



Final Evaluation Report

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Table of Contents

Executive Summary	6
1 Introduction	12
1.1 The Assembly of Kosovo	12
1.2 Description of the Action	13
1.2.1 Objectives and outputs of the three projects	13
1.2.2 Target beneficiaries and stakeholders of the three projects.....	13
1.2.3 Methodology of the parliamentary twinning projects	14
1.3 Objectives of the evaluation assignment	14
1.4 Methodology of the evaluation	15
1.4.1 Hypothesis of the evaluation	15
1.4.2 Holistic approach.....	15
1.4.3 Assessment on programme delivery	16
1.4.4 Technical assessment on project themes	16
1.4.5 Quality and implementation of recommendations	16
1.4.6 Data collection.....	17
1.4.7 Challenges to the evaluation	17
2 Evaluation questions and answers	18
3 Assessment on programme delivery	26
3.1 Project Design.....	26
3.1.1 Relevance	26
3.1.2 Selection of implementation instrument	26
3.1.3 Sequencing and scope of the projects	26
3.2 Project Implementation	27
3.2.1 Appreciation of results.....	27
3.2.2 In-depth assessments	27
3.2.3 Capacity building	27
3.2.4 Flexibility and adaptation.....	28
3.2.5 Inter-parliamentary network.....	28
3.2.6 Recommendations for change	28
3.2.7 Action Plan	29
3.3 Project Management.....	31
3.3.1 In-kind support.....	31
3.3.2 Internal monitoring and Steering Committee.....	32

3.3.3	Short-Term Experts.....	32
3.3.4	Political engagement.....	33
3.3.5	Relations with other donor projects.....	33
3.3.6	Involvement of the EU Office in the project.....	34
4	Technical assessment on themes of the programme	36
4.1	Independence for the Assembly of Kosovo	36
4.1.1	Draft Law on the Assembly	36
4.1.2	Draft Law on hold	37
4.2	Legislation in the Assembly of Kosovo	39
4.2.1	Legislative process in parliament	39
4.2.2	Government documentation on draft laws.....	41
4.2.3	Statement of harmonization and Tables of Concordance	41
4.2.4	Unit for approximation of legislation with the EU acquis.....	42
4.2.5	Consolidation of legislation.....	43
4.2.6	Practices of accelerated approval of legislation	44
4.2.7	Legislative tracking system	44
4.2.8	Multilingual functioning of the Assembly	45
4.2.9	Two legislative manuals	45
4.3	Financial, HR and ICT management in the Assembly of Kosovo	46
4.3.1	Financial and budgetary management.....	46
4.3.2	Human resources.....	48
4.3.3	Information and Communication system	50
4.4	Oversight by the Assembly of Kosovo	51
4.4.1	Oversight of the government.....	51
4.4.2	Oversight of independent institutions	52
4.5	Strengthening the Committee on European Integration and the other Committees regarding the SAA process.....	55
4.5.1	Role and functioning of the Committee on European Integration.....	55
4.5.2	EU-Kosovo Stabilisation and Association Parliamentary Committee.....	57
4.5.3	Strengthening the involvement of other committees in the SAA process.....	57
4.5.4	Role of the Assembly in raising general awareness on EU issues	57
4.6	Administrative support to MPs related to tasks of the European integration process	58
4.6.1	Developing administrative structures responsible for the EU integration tasks.....	58
4.6.2	Strategy on international relations and interparliamentary cooperation in the light of the SAA	59
4.6.3	Improving and enhancing research activities	60

Deleted: 56

5 Conclusions and recommendations 61

5.1 Conclusions 61

5.2 Recommendations ~~63~~

Annexes ~~68~~

Annex 1: Terms of Reference of the evaluation ~~68~~

Annex 2: Profile of the evaluator ~~80~~

Annex 3: List of interlocutors, evaluation mission, October 2018..... ~~81~~

Annex 4: Literature consulted..... ~~83~~

Annex 5: Analysis table of the quality and status of implementation of the Action Plan..... ~~84~~

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Acronyms

AoK	Assembly of Kosovo
CEI	Committee for European Integration
CRIS	Common External Relations Information System (European Commission)
CSOs	Civil Society Organizations
DPIR	Directorate for Protocol and International Relations
EC	European Commission
EEA	European Economic Area
EICU	EU integration coordination unit
EP	European Parliament
FWC	Framework Contract
GIZ	Gesellschaft für Internationale Zusammenarbeit
HRM	Human Resources Management
ICT	Information and Communication Technology
IPA	Instrument for Pre-Accession
IPU	Inter-Parliamentary Union
MEI	Ministry for European Integration
MP	Member of Parliament
MPA	Ministry for Public Administration
NAO	National Audit Office
NDI	National Democratic Institute
OPM	Office of the Prime Minister
OSCE	Organization for Security and Cooperation in Europe
QR	Quarterly Report
ROM	Result Oriented Monitoring
RoP	Rules of Procedure
RTA	Resident Twinning Adviser
SAA	Stabilization and Association Agreement
SAPC	Stabilization and Association Parliamentary Committee
SC	Steering Committee
SMART	Specific, Measurable, Actionable, Relevant and Time-bound
STE	Short Term Expert
TNA	Training Needs Assessment
ToR	Terms of Reference
UNDP	United Nations Development Programme
UNEG	United Nations Evaluation Group
USAID	United States Agency for International Development

Executive Summary

The EU Office in Kosovo has commissioned an independent evaluation of the three Twinning projects with the Assembly of Kosovo. The projects took place between 2011 and 2018, for a total value of 3.05 Million Euro: the first Twinning project “Support to Kosovo Assembly”, the second Twinning Light project “Strengthening the functioning of the Kosovo Assembly” and the third Twinning project “Further support to the Kosovo Assembly”. The evaluation took place in October 2018 and was conducted by Franklin De Vrieze on behalf of the Particip-led Consortium including EuroPlus Consulting & Management.

Assessment on programme delivery

Analysing the project design, we reviewed to what extent there was a solid basis for successful project implementation. The relevance of the Twinning projects is beyond any doubt, as they relate to the EC strategy for Kosovo and the SAA between the EU and Kosovo. The objectives of the three Twinning projects are specifically related to EU approximation and implementation of EU best practices. The projects aim to improve legislative, oversight and administrative capacities of the Assembly as well as the knowledge and skills regarding EU approximation and an enhanced role for the Committee on European Integration. The importance which the Assembly attaches to the project is clearly related to the European perspective of Kosovo. The project design was based on a clear sequencing of the three projects, one project building upon the results of the previous project. The projects were designed as a joint project of the beneficiary (Assembly of Kosovo) and the implementing partner (Parliament of Hungary).

Analysing the project implementation, we recognize that the Twinning Projects have provided qualitative and solid assessments of the current legal and institutional environment in each of the programme themes, as documented in the Twinning Books and the activity reports. The projects’ practical outputs of capacity building included a Training Needs Assessment, training workshops, on-the-job-trainings, study visits abroad, internships, public round tables, Manuals, overview papers, and parliamentary research papers which were peer-reviewed. From an evaluation point of view, the quality of these outputs is highly satisfactory.

The Assembly Secretariat leadership makes a clear distinction in its appreciation of the results of the first, second and third project. The first project had clear results, whereas the recommendations of the second project were considered of good quality though they could not be implemented due to political reasons. However, the results of the third project were viewed with reservations by the leadership of the Assembly Secretariat, mainly regarding the final output of the third project, the Action Plan and its recommendations.

The Twinning projects’ main methodological approach is to conduct activities which contribute towards generating substantial recommendations on procedural and structural reforms in the Assembly, identified as commonly agreed results in a joint project implementation process.¹ The recommendations are deriving from the initial assessments, best practices in other parliaments in

¹ The concept of ‘mandatory results’ is a key feature of Twinning. Both project partners commit themselves to work towards commonly agreed results in a joint project implementation process. The Commission indicated from the outset that Twinning projects should focus on limited and well-defined institutional targets. These ‘mandatory results’ can be an intermediate benchmark, which constitutes a specific criterion in relation to administrative capacity, as long as there is a jointly agreed target. This target must be measurable and precise. At the completion of a Twinning project, the BC should have a significantly improved organisation enabling it to properly fulfil its objectives in relation to the EU acquis or in relation to the relevant area of co-operation with the EU. The aim of Twinning is therefore to produce an operational outcome in a particular field. Achieving this aim calls for long and thorough co-operation between BC and MS, bringing into play whatever actions are required to achieve the desired results. In case this is not achieved, after the third twinning, then the twinning instrument is too advanced for the beneficiary administration, since they do not have a capacities to follow it.

Europe and workshops with parliamentary staff (and to a limited extent also MPs) to discuss the baseline assessment, best practices and draft recommendations.

Based upon our interviews with senior staff of the Assembly Secretariat, it seems that the approach of drafting and distributing recommendations is not enough incentive for change. Change management requires more than knowledge on what needs to change, but also needs a trajectory of advice, coaching and advocacy to implement the proposed changes. The dominant model of the Twinning Projects, generating recommendations towards the end of the project's timeline and expecting the beneficiary institution to take them forward, seems to have had limited success. The needed trajectory of advice, coaching and advocacy (in particular towards the political level in the Assembly) to implement the proposed changes has fallen outside of the timeframe of the Twinning projects, which became most obvious following the second and the third project.

The final output of the three Twinning projects is the "Action Plan to improve the activities of the Assembly for a successful EU integration process". The document is composed of 224 recommendations, 178 actions for the political level and 46 actions for the administrative level of the Assembly.

Interviews with the senior representatives of the Assembly Secretariat revealed serious reservations on the number of recommendations. After receiving assistance by three Twinning projects, the number of 224 recommendations surprised the Assembly Secretariat leadership, as it was perceived as a negative evaluation of the functioning and the capacity of the Assembly Secretariat and it contributed to a strained relationship between the implementing partner and the leadership of the Secretariat of the Assembly.

On the substance of the Action Plan, most recommendations are solid and relevant to implement with a view to achieve a stronger role of the Assembly in the process of European integration. The content of the Action Plan derives from the work done in the three projects and the consultations with the component leaders. A limited number of recommendations are not specific enough, politically not well adjusted to the Kosovo context, or they refer to maintaining discipline in implementing existing rules and practices.

Upon review, the format of the Action Plan could probably be constructed differently, such as grouping recommendations in a smaller amount of main recommendations (with sub-recommendations), establishing a prioritization of tasks (currently there is no prioritization or ranking), tentative deadlines (currently there are no deadlines beyond 189 times "immediately" and 25 times "until the end of the current legislative term 2021") and pointing out budgetary consequences (currently no amounts mentioned). The table format of the Action Plan implied that references were made to various activity reports and sections of other reports of the Twinning project. As a result, the Action Plan can hardly be read as stand-alone document because it relies on information in other project documents (which are referenced in a separate column). Therefore, as the final document of the Twinning projects, it is not reader-friendly, nor comprehensive in order to enable the reader to fully grasp what is meant for each point, without having to read through many supporting documents.

Analysing the project management, it was noted that the Twinning projects were regularly internally monitored. There were regular meetings between the Resident Twinning Adviser and the Component Leaders of the Assembly Secretariat to discuss the progress made and actions for the next period. Steering Committee meetings were organised on the quarterly basis, providing an open platform for discussion and resolution of any pending issues.

The Short-Term Experts (STEs) played a key role in the project. During the first Twinning project, there were STEs from eight countries. During the second project, there were only a limited number of STEs. During the third project, the Hungarian Parliament brought in 58 STEs from 11 national parliaments as well as an additional number of high-ranking officials, ministerial commissioners and

former MPs. Most STEs delivered good quality work. Some STEs had worked in Kosovo for several years and had established good personal relationships with their counterparts in the Assembly. Interviews with Assembly senior staff indicated that a limited number of the STEs were struggling to understand fully the functioning of the Assembly, its legal system and the political realities in Kosovo.

While the Twinning projects mainly interacted with the Administration of the Assembly, the interaction with the political level could have been stronger and was mostly focused towards selected Committee chairpersons, and a limited number of meetings with the Deputy Speaker and the Speaker.

As one of the largest assistance projects in the Assembly, the Twinning projects had regular contact with other donor projects working in the Assembly, such as UNDP, NDI, GIZ, OSCE and others. As part of the evaluation, we took note that the projects usually informed each other of past or upcoming activities. There were attempts at a division of work between donor projects with a view to avoid unnecessary overlap and duplication; though donor cooperation through joint recommendations or joint activities did not occur.

As concluded by the evaluator, the Twinning project could have enhanced cooperation with other partners and increased chances for implementation of its recommendations if it had shared for consultation its draft assessments and draft recommendations and if it was seeking buy-in, inputs and endorsement by other projects for the tentative recommendations. Although the Assembly is the beneficiary of the project and owner of the final version of the documents, we learned from the EU Office in Kosovo that there was no impediment for the Twinning project to share draft versions of the documents for consultation with other donor projects. It is noted that the project did share the final and definite version of documents.

The Twinning project's team leader and RTAs are of the view that the Assembly should take a stronger role in donor coordination and ensure that the same kind of assistance is not requested from more than one donor project. The reality is that various assistance projects implement what their donor headquarters have commissioned them to do. The reasonable way forward is for the main donor agencies – the EU, USAID and Embassies -- to discuss their long-term planning and allocation of funds ahead of launching projects, so that there is less chance that the implementing projects are stuck and struggling to overcome duplication between them. This suggested approach is complementary to the main principle of IPA projects that the beneficiary needs to indicate the kind of support it would like to receive from the EU Office, after which a further detailed proposal can be asked.

The EU Office in Kosovo has followed the implementation of the three projects continuously. A more thorough and frequent analysis by the EU Office of the political impact of some of the recommendations (for instance on voting rights in Committees, composition of investigation committees, or speaking rights in plenary session) would have been useful. Quality control of the Action Plan, as the final product of the three Twinning projects, would have been useful.

Technical assessment on themes of the programme

The Twinning projects have provided technical assistance in most key areas of parliamentary functioning. Following is a short summary.

- 1 Centre-stage to the three Twinning projects is the proposal to make the Assembly a **fully independently functioning institution**. Based upon the recommendations of the STEs during the first Twinning Project and in full agreement with the Assembly of Kosovo and the EU Office in Kosovo, the Twinning Light project was designed around preparing a draft Law on the Assembly, with the related regulations. Its full implementation would be followed through during the third Twinning project. When the third Twinning project started, it found itself in a slightly different

context. The Law on the Assembly had run into political heavy weather, and it became evident that the adoption of the draft Law had been put on hold while waiting for the accomplishment of the Public Administration Reform, as indicated during meetings with the leadership of the Assembly Secretariat.

From an evaluation point of view, it is clear that the draft Law on the Assembly was aiming for very substantial changes in the functioning of the Assembly and its relationship to other public authorities, in particular the government. The draft law outlining these substantial changes was drafted within the very tight timeframe of the Twinning Light project – six months only - and subsequently there was insufficient time to engage with all stakeholders with a view to explain the purpose and benefits of the draft law, especially taking into account that during the time of implementation of Twinning Light, general elections and other political difficulties happened.

For a proposal as comprehensive as the law on the Assembly, it was critically important to foresee in a process of consultations, inputs and creating political support with the leaders of the political parties, leadership of the Assembly and government, other donor projects in the Assembly and international organizations and diplomats, as well as the political section of the EU Office. Drafting such fundamentally important draft law and accompanying regulations, without extensive consultations and content-based involvement of the mentioned stakeholders, has proven to be an incomplete approach which fell victim to the risk that the project got stuck as soon as questions were raised, or attempts were made to alter the direction of the project via amendments regarding the salaries of MPs.

- 2 To improve the **legislative process** within the Assembly, the Twinning projects suggested modifications to the Rules of Procedure of the Assembly (RoP). The projects asserted that the Assembly should be provided with qualitative better drafted legislation and well-founded background documents for deliberation of the draft laws. The project recommended that the Assembly may reject draft laws lacking a comprehensive explanatory memorandum. The project also identified that the government's Statement on Harmonization with the Acquis is often vague, claiming that the draft law is fully or partly harmonized with the Acquis without providing much explanation or justification. The project noted that the Table of Concordance is often incomplete, lacking information at what level the law has reached approximation, the reasons for it and the relevant deadlines. In addition, the Table of Concordance is not provided in Albanian and Serbian languages, but in English only, and hence cannot be considered an official document. To strengthen the capacity of the Assembly administration to provide high quality support to the legislative process, the project suggested that the Directorate for Legal Standardization, Approximation and Harmonization be restructured and divided into two units: one unit responsible for general legal issues and codification, and a second unit responsible exclusively for the legal approximation with the EU acquis. The Twinning project prepared a draft Regulation on the proposed reorganization. The project also shared European practices on the question of the need for consolidation of legislation and advocated that the legislative tracking system would be fully utilized. The third Twinning project prepared a Manual on legal analysis and a Manual on European legal approximation.

