

**Organization for Security and Co-operation in Europe
MISSION IN KOSOVO**

**Pillar III (OSCE) Report 01/2008
On the Monitoring of the Assembly of Kosovo
1 December 2007 – 15 February 2008**

Highlights

- **Third Assembly of Kosovo holds its inaugural plenary session**
- **President of Kosovo, Prime Minister and Government elected**
- **President of the Assembly and Presidency members elected**
- **Assembly endorsed an initiative to amend the Constitutional Framework**
- **Assembly decides to depart from the Rules of Procedure in order to approve the laws related to the "Comprehensive Proposal on Kosovo Status Settlement"**
- **Assembly approves the Kosovo Consolidated Budget for 2008**
- **Assembly establishes thirteen standing committees**

1. Background

This fifty-fifth monitoring report is drafted in accordance with the Terms of Reference for UNMIK Pillar III for Institution Building (OSCE) Monitoring of the Assembly of Kosovo dated 26 November 2002 and is based on compliance with the Rules of Procedure adopted at the plenary session on 20 May 2005, as amended at the plenary session on 1-2 June 2006 and 18 September 2007 plenary session.¹

Pillar III (OSCE) monitored the Assembly's inaugural plenary session on 4/9 January 2008 and two regular plenary sessions, on 31 January and 15 February as well as four Presidency meetings, on 15 January, 21 January, 28 January and 13 February.

2. Overview

The 4/9 January inaugural plenary session of the Assembly of Kosovo was initially chaired by Mr. Mark Krasniqi (Albanian Christian Democratic Party/PShDK), the oldest Member of the Assembly and co-chaired by Ms. Njomza Emini (Alliance New Kosovo/AKR), the youngest Member of the Assembly.

- One hundred and twenty and one hundred and nineteen Members of the Assembly were present, respectively, at the 4 and 9 January inaugural plenary session.²
- Main agenda items of the 4/9 January 2008 inaugural plenary session:
 - Establishment of the Committee on Mandates and Immunities (See below the section entitled "The Committee on Mandates and Immunities".)
 - Oath of Members of the Assembly
 - Endorsement of the Assembly Presidency and President of the Assembly

¹ Note that the complete list of political party names and their recognized abbreviations referred to in the report are attached to the report.

² The figures given are the ones announced by the President of the Assembly or Chairperson at the beginning of each day.

(The nomination of the President of the Assembly and five Members of the Presidency was endorsed with 88 votes in favour, one vote in opposition and no abstentions. See the first item under the heading “Voting Process”.)

- Election of the President of Kosovo
(Mr. Fatmir Sejdiu was re-elected President of Kosovo in the third round with 68 votes in favour. See the second item under the heading “Voting Process”.)
- Election of the Prime Minister, Ministers and Deputy Ministers
(Mr. Hashim Thaçi was elected Prime Minister together with his cabinet with 85 votes in favour, 22 votes in opposition, and four abstentions.)

The 31 January plenary session of the Assembly of Kosovo was chaired by the President of the Assembly Mr. Jakup Krasniqi (Democratic Party of Kosovo/PDK) and co-chaired by Member of the Presidency Mr. Ibrahim Gashi (AKR).

- One hundred and eight Members of the Assembly were present at the 31 January plenary session.
- Main agenda items of the 31 January 2008 plenary session:
 - Review of the proposal on the number of Committees and their members
(The proposal was approved with 86 votes in favor and no votes in opposition.)
 - Appointment of Chairpersons, Vice-chairpersons and members of Assembly Committees
(The appointments were endorsed with 83 votes in favor and two votes in opposition.)
 - Appointment of two members of the Presidency from non-majority communities
(The appointments were endorsed with 89 votes in favor and four votes in opposition. See below the section entitled “Equal access and participation of communities”.)
 - Review of the request made by the Alliance for the Future of Kosovo (AAK) to amend the Constitutional Framework
(The request was approved with 89 votes in favor and one vote in opposition.)

