municipal Officials Responsibilities
<ul style="list-style-type: none"> • CSOs can raise concerns and needs on issues of general public interest that are not yet covered (advocating). • CSOs can represent minority interests and needs with municipal officials and serve as the voice of the citizens (information and awareness-building). • CSOs may develop new solutions and approaches on a specific topic, provide new perspectives into the political agenda and create alternative or non-existing services for a specific user group (advice, innovation, and service provision). 	<ul style="list-style-type: none"> • Municipal officials have the responsibility to provide transparent information on the policy process and accessible procedures for participation (information-sharing). • Municipal officials must develop clear procedures to enable CSO participation (procedures). • Municipal officials have to ensure active involvement of relevant civil society representatives through budgetary or other support (resource provision) and give feedback (responsiveness).

Drafting: This is the stage where issues brought onto the agenda are developed into **specific legislation, policy, strategies** and other initiatives, through a **drafting, review** and **approval** process.

Civil Society Contributions	Municipal Officials Responsibilities
<ul style="list-style-type: none"> • CSOs can play an important role in suggesting policy instruments that municipal officials should use and commenting on proposals by experts (advice). • CSOs can propose policy solutions and correct misinformation (innovation). • CSOs can monitor the drafting process and promote protection of their rights and respect for their interests (watchdog function). 	<ul style="list-style-type: none"> • Municipal officials have the responsibility of providing adequate timelines and means for consultation and dialogue to ensure participation of different levels of civil society (resource provision). • Municipal officials may involve civil society in drafting parts of the legislative process (partnership).

Implementation: Policy **implementation** is when a policy is brought into **reality**. This is particularly important at the municipal level, as municipal officials have the primary responsibility to ensure that the **intended outcomes** of a policy are achieved.

Civil Society Contributions	Municipal Officials Responsibilities
<ul style="list-style-type: none"> • CSOs may raise public awareness on the benefits and the disadvantages of the drafted policy (information and awareness-building) • CSOs may subsequently assess and ensure that the policy is implemented as intended (watchdog function). • CSOs can also contribute by carrying the main responsibilities for delivery of a specific provision (service provision). 	<ul style="list-style-type: none"> • Municipal officials have the responsibility of establishing clear rules and transparent procedures for policy implementation (Procedures). • Municipal officials can enable cooperation through budgetary provisions, administrative services and strategic partnerships where civil society and public authorities can together share the full responsibility of the policy implementation (resource provision).

Monitoring:

Once a program is put in place, it is important to **review** its **results** in order to analyse its effectiveness. This is the final stage of the policy decision-making process and requires an evaluation of policies to avoid misinterpretation in the public and ineffectiveness.

Civil Society Contributions	Municipal Officials Responsibilities
<ul style="list-style-type: none"> • CSOs monitor the implementation of policies to promote positive impacts for society (advocacy). • CSOs can support or criticise policies based on whether the policies/programmes have achieved the intended purposes and reached the targeted beneficiaries, through monitoring (watchdog function), assessing activities, and researching the policy's impact (expertise). 	<ul style="list-style-type: none"> • Municipal officials must provide access to all information related to existing policies' status (information sharing). • Municipal officials must give responses and feedback to specific points raised by civil society (responsiveness).

VI. Mechanisms for Cooperation

With each **interaction** between municipal officials and civil society, there is an opportunity for minority CSOs to **influence** political decision-making and public policy on the issues that most **impact** their communities. To ensure these opportunities are **provided and promoted**, there are a range of mechanisms that can be utilised by both municipal officials and CSOs to enable civil participation. These mechanisms are primarily **informal**, which can be used *ad hoc* or on a **regular basis** to allow flexibility among stakeholders based on the particular issue of interest. Supplementing these are several **formal** mechanisms, which are regulated by legislation or policy to guarantee civil participation with the Government. This section provides an overview of possible informal and formal mechanisms for civil participation, which aim to provide **concrete actions** that can be taken by both municipal officials and CSOs to improve the level of civil participation in the municipality.