A considerable number of reforms proposed by the Twinning project depend on the Assembly's ability to agree on amendments to the RoP. Adopting changes to the RoP requires a 2/3 majority of MPs, which means the votes of 80 out of 120 MPs. It is understood that the Committee on Legislation has adopted draft amendments to the RoP, however this decision was taken by majority vote rather than by consensus as would have been desirable for a document as important as the RoP. To support the improved functioning of the Assembly, now and in the next mandate, one can make the case that – in principle - amendments to the RoP deserve the common agreement of the ruling and opposition parties. In this report, we identified six priority

areas for clarification in the revised RoP; and we suggest that the Assembly considers the above mentioned six priority areas for clarification and conducts a language / translation verification of the document, before any final vote on the new RoP. We hope that the review of the six priority areas will help to facilitate a consensus-oriented adopted of the new RoP.

- 3 To strengthen **management practices in the Assembly**, the Twinning project made recommendations on the financial and budgetary, the human resources and the ICT system management. In the field of financial and budgetary management, the first Twinning project made a good assessment and introduced solid proposals on improving the budget management of the Assembly. As a result, the practices of budget reporting over the past six years have improved. During the second Twinning project, a regulation on budget management and decentralization was prepared. During the third project, trainings and consultations focused on budget decentralization as an instrument of good public management which would increase efficiency through delegation of responsibility in the management of the Assembly.

Human Resources Management (HRM) has been a priority for all three Twinning projects. During the first and second project, assessments and regulations were prepared aimed at strengthening the Assembly's autonomy in HRM, including classification of positions and recruitment processes. The first Twinning project suggested that a clear link between the organizational strategy and the individual employees' responsibilities and duties be created. Throughout the evaluation assignment, most senior staff of the Assembly regularly expressed the view that the Ministry of Public Administration does not respect the autonomy of the Assembly through its decisions to select or not to select the proposed job titles. Twinning experts conducted a Training Needs Assessment (TNA) of all staff of the Secretariat, which is the basis for the Assembly's training strategy. It seems more work is needed to ensure that the outcomes of trainings will be connected to human capacities development priorities and performance evaluation of staff in the Assembly.

The first Twinning project advocated the ICT autonomy of the Assembly, and the implementation of an e-parliament project has started. The project advocated for the creation of an internal information system (intranet), which could be used by MPs, committees and Assembly staff to support the legislation, and share information and other data. Based upon these recommendations, an Action Plan for the development of ICT of the Assembly was elaborated within the framework of Twinning Light Project. During the third twinning project, a regulation on broadcasting and the use of the video production and recording of the plenary session has been drafted; and is awaiting approval by the Assembly Presidency.

- 4 A substantial part of the work of the Twinning Project focused on strengthening of the **oversight function of the Assembly** at the level of the plenary session and the committees. Recommendations were formulated how to perform efficient oversight over all activities of Government, including through oral and written questions, interpellations, and plenary debates on larger policy areas. From an evaluation point of view, enacting these recommendations requires substantial commitment by the political level of the Assembly and by the government. It is unclear to what extent the Twinning project had managed to create interest and political willingness towards implementation of the recommendations on oversight over the government. The Twinning project made proposals on Assembly oversight over independent agencies. As part of the ongoing public administration reform a targeted functional review and rationalization of independent institutions will be implemented in the coming three years with the lead role for the Ministry of Public Administration and with the involvement of the Assembly. The Twinning project formulated recommendations on how the Assembly can better oversee the independent institutions and agencies, mainly through the appointment and nomination procedure and the evaluation of their annual reports. These recommendations are solid and valid, though the project could have offered a more detailed proposal and timeline how to implement them and who should do what and how.

- 5 The National Program for the Implementation of the SAA determine in several respects the preparation for **EU integration**, including for the Assembly. Because the duties originated in the SAA have a horizontal nature, not only the Committee on European Integration (CEI) has a role, but the involvement and engagement of all committees has a particular importance. Based upon the analysis, on-the-job trainings, workshops and coaching type activities offered during the first and second Twinning project, the third Twinning project developed a substantial number of recommendations on four specific areas: (1.) the role and functioning of the CEI; (2.) the operation of the EU-Kosovo Stabilisation and Association Parliamentary Committee (SAPC); (3.) strengthening the involvement of other committees of the Assembly in the SAA process; (4.) improving the role of the Assembly in raising general awareness on EU issues.
- 6 **Administrative support to MPs related to tasks of the European integration process** has been another thematic area of the Twinning project. The Twinning project's recommendations cover three main areas: recommendations to develop the administrative structures responsible for the EU integration tasks; recommendations for the strategy on international relations and interparliamentary cooperation in the light of the SAA; and recommendations for improving and enhancing research activities.

Conclusions of the evaluation include findings regarding relevance, efficiency, effectiveness, impact, sustainability, EU-added value and coherence of the three Twinning projects.

Based upon the findings of this evaluation of three consecutive Twinning projects, the beneficiary perceptions and the feedback by the Twinning implementing institution, the report concludes that the modality of Twinning projects has been exhausted as far as the Assembly of Kosovo is concerned.² The process of making assessments and drafting recommendations for the beneficiary has been completed. There is now need for a modality where technical assistance goes alongside a process of accompanying the reforms and building knowledge and skills in a more inter-active way.

Recommendations following this evaluation include, firstly, that it is important that the EU Office in Kosovo continues to support the Assembly of Kosovo through a new project. However, it is justified to point at the need for progress on the proposed reforms suggested by the past three EU-funded projects. Therefore, we recommend the implementation of a short-list of prioritized reforms in the Assembly in the two to three next months, prior to further EU assistance to the Assembly.

The recommended thematic scope of the new EU project with the Assembly of Kosovo would be threefold: European integration, parliamentary oversight and professionalization of the Administration. It is suggested that the new project, launched under the Technical Assistance modality (foreseen as grant modality), would focus on the Administration of the Assembly for 75% and on the political level for 25%, with a possibility to change the proportion in case of early elections and/ or prolonged formation of the new Assembly and government. We recommend a project timeframe of three to four years, and methodologies which include knowledge building, skills building, on-the-job-learning, interactive learning, technical assistance, staff placements in another parliament, peer-to-peer learning and regional exchanges.

² Twinning activities are ideally suited to projects with the following features: the goal is relatively clear, i.e. the BC has a good understanding of the relevant part of the acquis or the relevant area of co-operation, and has selected the type of system it intends to adopt; sufficient political will exists in the BC to create the best possible conditions for drafting and adoption of the relevant legislation; sufficient BC commitment exists to ensure that the required resources (financial, staff) are mobilised in a Twinning project; a well-defined priority on the beneficiary administration's own agenda guaranteeing that the Twinning project idea derives from actual need. The ROM evaluation following the first Twinning project made a positive assessment of the clarity of the goal, political will, beneficiary commitment and priorities in the beneficiary own agenda.

1 Introduction

Since 2006 the European Union (EU) has provided substantial support to the Assembly of Kosovo. The EU Office in Kosovo has commissioned an evaluation of the three Twinning projects launched in the period following the declaration of independence.

As part of the EU-funded FWC, the Particip-led Consortium including Europlus Consulting & Management has been awarded the contract to conduct the evaluation of the EU-funded support to the Kosovo Assembly. Franklin De Vrieze is the lead-expert for this evaluation assignment. The assessment mission in Pristina took place between 1 and 16 October 2018.

The introduction chapter of the evaluation report briefly describes the current functioning of the Assembly of Kosovo, followed by a short description of the projects and the objectives and methodology of the evaluation.

1.1 The Assembly of Kosovo

Kosovo's democratic institutions are consolidated but young and face significant challenges. The main driver of democratic reform is the European Union integration process³, yet the current pace of realising reforms is slow, as noted in the 2018 EC progress report for Kosovo.⁴

Democratisation is one of the cornerstones of the international efforts in Kosovo, however, on many occasions pursuit of security and stability has been prioritised. That has led way to a political scene which is highly polarised among parties with limited ideological profile, frequent stalemates and a need to deepen the democratic culture. Public trust in political institutions has slightly increased, according to a recent public perception survey conducted by UNDP, yet overall satisfaction of the political direction remains low.⁵

Early parliamentary elections were held in June 2017. Months of prolonged negotiations to establish a new coalition and form a government followed.

Like all institutions, the Kosovo Assembly is a relatively new body, currently in its sixth convocation; it largely mirrors the country's highly polarised political space. Multiple convocations of the parliament did not complete their full mandate; the work of the Assembly has frequently become an arena for non-parliamentary discourse, boycotts and incidents such as the use of tear gas.

As highlighted in the ToR for this assignment, the Assembly needs to substantially improve its performance as a forum for constructive political dialogue and representation, as well as to guarantee proper checks and balances. The ToR mentions that both the ruling coalition and the opposition parties should intensify their parliamentary work and seek consensus on EU-related reform priorities. Overall, the Assembly's effective oversight of the executive and the quality of law-making need to be improved.

The Assembly does not meet regularly, it accumulates legislation and it then passes it in a rushed way. In addition, it lacks efficiency in holding government accountable and monitoring the effectiveness of laws. As mentioned in the ToR, appointments made by the Assembly to independent bodies continue to be politically influenced, budget analysis and control functions need to be strengthened, and ways to ensure recommendations of committees are implemented needs to be established and monitored.

³ https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417_strategy_paper_en.pdf

⁴ <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-kosovo-report.pdf>

⁵ http://www.ks.undp.org/content/kosovo/en/home/library/democratic_governance/public-pulse-xiii.html

However, effective oversight over the government doesn't depend on the Assembly alone. The government needs to adhere to the democratic principles of effective parliamentary control. The ToR rightly points out that ministerial attention to legislation in the Assembly, from proposals until adoption, needs to be improved. Ministers' failure to attend plenary sessions and failure to answer parliamentary questions continue to undermine transparency, accountability and communication with the Assembly. The frequency with which the government advocates fast-track procedures of legislation (22 out of 115 laws were adopted this way, as stated by the ToR) means that a substantial part of the legislation is adopted without substantive debate or stakeholder consultation.

The Assembly made some progress in improving the transparency of its work, including by launching an electronic tracking system, providing public access to all information and documents on draft laws under review. The Administration of the Assembly functions under the leadership of the Secretary General of the Assembly. The Secretariat of the Assembly comprises of two General Directories: the General Directory for Legal and Procedural Affairs and the General Directory of Administration, which each have several Directories under them. The SG office has the following organisational units: Directory for Protocol and International Relations, Directory for Media and Public Relations and the Procurement Directory. Under the direct supervision of the Secretary General are the Internal Auditor and the Certifying Officer for Finances. The Administration of the Assembly has been the main direct beneficiary of the Twinning projects.

1.2 Description of the Action

1.2.1 Objectives and outputs of the three projects

As mentioned in the project documentation, the three projects had specific objectives and outputs:

- 1 First twinning project: "Support to Kosovo Assembly", had the overall objective to support the Kosovo Assembly in meeting the challenges of EU integration for a national parliament. In order to reach this, recommendations were elaborated in the framework of the Project to increase the administrative capacities of the Assembly, and in particular its Presidency and Committees. By focusing on EU best practices proposals were also made to improve the technical competences in relation to EU approximation. The project's aim was to assist the Assembly in responding to the requirements set in the European Partnership.
- 2 Second twinning light project: The purpose of the project was to elaborate proposals for different pieces of legislation and to strengthen the overall codification and rule making capacity of the administration with the aim of enhancing the efficient functioning of the Assembly. The project prepared a Draft Law on the Assembly, a Strategy on International Relations and draft internal rules of the Administration and modifications on the parliamentary Rules of Procedure.
- 3 Third twinning project "Further support to the Kosovo Assembly" had the objective to help the Kosovo Assembly to meet the democratic standards of functionality. Project aimed to support the creation of the conditions of independent functioning of the Assembly, to strengthen its oversight role in relation to both work of the Government and Independent Agencies; to strengthen the role of the Kosovo Assembly in EU-related issues, especially in the SAA process. The project ended in March 2018.

1.2.2 Target beneficiaries and stakeholders of the three projects

Direct beneficiaries of projects included under this evaluation are: the Speaker and Presidency of the Assembly, all MPs, particularly ones dealing with EU integration issues and others in different

standing committees, the Secretary General and the civil servant staff of the Assembly according to different directorates.

Civil society, especially those engaged in monitoring the performance of the Assembly, are also an important stakeholder as well as all citizens of Kosovo. Several donor programmes are supporting the Assembly on different issues, such as NDI, GIZ, OSCE and UNDP.

1.2.3 Methodology of the parliamentary twinning projects

The three projects were implemented based on a similar methodology: first the Twinning Team analysed the current situation, then implemented a tailor-made training programme or consultative workshops. Based on the assessment and training results, guidelines and recommendations were elaborated to introduce new or modified structures, procedures and methods to establish and strengthen European standards in the operations of the Assembly.

Guidelines and recommendations were discussed with relevant stakeholders of the Assembly in the form of roundtables and interviews. At the end of each activity, a report was written by the twinning experts to explain and compose the results of the given stage of the process. Complete sets of recommendations or final guidelines for improvement were elaborated. Manuals were drafted and distributed. At the end of the third project, all recommendations were synthesized in an Action Plan, and distributed to all MPs, staff and other stakeholders.

1.3 Objectives of the evaluation assignment

The overall objective of this assignment is to evaluate the three EU-twinning projects with the Assembly of Kosovo between 2011 and 2018, for a total value of 3.05 Million Euro:

- Support to Kosovo Assembly, CRIS 2011/277-389
- Strengthening the functioning of the Kosovo Assembly, CRIS 2014/341-055
- Further support to the Kosovo Assembly, CRIS 2016/372-105

The ToR of the assignment is clear in terms of the definition of objectives. The assignment is very relevant in terms of designing future EC assistance. The formulation of any future assistance to the Assembly needs to take stock of the lessons learned from the previous stages of support; and this evaluation will enable the EC to get a bird-view overall review of the assistance provided in the post-independence period up to today.

The overall objective was to assess the achievements, quality and results of the three projects. Specifically, the objective was to look for evidence of why, whether or how these results are linked to the EU intervention and seek to identify the factors driving or hindering progress.

The specific objectives of this evaluation were to make an overall independent assessment of the performance of the three projects and identify lessons and recommendations.

More concretely, the specific objectives of the evaluation were to understand the extent to which the programme has contributed towards the functioning of the Assembly as an independent institution, with a strengthened oversight role, and role in EU related issues; to understand the performance of the programme, its enabling factors and those hampering a proper delivery of results, and to provide recommendations for the possible future support to the Assembly.

1.4 Methodology of the evaluation

1.4.1 Hypothesis of the evaluation

The central methodology of the twinning projects is to work towards producing a set of recommendations on structural and procedural changes in the beneficiary institution, identified as commonly agreed results in a joint project implementation process. A first hypothesis to review during this evaluation was to what extent the recommendations as such were of enough incentive for change, and to what extent the recommendations were accompanied by a coaching and learning trajectory enabling the committees and administration of the institution to incrementally enhance their performance.

Experience in other parliamentary strengthening projects indicates that there is more chance for effective change when proposals for change, developed in consultation with the beneficiary, are also accompanied through their implementation by a sequencing of coaching, advising and repeated learning opportunities. Our first hypothesis was that the earlier recommendations have been crystalized (for instance by the middle of the project timeline) and the more time is available to accompany implementation, the more chance there is for sustainable results.

The second hypothesis was regarding the relevance of European best practices in the European context. The twinning projects have elaborated proposals based upon practices in over 10 national parliaments in Europe and the European Parliament. While learning about practices in other parliaments in Europe is worthwhile and obviously of interest to parliamentary staff, the extent to which these experiences are adapted and translated towards the specific Kosovo context determines to a large extent their relevance for the change expected to follow. Our second hypothesis is that the more experts are familiar with the specific Kosovo context, the better they are capable to advice on how to apply the parliamentary procedural or legal framework in their country to the specific Kosovo context; and thus, the more chance there is for sustainable results.

It is worth noting that, as is the case in any evaluation of governance projects, there is a conceptual challenge for the evaluation of the three twinning projects, which is the attribution question: to what extent can one attribute the quality of parliament's functioning to an intervention by a project? Experience in other countries and in other parliamentary strengthening projects indicates that neither the implementation of specific activities nor the expenditure of resources is necessarily or unidimensionally correlated with parliamentary strengthening. This is largely due to the large number of intervening variables in parliamentary performance. Choices by the country's leadership and parliament's decisions can have a decisive impact on project implementation. Therefore, there is no substitute for nuanced policy and conceptual analysis. This is what we have done with this evaluation as well.

The three projects span a large period in time of more than 6 years, between 11 November 2011 to 31 March 2018. Evaluating these three projects together constituted the unique opportunity to make substantial observations on the model of parliamentary twinning projects as compared to other modalities of technical assistance to parliament.