The 15 February plenary session of the Assembly of Kosovo was chaired by the President of the Assembly Mr. Jakup Krasniqi (PDK) and by Member of the Presidency Mr. Xhavit Haliti (PDK).

- One hundred and eight Members of the Assembly were present at the 15 February plenary session.
- Main agenda items of the 15 February 2008 plenary session:
 - Notification regarding the publication of records of the electronic voting
 - Review of a motion made by five parliamentary groups to depart from the Rules of Procedure with regard to the review and approval of the laws envisaged in the UN Special Envoy’s “Comprehensive Proposal for Kosovo status settlement”
(The motion was approved with 80 votes in favor, six votes in opposition and four abstentions. See below the first paragraph under “Procedural motions.”)
 - Review of a motion to depart from the Rules of Procedure with regard to the review and approval the Draft Law on Kosovo Consolidated Budget for 2008
(The motion was approved with 86 votes in favor, ten votes in opposition and two abstentions. See below the second paragraph under “Procedural motions.”)
 - First and Second Readings of the Draft Law on Kosovo Consolidated Budget for 2008
(The draft law was endorsed in principle with 75 votes in favor and 12 votes in opposition, and it was approved with 73 votes in favor and 13 votes in opposition.)
 - Appointment of Naim Maloku (AAK) as member of the Presidency
(The appointment was endorsed with majority of votes in favor and no votes in opposition.)
 - Appointment of Deputy Ministers
(The Assembly endorsed the appointment of deputy ministers with 81 votes in favor, 16 votes in opposition and three abstentions.)

3. Parliamentary Practices and Proceedings of Assembly Sessions

Committee on Mandates and Immunities

- At the beginning of the 4 January inaugural session, the Chairperson Mr. Mark Krasniqi (PShDK) stated that as part of regular procedure the Assembly should establish the Committee on Mandates and Immunities to verify the documentation related to the 17 November 2007 elections, including recommendations made by the Central Election Commission and documents on the certification of election results by the SRSG. He then called on political entities represented in the Assembly to nominate one member each to serve on the *ad hoc* Committee on Mandates and Immunities. After each political entity had nominated its member, the Chairperson called the Assembly to vote on the entire Committee composition, which was endorsed with majority of votes in favor and no votes in opposition. Later, Mr. Arsim Bajrami (PDK), the Chairperson of the Committee on Mandates and Immunities, presented the Committee report which confirmed the results certified by the SRSG. Subsequently, the Chairperson called for a vote on Committee report, which was approved with majority of votes in favor and no votes in opposition.

According to Rule 3.3, the Chairperson shall, at the inaugural session, request from political entities represented in the Assembly to nominate one member each to the Committee on Mandates and Immunities, which verifies the mandates of Members of the Assembly. Therefore, the establishment of the Committee on Mandates and Immunities was in compliance with the Rules of Procedure.

Voting Process

- At the beginning of the session on 9 January, the Chairperson called on each of the political entities or communities entitled to a Presidency seat under the Constitutional Framework to nominate its representative(s) on the Presidency. Mr. Ramë Buja (Democratic Party of Kosovo/PDK) proposed Mr. Jakup Krasniqi and Mr. Xhavit Haliti, adding that Mr. Krasniqi was the candidate for President of the Assembly. Ms. Nekibe Kelmendi (Democratic League of Kosovo/LDK) named Mr. Eqrem Kryeziu and Mr. Sabri Hamiti, while Mr. Ibrahim Makolli (Alliance New Kosovo/AKR) nominated Mr. Ibrahim Gashi, and Mr. Lulzim Zeneli (Democratic League of Dardania/LDD) nominated Mr. Nexhat Daci. Mr. Slaviša Petković (Serb Democratic Party for Kosovo and Metohija/SDSKiM) stated that ten Kosovo Serb Members of the Assembly had not yet reached an agreement and so their representative on the Presidency would be named at a later date. However, Mr. Bojan Stojanović (Independent Liberal Party/SLS) stated that his parliamentary group³ wished to nominate Mr. Slobodan Petrović (SLS) for the Member of the Presidency. Mr. Mahir Yağcılar (Parliamentary Group “7+”)⁴ stated that his parliamentary group nominated Mr. Džezair Murati (Vakat) to serve first on the Presidency representing non-Kosovo Albanian and non-Kosovo Serb communities according to a rotation plan. Mr. Yağcılar did not give any further details of the rotation plan. Mr. Sabit Rrahmani (Democratic Ashkali Party of Kosovo/PDAK) objected to Mr. Yağcılar’s proposal arguing that his party should be likewise represented in the Presidency because it has three seats in the Assembly like Vakat and Turkish Democratic Party of Kosovo (KDTP). He requested that Ashkali community should be part of the rotation plan. Mr. Numan Balić (Democratic Action Party/SDA) also objected to Mr. Yağcılar’s proposal and argued that his party with two seats in the Assembly should be part of the rotation plan as well. The Chairperson stated that two members of the Presidency from non-majority communities would be elected at one of the next sessions when they reach an agreement. He then proceeded calling on the Assembly to vote