Informal mechanisms for cooperation

These are mechanisms that are not regulated, meaning they are **not required or dictated** by legislation or policy. This gives CSOs and municipal officials the freedom to choose the best way to cooperate based on the issues they aim to address, allowing for change to effectively meet their objectives. At the same time, informal mechanisms require the **will and action** of both municipal officials and CSOs to **identify** the best mechanisms and **utilise** them efficiently. These mechanisms are interrelated and often used in tandem, but can be best understood separately.

- Information-sharing is one of the most important mechanisms for the municipal government to enable the participation of civil society organisations. This requires Municipal Officials to **provide open access to information** at all stages of policy development, from agenda setting and drafting through to implementation and monitoring. The following tools can be used for the sharing of information:

• Municipal website	• Public message board	• Advertisements
Online database	• Electronic newsletter	• Press releases
• Press conferences	• Public tender announcements	• Informational meetings with CSOs
• Email alerts	• Public hearings	• TV and radio programmes

Municipal officials should ensure **equal access** to information for minority communities, providing information in **minority languages** and through the sources most available to them. CSOs need to monitor the information available and **make requests** and **apply pressure** when information is lacking to ensure their opportunities for civil participation.

- Awareness-raising/Advocacy enables CSOs to represent their communities' interests to the Municipal Government throughout the public policy cycle, promoting their interests in agenda-setting and drafting processes and monitoring and thereby ensuring the needs of the communities are met. This requires **knowledge of their communities' concerns** and **the opportunity to present** these concerns to the Municipal Government. The following tools can be used for awareness-raising/advocacy:

• Research	• Questionnaires	• Focus groups
• Data Collection	• Interviews	• Reports
• Campaigns	• Meetings	• Petitions
• Articles	• Task force for Minority Issues	• Forums with CSOs and Municipal Officials
• Posters	• Media	• Websites
• Public debates	• Leaflets	• Cultural events

CSOs should find ways to **identify** both the needs of their communities and to **monitor** the impact of policies on them, being **persistent** to ensure their inputs are heard and addressed. Municipal officials should **listen** to, and **consider** the inputs of CSOS throughout decision-making.

- Direct engagement between the Municipal Government and civil society enables the sharing of ideas between those **who make decisions** and **those that are impacted by them**. This provides CSOs not only with the opportunity to present the **needs** and **interests** of their communities, but to discuss how to address these issues with decision-makers and to find the best actions to take. This requires **spaces for discussion** and **debate** among key stakeholders. Informal tools for direct engagement include the following:

• Think tanks	• Conferences	• Public debates
• Informal Meetings	• Issue-based Task Forces	• Roundtables
• Hearings	• Expertise	• Partnerships
• Seminars		

Municipal officials should provide opportunities for **direct engagement** with CSOs at all stages in the policy cycle and be **willing to interact** with civil society actors, listen to their input and be **responsive** to their needs. CSOs need to remain focused to maximise all opportunities for engagement with municipal officials and encourage new opportunities be made available.

Formal mechanisms for cooperation

These mechanisms are **provided for in legislation**, or are **officially established** through policy decisions, and are accordingly regulated and required to be maintained. These ensure that CSOs have **guaranteed opportunities to participate** in the political decision-making process on an ongoing basis. Formal mechanisms ensure that the Municipal Government is **obliged to interact** with CSOs and, as such, are **stronger** than the informal ones. Simultaneously, they can be restrictive in their scope and usually have budgetary requirements. As such, they are not always the best medium for cooperation. Formal mechanisms should therefore be ensured at the municipal level, but must be **complemented** by informal mechanisms.

- Financial support is a necessary mechanism for cooperation as it enables the functioning and participation of CSOs. In general, there are **two ways** through which the Government can financially support civil society: **indirect financing** (financial facilitations for CSOs) and **direct financing** (grants systems). The Government furthermore supports CSOs by providing tax incentives and other support that increases their operational capacities. Financing can occur at both the central and municipal level, with the Municipal Government playing a substantial role in financing CSOs as partners in policy implementation. This may include:

• Support to CSOs to secure donor funding	• Grants to CSOs for operations	• Grants to CSOs for projects
• Partnerships	• Co-financing	• Procurement/Tenders
• Expertise	• Third-party payments	

The Municipal Government should ensure that procedures for CSO financing are clear, transparent and made **easily available** to civil society. Information on financing must be provided in all **official languages** of the municipality and should be **advertised** through sources that target minority communities. CSOs need to pursue all financial opportunities available to them and ensure **financial accountability** and reporting as required.