1.4.2 Holistic approach

As the EC funded programme with the Assembly has been conducted in three phases, it was possible to evaluate each phase separately or to take a more holistic view. We were of the opinion that the latter approach would be better as it allows easier and more beneficial review across all areas of support, explore linkages and synergies and gives more meaningful conclusions and recommendations related to the functioning of the Assembly as an independent institution, with a

strengthened oversight role, and role in EU related issues. Where useful, we have referred to specific outcomes and activities of each of the three projects individually.

1.4.3 Assessment on programme delivery

As mentioned in the inception report for this assignment, we have reviewed the Twinning projects under three main headings: project design, project implementation and project management. This is the structure of the chapter of this report on programme delivery.

- The section 'Project design' analysed to what extent there was a solid basis for project implementation, and reviewed the relevance, sequencing and scope of the project.
- The section 'Project implementation' evaluated the main approaches to project implementation and how the activities contributed to the objectives in the three projects.
- The section 'Project management' reviewed how the management, communications, and coordination mechanisms of the twinning projects were conducted.

1.4.4 Technical assessment on project themes

Assessing the relevance, effectiveness and efficiency of the three projects, we looked at signs of impact and sustainability of results of the project. In other words, the main overall task was to point out and document the impact of the project on the improvement of the functioning of the administration of the Assembly. In doing so, we have assessed the main project thematic areas of the projects and analysed to what extent impact was made, and to what extent the technical assistance and recommendations of the projects contributed to it.

The technical impact assessments have been structured in six main thematic chapters further in this report. The technical assessments on project impact look at the question of the independence of the Assembly, the legislative process in the Assembly, oversight practices, the functioning of the administration, as well as the role of Committees and the administration in the European integration process.

1.4.5 Quality and implementation of recommendations

Since the drafting of recommendations was an essential part of the projects' deliverables, we have developed an evaluation chart of the recommendations of the projects, in particular the recommendations produced in the Action Plan of the third project. The evaluation chart can be found in annex 5 to this report.

First, we have assessed the quality of the recommendations by measuring to what extent the content of each of the recommendations is SMART: Specific, Measurable, Actionable, Relevant and Time-bound.

Secondly, we have assessed the level of implementation of each of the recommendations, by giving them a score if they were 'done', 'almost done', 'started', 'considered', 'rejected' or there was no clarity on the level of implementation.

The scoring to what extent the implementation of the recommendations was 'done', 'almost done', 'started', 'considered', 'rejected' or if there was no clarity takes into account an overview document received from the Assembly Secretariat as well as our own in-depth interviews, sometimes followed by a second interview, with the management of the Secretariat, the component leaders and selected Twinning experts.

The evaluation thus enabled us to put a percentage on the quality and on the implementation of the package of the recommendations under each of the criteria.

This review of quality and implementation of the recommendations of the Action Plan has contributed to our analysis of the sustainability of the results of the project; and based on that put forward recommendations for further support to the Assembly of Kosovo, in particular in which way the required “change management” can best be accompanied in the Assembly.

As such, we work according to the United Nations Evaluation Group’s Standards, which reads that “an evaluator will review what evaluation follow-up mechanisms exist that ensure that evaluation recommendations are properly utilized and implemented in a timely fashion and that evaluation findings are linked to future activities.”⁶

1.4.6 Data collection

The first source for data collection was the desk review of documents. This included the final reports, activity reports, progress reports and conclusions of the Steering Committee of the Twinning projects, reference documents on parliamentary strengthening, evaluation reports on parliamentary projects in other countries, EC country reports on Kosovo and other analysis reports on governance in Kosovo.

A second source for data collection were the structured interviews with key stakeholders in the project, such as MPs, Secretary General and staff of the Assembly, other donor projects with the Assembly, CSOs, Twinning experts and staff of the EU Office in Kosovo. A specific set of questions for each of these meetings had been prepared.

To the extent possible, we collected quantitative information on the performance of the Assembly in those areas directly addressed by the project’s activities.

1.4.7 Challenges to the evaluation

At the start of the inception phase, several assumptions and risks were identified. As the end of the evaluation, the following comments on these assumptions and risks can be made. Firstly, project documentation has been made available on time. Former Team Leaders and key experts were available for correspondence and Skype interviews. The EU Office and the Office of the Secretary General of the Assembly of Kosovo have supported the evaluation by contacting key-interlocutors in the Assembly and scheduling appointments.

One of the risks identified was the availability of MPs and political interlocutors. Unfortunately, only three MPs were available during our two-weeks presence in Kosovo. As the Twinning project itself was struggling to schedule meetings with MPs, also the evaluation mission faced the same challenge that very few MPs had the time or chose to make time for the evaluation. The gap in information and analysis has been overcome by meeting some of the international partners to the Assembly or through a second meeting with selected staff of the Assembly.

⁶ UNEG, Standards for Evaluation in UN System, p. 5, http://www.uneval.org/papersandpubs/documentdetail.jsp?doc_id=22

2 Evaluation questions and answers

Based upon the evaluation criteria listed in the ToR, we have selected 17 evaluation questions, under six headings: relevance, efficiency, effectiveness, impact, sustainability, EU-added value and coherence. The in-depth answers regarding the evaluation questions have been detailed in the two main chapters of this report: assessment on programme delivery and technical assessment on themes of the programme. Considering the detailed information in these chapters, this chapter offers the more concise answers to the 17 evaluation questions.

Relevance: Evaluating to what extent the project addressed the existing and changing needs of the Assembly of Kosovo and how well the project displayed a coherent set of activities.

- 1 How did the three projects relate to the EC strategy for Kosovo? In what way did the three projects contribute to or were complementary to the EC strategy, and were they perceived as such by the Assembly of Kosovo?

As soon as the SAA between the EU and Kosovo entered into force on 1 April 2016, the stakes got higher for all official institutions in Kosovo, including the Assembly of Kosovo. The SAA instruments and the IPA support to the Assembly are much needed mechanisms to work towards political and legislative reforms, in line with the principle of “fundamentals first”, which include democratic institutions and public administration reform.

The objectives of the three Twinning projects are specifically related to EU approximation and implementation of EU best practices. The projects aim to improve legislative, oversight and administrative capacities of the Assembly as well as the knowledge and skills regarding EU approximation and an enhanced role for the Committee on European Integration. In this way, the three projects have contributed to the EC strategy for Kosovo. The importance which the Assembly attaches to the project is clearly related to the European perspective of Kosovo.

- 2 To what extent are the recommendations directed towards the Assembly SMART: Specific, Measurable, Actionable, Relevant and Time-bound?

The final output of the three Twinning projects is the “Action Plan to improve the activities of the Assembly for a successful EU integration process”. The document is composed of 224 recommendations: 178 actions for the political level and 46 actions for the administrative level of the Assembly. As part of this evaluation, we have assessed to what extent each of the 224 recommendations is SMART: Specific, Measurable, Actionable, Relevant and Time-bound.

As indicated further in the report, 66% of the recommendations were specific; which means that 1/3 of the total number of recommendations was not specific enough. About 80% of the recommendations was measurable and 20% was not measurable. Almost 84% of recommendations were actionable and 87% can be considered relevant. Surprisingly, only 18% of recommendations were time-bound, which means that over 80% of recommendations was not time-bound. These figures seem to suggest that the quality of the Twinning projects’ recommendations was rather uneven, though by majority of enough quality.

On the issues examined, the Twinning project proposed one single recommendation to the Assembly. A possible alternative approach would have been giving two or three options, where useful, to encourage endorsement by the decision makers in the Assembly. Proposing single recommendations in all circumstances might have left untouched the potential added value of offering options for the Assembly to consider and decide upon.

- 3 To what extent have the projects’ objectives and activities been updated or modified due to changes in the sector or the external conditions with a view to achieve the planned results?

Because the results of one project formed the basis for the next project, there was a clear sequencing between the three projects. Hence, when the main deliverable of the second project, the Law on the Assembly, did not come through, there was need for adaptation at the start of the third project. The project team developed an alternative set of activities, mainly around staff training and on-the-job-coaching, as well as recommendations which could be endorsed and implemented regardless if a Law on the Assembly be adopted or not.

The staff training and on-the-job coaching were based upon the capacity analysis and TNA prepared during previous project phases. Training topics included: best practices of EU Member States legislative procedures; the organisation of parliamentary administrations in EU Member States; the operation of the standing committees and the relevant tasks of the staff; oversight functions of the Parliament. In this way, the project's objectives and activities have been updated or modified as was needed.

Efficiency: Evaluating to what extent the project inputs delivered the desired outputs in an efficient way, with minimum waste of time, human, financial and other material resources.

- 4 How well did the partnership and management arrangements work and how did they develop over time?
- 5 How was the Assembly of Kosovo involved in project management and how effective was this and what have been the benefits of or difficulties with this involvement?

The Assembly provided the required premises for the long-term and short-term staff, human inputs and selected the Component leaders, thus fostering efficient and timely implementation. Such in-kind support is one of the prerequisites for a smooth implementation of any project.

The start of implementation was smooth for each of the three projects, with the official kick-off meeting held with the participation of senior representatives of the Hungarian National Assembly and of the Kosovo Assembly. Strong commitment and local ownership were evident at the start of the first two project phases.

At the start of the first and second project, there was a strong partnership and cooperation between the Assembly of Kosovo and the Hungarian parliament, and intensive cooperation between the team leader of the implementing institution (the Hungarian Parliament) and the Secretary General of the Assembly of Kosovo.

During the course of the third project, the interactions became more reserved, among others because of the implementing institution's strong request to the Administration to take another approach towards donor coordination. The minutes of the March 2017 meeting of the Steering Committee give an insight into some of the tensions at the time, when the Secretary General *"raised the issue that he was never invited by the EU Office for any assessment related to the project. He mentioned that there were meetings between the Twinning Team and the EUO where the Secretary General of the Assembly was not invited to present his opinion"*.

One of the important instruments of project management were the quarterly meetings of the Steering Committee. All component leaders from the beneficiary side and key interlocutors from the implementing partner were present. The detailed minutes provide a good insight into the topic of discussion. Component leaders approved the activities proposed and gave feedback to the quality of past initiatives.

Interestingly, one of the main challenges of the project was already mentioned in the final report of the first Twinning project: the lack of availability of Members of Parliament and the Assembly leadership to discuss and engage on the project's recommendations. The Steering Committee minutes of meetings provided evidence that this issue remained unresolved until the end of the third project. The reasons for that are manifold, including the difficult political context which absorbed most

energy of MPs and the early elections. Nevertheless, since it was flagged as an issue during the first project already, alternative avenues to engage with the political leadership, probably with the help of the EU Office, could have been pursued with a view to ensure inputs and endorsement of the main recommendations directed towards the political level.

6 To what extent have the coordination mechanisms with other implementers allowed efficient programme implementation?

As one of the largest assistance projects in the Assembly, the Twinning projects had regular contact with other donor projects working in the Assembly, such as UNDP, NDI, GIZ, OSCE and others. Interviews during the evaluation mission provided a rather mixed picture on the relations with the other donor projects. The implementing partner of the Twinning projects considers that it has done its part by informing other projects of its activities and sharing final documents of the project. Some of the other donor projects noted that the Twinning Project had conducted a very detailed planning and timetable of its activities prior to start of the project⁷, which gave the other projects the impression that there was little space for joint reflection on what approach is best to move forward in the given difficult context. During our interviews, other donor projects (UNDP and OSCE) mentioned that, as soon as they noticed that the Twinning project took charge of a specific area, they decided to step back, leaving the initiative to the EU-funded project in those areas.

As part of the evaluation, we took note that there were attempts at an agreed division of work between donor projects with a view to avoid unnecessary overlap and duplication; though donor cooperation through joint advice, joint recommendations or joint capacity building activities did not occur.

The Twinning project's team leader and RTAs are of the view that the Assembly should take a stronger role in donor coordination and ensure that the same kind of assistance is not requested from more than one donor project. The reality is that various assistance projects implement what their donor headquarters have commissioned them to do. The reasonable way forward is for the main donor agencies – the EU, USAID and Embassies -- to discuss their long-term planning and allocation of funds ahead of launching projects, so that there is less chance that the implementing organizations are stuck and struggling to overcome duplication between them. [The issue of relations with other donor projects is discussed in more detail further in this report.]

7 What quality assurance mechanisms were in place to achieve planned results?

The first quality assurance mechanism for project delivery were the knowledge and working experience of the parliamentary experts, coming from 11 national parliaments and the European Parliament. Some Short-Term Experts (STEs) had worked in Kosovo before and had established good personal relationships with their counterparts in the Assembly. The main content of their baseline assessment was included in the five assessment books of the third Twinning project, as was the case for the books of the first two projects. During the third project, the STEs submitted a total of 70 technical reports to the Assembly of Kosovo.

The quality of trainings was discussed in regular meetings between the RTA and the component leaders; and reviewed by the Steering Committee, where the heads of project components participated.

The quality of the baseline assessments, trainings and capacity building and a majority of the recommendations is good. Unfortunately, the quality control of the final product of the third project,

⁷ It is regular practice for all EC contracts to have a well-defined timeframe of the activities to be implemented.

the Action Plan, fell short. As indicated further in this report, the Action Plan had several weaknesses, in terms of its structure, format, and partly its content⁸ as well.

The EU Office in Kosovo had a quality assurance role, as donor to the project, participant to Steering Committee meetings and political interlocutor on European integration matters. The EU Office had confidence in the expertise of the parliaments participating in the project; though the communication between the Political Office of the EU and the Twinning Project could have been more optimal, in particular regarding the political impact of some of the recommendations and regarding the needed political communication to the government on the importance of effective parliamentary oversight.

Effectiveness: Evaluating how much the project outputs influenced the institutional capacity of the Assembly of Kosovo to become a democratic, functional, accountable and inclusive institution.

8 To what extent have all target groups been able to access action results/services?

The Assembly administration had access to the assessment reports and recommendations of the project. The component leaders participated in the design of the activities and had regular bilateral meetings with the RTAs and with incoming STEs.

While the Twinning projects mainly interacted with the Assembly Administration, the interaction with the political level could have been stronger and was mostly focused on meetings with selected Committee chairpersons, and a limited number of meetings with the Deputy Speaker and the Speaker. As the third project came to an end, the five assessment books and the Action Plan were distributed to all MPs as well as to the staff of the Assembly.

9 To what extent have the target groups been satisfied with the services provided?

The Assembly Secretariat leadership makes a clear distinction in its appreciation of the results of the first, second and third project. Whereas the first project had clear results, as confirmed by the ROM evaluation report and the comments by the Assembly senior staff, the recommendations of the second project were considered of good quality though they could not be implemented due to political reasons, and the results of the third project were reviewed with reservations by the leadership of the Assembly Secretariat.

On the question of satisfaction with the project's services, a quite remarkable mixed picture has emerged. Analysing the minutes from the steering committee meetings, it looks that component leaders are mostly satisfied with the project results and their interaction with RTAs and STEs. Our individual evaluation meetings put some nuance to this picture. Several interlocutors within the Assembly Secretariat express disappointment that the issues they are facing have not been resolved, that required reforms are not moving forward or only slowly and that the Twinning project seems not to have unlocked the situation. Nevertheless, one needs to acknowledge that some staff of the Assembly have high expectations that the implementing organization will push through reforms, while in reality the decision-making process on implementing the recommendations lays with the Assembly itself.

After receiving assistance by three Twinning projects, the number of 224 recommendations surprised the Assembly Secretariat leadership, as it was perceived as a negative evaluation of the functioning and the capacity of the Secretariat. Being considered as a bombardment of over 200

⁸ Examples of weaknesses in content are the recommendations related to voting rights in Committees for non-aligned MPs (which might alter the balance of power between majority and opposition), scheduling interpellations on monthly basis (in a context where very few interpellation requests are submitted), limiting the time available to MPs to speak in the plenary (which is likely to disadvantage the opposition MPs), and the possibility that an investigating committee starts its work when not all political groups have nominated their members (which would pose challenges for the quorum).

recommendations, the Action Plan contributed to a strained relationship between the implementing partner and the Assembly Secretariat leadership.

However, looking more closely at the specific deliverables of the Twinning projects, the component leaders in the Assembly generally recognize the value and quality of the in-depth assessments and of the capacity building activities, including the training workshops, on-the-job-trainings, study visits abroad, internships, public round tables, Manuals, overview papers, peer-reviewed parliamentary research papers, etc.

Impact. Evaluating the overall impact of the projects and their contribution to the development of the Assembly of Kosovo (short term perspective).

10 What are the direct impact prospects of the action?

At the end of the first project, specific impact related to increased capacities was already visible. The beneficiary adopted project recommendations regarding the rulebook on political staff and a new organisational chart. Training and study tours have strengthened the performance of parliamentary staff.

Towards the end of the third project, additional aspects of direct impact can be noted. All staff are aware how parliaments of candidate countries have organized themselves to meet the challenge of the approximation and negotiation process with the EU; and thus, what is required for the Assembly of Kosovo to be prepared in a similar way.