³ Mr. Bojan Stojanović announced that five out of ten Kosovo Serb and one Gorani Members of the Assembly had formed a parliamentary group under the SLS name and that he would be the leader of the group.

⁴ The parliamentary group “7+” consists of seven Members of the Assembly – three Bosniaks (Vakat), three Turks (KDTP) and one Roma (United Roma Party of Kosovo/PReBK).

on the six nominations *en bloc*, which were endorsed with 88 Members voting in favor and one in opposition.

According to Section 9.1.7 of the Constitutional Framework and Rules 4.1-2 of the Assembly Rules of Procedure, the Presidency consists of eight members of whom (a) two members shall be appointed by the party or coalition having obtained the highest number of votes in the Assembly elections; (b) two members shall be appointed by the party or coalition having obtained the second highest number of votes; (c) one member shall be appointed by the party or coalition having obtained the third highest number of votes; and (d) one member shall be appointed by the party or coalition having obtained the fourth highest number of votes. Furthermore, Section 9.1.8 of the Constitutional Framework and Rule 4.3 provide that the Assembly shall endorse the appointment of members of the Presidency by a formal vote. Thus, the voting procedure on six above-referred nominations for the Presidency was in compliance with Sections 9.1.7 and 9.1.8 of the Constitutional Framework and Rules 4.1 – 4.3. See below the section entitled “Equal access and participation of communities” for details on the appointment of two members of the Presidency from non-majority communities.

- After being endorsed as President of the Assembly, Mr. Jakup Krasniqi (PDK) chaired the remainder of the session. The President of the Assembly announced that the President of Kosovo Fatmir Sejdiu had resigned and that his resignation was accepted by the SRSG, and he called on PDK and LDK, as the governing coalition partners, to nominate their candidate for the post of the President of Kosovo. On behalf of PDK and LDK, Mr. Eqrem Kryeziu nominated again Mr. Fatmir Sejdiu for President of Kosovo. On behalf of the opposition parties, Mr. Ahmet Isufi (AAK) nominated Mr. Naim Maloku (AAK) as a presidential candidate, adding that he had the support of more than 25 Members of the Assembly. The President of the Assembly announced that the voting procedure would be in full conformity with the Constitutional Framework: voting would be carried out by secret ballot and a two-thirds majority would be required in the first two rounds of voting. The President of the Assembly started the election procedure, calling on one observer from each parliamentary group to witness the placement of ballots in the ballot box and the counting of votes. In the first round, Mr. Sejdiu received 62 votes and Mr. Maloku received 37 votes, while 16 ballots were declared as invalid, out of total 115 ballots cast. Since neither candidate received the necessary 80 votes, the procedure was repeated. In the second round, Mr. Sejdiu received 61 votes and Mr. Maloku 37, while 17 ballots were declared as invalid, out of total 115 ballots cast. In the third round of voting, Mr. Sejdiu was re-elected President of Kosovo with 68 votes in favor, while Mr. Maloku received 39 votes in favor and 11 ballots were declared as invalid, out of total 118 ballots cast.