- Consultation Mechanisms establish regular forums specifically for the purpose of bringing civil society, or specialised groups of CSOs, together with decision-makers for the **review** and **commenting** on public policy documents and decisions. Participants in these mechanisms can have different **levels of influence** according to their positioning and function, ranging from **co-decision making** or **veto powers** to moral authority and influence on political actors. These mechanisms can be connected to the Municipal Assembly, Executive body or particular departments. This can include:

• Council within the Municipal Assembly	• Council within the Mayor's Office	• Council within a Municipal Department, i.e. education
• Local or regional councils	• Municipal task force on minority issues	

Municipal officials need to **support** the **establishment** of consultation mechanisms as required or needed by legislation or policy, to participate in these mechanisms and to be **responsive** to the input of CSOs. Meanwhile CSOs must remain informed and **actively participate**.

- Liaison office/officials establish a **point of contact** for interaction and cooperation between CSOs and the Municipal Government. The office or official would be responsible to **support** CSOs **registration**, as well as to **share regular information** with CSOs, **facilitate cooperation** between municipal officials and CSOs and **promote the interests** of CSOs within the work of the Government. This can include:

• Municipal CSO liaison office	• Municipal communities' office	• Departmental CSO liaison official
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Municipal officials should ensure that the CSO liaison office has **access** to all relevant municipal departments or personnel, and that municipal officials are **responsive** to its engagement. It is important that CSO liaison offices are not seen to take the need for cooperation with CSOs away from other officials; rather, the office should **provide support** to facilitate direct cooperation between municipal officials and civil society. CSOs need to be aware of any CSO liaison offices or officials and foster **positive relations** with them.

VII. Building Cooperation in Kosovo

Cooperation between civil society and the government has been **sporadic** in Kosovo, with few formalised mechanisms in place to ensure sustainable inclusion of CSOs in the **decision-making** and **public policy** processes, especially at the municipal level. While the signing of the Memorandum of Understanding with Platforma CiviKos in 2007 was an important, symbolic step in the Government's commitment to support **civil participation**, no further steps have been taken. Where cooperation has occurred, it has been based on a particular instance or on personal relations between public authorities and civil society representatives, which is **not sustainable** and restricts the opportunities for participation among minority communities. As such, the developed experience and expertise of civil society remains largely unused and Government officials continue to hold public policy-making as their **primary responsibility**, rather than a **shared duty** with civil society. At the same time, there are several important mechanisms for cooperation in place, which can be strengthened and utilised to improve **civil participation**, especially among minority communities in order to improve their **education**. These should be complimented systematically with **informal mechanisms** to build effective and meaningful cooperation to improve minority education.

Existing mechanisms for cooperation

At the central level, there are existing mechanisms for the participation of minority CSOs that both civil society and municipal officials should be **aware** of, which relate to and **complement** the mechanisms in place or that can be implemented at the municipal level. As such, it is important to look at both levels to identify the best ways to work together.

At the central level the Government has responsibility for the setting of **national legislation and policies**, the **registration** of CSOs and **provision** of financial resources to civil society, that all include mechanisms for civil participation. Special mechanisms are further in place to ensure the participation of minority communities.

- The **Consultative Council for Communities (CCC)** is the primary mechanism for consultation with civil society representatives from minority communities. Mandated for in the *Constitution of Kosovo*, it includes **nominated** members of all Kosovo's minority communities and representatives of key Government institutions. Its members have the right to **review** and **comment** on legislation and policies relevant to communities at the early drafting stage and provide **recommendations** for the **funding** of community projects. It also has a limited **budget** to fund small projects, especially research, by CSOs.