Many interlocutors in the Assembly have realized that if the Assembly aims to gain greater autonomy from the executive, it needs to go beyond increasing its administrative capacity, and it needs to put in place the procedures and structures to responsibly manage its own budget.

On European integration, the work of the CEI and other committees has been well analysed and the recommendations to upscale the role of the Assembly in the European integration process are clear. There is a well-balanced proposal how to strengthen the Assembly's capacity on legal approximation, in terms of structures, regulations, required staffing expertise.

The two legislative manuals and the guidance on research provide needed support in upgrading the quality of the technical assistance to the MPs.

11 What are the broader effects and indirect impacts of the programme?

Although the draft Law on the Assembly is unlikely to be adopted in its current format, the Twinning project's efforts did have an impact, in two ways. Firstly, sections of the proposed draft law have been included in the draft revised RoP, specifically regarding the organization of the administration of the Assembly and regarding the relationship between parliament and government on European integration matters. Secondly, there is now a "change vocabulary" in the Assembly and an increased understanding within the Assembly administration on better public management and the need for 'checks and balances' between parliament and government. The project has put the question of parliamentary autonomy on the agenda.

The indirect impact of the programme is carried through the creation of a network of experts in 11 national parliaments in the EU, which has the potential to contribute to Kosovo's role in parliamentary diplomacy.

Another indirect impact of the programme is the knowledge to better grasp the challenge of the independent institutions. More specifically, there is a clarification of the categories of independent bodies within the Assembly's oversight competence and alignment with the terminology of the Constitution; proposals to improve the process of nomination and appointment of the governing and executive bodies of independent bodies; and proposals to review the annual report of independent bodies. To fully benefit from the assistance offered, there is need for Committee staff to follow-up

more closely the Assembly's own recommendations on the reports of the agencies; although a more detailed proposal and timeline on who should do what and how might have been useful. The proposals, if accepted by the Assembly, will contribute to strengthening the Assembly oversight role, whatever is the exact outcome of the rationalization of the number of agencies.

12 How did the key beneficiaries view the impact of the programme and the changes it has brought about? How has it impacted their work and outlook?

The Twinning projects' main methodological approach is to organize activities which contribute towards generating substantial recommendations on procedural and structural reforms in the Assembly, identified as commonly agreed results in a joint project implementation process. The recommendations are deriving from the initial assessments, best practices in other parliaments in Europe and workshops with parliamentary staff (and to a limited extent also MPs) to discuss the baseline assessment, best practices and draft recommendations.

Based upon our interviews with senior staff of the Assembly Secretariat, it seems that the approach of drafting and distributing recommendations is not enough incentive for change. Change management requires more than knowledge on what needs to change, but also needs a trajectory of advice, coaching and advocacy to implement the proposed changes. The dominant model of the Twinning Projects, generating recommendations towards the end of the project's timeline and expecting the beneficiary institution to take them forward without further support, seems to have had limited success. The needed trajectory of advice, coaching and advocacy (in particular towards the political level in the Assembly) to implement the proposed changes has fallen outside of the timeframe of the Twinning projects, which became most obvious following the second and the third project.

The final output of the three Twinning projects is the "Action Plan to improve the activities of the Assembly for a successful EU integration process". The view of the leadership of the Assembly Secretariat on the value of this document is very much influenced by the surprise on the high number of recommendations as well as the format of the document, since it can hardly be read as a stand-alone document because it relies on information in other documents of the project (which are referenced in a separate column).

Sustainability: Assessing the sustainability of results with specific focus on national capacity and ownership over the project (long term perspective).

13 Have the programme institutional beneficiaries been able to continue with the outputs of the projects beyond the programme phases?

The project is expected to achieve sustainability through transfer of know-how and implementing the recommendations that are expected to further advance Kosovo on the EU agenda.

As part of this evaluation, we reviewed the status of the implementation of each of the 224 recommendations of the Action Plan. We have assessed to what extent the implementation was 'done', 'almost done', had 'started', was being 'considered', has been 'rejected' or remains 'unclear'. Based on our assessment, more than 7% of recommendations have been implemented and more than 11% has almost been implemented. Both categories together count for close to 20% implemented or almost implemented. For more than 30% of recommendations the implementation has started. More than 26% of recommendations are considered though implementation hasn't started yet. Close to 10% of the recommendations are rejected; and for 14% of recommendations the status of implementation remains unclear.

These figures confirm that, although the Assembly has started implementation of the recommendations of the Twinning project, there is need for further advise, coaching and support in

accompanying the implementation. This will ultimately ensure the sustainability of the results achieved so far.

On the sustainability of the proposals for parliamentary autonomy, some progress towards sustainability has been made. While the Twinning project managed to bring the Secretariat of the Assembly on board for the importance of parliamentary autonomy, more work needs to be done to explain at the political level and towards international actors the importance, required changes to the legal framework and the instruments of a strong and independent parliament which has the power and ability to oversee the government and establish an accountable governance and the system of checks and balances.

Other elements leading towards sustainability are the draft Regulation on the proposed reorganization of the Directorate for Legal Standardisation, Approximation and Harmonization into two units; though it is yet to be decided by the Assembly Presidency. During our evaluation interviews, no specific reason for the delay in the approval of the regulation could be identified; and it is therefore reasonable to expect that the Presidency will be able to approve the regulation within the next couple of weeks. The quality of the work of the new units will then depend, among others, to the Assembly's adherence to the recommendations that the new advisers for the Legal Approximation Unit are fluent in English and have a legal background.

14 To what extent have the programme mechanisms ensured that the intended outcomes are sustainable beyond the programme implementation?

Many of the intended outcomes are on track to implementation, though it will require further monitoring. To encourage further sustainable implementation, we have drafted a shortlist of actions, which can be implemented rather easily, based upon the preparatory analysis and drafting of relevant documents. The shortlisted actions are the “low hanging fruits” ready to be harvested. The final chapter with recommendations includes the shortlist of 9 actions which are achievable in the next two to three months.

The short-list includes measures regarding a new organisational unit for general legal issues and an organisational unit for European legal approximation, a new organizational Unit for Coordination on EU Integration Matters, the Strategy for Interparliamentary cooperation and relations and its regulation, the Strategy for Communication and Relations with the Public (incl. section on EU communication), employing staff of the Unit on Budget and Finance Analysis, strengthening the Unit for Research, and publishing detailed statistics, on monthly basis, on oral and written questions to the government.

15 What additional programming is necessary to ensure the long-term sustainability of the gains seen as a result of the programme?

Additional programming is necessary in three areas: European integration, parliamentary oversight and professionalization of the Administration. Rather than conducting new assessments and drafting new recommendations, we suggest that the additional programming will apply practice-oriented methodologies, such as knowledge building, skills building, on-the-job-learning, interactive learning, technical assistance, staff placements in another parliament and regional exchanges. The proposals are detailed in the last chapter of this report.

EU-added value and coherence: Evaluating the extent to which the EU support to the Assembly of Kosovo adds benefit to what would have resulted from Member States' interventions only and the coherence with the EU strategy for Kosovo.

16 What is the added value resulting from the IPA intervention in the Kosovo Assembly, compared to what could have been achieved by Kosovo authorities without such intervention?

The specific added value resulting from the IPA intervention is the expertise on parliamentary practices from 11 national parliaments and the expert network deriving from it. That would have been hard to achieve by the Assembly without the support of the IPA intervention.

Another specific added value is the longer-term staff placement in another parliament, as well as the coaching by staff of other parliaments beyond their presence in Kosovo, such as for instance the coaching on the research papers over a longer period of time.

17 What aspects of the programme are replicable elsewhere? What conditions would be required to reproduce the results?

Several aspects of the programme are replicable. We would like to highlight five examples:

- The legal and procedural framework for building parliamentary autonomy is an aspect of the programme which can be relevant in different countries. It might be useful to clarify that issues of internal organization of an autonomous parliament are regulated through the Rules of Procedure while other issues regarding the power of parliament and other state institutions' accountability to parliament are regulated through primary legislation, thus shaping the desired degree of autonomy for parliament.
- Offering a process of peer-review of research papers with inputs of research departments of participating parliaments is a good model of adult learning.
- Longer-term staff placement in another parliament is often more beneficial to enable parliamentary staff to absorb new knowledge and incorporate new skills as compared to short 2-3 days study visits with very condensed programmes.
- The analysis on the role of parliament in the oversight of independent institutions touches upon the governance system of any country and is sometimes at odds with the democratic accountability mechanisms expected from other public institutions. The work done by the projects might be better validated by offering a comprehensive framework on balancing the independence and the accountability of independent institutions and agencies.
- The proposed strategy on international relations and interparliamentary cooperation provides a framework for coordination of parliaments' role in an increasingly complex international network of bilateral and multilateral relations. It can be of use for any parliament which wants to contribute to parliamentary diplomacy and explore the possibilities for oversight on the Ministry of Foreign Affairs.

Several conditions need to be taken into account to reproduce the results, such as acquiring in-depth knowledge on the functioning of the beneficiary parliament, understanding of the relationship between the political and administrative level in the beneficiary parliament and the history how that relationship has emerged, insights in the political dynamics influencing acceptance of proposals from other donor projects with the Assembly, ability of experts to go beyond explain the situation in their national parliament and explore in which way their experience is adaptable to the local context.

3 Assessment on programme delivery

As indicated in the introduction to the report, this chapter will assess how the programme delivery was organized. This will be done in three sections: project design, project implementation and project management.

3.1 Project Design

Under this section, we analysed to what extent there was a solid basis for successful project implementation. We have reviewed the relevance of the project, selection of implementing instrument, sequencing and scope of the project.

3.1.1 Relevance

The relevance of the Twinning projects is beyond any doubt. The SAA between the EU and Kosovo entered into force on 1 April 2016. The EC Enlargement Package (2016) confirmed the principle of “fundamentals first”, which include democratic institutions and public administration reform. The SAA instruments and the IPA support to the Assembly of Kosovo are appropriate mechanisms for political and legislative reforms to take root. The design of the three Twinning projects seem appropriate, as the objectives clearly relate to EU approximation and implementation of EU best practices. The projects’ results are aiming to strengthen the position of the Assembly of Kosovo within the Kosovo constitutional framework and to improve legislative and oversight capacities, strengthen human resource management, improve capacity for approximation to EU legislation, norms and standards, strengthen the role of the Committee on European Integration and enlarged knowledge of the staff and Members of Parliament on European Integration issues and the EU acquis.

3.1.2 Selection of implementation instrument

The beneficiary institution actively participated in the selection of an implementation instrument (twinning) and the Member State twinning partner (the Hungarian Parliament) for the first and second project. It is understood that for the bidding process for the third project there was only one applicant (the Hungarian parliament). By default, the selection process lost its competitiveness.

3.1.3 Sequencing and scope of the projects

There was a clear sequencing of the three projects, one project building upon the results of the previous projects. When the main deliverable of the second project, the Law on the Assembly, did not come through, there was need for adaptation at the start of the third project. This is a good example of the need for adaptive programming and the need for regular adaptation of the programme.

The Action Fiche for the Twinning projects, outlining the scope and themes of the projects, was drafted by the Assembly with inputs from the EU Office. Following the comprehensive evaluation of the three projects, it seems that the scope of the three projects together was broad, possibly too broad. The three projects were touching upon many – possibly too many - issues of parliamentary functioning: the role and functioning of different departments in the Administration, the work of Committees, plenary and Presidency, the status, procedures and resources of the Assembly, the European integration process and inter-parliamentary cooperation. Ensuring the delivery of progress in so many areas was a managerial task not easy to fulfil. A slightly reduced scope of the project could have been more efficient.

3.2 Project Implementation

The section ‘Project implementation’ evaluated the main approaches to project implementation and how the activities contributed to the stated objectives in the three projects.

3.2.1 Appreciation of results

The Assembly makes a clear distinction in its appreciation of the results of the first, second and third project. Whereas the first project had clear results, as confirmed by the ROM evaluation report and the comments by the Assembly senior staff, the recommendations of the second project were considered of good quality though they could not be implemented due to political reasons, and the results of the third project were reviewed with reservations by the leadership of the Assembly Secretariat. Consequently, there is a difference in the appreciation of the results of the third Twinning project between the implementing partner and the beneficiary.

Whereas the final report, as drafted by the implementing partner, states that “the project was a great success, all activities were carried out and recommendations elaborated, as it was planned in the Twinning contract”, several interlocutors within the Assembly Secretariat express disappointment that the issues they are facing have not been resolved, that required reforms are not moving forward and that the Twinning project seems not to have unlocked the situation. This disappointment has, to a certain extent, to do with the expectations by some Assembly staff that the Twinning project would advocate more effectively for the needed reforms and foster the political will, while respecting that the decision-making process on implementing the recommendations effectively lays with the Assembly itself.

3.2.2 In-depth assessments

As we are reviewing their work in more detail, the Twinning Projects have provided solid assessments of the current legal and institutional environment in each of the programme areas. The assessments drafted in the first or second phase of the Twinning project formed the basis for further in-depth assessment in the third project. The quality of the in-depth assessments is solid, for instance on the situation regarding law making processes in the Assembly, human resources, ICT, independent institutions and agencies, administrative structures responsible for European Integration tasks, parliamentary research, etc. The Twinning Books (1 to 5) cover the assessments and recommendations for each of the components of the Third project. Some of the specific activity reports include a wealth of information as well, for instance the report on EU best practices in oversight by committees.

3.2.3 Capacity building

Beyond solid assessments, the projects’ practical outputs of capacity building included a Training Needs Assessment (TNA), training workshops, on-the-job-trainings, study visits abroad, internships, public round tables, Manuals (on legal approximation and codification), overview papers (on independent institutions), parliamentary research papers (peer-reviewed by parliamentary researchers in the twinning parliaments), etc.

From an evaluation point of view, the quality of the capacity building outputs is highly satisfactory, as confirmed by the interviewed beneficiary representatives. Some Assembly staff expressed the need to move beyond generic training into more specialized trainings on legal issues and on the specific SAA-chapters. One can conclude that there is now a broad understanding among the staff on how parliaments in EU member states and former candidate countries deal with European affairs in the different stages of the integration and in all relevant fields.

3.2.4 Flexibility and adaptation

The project team showed a good level of flexibility and adaptation in light of the changing external environment and identified new programming opportunities in response to the beneficiary's needs. At the start of the third Twinning project, it turned out that the Law on Assembly would not be approved, for political reasons. As component 1 was building further upon the requirements for implementing the Law on Assembly, the project team together with the Assembly developed an alternative set of activities, mainly around staff training and on-the-job-coaching. They were based upon the capacity analysis and TNA prepared during previous project phases. Training topics included: best practices of EU Member States legislative procedures; the organisation of parliamentary administrations in EU Member States; the operation of the standing committees and the relevant tasks of the staff; oversight functions of the Parliament.

3.2.5 Inter-parliamentary network

As mentioned in the Final Report of the third Twinning Project, intensive cooperation among experts of 11 national parliaments and EP and the relevant staff of the AoK created a valuable network. There were proposals to maintain these relationships at the level of expertise exchange; which means that the Assembly can call upon some of the national parliaments to make some of its experts available for follow-up missions to support implementation of the recommendations after the end of the Twinning project.

From an evaluation point of view, and as far as we know, this has not happened yet. In a similar way, the network with 11 national parliaments constitutes a substantial opportunity to build bilateral parliamentary relations and strengthen the practice of parliamentary diplomacy. The Assembly has yet to grasp the opportunity to strengthen its bilateral parliamentary relations by making use of the network of experts established through the Twinning projects.

3.2.6 Recommendations for change

The Twinning projects' main methodological approach is to conduct activities which contribute towards generating substantial recommendations on procedural and structural reforms in the Assembly, identified as commonly agreed results in a joint project implementation process. The recommendations are deriving from the initial assessments, best practices in other parliaments in Europe and workshops with parliamentary staff (and to a limited extent also MPs) to discuss the baseline assessment, best practices and draft recommendations. The first Twinning project generated 101 recommendations, the second project produced 11 recommendations and the third project put forward 224 recommendations.

Based upon our interviews with senior staff of the Assembly Secretariat, it seems that the approach of drafting and distributing recommendations is not enough incentive for change. Change management requires more than knowledge on what needs to change, but also needs a trajectory of advice, coaching and advocacy to implement the proposed changes.

The solid and quality recommendations of the second Twinning project (including the draft Law on Assembly) were produced towards the end of the project period and therefore left unaccompanied by the implementing partner. When the Twinning project returned through its third phase, a gap of 1.5 years had occurred; and by then the Draft Law had run into political obstacles. The analysis and recommendations of the third Twinning project are well described in the five books published by the project. At the end of the third project, a comprehensive set of recommendations have been distributed. Since then, six months have passed where the recommendations were left unaccompanied and modest progress seems to be made.