The procedure used to elect the President of Kosovo was in compliance with Section 9.2.8 of the Constitutional Framework and Rule 16, which require that the President of Kosovo shall be elected by secret ballot and that election in either of the first two rounds of voting requires the candidate to receive the votes of a two-thirds majority of the members of the Assembly and a majority of the votes of all Members of the Assembly in subsequent round. The opposition’s nomination of a candidate was likewise allowed by Section 9.2.8, which provides that “[a] nomination for the post of President of Kosovo shall require the support of the party having the largest number of seats in the Assembly or of at least 25 members (emphasis added).”

The appointment of observers from each parliamentary group was not required by the Constitutional Framework or the Rules of Procedure but it was a welcome action that served to make the voting process more transparent.

- After Mr. Sejdiu was re-elected President of Kosovo and gave an acceptance speech, he formally nominated Mr. Hashim Thaçi (PDK) as Prime Minister of Kosovo. Mr. Thaçi presented a list of proposed Deputy Prime Ministers, Ministers and Deputy Ministers to the Assembly, noting that some Deputy Ministers from non-majority communities would be nominated later after some more consultations. The Assembly elected Mr. Thaçi together with proposed Deputy Prime

Ministers, Ministers and Deputy Ministers with 85 votes in favor, 22 votes in opposition, and four abstentions.

At the 15 February plenary session, the Assembly endorsed the nominations of three additional deputy ministers belonging to non-majority communities. The Deputy Minister for Education, Science and Technology and Deputy Minister for Local Government Administration were nominated by Vakaf (Bosniak community), while the Deputy Minister for Internal Affairs was nominated by SLS (Kosovo Serb community). All three nominations were endorsed *en bloc* with 81 votes in favor, 16 votes in opposition and three abstentions.

Pursuant to Section 9.3.8 of the Constitutional Framework, following Assembly elections, the President of Kosovo shall, after consultations with the parties, coalitions or groups represented in the Assembly, propose to the Assembly a candidate for Prime Minister. The Prime Minister shall be elected together with the Ministers by a majority of Members of the Assembly, which means by the support of at least 61 Members of the Assembly. Additionally, according to Section 2.1 of the Regulation 2004/50, On the Establishment of New Ministries and Introduction of Posts of Deputy Prime Minister and Deputy Ministers in the Executive Branch, the Deputy Prime Ministers and Deputy Ministers shall be appointed by the Prime Minister upon endorsement of the candidates concerned by the Assembly. The voting procedure on the election of the Government and subsequent deputy ministers was in compliance with the Constitutional Framework and Regulation 2004/50.

Amendment to the Constitutional Framework

- On 8 January, AAK Deputy President and Member of the Assembly Ahmet Isufi submitted a letter to the Presidency in which he requested the initiation of the procedure to amend Section 9.1.7 of the Constitutional Framework in order to allow AAK's representation in the Presidency. In the same letter, AAK proposed Mr. Naim Maloku to serve on the Presidency. At its 28 January meeting, the Presidency agreed with the request and decided to include it in the agenda of the 31 January plenary session for consideration. At the 31 January plenary session, when the Assembly discussed the AAK's request, leaders of each parliamentary group supported the request. Mr. Sabri Hamiti (LDK) however stressed that there was no urgency to amend the Constitutional Framework or expand the Presidency with one additional member. After the debate was over, the President of the Assembly called for a vote on the request to amend Section 9.1.7 of the Constitutional Framework, which was approved with 89 votes in favor, one vote in opposition and four abstentions. The request was forwarded to the SRSG who has the authority to amend the Constitutional Framework.

Following the Assembly request, on 8 February, the SRSG amended Section 9.1.7 of the Constitutional Framework adding a new subparagraph (e) after the existing subparagraph (d), which provides that "one member of the Presidency shall be appointed by the party or coalition having obtained the fifth highest number of votes in the Assembly elections." At the 15 February plenary session, the Assembly formally endorsed the nomination of Mr. Naim Maloku (AAK) as member of the Presidency with majority of votes in favor and no votes in opposition, out of 108 Members present at the session.