- The **Office for Community Affairs** within the **Office of the Prime Minister** (OCA/OPM) is a coordination and policy development office headed by the Prime Minister's Advisor on Community Issues. It has a **budget** to support the implementation of projects for community projects by CSOs.
- The **Ministry of Communities and Return** (MCR) is the key ministry charged with the protection and promotion of the rights of communities and their members and support for returnees and displaced persons. It **finances** projects for CSOs on these issues. All other **line ministries**, such as the **Ministry of Education, Science and Technology** (MEST), **Ministry of Health** and **Ministry of Culture, Youth and Sports** (MCYS) also provide funding to CSOs for projects based on their areas of activities.
- The **Department of NGO Registration and Liaison** is responsible for registering and maintaining a database of all CSOs, both local and international. It also processes applications for **public beneficiary status** and monitors the provision of financial support from the **Kosovo consolidated budget**.
- In addition, the Government and specific line ministries have facilitated *ad hoc* **consultation** with CSOs in the development of public policy, often with the assistance of its **Department for Communities**.

At the municipal level the Government is responsible for the **implementation** of national public policy, development of **local policies** and strategies and the provision of a range of **services** to its citizens, which should all include civil participation. Mechanisms are in place to enable general mechanisms for participation, as well as specific consultation for minorities.

- **Consultative Committees** must be established by each Municipal Assembly (MA) to enable **citizens' participation** in the decision-making process. These are comprised of citizens and representatives of non-governmental organisations and may submit **proposals**, conduct **research** and provide **opinions** on MA initiatives.
- **Communities Committees** include members of the MA and community representatives, including at least one representative from every community within the municipality, with these representatives comprising the majority. The Communities Committee has the mandate to **review** the compliance of municipal officials with applicable **law** and review all municipal **policies**, practices and activities related to protecting and promoting the rights and interests of communities. It further **recommends measures** to the MA that it considers necessary to ensure the implementation of provisions related to the needs of communities and to protect minority rights within the municipality.

- **Municipal Communities Offices (MCO)** are specialised offices of the Municipal Government, responsible for enhancing the **protection** of community rights and ensuring **equal access** for communities to public services at the municipal level. While not explicitly mandated to liaison with community CSOs, the MCO generally serves as the **key point of contact** between municipal officials and minority communities, especially CSOs, and provides support to other departments.

Applying these mechanisms to minority education

These mechanisms can be utilised by both community civil society organisations and municipal officials to **promote civil participation** in the delivery of minority education. The existing mechanisms should be maximally utilised, while **complemented** with a range of informal mechanisms as needed. Based on the previous examples, the following mechanisms could be utilised to improve minority education:

Challenge in Minority Education	Mechanisms for Cooperation
Discrimination or segregation in schools	<ul style="list-style-type: none"> • Communities Committees: CSOs can conduct research to identify instances of discrimination and segregation of minority communities in schools and issue reports to inform the members of the Committee so that they can recommend policies and actions to address these issues. The Committee can be used as a platform for advocacy of non-discrimination to the MA. Municipal officials can use the Committee as an opportunity for community input on decision-making on issues of discrimination and segregation. • Municipal Community Offices: CSOs should maintain positive relationships with their municipal community officers, informing them of any instances of discrimination or segregation and seeking advice on actions to take. Municipal community officers should liaison between CSOs and other municipal officials to promote participation of minority CSOs in their work, while all other municipal officials should use the MCO as a resource to identify CSO partners to implement initiatives to prevent discrimination against minority communities.

	<ul style="list-style-type: none"> • Information-sharing: Municipal officials should provide clear information to minority CSOs on their rights to non-discrimination and procedures for addressing grievances and any policies being developed or implemented. Municipal officials should support CSOs in identifying discrimination against minority communities and provide expertise on these issues. • Awareness-raising: CSOs need to raise municipal officials' awareness of the discrimination and segregation faced by their communities and advocate for change using any tools available. Municipal Officials need to use the knowledge and expertise of minority CSOs to develop best practices for preventing discrimination and segregation. • Direct-engagement: Municipal officials can establish a task force to bring information from minority communities on attendance in schools to the Municipal Government and find the best ways to address this issue.
<p>Low attendance and high drop-out rates in schools</p>	<ul style="list-style-type: none"> • Communities Committees: CSOs should utilise community representatives to raise awareness on the causes of dropping-out and low attendance and to promote policies and initiative to tackle them. Municipal officials should use the Committee for consultation and inputs on how to address low attendance and high-dropout rates among minority communities. • Municipal Community Offices: CSOs should use the MCO to gain access to education officials to advocate for initiatives to improve drop-out and attendance rates. Municipal officials should use the MCO as a liaison through which to share information on policies related to drop-out rates, opportunities for consultation on relevant initiatives and possibilities to support the implementation of related policies. It may also identify partners with which to work to improve school attendance among minorities. • Information-sharing: Municipal officials should provide