The dominant model of the Twinning Projects, generating recommendations towards the end of the project's timeline and expecting the beneficiary institution to take them forward without further support, seems to have had limited success. The Final Report, drafted by the implementing partner, confirms that there is a considerable gap to bridge towards sustainable results: *“efforts should be made to ensure that the Action Plan will be discussed and endorsed by the Presidency.”* The needed trajectory of advice, coaching and advocacy (in particular towards the political level in the Assembly) to implement the proposed changes has fallen outside of the timeframe of the third Twinning project, and – as far as we know - the Presidency didn't discuss any draft nor final version of the Action Plan yet.

3.2.7 Action Plan

The final output of the three Twinning projects is the “Action Plan to improve the activities of the Assembly for a successful EU integration process”. The document is composed of 224 concrete actions, 178 actions for the political level and 46 actions for the administrative level of the Assembly.

- As part of this evaluation, we reviewed the quality of each of the 224 recommendations of the Action Plan. We have assessed to what extent each of the 224 recommendations are SMART: Specific, Measurable, Actionable, Relevant and Time-bound.

Table 1: Evaluation of the quality of the recommendations of the Action Plan

Evaluation of the quality of the recommendations of the Action Plan					
Criteria	Specific	Measurable	Actionable	Relevant	Time-bound
Number of recommendations on total of 224	150	179	188	195	42
%	66.96	79.91	83.93	87.05	18.75

As indicated in above table, 66% of the recommendations were specific; which means that 1/3 of the total number of recommendations was not specific. About 80% of the recommendations was measurable and one fifth was not measurable. Almost 84% of recommendations were actionable and 87% can be considered relevant. Surprisingly, only 18% of the recommendations were time-bound, which means that over 80% of recommendations had no timeframe. These figures seem to suggest that the quality of the individual recommendations was rather uneven, though by majority of enough quality.

- As part of this evaluation, we reviewed the status of the implementation of each of the 224 recommendations of the Action Plan. We have assessed to what extent the implementation was ‘done’, ‘almost done’, had ‘started’, was being ‘considered’, has been ‘rejected’ or remains ‘unclear’.

When a recommendation is “done”, it means that the decision was taken and enacted and there is proof of implementation. When a recommendation is “almost done”, it means that all preparatory work has been completed and one waits for a final signature or sign-off on the last step of enactment. When a recommendation has “started”, it means that it is agreed that the recommendation will be taken forward and that relevant staff persons have initiated first steps towards implementation. When a recommendation is “considered”, it means that no final decision has been taken yet to move forward with the recommendation though it is not explicitly rejected. When a recommendation is “rejected”, it means that either the Secretary General or a group of MPs (such as working group revising the RoP) have expressed a negative opinion on the recommendation, indicating that they do not intend to take it forward. “Unclear” means that we

have found no information to be able to assess where the status of the implementation of that recommendation stands.

Table 2: Status of implementation of the recommendations of the Action Plan

Status of implementation of the recommendations of the Action Plan						
Criteria	Done	Almost	Started	Considered	Rejected	Unclear
Number of recommendations on total of 224	16	26	71	59	21	31
%	7.14	11.61	31.70	26.34	9.38	13.84

As indicated in above table, more than 7% of recommendations have been implemented and more than 11% has almost been implemented. Both categories count for close to 20% implemented or almost implemented. For more than 30% of recommendations the implementation has started. More than 26% of recommendations are considered though implementation hasn't started yet. Close to 10% of the recommendations are rejected; and for close to 14% of recommendations the status of implementation remains unclear.

- Reviewing the substance of the recommendations, above figures confirm some of the comments during our interviews that most recommendations are solid and relevant to implement (such as the recommendations on EU integration matters), while other recommendations are not specific enough, politically not well adjusted to the Kosovo context,⁹ or they merely refer to maintaining discipline in implementing existing rules and practices.
- The process of compiling the recommendations deserves specific attention. The Action Plan was elaborated based upon previously drafted recommendations in the areas of each of the project components, and the implementing partner therefore expected that the Action Plan would be able to count on wide endorsement. Nevertheless, during the evaluation meetings several interlocutors in the Assembly Secretariat mentioned that their comments to the draft recommendations were not always taken on board. We learned that there were very limited consultations with the political leadership of the Assembly on the content of the recommendations, though a large part of the recommendations was directed towards the political level. Part of the reason for that seems that most MPs did not pay attention to the correspondence from the Twinning project, possibly because they were occupied with sensitive political issues. When the Action Plan was released, some senior MPs discovered that a large segment of the Action Plan was directed towards them and they seemed unaware of missed opportunities for inputs to shape them.
- The overall number of recommendations in the Action Plan deserves some comments as well. Interviews with the senior representatives of the Assembly Secretariat revealed serious reservations on the number of recommendations. After receiving assistance by three Twinning projects, the number of 224 recommendations surprised the Assembly Secretariat leadership, as it was perceived as a negative evaluation of the functioning and the capacity of the Assembly Secretariat. Being considered as a bombardment of over 200 recommendations, the Action Plan contributed to a strained relationship between the implementing partner and the leadership of the Secretariat of the Assembly.
- Upon review, the format of the Action Plan could probably be constructed differently, such as:

⁹ . Some of the recommendations rejected on political grounds are, for instance, related to voting rights in Committees for non-aligned MPs (which might alter the balance of power between majority and opposition), scheduling interpellations on monthly basis (in a context where very few interpellation requests are submitted), limiting the time available to MPs to speak in the plenary (which is likely to disadvantage the opposition MPs), and the possibility that an investigating committee starts its work when not all political groups have nominated their members (which would pose challenges for the quorum).

- grouping recommendations in a smaller amount of main recommendations (with sub-recommendations),
- establishing a prioritization of tasks (currently there is no prioritization nor ranking),
- suggesting tentative deadlines, in 3, 6, 12, 18 months framework (currently there are no deadlines beyond 189 times “immediately” and 25 times “until the end of the current legislative term 2021”)
- pointing out budgetary consequences (currently no amounts mentioned).

Dividing the document into the categories of “recommendations for the political level” and “recommendations for the administration” was probably not helpful to gain endorsement, as politicians started to scrutinize to what extent they had been consulted on each of the recommendations directed to them. Many recommendations listed under the heading “recommendations for the political level” are issues for final decisions by the Presidency deriving from the preparatory work done through the administration and the component leaders of the project. A fully thematic structure of the recommendations would have been more useful. In addition, it would have been useful to indicate what is the reference practice from which EU Member State the recommendation is based upon.

- The table format of the Action Plan implied that references were made to various activity reports and sections of other reports of the Twinning project. As a result, the Action Plan can hardly be read as stand-alone document because it relies on information in other documents of the project (which are referenced in a separate column). Therefore, as the final document of the Twinning projects, it is not reader-friendly, nor comprehensive in order to enable the reader (including Assembly staff) to fully grasp what is meant for each point, without having to read though many supporting documents.
- In conclusion, while the volume, format and to some extent the content of the Action Plan has alienated the management of the Secretariat of the Assembly and thus diminished the impact of the project, nevertheless, most of the recommendations of the Action Plan remain relevant to achieve a stronger role of the Assembly in the process of European integration. Therefore, it is encouraging that the Secretary General is interested to take the 46 recommendations related to the Administration as the basis for a future EU project with the Assembly. It would be useful to ensure that these recommendations are reflected in the newly updated Strategic Plan of the Assembly.
- The discussions around the Action Plan confirm that advocacy and coaching on draft recommendations are vital, in order for the recommendations to contribute to political will for institutional change. It is understood that the project did make efforts to involve and inform the political leaders and the administrative leadership of the highest level in the Project. However, it is clear that more engagement or a different type of engagement was needed for a document as comprehensive as the Action Plan to be fully owned as the Assembly’s milestone on the road to European Integration.

3.3 Project Management

The section ‘Project management’ reviewed how the management, communications, and coordination mechanisms of the twinning projects have been performed.

3.3.1 In-kind support

The Assembly provided the required premises for the long-term and short-term staff, human inputs and selected the leaders under Components to support efficient and timely implementation. Such involvement is one of the prerequisites for a smooth implementation of any twinning project.

3.3.2 Internal monitoring and Steering Committee

The projects have been regularly internally monitored. There were regular meetings between the RTA and Beneficiary Component Leaders to discuss the progress made and actions for the next period.

Steering Committee (SC) meetings were organised on the quarterly basis, providing an open platform for discussion and resolution of any pending issues. The Steering Committee was a useful mechanism to assist in project implementation. All component leaders from the beneficiary side and key interlocutors from the implementing partner were present. During our evaluation meetings, we learned that Ministry of European Integration was regularly invited but did not participate in the meetings of the Steering Committee.

Issues raised at the SC were taken forward in subsequent discussions. Conclusions and the minutes of previous meeting, often quite detailed, were approved at the next meeting.

During the first Twinning project, a summary of each Steering Committee has been sent to the Presidency of the Assembly, to keep them fully up to date.

3.3.3 Short-Term Experts

The Short-Term Experts (STEs) played a key role in the project. During the first Twinning project, there were STEs from eight countries. At the beginning of each activity the STEs are received by the Secretary General of the Assembly, by the relevant Component Coordinator, and also by the Directors of Legal and Procedural Issues, and the Director of Administration to prepare the forthcoming activity. Through these introductory meetings the STEs gain additional information and instructions to be able to address the beneficiary twinning partner needs. During the second (6-months) project, there were only a limited number of STEs. During the third project, the Hungarian Parliament brought in 58 STEs from 11 national parliaments¹⁰ as well as an additional number of high-ranking officials, ministerial commissioners, ex MPs for workshops with MPs. The total number of international inputs to the third Twinning project counts at 70 persons.

Prior to their arrival, the STEs received a package of information on recent developments in Kosovo and information on previous results achieved in their area of expertise. Most STEs delivered good quality work. Some STEs had worked in Kosovo before over several years and had established good personal relationships with their counterparts in the Assembly. However, interviews with Assembly senior staff indicated that a limited number of STEs were struggling to understand fully the functioning of the Assembly and the legal system and political realities in Kosovo. To make use of international expertise in the most optimal way, one needs to ensure that STEs go beyond explaining the system in their national parliament and engage with a view of responding to the domestic context in the beneficiary parliament and its specific needs.

Each expert mission resulted in a technical report, sometimes several missions were grouped into one report. A total of 70 technical reports have been produced and shared with the Assembly of Kosovo.

¹⁰ The Twinning Contract contained 58 expert CVs. During the two years course of the project, 14 of the experts originally nominated by the participating parliaments had to be replaced for various reasons, such as maternity leave, health issues, the expert left his/her parliament or was assigned with other tasks in his/her home institution. The project attempted to replace the original expert with another person from the same institution and country.

3.3.4 Political engagement

While the Twinning projects mainly interacted with the Administration of the Assembly of Kosovo, the interaction with the political level could have been stronger and was mostly limited to focus on selected Committee chairpersons, and a limited number of meetings with the Deputy Speaker and the Speaker.

Well-known external and political developments affected the availability of MPs to fully engage with the project, such as parliamentary boycotts and walk-outs, vote of no-confidence in the government and early elections, protracted coalition negotiations, polarized plenary sessions involving teargas, etc. If the political context was more stable, the third Twinning project would have been able to establish more regular and in-depth engagement with MPs on the European Integration reform priorities and the Twinning project proposals. The above-mentioned political developments thus disadvantaged Kosovo in benefitting from the expertise and support at hand from the 11 Member States national parliaments and European parliament during the 2 years implementation period of the third Twinning project. Moving forward, it seems advisable that the EU Office will engage more actively on the required political decision making within the Assembly and the Government regarding the recommendations on more effective parliamentary oversight over the government and on the political and resources decisions in the parliamentary dimension of the European integration agenda.

3.3.5 Relations with other donor projects

The Twinning projects had regular contact with other donor projects working in the Assembly, such as UNDP, NDI, GIZ, OSCE and others. During the first project, the Assembly organised donor meetings on quarterly basis and invited each donor to make a presentation of the completed and future activities in order to ensure synergy and transparency of actions. To make donor meetings as efficient as possible, there is need for concrete conclusions, distributed to all partners and followed through in the period between meetings. For the third project, the EU Office organized two donor meetings on parliamentary support, one was chaired by the head of the EU Office in Kosovo.

Regarding donor coordination and based upon the evaluator's own experience¹¹, three types of relationships can be distinguished. At a first level, donor projects exchange information on past activities, future activities and potentially invite each other to attend one's workshops and seminars. At a second level, donor projects try to agree on a division of the working areas with the aim of avoiding unnecessary duplication and overlap. At a third level, donor projects will attempt to work together, by jointly co-organizing workshops, joining forces in conducting baseline assessments, and developing joint recommendations to the beneficiary institution.

Interviews with the Twinning experts as well as with representatives of other projects assisting the Assembly indicate that the current initiatives of donor coordination are limited to the first level. Whether on bilateral level or whether through coordination meetings bringing all projects around the table, the discussion is mostly limited to informing each other of past activities, upcoming events and invites to attend one's workshops or seminars. Attempts to move to the second level of donor coordination, to agree on a division of work between various projects, seems to have had little effect. For instance, the Twinning project developed its recommendations for amendments to the RoP, as did the NDI project with the Assembly. There was some kind of "demarcation" between projects, in the sense that some organizations such as OSCE and UNDP stepped back from a specific area when they learned that the Twinning project was covering this area. Nevertheless, the division between donor projects was only partly successful, as for instance both the GIZ-project and the Twinning project supported the Committee on European Integration on its cooperation with the

¹¹ De Vrieze, Franklin, OSCE coordinates parliamentary support programs, Helsinki Monitor, 2007, pp. 57-63

Ministry of European integration. The third level of donor coordination, development of joint recommendations or holding joint activities, very rarely if ever happened. Nevertheless, this is the most effective way to enable the beneficiary institution to benefit from the strength and knowledge of each of the individual projects.¹²

Upon reflection, the Twinning project could have enhanced cooperation with other partners and increased chances for implementation of its recommendation if it had shared for consultation its draft assessments and draft recommendations and if it was seeking buy-in, inputs and endorsement by other projects for the tentative recommendations. Although the Assembly is the beneficiary of the project and owner of the final version of the documents, we learned from the EU Office in Kosovo that there was no impediment for the Twinning project to share draft versions of the documents for consultation with other donor projects.

We understand that the Twinning project shared the final versions of the documents and recommendations, once approved and final. The hope that, for instance, the Action Plan (as final product of the third Twinning project) will be a tool for donor organizations to identify key areas for further assistance does not seem realistic, as other projects seem not have been involved or had few inputs based upon their analysis and interaction with the same beneficiary. At the same time, it would only be fair that also other donor projects share their assessments and recommendations with the EU project in support of the Assembly.

The policies on sharing draft version (working version) and final versions of documents, fostering joint proposals and co-organizing activities by several projects would be an important topic of discussion between the donor agencies. It would make sense to put this on the agenda for discussion between the EU Office, USAID and Embassies based in Kosovo. Consultation between donor agencies on their multi-year planning priorities and resource allocation would be useful, in addition to a regular coordination of implementing partners chaired by the Assembly of Kosovo, and bilateral discussions between implementing partners on which specific issues they can cooperate (beyond informing each other).

3.3.6 Involvement of the EU Office in the project

The EU Office in Kosovo has followed the implementation of the three projects continuously. There were regular meetings between the Implementing organization and staff of the EU Office. The Office participated in the quarterly meetings of the Steering Committee, and the head of the EU Office chaired one donor coordination meeting on parliamentary support.

As part of this evaluation, it is noted that the communication between the Political Office of the EU and the Twinning Project could have been more optimal. The EU Office received the end products of the recommendations but didn't go over them in detail, except when issues became controversial or disputed, such as on the draft Law on Assembly. It would have been more beneficial if the Political Office would have provided input, to avoid that the EU had to recommend stopping the process of adopting the law, after it had been drafted by an EU-funded project. (see technical assessment chapter on independence for the Assembly).

In general terms, a more thorough and frequent analysis by the EU Office of the political impact of some of the recommendations (for instance on voting rights in Committees, composition of investigation committees, or speaking rights in plenary session) would have been useful. Quality

¹² The only time the Twinning project facilitated a "joint" approach with another project, it seems, was when it encouraged that the GIZ-project hired the same Croatian expert engaged by the Twinning project before; thus, ensuring that there are no conflicting recommendations.

control of the Action Plan, as the final product of the three Twinning projects, would have been useful.

In the final report of the third Twinning project, the implementing partner suggested that the EU Office would monitor the implementation of the Action plan until a new project starts, which seems a reasonable suggestion.

Project findings regarding the quality of the parliamentary oversight and regarding legislative approximation are directly linked to the functioning of the government, for instance in terms of ministers' attendance at plenary sessions, responsiveness to parliamentary questions, quality of the government-drafted approximation statement and tables of concordance. More could have been done, and possibly still can be done, regarding the EU Office following through with the government counterparts (Office of the Prime Minister, Ministry of European Integration and different line ministries) on the required government commitment to parliamentary oversight and on the quality of documentation provided by the government to the Assembly (see technical assessment chapter on legislation). Moreover, it is advisable to foster interaction and cooperation between an EU-funded project with the Assembly and any EU-funded project with the government working on EU approximation, rule of law and public administration reform.