According to Section 14.3 of the Constitutional Framework, the SRSG, on his own initiative or upon a request supported by two thirds of all members of the Assembly, which means at least 80 votes, may amend the Constitutional Framework. Thus, the procedure to amend Section 9.1.7 of the Constitutional Framework and subsequent appointment of Mr. Maloku as member of the Presidency were carried out in compliance with the Constitutional Framework, respectively its amended version.

Procedural motions

- At the beginning of the 15 February plenary session, the President of the Assembly stated that six parliamentary groups proposed a procedural motion to depart from the Rules of Procedure in order to review and approve in short procedure the laws envisaged in the UN Special Envoy's

“Comprehensive Proposal for Kosovo Status Settlement” (hereinafter, Ahtisaari’s proposal). According to the proposed procedural motion:

“(1) the first reading of draft laws shall be carried out within 24 hours after their submission to the Assembly. Such draft laws should be reviewed by an *ad hoc* Committee within 24 hours. Without prejudging the contribution of the main committees, the *ad hoc* Committee shall exercise the duties of a functional committee. The second reading of draft laws shall be carried out no longer than two days after their submission to the Assembly.

(2) the *ad hoc* Committee shall consist of nine members with equal representation of all communities in the Assembly. Its composition shall reflect the representation in the Assembly Presidency.

(3) substantial changes to draft laws shall be made only if two-thirds of committee members deem it to be necessary. The draft laws shall be approved by the Assembly with the support of the majority of Members of the Assembly. The laws shall become effective after the Constitution becomes effective and shall be signed by the President of Kosovo.

(4) each parliamentary group shall be allowed five minutes to comment on the laws during their second reading.

(5) financial statements of laws shall be submitted to the Assembly within 60 days and no later than 180 days after the approval of laws.”

Mr. Bojan Stojanović, the leader of SLS parliamentary group, stated that his group did not object to the motion but wished to abstain since it was not present in the previous Assembly, when Ahtisaari’s proposal had been approved. Six parliamentary groups nominated its members to the *ad hoc* Committee, while SLS parliamentary group leader stated that his group had not yet decided and would do so later.⁵ Some Members of the Assembly objected to the proposed procedure considering it very hasty and not compliant with parliamentary practice. Nevertheless, the Assembly approved the procedural motion to depart from the Rules of Procedure with 80 votes in favor, six votes in opposition and four abstentions.

Pursuant to Rule 61, “[d]epartures from the provisions of the Rules of Procedure may be decided upon the decision of two-thirds of the Members of the Assembly present.” Thus, the Assembly has the right to depart temporarily from its Rules of Procedure. The procedural motion above, except point (5) related to the submission of financial statements, was in compliance with Rule 61. Section 9.1.11 of the Constitutional Framework states that “[t]he Budget Committee shall be responsible for ensuring that all proposed laws having budgetary implications are accompanied by a financial impact statement (emphasis added).” This provision does not leave room for the determination to submit financial statements of draft laws in 60 to 180 days after a law has been approved by the Assembly. While the Assembly has the right to depart from its Rules of Procedure, it does not have the right to depart from provisions of the Constitutional Framework. Therefore, each draft law submitted to the Assembly must have its financial impact statement.