	<p>minority CSOs with clear information on initiatives and programmes aimed to address the causes of low attendance and on opportunities for participation in those processes, as well as calls for projects and tenders and other financial opportunities.</p> <ul style="list-style-type: none">• Awareness-raising: CSOs should raise municipal officials' awareness on the causes and impacts of dropping-out among minority communities and advocate for municipal support to improve the situation. Municipal Officials need to use the knowledge and expertise of minority CSOs to find the best ways of improving minority attendance in schools.• Direct-engagement: Municipal officials can establish a forum with minority CSOs to ensure regular dialogue on minority participation in schools and a task force to coordinate initiatives to improve minority attendance or a monitoring body, in cooperation with CSOs, to evaluate the impact of related policies. Municipal officials can establish formal partnerships with minority CSOs to implement policies to improve attendance.
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VIII. Conclusion: First Steps

Cooperation between civil society and the Government in Kosovo has **lacked a systematic approach** at all levels, resulting in sporadic opportunities for CSOs to influence public policy and decision-making. While the central government has expressed the **political will** to establish better cooperation with civil society through the memorandum of understanding with Platforma Civikos, little action has been taken. As such, municipal officials have little guidance on how to approach **civil participation** and need to take action on their own initiative to find the best ways to bring civil society into their decision-making processes.

These Guidelines provide a **range of tools**, based on international best practices, that municipal officials can use to interact with and build cooperation with civil society. As a first step, municipal officials, specifically the **Municipal Directorate of Education**, should use these guidelines to establish their own **system for cooperation** to improve minority education. This should reflect the needs of the communities within the municipalities and existing mechanisms for cooperation that can be utilised.

To achieve such a system, the following measures are recommended:

1. Clarify the roles of municipal officials and civil society for minority education within the municipality. The first step toward cooperation is the **clear understanding** of each actor's **separate responsibilities**. Municipal officials may wish to organise an inclusive meeting with community CSOs, the MCO and education officials to **review their mandates** and responsibilities and **discuss** and **debate** how they can effectively cooperate with each other on minority education. This will prepare both parties to identify specific mechanisms for enhanced cooperation.
2. Identify opportunities for CSOs and municipal officials to work together on minority education through a comprehensive sharing of information on initiatives already in progress and challenges needing to be overcome. Municipal officials should organise an **informational meeting** of all stakeholders in minority education. Education officials should provide **transparent** information on the situation of minority education in the municipality and their relevant activities, including policies and strategies in development. CSOs should inform municipal officials of their activities in minority education, including **research, service provision** and **support** of teachers and parents of children. This will ensure that municipal officials are aware of local CSOs' **expertise**, as well as their **capacities** and **initiatives** that can be used for partnerships with municipal authorities on minority education.

3. Establish an appropriate mechanism, such as a **task force**, to facilitate systematic cooperation to improve minority education in the municipality. Based on the opportunities identified in the informational meeting, municipal officials should design a **coordination body** to support cooperation with minority CSOs, including officials from the Municipal Directorate of Education, Municipal Community Officers and civil society representatives, as well as other stakeholders as appropriate. Once formed, the task force should establish its **mission**, based on the goals for improving minority education, establish **Rules of Procedure** for how the body will function and a **strategy** for its short and long-term objectives. The body can, in cooperation with the Communities Council, serve as a **focal point** for information-sharing with CSOs and **raising awareness** on communities' issues in education, as well as coordinating **consultation** with communities and partnerships for the delivery of services. The task force will accordingly be the start of a **systematic** and **coordinated approach** with civil society to improving minority education.

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