4 Technical assessment on themes of the programme

This chapter assessed the main thematic areas of the Twinning projects and analysed to what extent the technical assistance and recommendations of the projects contributed to impact. The technical assessment on project impact have been structured in six thematic chapters: the question of the independence of the Assembly, the legislative process in the Assembly, oversight practices, the functioning of the administration, as well as the role of Committees and of the administration in the European integration process.

4.1 Independence for the Assembly of Kosovo

Centre-stage to the three Twinning projects was the proposal to make the Assembly of Kosovo a fully independently functioning institution. Based upon the recommendations of the STEs during the first Twinning Project and in full agreement with the Assembly of Kosovo and the EU Office in Kosovo, the Twinning Light project was designed around preparing a draft Law on the Assembly, with the related regulations. Its full implementation would be followed through during the third Twinning project.

4.1.1 Draft Law on the Assembly

The legal framework of the functioning of the Assembly is set out in the Constitution and in the Rules of Procedure of the Assembly. Further regulations are also applicable which concern the entire public sector e.g. in the field of civil service, or financial management without any specification regarding the Assembly. The Final Report of the first Twinning project noted that these legal rules are advisable to be modified, and additional ones should be created in order to ensure appropriate conditions for the functioning of a democratic and independent legislative institution. The Final Report of the first Twinning Project concluded that the most suitable solution could be the adoption of a law on the Assembly together with a comprehensive modification of the Rules of Procedure.

The primary laws and secondary legislations regarding the budgetary and financial management and the functioning of the administration are applied in the same way to the Assembly as to the bodies of the executive. The definition of the administrative structure, the human resources management, the budgetary and financial management, and the ICT management in the Assembly were and are to a large extent dependent on the government authorities.

As noted in the final report of the Twinning Light project: “The independence from Government is a vital part of the balance of powers. When independence is low the quality of parliamentary control suffers.” The concept of parliamentary democracy is based on the idea of a sovereign parliament. In line with the observations in the 2013 European Commission Progress Report on Kosovo¹³, the Twinning project suggested that the independence of the Kosovo Assembly could be best defined in a piece of primary legislation. Such legislation would be aligned with the Constitution, but at the same time also requires the modification of the existing laws and rules effecting the functioning of the Assembly.

The main objectives of the Twinning Light project were thus to prepare proposals on:

- 1 The draft texts for the Law on the Assembly and the modification to the Rules of Procedure;

¹³ <http://www.europarl.europa.eu/document/activities/cont/201311/20131105ATT73963/20131105ATT73963EN.pdf>

- 2 The draft texts for new internal regulations in the fields of budgetary and financial management, operation of ICT system and the management of international relations;
- 3 The draft strategy on international cooperation and interparliamentary relations including bilateral and multilateral relations, the relations with the international organisations and the interparliamentary cooperation framework.

The final report of the Twinning Light project proudly states: “The politically most important achievement of the Project is that the package of the elaborated legal acts upon their adoption could offer a new legal framework for the Assembly ensuring independent status and more effective functioning for the legislative branch of power in Kosovo. In case of its implementation this would be a major development in the whole democratization, modernization and European integration process of Kosovo.” Based on the fact that all required documents (draft legal acts and strategies) were fully elaborated by the Twinning Expert Team with the full support and involvement of the administration of the Assembly of Kosovo, the project team considered that the project had been fully successful.

During the implementation period of the Twinning Light Project it was not possible to start the adoption process in the Assembly, as due to the 2014 general elections and the political difficulties after the elections, the new Assembly has not yet been able to deal with the proposals of the Project. There was a general awareness that the introduction of such a new legal and strategic framework required time. Detailed debate with the participation of all parliamentary parties and also the representatives of the civil society could be expected after the elections of the political leadership of the new Assembly and the constitution of all working bodies of the new Assembly.

The European Commission 2014 Country Report for Kosovo emphasized that the Assembly needed to adopt new rules of procedure quickly. These rules needed to be in line with EU best practice and be based on the recommendations of the EU-funded Twinning Light Project. It was stated that the function of the EU integration committee needed to be further enhanced to reflect its key role in Kosovo's European integration process. It was noted that the independence of the Assembly's ICT infrastructure still was not ensured. Preparations of the annual budget needed to reflect the need for budgetary independence of the Assembly. The Progress Report also stated that new legislation, including a Law on the Assembly, would be helpful in this regard.

4.1.2 Draft Law on hold

When the third Twinning project started in 2016, it found itself in a slightly different context. The Law on the Assembly had run into political heavy weather. During the second half of 2016, it became evident that the procedure for the adoption of the draft Law on the Assembly stopped for political reasons; and it was requested to await the accomplishment of the Public Administration Reform.

Consequently, substantial parts of the content of the third Twinning project, designed to support the implementation of the Law on the Assembly and its regulations, had to be reoriented and their focus adjusted. In line with suggestions and request from the Assembly Secretariat, new activities – as the update of the strategy on international and inter-parliamentary cooperation and an activity to support the work of the Stabilisation and Association Parliamentary Committee (SAPC) – were introduced and on-the-job trainings were extended.

What had happened in the 1.5 years between the end of the Twinning Light project and the start of the third Twinning Project? What is the background to the failed initiative of adopting legislation securing the independence of the Assembly of Kosovo?

As part of the evaluation, we tried to assess the relevant developments which have led to putting on hold the draft Law on the Assembly. Initially, all parliamentary stakeholders (MPs and senior staff) were positive to grant the Assembly of Kosovo a substantially larger degree of autonomy towards the

government. However, several issues triggered a negative environment for adopting the law. As part of the evaluation, the following issues were mentioned:

Firstly, there were misunderstandings and misrepresentations on the meaning of the budgetary independence of the Assembly, as if it would mean that the Assembly would be able to spend money without any external control. The draft law implied that the Assembly could enter its budget proposal into the state budget without the prior approval of the Ministry of Finance, however the rules on accounting and auditing would still apply.

Secondly, MPs of different political parties, members of the Committee on Legislation decided to add amendments to the draft Law on Assembly, prepared by Twinning STEs. These amendments were not related to the work of parliament but related to financial benefits for MPs, with would have large financial implications. The controversy around parliamentarians granting themselves a very substantial increase in salary and pensions torpedoed the draft law.

Thirdly, some media outlets wrote about the draft law in rather simplistic terms, which stirred the controversy further.

Fourthly, some of the international partners of the Assembly, international organizations and diplomats expressed reservations about the draft law. Some of the reservations were based on a sketchy understanding of the meaning of parliamentary autonomy; other reservations were caused by the proposed amendments altering the direction of the draft law.

Fifthly, and as a result of the above, the EU Office and some MPs started to have doubts, and the project was put on hold. The doubts of the EU Office were related to the fact that the environment around this law was no longer conducive for its successful implementation and the fact that there is no uniform European Acquis on the way how parliamentary autonomy is organized in the Member States, thus making it hard for the EU Office to push the proposal forward.

From an evaluation point of view, it is clear that the draft Law on the Assembly was aiming for very substantial changes in the functioning of the Assembly and its relationship to other public authorities, in particular the government. The draft law outlining these substantial changes was drafted within the very tight timeframe of the Twinning Light project – six months only - and subsequently there was insufficient time to engage with all stakeholders with a view to explain the purpose and benefits of the draft law, especially taking into account that during the time of implementation of Twinning Light, general elections and other political difficulties happened.

For a proposal as comprehensive as the law on the Assembly, it was critically important to foresee in a process of consultations, inputs and creating political support with the leaders of the political parties, leadership of the Assembly and government, other donor projects in the Assembly and international organizations and diplomats, as well as the political section of the EU Office. Drafting such fundamentally important draft law and accompanying regulations, without extensive consultations and content-based involvement of the mentioned stakeholders, has proven to be an incomplete approach which fell victim to the risk that the project got stuck as soon as questions were raised, or attempts were made to alter the direction of the project via the mentioned amendments.

Although the draft law on the Assembly is no longer on the agenda, the substance of the work did have an impact, in two ways.

- Firstly, sections of the proposed draft law have been included in the draft revised RoP, specifically regarding the organization of the administration of the Assembly. As substantial segments of the draft law have been taken on board in the draft revised RoP, one can conclude that the Twinning project's efforts for a Law on the Assembly did have a real, tangible impact.
- Secondly, due to the Twinning project's work on the draft law, there is now a "change vocabulary" on the agenda of the Assembly and an increased understanding within the Assembly

administration on better public management and the need for ‘checks and balances’ between parliament and government. The project has put the question of parliamentary autonomy on the political agenda. It has managed to create an opening, which could lead to more far-reaching results later on.

The evaluation meetings also indicated that the attempt by MPs to introduce amendments to the draft law aimed at higher salaries and pensions for MPs has been a reason for some international institutions and interlocutors within the government to question the maturity of the Assembly and its Members to regulate their own finances.

However, to be fair, the decision-making process regarding MPs’ salaries and benefits is a dilemma which also other parliaments have faced and continue to struggle with; so, this question goes beyond the Assembly of Kosovo only. Therefore, the issue of MPs’ salary was not the focus of the draft Law on the Assembly, and the Twinning project made the right choice not to include this issue in the scope of the proposed draft law.

Instead of through a Law on Assembly, international best practices indicate that there are several other alternative approaches to regulate the question of the salaries of MPs. We learned that the Government has prepared a draft Law on Salaries for Public Officials, which includes the question of salaries for MPs, and the draft law has passed the first reading in the Assembly.

In summary, while the Twinning project managed to bring the Secretariat of the Assembly on board for the importance of parliamentary autonomy, more work needs to be done to explain at the political level and towards international actors the importance and the instruments of a strong and independent parliament which has the power and ability to oversee the government and establish an accountable system of governance.

4.2 Legislation in the Assembly of Kosovo

This chapter discusses the deliverables and proposals of the Twinning projects in the area of legislation and legal approximation and highlights key recommendations and their current status.

4.2.1 Legislative process in parliament

In order to improve the legislative procedure within the Assembly, the Twinning projects suggested modifications to the Rules of Procedure of the Assembly (RoP). The proposals were discussed and considered in the parliamentary working group revising the RoP, taking on board as well the suggestions from other partners, mainly NDI. From an evaluation point of view, we are highlighting here three main recommendations by the Twinning project related to the legislative process in parliament.

A first Twinning proposal was related to the necessary timeframe for the procedural steps and the adequate preparation of the committee meetings and the readings. The first Twinning project proposed a separation of the voting on amendments and the final vote on the entire draft law into two consecutive plenary sessions. It was argued that this would leave sufficient time for the deliberation of the effect of adopted amendments on the full content of the draft law. During the evaluation mission, we were informed that the working group did not accept this proposal, as it was considered that it would generate too much delay in approving legislation.

A second Twinning project proposal was to ask the government’s opinion on draft amendments considered by the Assembly prior to the vote. This suggestion has not been accepted by the MPs, due to concerns on time-delays and unclarity on what would be the added value.

A third proposal relates to the fact that currently four main committees are obliged to review all legislation, including the European Integration committee. It is recognized that this creates a huge workload for the committee, in particular as part of the legislation reviewed doesn't touch upon European integration issues. Hence, the first Twinning project assessed that the four main committees should only be assigned to scrutinise a draft law and its amendments if its scope falls under the competencies of the committee; and hence the Committee on European Integration should be discharged from the mandatory task to review all legislation, as suggested during the third Twinning project. It is understood that this proposal has not been taken on board by the working group on the RoP either.

In February 2018, the Assembly Committee concluded its work on the revision of the RoP. The proposed revised RoP have upgraded and improved the currently applicable RoP (as adopted in 2010) in a number of areas. Our tentative review of the proposed revised Rules also reveals that they include considerable flaws, gaps and unclarities which might hamper the efficient functioning of the Assembly and affect the common understanding of the requirements for the democratic functioning of the Assembly. Without aiming to conducting a comprehensive review of the proposed revised RoP, we identified six priority areas for clarification:

- 1 The first reading of a draft law can start two days after the distribution of draft law to the MPs: this is a very short timeframe, which doesn't allow for any meaningful preparation by individual MPs or parliamentary groups. A period of five working days should be the absolute minimum. (art 66.1).
- 2 Review of draft laws and proposing amendments by a Committee addressed to the rapporteur Committee foresees a timeframe of two weeks after the adoption in principle in first reading. Such short timeframe does not allow for any meaningful process of review by Committees which includes consultations with the public, civil society and external experts. (art. 68.3)
- 3 Preparation or adoption of consolidated versions of the law are not mentioned.
- 4 The Assembly's procedures regarding legal approximation with the EU Acquis, the work done by the EU Integration Committee and the Department for Legal Approximation are not mentioned and deserve a specific article in Chapters X – XI.
- 5 Large sections of the chapter on the cooperation between the Assembly and the government with respect to matters of European integration are not matters of the internal organization of the Assembly and should therefore be subject to primary legislation rather than the RoP of the Assembly (Chapter XVI).
- 6 Parliamentary questions: It would be useful to add a provision that the website and the Bulletin of the Assembly will publish, in an easily accessible and searchable way, the statistical data of oral and written questions, answers provided in time and failed answers, verbatim transcript of oral questions and answers, and the text of written questions and answers. (art. 82 and 83.)

It seems to us wise and useful to consider the above-mentioned issues, and a language / translation verification of the document, before any final vote on the new RoP.

A considerable number of reforms proposed by the Twinning project depend on the Assembly's ability to agree on amendments to the RoP. Adopting changes to the RoP requires a 2/3 majority of MPs, which means the votes of 80 out of 120 MPs. It is understood that the Committee on Legislation has adopted draft amendments to the RoP, however this decision was taken by majority vote (opposition parties LDK and VV abstained) rather than by consensus as would have been desirable for a document as important as the RoP. A recent meeting of the Assembly plenary session has indicated that it is possible for majority and opposition parties to find common ground on

issues considered of critical importance for the future of Kosovo (such as the Kosovo Security Force).

To support the improved functioning of the Assembly, now and in the next mandate, one can make the case that – in principle - amendments to the RoP deserve the common agreement of the ruling and opposition parties. We suggest that the Assembly considers the above mentioned six priority areas for clarification and conducts a language / translation verification of the document, before any final vote on the new RoP. We hope that the review of the six priority areas will help to facilitate a consensus-oriented adopted of the new RoP.

4.2.2 Government documentation on draft laws

The prerequisite of increasing the quality of legislation at the parliamentary phase is the quality of draft laws submitted by the Government. The respective provisions of the Rules of Procedure, the complexity of the subject matters of the draft laws in general, as well as Kosovo's obligations stemming from the SAA regarding the areas where Kosovo shall gradually align its legal system with the EU acquis require the presentation of a comprehensive explanation with general and detailed reasoning on the proposed draft law by the Government. Therefore, the Assembly should be provided with more well-founded background documents for deliberation of the draft laws, a comprehensive explanatory memorandum and – in regard to the European legal approximation – detailed information on the obligations stemming from the SAA and the table of concordance.

The Twinning project asserts that, in practice, the documents accompanying the draft laws often do not contain substantial information about the scope and purpose of the draft law, or about the regulatory framework of the subject matter. Additionally, divergent opinions of ministries are also attached to the draft laws instead of a unified government position. Therefore, the will and intention of the Government as the sponsor of the draft law remain unclear on specific points. This phenomenon causes problems during the entire legislative procedure.

The Twinning project asserts that the Assembly should be provided with more well-founded background documents for deliberation of the draft laws. The project recommended that the Assembly may reject draft laws lacking a comprehensive explanatory memorandum.

From an evaluation point of view, we agree with this recommendation, though we have received no concrete information that the Assembly has taken up this challenge and is exercising its authority in this matter. When discussing the revision to the RoP, the Legal Department suggested a rule change that the Speaker be entitled to return a draft law which doesn't meet the above-mentioned requirements. Pending approval of the revised RoP, the current rules stay in place, which stipulate that the plenary session as a whole needs to decide not to proceed with a draft law after its first reading, for instance for reasons of lack of comprehensive explanatory documents. So far, the plenary session did not take any decision along those lines in recent three years.

4.2.3 Statement of harmonization and Tables of Concordance

Under the SAA, the government of Kosovo is obliged to ensure that draft legislation submitted to the Assembly is accompanied with a statement on harmonization with the Acquis, as well as the table of concordance.

We learned that, in practice, the statement on harmonization is often vague, claiming that the draft law is fully or partly harmonized with the Acquis without providing much explanation or justification. Government's compliance tables are not translated into Albanian and Serbian, hence are not official documents. We were told that the Table of Concordance is often incomplete, lacking information at what level the law has reached approximation, the reasons for it and the relevant deadlines. In

addition, the Table of Concordance is not provided in Albanian and Serbian languages, but in English only, and hence cannot be considered an official document.¹⁴

The Project's experts discussed the issue several times with the Secretary General of the Ministry of European Integration (MEI) and with the Office of the Prime Minister (OPM); but the issue has remained unresolved.