- Later during the 15 February plenary session, the President of the Assembly presented another procedural motion to depart from the Rules of Procedure in order to carry out the first and second readings of the Draft Law on Kosovo Consolidated Budget for 2008 at the session in question. PDK, LDK, LDD, AKR, 7+ and SLS parliamentary groups supported the motion, while AAK objected to it and sought more time to review the draft law on Kosovo Consolidated Budget. Nevertheless, the President of the Assembly called for a vote on the procedural motion, which was approved with 86 votes in favor, 10 votes against and 2 abstentions. After the approval of the motion, the Assembly held the first reading of the draft law and endorsed it with 75 votes in favor and 12 votes in opposition. After a short break, the Assembly carried out the second reading of the draft law on Kosovo Consolidated Budget. Mr. Gani Koci (PDK), the chairperson of the Budget Committee, presented the committee recommendations to the draft

⁵ The *ad hoc* Committee consist of nine members in which PDK and LDK parliamentary groups have two members each, while AKR, AAK, LDD, 7+ and SLS have one members each.

law. Most of the parliamentary groups supported the Budget Committee recommendations, but AAK and LDD parliamentary groups objected to the recommendations and stated that they would vote against the draft law. Then, the President of the Assembly called for a vote on the draft law on Kosovo Consolidated Budget for 2008, which was approved with 73 votes in favor and 13 votes in opposition.

The procedural motion on the approval of Kosovo Consolidated Budget for 2008 was in compliance with Rule 61.

Committees

- At its meeting of 15 January, the Presidency discussed a proposal to increase the number of Assembly committees from ten to 13 of which eleven standing committees would have eleven member each, except the Budget Committee and Committee on Rights and Interests of Communities, whose composition is defined by the Constitutional Framework.⁶ According to the proposal in question, PDK and LDK parliamentary groups would chair three committees each, AKR and AAK parliamentary groups would chair two committees each, while LDD, 7+ and SLS parliamentary groups would chair one committee each.⁷ Mr. Nexhat Daci (LDD) objected to the proposal to allocate two committee chairmanship posts to AAK and one to LDD arguing that LDD won one more seat in the Assembly elections than AAK.⁸ Mr. Xhavit Haliti (PDK) stated that committee chairmanship posts are proportionally allocated to parliamentary groups, not to political entities. He stressed that parliamentary groups may be coalitions formed in the Assembly after elections adding that since AAK parliamentary group had two more members than LDD, it had the right to chair one more committee than LDD. The President of the Assembly argued that coalitions among parties may be formed before elections according to the Constitutional Framework, not after elections. Mr. Daut Beqiri, Head of the Department for Legal and Procedural Support, explained that committee chairmanship posts are allocated to parliamentary groups in proportion to the number of seats they have in the Assembly, not according to the number of seats won by parties in the elections. Mr. Eqrem Kryeziu (LDK) proposed that the Presidency should consult with the international community on this matter. So, the President of the Assembly and other members agreed to seek a legal interpretation of the matter by UNMIK's Office of The Legal Advisor.

In his letter, the Legal Advisor confirmed that committee chairmanship posts are allocated to parliamentary groups in proportion to the number of seats they have in the Assembly according to Constitutional Framework. At its 21 January meeting, based on the legal interpretation provided by UNMIK's Legal Advisor, the Presidency approved the above-referred proposal on the allocation of committee chairmanship posts and included it in the agenda of the 31 January session for approval.

At the 31 January plenary session, the Assembly approved the proposal on the number of committees and their members with 86 votes in favor and no votes in opposition. As to the proposal on the appointment of committee chairpersons, vice-chairpersons and members, Mr.

⁶ According to Sections 9.1.11 and 9.1.12 of the Constitutional Framework, the Budget Committee shall be composed of twelve members, while the Committee on the Rights and Interests of Communities shall be composed of two members from each of Kosovo's communities elected to the Assembly.

⁷ PDK parliamentary group will chair the Committee on Budget and Finance; Committee on Legislation and Judiciary; and Committee on Internal Affairs and Security; LDK parliamentary group will chair the Committee on Education, Science, Technology, Culture, Youth, and Sports, Committee on Human Rights, Gender Equality, Missing Persons and Public Petitions, and Committee on Foreign Affairs; AKR parliamentary group will chair the Committee on Economy, Trade, Industry, Energy, Transport, and Telecommunications and Committee on Public Services, Local Administration, and Media; AAK parliamentary group will chair the Committee on European Integration and Committee on Mandates, Immunities and Rules of Procedure; LDD parliamentary group will chair the Committee on Agriculture, Forestry, Rural Development, Environment, and Spatial Planning; 7 + parliamentary group will chair the Committee on Health, Labor, and Social Welfare; and SLS parliamentary group will chair the Committee on Rights and Interests of Communities and Returns.

⁸ On 9 January, AAK (10 seats), SDA (2 seats) and IRDK (1 seat) established a joint parliamentary group under the name of AAK, which counts 13 members. LDD parliamentary group counts 11 members.

Slaviša Petković complained that his party was not consulted regarding the allocation of committee membership to Kosovo Serb entities. Thus, the President of the Assembly postponed the vote on the composition of the Committee on Rights and Interests of Communities in order to allow more time for consultations among Kosovo Serb entities in the Assembly. The President of the Assembly called for a vote *en bloc* on the compositions of twelve other committees, which were approved with 83 votes in favor and two votes in opposition. The composition of the Committee on Rights and Interests of Communities was approved at the following session held on 15 February with majority of votes in favor and no votes in opposition.

Rules 11.1-11.3 provide that “[t]he parliamentary group is a political formation that consists of no less than six Members of the Assembly on account of a common political aim. The name of the leader and members of the parliamentary group shall be communicated to the President and Presidency of the Assembly in writing.” A parliamentary group may be a coalition formed in the Assembly between two or more political entities. Therefore, the formation of a joint parliamentary group between AAK, SDA and IRDK was in compliance with the Rules of Procedure as was the formation of 7+ and SLS parliamentary groups. AAK, SDA and IRDK likewise communicated their decision to the President and Presidency in writing, as required by the rules above. As to the distribution of committee chairmanship posts, the Rule 42.4 stipulates that “[i]n reaching the agreement for the distribution of posts of committee chairpersons among the parliamentary groups, the Presidency shall consider the proportion of the power of parliamentary groups (emphasis added).” It is clear that committee chairmanship posts are allocated to parliamentary groups proportionally to the number of seats they have in the Assembly. Thus, the allocation to the AAK parliamentary group of two committee chairmanship posts versus one to LDD parliamentary group was in compliance with the Rules of Procedure.

4. Equal Access and Participation of Communities

- On 15 January, eight out of ten Kosovo Serb Members⁹ of the Assembly submitted to the Presidency a letter in which they all agreed to nominate Mr. Slobodan Petrović (SLS) to serve on the Presidency representing Kosovo Serb entities in the Assembly. At its 28 January meeting, the Presidency decided to include Mr. Petrović's nomination in the agenda of the 31 January plenary session for formal endorsement by the Assembly.

At the meeting held on 29 January, members of parliamentary group “7+” and Mr. Xhevdet Neziri (IRDK/Egyptian) with the mediation of Member of the Presidency Xhavit Haliti (PDK) and the Assembly Secretary Ismet Krasniqi reached an agreement according to which non-Kosovo Albanian and non-Kosovo Serb entities in the Assembly would be represented in the Presidency based on a rotation plan, as follows:

- the first year of term (12 months) – coalition Vakati (Bosniaks);
- the second year of term (12 months) - KDTP (Turks);
- the third and fourth years of term - six months each: PDAK (Ashkalis), SDA (Bosniaks), IRDK (Egyptian) and PReBK (Roma).

According to the rotation scheme, Mr. Džezair Murati (Vakati) would serve on the Presidency during the first year.

At the beginning of the 31 January plenary session, the President of the Assembly announced that non-Kosovo Albanian and non-Kosovo Serb entities in the Assembly had reached an agreement on their representation in the Presidency and that the appointment of their member would be added to the agenda of that day's session. Mr. Numan Balić (SDA) objected to the agreement arguing that nobody had consulted the representatives of SDA, PDAK and GIG, which altogether have six seats in the Assembly, and he asked for the matter to be postponed. Mr. Slaviša Petković also objected to the nomination of Mr. Petrović as member of the

⁹ Only Mr. Slaviša Petković (SDSKiM) and Vladimir Todorović (SDSKiM) did not support the nomination of Mr. Slobodan Petrović as member of the Presidency.