From an evaluation point of view, we attempted to discuss this matter with the Legal Department of the MEI and with the Coordination Office in OPM, but none of them were available for a meeting. The quality of the statements of harmonization and tables of concordance seems to us a critical issue for follow-up by the EU Office or any EU-funded project with the MEI and OPM; and beyond the scope of the Twinning project with the Assembly.

In addition, the Twinning project recommended that the Assembly keeps the Tables of Concordance in an electronic database, accessible to all staff in the Assembly. As far as we know, this issue is still in progress.

4.2.4 Unit for approximation of legislation with the EU acquis

In parallel with improving the legislative procedure, the capacity of the Assembly administration to provide high quality support to the legislative process needs to be strengthened. For this purpose, the first Twinning project suggested the creation of a separate unit for the tasks of codification and harmonization of draft bills throughout the entire legislative process. The third Twinning project suggested that the Directorate for Legal Standardization, Approximation and Harmonization be restructured and staffed significantly with lawyers specialised in different legislative areas and fields of EU acquis. The third Twinning project suggested that within this directorate a new organisational unit responsible for general legal issues and codification be established to support the legislative work through the entire length of the legislative procedure, and that a separate organisational unit be responsible exclusively for the approximation of national law with the EU acquis along the entire legislative procedure within the same directorate.

The new organisational unit responsible for general legal issues and codification would be responsible to support the legal analysis of draft laws and of amendments, and the legislative work through the entire length of the legislative procedure. The new organisational unit would also proofread the text of draft laws proposed for adoption at the second reading and carry out all tasks related to the promulgation and publication of the adopted laws. With the establishment of a new unit responsible for general legal issues and codification under the Directorate for Legal Standardisation, Approximation and Harmonization, the current Unit for Legal Approximation and Harmonisation would be responsible exclusively for the approximation of national law with the EU acquis along the entire legislative procedure. Keeping the current practice, the Unit for Standardisation would carry out all tasks related to the multilingual legislation.

The Twinning project prepared a draft Regulation on the proposed reorganization of the Directorate for Legal Standardisation, Approximation and Harmonization into two units; though it is yet to be decided by the Assembly Presidency. During our evaluation interviews, no specific reason for the

¹⁴ However, the RoP Article 54 - Conditions for presenting a Draft-Law – stipulates that the Draft-Law presented to the Assembly shall contain the following: paragraph 1, point c) "Declaration on approximation and harmonization with the EU legislation and with the comparative table of acts it refers to". While paragraph 2 stipulates that "Each Draft-Law presented to the Assembly shall be drafted in the following languages: Albanian, Serbian and English, in hard copy and electronically". This shows that Government is obliged to send to Assembly compliance tables in official languages of Kosovo: Albanian and Serbian, plus English language.

delay in the approval of the regulation could be identified; and it is therefore reasonable to expect that the Presidency will be able to approve the regulation within the next couple of weeks.

The Twinning project advised that the above-mentioned changes require the redefinition of tasks of the reorganised Directorate for Legal Standardization, Approximation and Harmonization and the Directorate for Support of Parliamentary Committees throughout different phases of the legislative procedure. It is understood that the Twinning project has prepared revised Job Descriptions accordingly, though they have yet to be approved.

The project has recommended that the new legal advisers for the Assembly's Legal Approximation Unit will be fluent in English, so they have the capacity to analyse the compliance tables as submitted in English, as well as any other Acquis and English-language documents from the EU. During our evaluation meetings, we learned that recruitment process for the new legal advisers is ongoing. It seems important to us that the Assembly fully adheres to the recommended requirements that the new staff has a legal degree and is fluent in English; as this will demonstrate that the Assembly invests in its professional role in legal approximation verification.

Once the new staff has been recruited and the reorganization enacted, there will be need for specialised training and knowledge transfer on different SAA chapters. This can be an important area of possible future EU assistance to the Assembly.

4.2.5 Consolidation of legislation

The preparation of a consolidated text of the draft law with the amendments approved at the plenary session is a very important tool for legislative quality.

The issue was discussed extensively with the staff of the Assembly during the Twinning Light project. It was noted that in some European countries the legal consolidation is the responsibility of the Ministry of Justice, the Official Gazette, the parliamentary Committee on Legislation or the sponsor of the Law. The Twinning light project introduced the various ways how it is implemented in different EU countries.

Based upon discussions with Assembly staff, the third Twinning project recommended that the Assembly would take the lead role in the consolidation of legislation. More precisely, the project suggested to edit a consolidated version of the law after the third amendment is introduced, and if more than 20% of its text is modified by amendments.¹⁵ The project recommended that the consolidated version of laws would also be published in the Official Gazette.

The project recommended that the committee responsible for legislation would analyse the consolidated text of the draft law in order to propose the elimination of any possible instance of incoherence, and that analysis of this committee restrict itself to propose the elimination of terminological or legal inconsistencies in the text or that of collisions between the provisions of the draft law and other provisions of the legal system. The project also suggests that the preparation of the consolidated version of the modified law be conducted by the Unit of Legal Services; and that the preparation of the Albanian, Serbian and English versions of the consolidated law be conducted by the Unit of Linguistic Standardization.

During our evaluation interviews, senior Assembly staff explained their hesitation on how to move forward. Questions remained if the consolidated version of the law should be considered as official version or as version in use, and if it should be produced in printed version or in electronic version, taking into account that legislation in Kosovo is published in five languages. At the same time, it

¹⁵ There is need for further clarification how the 20% will be measured: based on word count or on substance / content?

should be recognized that the question of legislative consolidation requires a common understanding of all relevant stakeholders, including the government, Assembly, courts, legal experts, etc. and that it will be hard for the Assembly to resolve the issue on its own.

While most of our interlocutors seem to agree that consolidation of legislation is important, it has become clear that no system has been adopted yet; and there seems no process in place towards further consultation and decision making on this matter.

4.2.6 Practices of accelerated approval of legislation

During our evaluation meetings, senior staff of the Assembly raised the issue of the continued practice of accelerated approval of legislation by the Assembly. The current RoP include an article which stipulates that with 2/3 of votes of members present and voting (61 MPs have to be participating in the voting) may decide to depart from the RoP. This means that 41 out of 61 MPs present and voting can decide to depart from the RoP, which is used as mechanism for an accelerated approval of legislation, sometimes scheduling the first and second reading of draft legislation on the same day or with very little time in-between. It was noted that there is an anomaly in the rules, since 41 MPs may decide to depart from the RoP but a two-third majority of Members (80 / 120) is required to change the RoP.

In the framework of the working group revising the RoP, the Legal Department prepared draft amendments to the RoP stipulating that only in very specific circumstances it would be possible to depart from the RoP.

The Twinning project was reluctant to provide any advice on how and when accelerate approval of legislation could be used, because the regular legislative procedure has already considerable weaknesses (see above comments on accompanying documents) and the already short deadlines for reviewing draft laws. The practice of accelerated approval of legislation has been noted as an issue of concern in the EC progress reports / country reports before.

From an evaluation point of view, we understand the Assembly's uncomfortable position towards the concerns in the EC progress reports / country reports because the accelerated approval sometimes happened due to the pressure from international institutions and diplomatic missions regarding Kosovo's international obligations. While the international community sometimes pressured the Assembly to fast-track legislation (sometimes because the government failed to submit legislation in a timely manner as was the case regarding IPA), it is not very consistent to criticise the Assembly in the EC progress reports for the use of the accelerated procedure. In any case, such procedure is bad parliamentary practice because it hinders public consultations and in-depth parliamentary review. It is therefore to be commended that the Assembly intends to restrict this practice in its proposal for revisions to the RoP.

4.2.7 Legislative tracking system

In order to increase the transparency of the legislation and the efficiency of the legislative activity the draft law, the amendments and the documents supporting the legislative procedure should be accessible through the e-parliament and the legislative tracking system.

Based upon the proposals of the first and the second twinning project, the legislative tracking system is already available and accessible on the website of the Assembly. Unfortunately, in practice, the latter is not fully used since documents are not uploaded into the system in a systematic way. According to the recommendations on developing e-parliament system the upload of documents should be made obligatory. It seems advisable that more enforcement mechanisms are useful, including linking staff performance evaluation to the full use of the tracking system.

4.2.8 Multilingual functioning of the Assembly

International practice from other multilingual parliaments has shown that small teams composed of legal staff and translators working closely together on draft laws since their submission to the Assembly until their final approval ensure linguistic accuracy of all the different texts elaborated during the preparation of amendments and further guarantee the coherence of the documents in different languages. The Twinning project recommends that the administrative capacity be strengthened providing regular training in legal translation for all those that intervene in the legislative process.

During our evaluation meetings, senior staff at the Legal Department proposed that the government would issue a certificate on linguistic harmonization and consistency for all draft laws submitted to the Assembly. It was surprising to learn that such certificate is not being issued by the government.

Furthermore, the Twinning project recommended the preparation by the Assembly and the Government of a continuously updated “glossary of legal terms” in the official languages. Its purpose is to guarantee a superior degree of unambiguity and coherence in the translation of drafts, amendments and texts sent for promulgation.

From an evaluation point of view, it is noted that other donor projects (such as the OSCE Mission in Kosovo) did prepare a glossary on parliamentary and legal terms for the Assembly of Kosovo several years ago; and hence the recommendation to prepare a continuously updated glossary can be taken forward by building upon the work invested in the glossary drafted by other projects.

4.2.9 Two legislative manuals

To support the legal staff in the Assembly, the third Twinning project has prepared the Manual on legal analysis and on preparation of documents supporting the legislative procedure and the Manual on European legal approximation and on preparation of documents supporting the legislative procedure.

Both manuals describe in detail a step by step legal analysis of draft laws and the amendments, as well as the method of European legal approximation at each stage of the legislative procedure. They also focus on how to present the results of legal analyses and of the examination of EU law transposition in different documents supporting the legislative procedure. This is the short content.

Manual on legal analysis and on preparation of documents supporting the legislative procedure	Manual on European legal approximation and on preparation of documents supporting the legislative procedure
<ul style="list-style-type: none"> • Formal verification of the requirements for the submission of the draft law <ul style="list-style-type: none"> ○ Analysis of the draft law and preparation of the preliminary report ○ Analysis of compliance with the hierarchy of legal norms ○ Analysis of the internal legal drafting coherence ○ Analysis of content of the draft law and preparation of the résumé • Committee report and recommendations on the draft law to the first reading • Formulation of amendments • Analysis of amendments and preparation of legal opinion and committee reports <ul style="list-style-type: none"> ○ Analysis of compliance with the hierarchy of legal norms 	<ul style="list-style-type: none"> • Analysis of the draft law and content of the preliminary report • The basic location of the draft law in the system of EU law <ol style="list-style-type: none"> 1. Which of the four freedoms is/are affected? (Check all that apply) 2. Which chapter of the EU acquis the proposal belongs to (as listed in the SAA)? 3. Partial, full or non-harmonization is proposed? 4. Is the draft law connected to other laws in force or draft laws to be adopted in the future that have to be applied together to achieve full harmonization? 5. Enter five keywords that best fit with this proposal from EU law point of view. • Specific relation to certain EU law measures <ol style="list-style-type: none"> 6. Which pieces of EU secondary legislation are

<ul style="list-style-type: none"> ○ Analysis of the purpose and scope of the amendment ○ Analysis of content and consistency of amendments ○ Analysis of place of insertion of the amendment ○ Analysis of legal language of the amendment ● Report – including comparative table with three columns – prepared by the assigned committee before the second reading 	<p>transposed by this proposal?</p> <ol style="list-style-type: none"> 7. Are there any legal rules proposed that are more restrictive than those found in the pieces of EU secondary legislation? 8. Are there any rules proposed that are less restrictive than those found in the pieces of EU secondary legislation? 9. Are there any rules that contain state aid? <p>Specific articles that are required to stay intact</p> <ol style="list-style-type: none"> 10. List all articles (chapters, titles, subtitles) of the draft law that are closely related to the transposition of the EU acquis and that are required to stay unaltered in order to ensure proper transposition of EU law. 11. List all articles (chapters, titles, subtitles) of the draft law that are not in compliance with EU law and should be amended for proper transposition. <p>Analysis of the amendments and content of the legal opinion on European legal approximation</p> <p>Evaluation of articles and amendments from an EU law point of view</p>
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As part of this evaluation, we have reviewed the content of the Manuals in detail. We have concluded that both Manuals are comprehensive, detailed, clearly written and methodologically well structured. They can be used by all relevant staff members of the Assembly Administration as a guiding tool in their everyday professional activity. They may contribute to increasing the quality of legislation through conducting thorough analysis and elaborating adequate support materials prior to the committee meetings and readings at the plenary sessions. During our meetings, legal staff confirmed that they consult the Manuals occasionally.

4.3 Financial, HR and ICT management in the Assembly of Kosovo

The financial and budgetary, the human resources and the ICT system management are the most important aspects of the functioning of budgetary institutions. Proposals and capacity building offered during the first and second Twinning projects formed the basis for recommendations during the third Twinning project. In view of the non-adoption of the law on the Assembly, the third Twinning project adjusted its approach regarding activities in this area.

During our evaluation interviews, it was mentioned that the Assembly administration has gained strength and knowledge during the last six years and that its processes have improved. Better use of annual and strategic plans (more detailed design and more regular monitoring of the progress achieved) would offer a consolidated vision and transparency on changes that need to be instituted in order to enhance further the functioning of the Assembly administration.

4.3.1 Financial and budgetary management

In the field of financial and budgetary management, the first Twinning project made a good assessment and introduced solid proposals on improving the budget management of the Assembly. As a result, the practices of budget reporting over the past six years have improved. During the second Twinning project, a regulation on budget management and decentralization was prepared.

During the third project, trainings and consultations focused on budget decentralization as an instrument of good public management which would increase efficiency through delegation of responsibility in the management of the Assembly. The nature of budget decentralization in any

institution is to divide the budget into parts which each link closely to a well-defined set of outcomes, outputs and activities and delegate the parts to a designated budget holder. The budget holder leads the budget planning process and carries the responsibility for the effective and efficient management of budgetary means. All budget holders are still accountable to the head of institution (chief administrative officer). The head of institution remains overall responsible for the institutions budget and its execution. The services of internal audit, Certifying Officer and Directorate for Procurement would remain common services. To start the process in the Assembly, the Twinning project suggested a pilot-project in budget decentralization, which, if evaluated positively, could be broadened later.

From an evaluation point of view, the Twinning project's proposal on budgetary decentralization is faced with two challenges. Firstly, decentralization of authority on financial issues has grown over many years in established parliamentary democracies in Europe, and it is a new management practice not exercised before in the Assembly of Kosovo. To implement it successfully will require a process of change management in the administrative culture, which requires support and coaching.

Secondly, while the relevant actors in the administration of the Assembly seem to have grasped and endorsed the proposals on budget decentralization, there is no indication that this is the case for the actual decision makers on this matter: Assembly Presidency and the Ministry of Finance. While the Twinning expert is convinced that the Assembly has the capacity to implement the decentralization proposal and has reassured us that it is in line with the financial management and control rules of the Ministry of Finance, we learned that the Ministry of Finance has expressed some reservations on the budget decentralization proposal; though without rejecting it explicitly. As the Assembly has one budget code within the Kosovo budget, financial decentralization implies creating sub codes for the different directorates of the Secretariat; and this would require further advocacy with the Treasury.

It seems that the support by the government, the political decision-making level in the Assembly and influential international stakeholders is still to be gained if the budget decentralization proposal is to be implemented.

As far as public procurement management is concerned, the Twinning light project elaborated a draft regulation covering the three main stages in procurement, namely procurement planning, procurement procedure and contract management. The draft regulation specifies the responsibilities in each of the main steps of the procurement processes (including signing off on the procurement specifications), outlined how to prepare a procurement forecast and suggested an earlier start of compiling the tender dossier. During the third Twinning project, several procurement trainings were offered for all contract managers.

The regulation was drafted under the assumption that it would be enacted following the adoption of the Law on the Assembly. The Twinning expert who prepared the draft regulation reassured us that the regulation can also be issued under the existing legislation, with slight adjustments, even if the Law on Assembly is not adopted. He stressed that adopting the Twinning Light proposed draft Regulation on Procurement will be in line with the Law on Procurement, Rules on Financial Management and Control and the processes of the public sector in Kosovo.

As part of this evaluation, we learned that the proposed regulation on procurement was met with comments and reservations by the Ministry of Finance, and hence it has not moved forward. This reconfirms the need for engagement and advocacy with the Executive and the Assembly Presidency, if the Twinning project's proposed reforms are to be implemented.

In meantime, there is a need for more efficient practices, as we learned that in recent two years major procurement projects in the Assembly (for instance in the sector of ICT) have not been successfully completed, and that procurement processes are relaunched regularly.