Presidency. The President of the Assembly nevertheless proceeded calling for a vote on the proposal to include the matter in the agenda, which was approved with 82 votes in favor, eight votes in opposition and nine abstentions. Later during the session, the President of the Assembly called for an *en bloc* vote on the formal endorsement of Mr. Petrović's and Mr. Murati's nominations as members of the Presidency. The nominations were endorsed with 89 votes in favor, four votes in opposition and no abstentions.

Section 9.1.7 (e)¹⁰ of the Constitutional Framework provides that one member of the Presidency "shall be appointed from among the members of the Assembly belonging to parties having declared themselves representative of Kosovo Serb community". The proposal to nominate Mr. Petrović as member of the Presidency was agreed upon and signed by eight out of ten Members of the Assembly belonging to Kosovo Serb community. Mr. Petrović's nomination is considered valid as it received the support of the vast majority of Kosovo Serb Members.

Section 9.1.7 (f) of the Constitutional Framework provides that one member of the Presidency "shall be appointed from among the members of the Assembly belonging to parties having declared themselves representative of a non-Kosovo Albanian and non-Kosovo Serb Community. The method for appointing this latter member shall be determined by members of the Assembly belonging to these same Communities." The rotation plan was agreed upon and signed by eight¹¹ out of fourteen Members of the Assembly belonging to non-Kosovo Albanian and non-Kosovo Serb Communities. Nevertheless, four other Members (three PDAK and one GIG) did not object to the agreement presented at the 31 January plenary session. In this sense, a majority of the Members agreed upon a method for appointing their representative in the Presidency, and decisions may be made by the majority of Members involved, unless otherwise specified.

5. Access

During the reporting period, Pillar III (OSCE) received access to the plenary sessions and Presidency meetings under review. Pillar III (OSCE) also received copies of documents considered by the Assembly and transcripts of plenary sessions.

6. Transparency

At the beginning of the 15 February plenary session, the President of the Assembly announced that the records of electronic votes would be printed and submitted to all Members of the Assembly and published on the Assembly website starting from the session in question.

The Pillar III (OSCE) and National Democratic Institute had recommended to the previous Assembly last year to make public the records of electronic votes, but such a recommendation encountered reluctance among some parliamentary groups. However, the actual readiness to make public the records of electronic votes is a very positive development in enhancing transparency of the Assembly, particularly Members' accountability in relation to their constituencies.

Radio Television Kosovo provided live television coverage of the plenary sessions under review. Members of the public and institutional monitors were granted admission to the plenary sessions. The Assembly has a website (www.kuvendikosoves.org, www.skupstinakosova.org, www.assembly-kosova.org) containing biographical details of Members of the Assembly, information about the structure and functioning of the Assembly, minutes and transcripts of Assembly meetings, copies of laws and resolutions adopted by the Assembly, along with other information.

ENDS.

¹⁰ Note that after the amendment to Section 9.1.7 of the Constitutional Framework made by the SRSG upon the Assembly request, subparagraphs (e) and (f) referred to in the commentary above have been, respectively, renumbered as (f) and (g).

¹¹ KDTP (three members), Vakati (three members), PReBK (one member) and IRDK (one member).

Political Party Names and Abbreviations as used in this report

Democratic Party of Kosovo (PDK)

Democratic League of Kosovo (LDK)

Alliance New Kosovo (AKR)

Democratic League of Dardania (LDD)

Alliance for the Future of Kosovo (AAK)

Turkish Democratic Party of Kosovo (KDTP)

Albanian Christian Democratic Party (PShDK)

Democratic Ashkali Party of Kosovo (PDAK)

Serb Independent Liberal Party (SLS)

Democratic Action Party (SDA)

Serb Democratic Party for Kosovo and Metohija (SDSKiM)

United Roma Party of Kosovo (PReBK)

New Democratic Initiative of Kosovo (IRDK)

Gora Citizens Initiative (GIG)