From an evaluation point of view, it is clear that if the Assembly aims to gain greater autonomy from the executive, it needs to do more than increasing its administrative capacity. It needs to argue convincingly that it has the procedures and structures in place to responsibly manage its own budget. An agreed concept on budget decentralization, improved procurement regulations and practices, updated software programmes on finances and improved reporting structure on budget and expenditures will help to demonstrate the Assembly Secretariat's readiness for fiscal autonomy.

4.3.2 Human resources

Human Resources Management (HRM) has been a priority for all three Twinning projects. During the first and second project, assessments and regulations were prepared aimed at strengthening the Assembly's autonomy in HRM, including classification of positions and recruitment processes. The first Twinning project suggested that a clear link between the organizational strategy and the individual employees' responsibilities and duties be created. It was said that there is a need for proper and transparent recruitment based on merits and meeting the requirement of a certain position¹⁶, and at the same time recruited personnel should continuously be trained, based on a long term (three-five years) training strategy.

As the Law on the Assembly wasn't approved, and in line with the law on civil service (2010), the Ministry for Public Administration remains responsible for the classification of the job titles and positions in all the public institutions, including the Assembly. The proposed job titles and positions are reviewed by a commission including officials of the Ministry of Finance, Public Administration and others.

Throughout the evaluation assignment, most senior staff of the Assembly regularly expressed the view that the Ministry of Public Administration does not respect the autonomy of the Assembly. Although the Law on State Administration stipulates that the Assembly is a constitutional body which does not resort under the government, we were told that the Ministry exercises its authority over the internal functioning of the Assembly through its decisions to select or not to select the proposed job titles. We were informed that the Assembly's Directorate for Personnel sent eight Job Descriptions for classification to the Ministry, but only one position (position of the SG of the Assembly) was accepted. The proposed positions of coordinator of parliamentary committees were rejected since these positions don't exist in the Ministry's catalogue and the Assembly is the only state institution which has committees. Since the approval process is based on electronic submissions, the refusals were system-based; and the Directorate for Personnel didn't have the possibility to participate in any review meeting nor was it invited to justify the need for these positions.

During the third project, the Twinning experts conducted a Training Needs Assessment (TNA) of all staff of the Secretariat, which is the basis for the Assembly's training strategy. According to the applicable rules, management of training activities is the responsibility of the Directorate for Personnel. Within the Directorate for Personnel, there is a Unit for Training and Development of Human Resources. The Directorate for Budget and Payment is responsible for administrative management of the budget allocated to training activities. The Senior Officer for Donor Coordination and Relations with the Civil Society is acting as liaison with relevant donors offering training programmes. The annual training strategy of the Assembly is prepared on the basis of individual evaluations of staff, taking place at the end of each year. This training strategy should ideally be based on a multiannual Strategic Plan of the Assembly.

¹⁶ It is worth mentioning that political interference in hiring process has been highlighted by several EC progress/country reports on Kosovo. This is an external challenge to fully implement the Twinning project recommendations, and an internal issue that hampers proper HRM.

As part of this evaluation, we learned that the capacity building initiatives of most donor projects with the Assembly are not aligned with the training strategy. It seems more work is needed to ensure that the outcomes of trainings will be connected to human capacities development priorities and performance evaluation of staff in the Assembly.

In June 2016, the third Twinning project developed a total of ten recommendations to improve the HR processes, in accordance with the existing legislative framework. Based upon our discussion with the new Director of the Directorate for Personnel, following is a short evaluation to what extent these ten recommendations are on track for implementation.

From an evaluation point of view, the picture is rather mixed: none of the recommendations have been fully implemented; four recommendations are in the process of being implementation (6, 1, 2, 7); four recommendations are considered but no implementation has started yet (3, 5, 9, 10) and two recommendation have been rejected (4, 8). Following are the recommendations (summarized in the title) and the evaluation comment on its implementation.

1 Career planning system

Job vacancies are first advertised internally, which contributes to internal career development. However, despite the Twinning project's advice, the HR Department is still in need for more concrete proposals how exactly to set up a career planning system.

2 Succession planning system

Same as above; the HR Department is still in need for more concrete proposals how exactly to set up a succession planning system.

3 Coordination and planning of training and competence development

Despite the Twinning project's advice, the HR Department expressed the need for more concrete support in identifying strategic training priorities and how to translate them to the external partners of the Assembly offering capacity building. Currently, there seems little interaction between the staff person responsible for coordinating training and the external partners providing training.

4 Decentralizing the budget for training

It was decided not to follow this recommendation of the Twinning project, because the training programmes are already highly decentralized, through the various support programmes to the Assembly. If the Assembly's own training budget would be decentralized as well, the overall picture would be even splintered. The recommendation – based on a practice in other parliaments – was considered not suitable in the Assembly of Kosovo, as there is a need to bring training efforts together rather than decentralizing them.

5 Maintaining adequate records of training commissioned and provided

There is a training needs assessment done, by the individual staff person and the departments; but there is no link to the actual training provided, which are offered on ad hoc basis. Therefore, it is very hard to maintain adequate records of training commissioned and provided.

6 Responsibility of the HR Department for the HR content on the Assembly intranet

Regulations and most forms are available on the intranet. However, the possibility to upload more HR information on the intranet depends on the e-parliament project, which is still in the tendering phase.

7 Update and finalize JDs in the civil service job catalogue

As mentioned above, the Ministry for Public Administration classifies Job Descriptions in its catalogue; and the Assembly has not been very successful in getting its proposed job titles approved in a timely manner.

8 Sharing the Twinning project’s comparative study on HR practices with the Ministry of Public Administration

It hasn’t been done and there are no specific plans in doing so.

9 Regular meetings between Assembly staff and staff of MPA

When the DL on State Administration, Civil Service or Salaries was prepared by the Ministry of Public Administration, nobody from the Assembly and its HR has been invited to the working groups. There are no regular meetings between Assembly staff and staff of the MPA

10 Steps to reduce the time needed to recruit people, simplified authorization forms, closer reporting on all steps in recruitment

Legal requirements stipulate that recruitment processes take at least 3 months. After a person is selected and the name of the selected candidate is published, there is a 30 days period for non-selected applicants to complain. If there is a complaint, the recruitment panel has another 30 days to review it. If the non-selected applicant is not happy with the result, he can complain to the Independent Commission on the civil service within 30 days. This means that the recruitment process can drag on for another 90 days before a person who has been selected can be appointed. No other initiatives have been taken to reduce the time needed to recruit people, simplify authorization forms, or ensure closer reporting on all steps in the recruitment.

4.3.3 Information and Communication system

The first Twinning project advocated the ICT autonomy of the Assembly in order to ensure the possibility of independent operation and development. Certain steps were taken; the implementation of an e-parliament project has started. The first Twinning project advocated for the creation of an internal information system (intranet), which could be used by MPs, committees and Assembly staff to support the legislation, and share information and other data.

Based upon these recommendations, an Action Plan for the development of information and communication technology (ICT) of the Assembly was elaborated within the framework of Twinning Light Project in 2014. It describes the most important requirements of the ICT development and specifies the necessary measures for its realization. During the third Twinning Project, the ICT Action Plan was updated. The development of e-parliament was rolled-out and the application was installed. Though the system is in place, there are challenges with its everyday usage.

To overcome the challenges and to make the e-parliament system functional, the Twinning experts recommended more awareness-raising, allocation of tasks and responsibilities, process control of e-parliament system, trainings, monitoring, support and maintenance. In addition, they suggested the automated connection between the content of e-parliament and the website. The Twinning project made proposals regarding the development of the parliamentary audio-visual system, building the digital archive of the plenary session broadcast and broadcasting committee meetings.

The project suggested that an internal regulation be adopted about electronic document-handling, the level of access to the different document types etc. It is suggested that the main rule for document classification is that each document being discussed at an open meeting is public and published on the parliamentary website, and restricted documents are available through the intranet platform.

The project suggested that the goals of e-parliament be explained in detail to all staff, including the senior management, that trainings be provided to the general directors and directors, e-parliament administrators, end-users (MPs and staff members) and ICT staff members according their duties performed in relation to the functioning of e-parliament system. It is expected that the Regulation on the e-parliament system will be approved in December 2018, enabling its effective implementation as of January 2019.

Other recommendations include setting up a working group or steering group at the higher level of administration on e-parliament, a support and maintenance contract for the e-parliament system and integrating ICT tools into the Assembly's Strategic Plan.

During our evaluation meetings, we learned about the procurement challenges regarding the new data centre, e-parliament and technical equipment in the plenary hall, despite the financial resources being foreseen in the Assembly's budget. While the twinning project supported the e-parliament project with technical expertise, its effective use is weak as few people are uploading documents onto the system. Although the Secretary General signed a regulation on the use of the system, there seems need for more awareness raising among the staff.

During the third twinning project, a regulation on broadcasting and the use of the video production and recording of the plenary session has been drafted; and is awaiting approval by the Assembly Presidency. While most proposals by the Twinning project in the sector of ICT have been implemented, the proposal for an audio-video system for the Assembly plenary session is awaiting the needed resources and it is recognized as an important component for a professional ICT management system.

4.4 Oversight by the Assembly of Kosovo

This chapter discusses the proposals of the Twinning projects in the area of parliamentary oversight and highlights key recommendations and their current status. The chapter is structured around two main areas: oversight of the government and oversight of independent institutions.

4.4.1 Oversight of the government

A substantial part of the work of the Twinning Project focused on strengthening of the oversight function of the Assembly at the level of the plenary session and the committees. Recommendations were formulated how to perform efficient oversight over all activities of Government and independent agencies.

The RoP of the Assembly regulate questions for oral and written answer as well as interpellations. During our evaluation interviews the poor attendance of ministers at the question period has been highlighted. Even, when ministers provide oral answers, the answers are often ill informed and not substantive. In the past, plenary sessions rarely started punctually and at the indicated time, followed with extension of the item on "declarations out of the agenda" beyond the prescribed timing in the Rules of Procedure, thus making it unpredictable when exactly Ministers need to be available to answer questions. A newly structured scenario for plenary sessions is expected to take effect as of 23 November 2018 to remedy this situation.

We learned that the Assembly does not make public the statistics on the non-answered oral questions. According to CSOs monitoring the work of the Assembly, in 2016 up to 32% of all oral questions were not answered and 70% of opposition questions were not answered. While the Assembly website publishes questions and answers, it is not done in a searchable format. As recommended by the Twinning project, it would be advantageous if the Assembly itself kept and publishes statistical data on oral questions and their answers.

Written questions to the Prime Minister and ministers are rarely submitted, as answers are unlikely to be timely, informative or substantive. The Twinning project observed that, similarly to the case of oral questions, the Assembly Secretariat does not make any statistics public on written questions submitted and answered. Publishing these data would be an easy gain for the Assembly Secretariat and give it credit for improving transparency.

The Twinning project made a number of additional recommendations to strengthen plenary session oversight, such as the chairperson of the plenary session announces at the end of the question time the number of written questions submitted after the last session and the number of unanswered ones, proportional time allocation for questions and answers, possibility of substitution of any minister by his/ her deputy at the plenary session, organizing plenary debates on larger policy areas.

From an evaluation point of view, enacting these recommendations requires substantial commitment by the political level of the Assembly and by the government; and it seems that the Twinning project had limited engagement with the political level to be able to explain and advocate these proposals. It is thus unclear to what extent the Twinning project had managed to create interest and political willingness towards implementation of the recommendations on oversight over the government. Moreover, to bring about a change in political culture towards more effective parliamentary oversight over the government will require, in the Kosovo context, the endorsement and support of the EU Office in Kosovo and the US Embassy, among others. A more in-depth political level discussion between the Twinning project and the Political Section of the EU Office would have been useful to better assess ways to foster political progress on the recommendations.

The Twinning project's recommendation for the substitution of the minister in the plenary by his/her deputy is not as straightforward as it looks. Currently, there is no legal basis for such substitution. Moreover, there is no guarantee that the presence of deputy ministers in the plenary session on behalf of the minister would create more accountability to the elected representatives of Kosovo. On the contrary, there is a risk that a deputy minister would refer regularly to the authority or views of the minister, who is not in attendance, thus leaving the MPs without a meaningful partner to engage with.

The third Twinning book asserts that "in order to ensure the presence of the members of government at question time in the plenary session, a sanction system should be developed. The introduction of an automatic reduction in the remuneration of members of government repeatedly absent can be considered." This recommendation is probably based on practices in one of the home countries of the Twinning experts. In the Kosovo context, any mechanism to sanction ministers for not attending parliamentary sessions needs to take into account the relevant provisions of the governmental Rules of Procedure. In other words, the pressure mechanism needs to be adjusted to the relevant political and procedural framework in Kosovo; and it is unclear if the Twinning experts managed to analyse the governmental Rules of Procedure regarding the above-mentioned recommendation.

In the final report on the third project, the Twinning Project asserts that Committees do not engage enough in oversight activities to provide an effective control of the government. It is recommended that the proportion of agenda topics in Committees not directly linked to actual legislative tasks should be raised, and issues and policy areas should be scrutinized with the involvement of third parties. As far as we could identify, the third Twinning project did not offer further guidance about how, in which way the Committees can upscale their oversight activities; though it is understood that proposals were made during the first Twinning project.

4.4.2 Oversight of independent institutions

Kosovo is a champion in the number of independent institutions and agencies. As of today, no solid principles exist pertaining to the establishment, organization, oversight, accountability, mandate, governance arrangements or the termination of agencies. Except for constitutionally mandate

institutions, all agencies have been established on a case by case basis, leading to a rapid proliferation in the number of agencies. Over the last ten years, the Assembly of Kosovo has established more than 30 semi-independent, regulatory and executive agencies while the Government of Kosovo has established 46 central bodies as part of the line ministries.

In December 2016, the Ministry of Public Administration (MPA) with the support of SIGMA released a report on the review of independent institutions and agencies.¹⁷ It makes a comparative analysis of the agencies and offers a roadmap for rationalizing the number of and functioning of agencies in Kosovo.¹⁸ This report is a solid piece of work, based on an in-depth analysis of the applicable legislation.

As this report highlights: “There are no clear lines of accountability in neither Assembly nor Government agencies. A number of agencies of the Assembly have not defined in legislation the reporting to functional committees of the Assembly, some of them have defined but do not report, while others submit the report just for information to the Assembly. There is not a single document in the Assembly which tells which agency reports to which Assembly committee and there is only one coordinator in the Assembly who serving as the focal point between the Assembly and semi-independent institutions and agencies. There are no rules which sanction a board whose annual report is not approved. As a consequence, there are agencies whose reports are approved in the respective Assembly committee but are not approved in the Assembly plenary session; agencies whose reports are not approved in the committee but get the approval of the Assembly plenary session and agencies whose reports are neither approved in the committee nor in the plenary session.” (p. 7 of the report).

As highlighted in the report, specific sectoral laws determine the composition and competences, functions and tasks of each independent institution and agency. As part of the public administration reform a targeted functional review and rationalization of independent institutions is implemented in the coming three years with the lead role of the MPA and with the involvement of the Assembly.

Against this background, the Twinning project formulated a series of recommendations regarding the oversight role of the Assembly towards the institutions, while fully respecting the ongoing rationalisation. Moreover, the ongoing functional review provides an excellent opportunity to take stock of the shortcomings in the parliamentary oversight process.

The Assembly oversees the independent institutions and agencies mainly through the appointment and nomination procedure and the evaluation of their annual reports.

As far as the Assembly’s involvement in the appointment and nomination is concerned, it is regulated only in the provisions of the respective laws on the independent institutions, which reveal a very wide variation. The Twinning project suggested that regulations should be standardised, clear and detailed in laws on these institutions.

More specifically, the Twinning Project recommends that the Assembly’s RoP be supplemented with the descriptions of the tasks and procedures to be carried out in the Assembly. This would have the benefit that regardless of how the number and names of the independent institutions change, the regulations laid out in the RoP can still be applied to them. The RoP would then regulate the different cases in detail, according to categories. It would describe the tasks of the plenary and the permanent or ad hoc (selection) committees for both cases: if the respective laws state that the Assembly is to

17 <https://map.rks-gov.net/getattachment/1d5a601b-3d46-4028-a5ad-b7ba07d9b109/Review-of-institutions-and-agencies-of-the-assembl.aspx>

18 <https://map.rks-gov.net/getattachment/91914d8c-192d-4ede-a99f-bb93733c20b0/Draft-Action-Plan-for-the-Rationalisation-of-Agenc.aspx>

only approve the Government's list of candidates, and also if they foresee that the Assembly selects from the Government's list of candidates. To eliminate the existing practice of en-bloc or summary voting on complete lists, the Twinning project recommends that voting decisions can only be taken on individual nominees, thus giving opportunity for the MPs to evaluate the competences of and to approve or reject each candidate. To make as informed a decision as possible, MPs in committees would need to have the opportunity to hear the nominees before voting on their appointments.

From an evaluation point of view, we agree with these recommendations, which can be taken forward in the framework of the current process of reviewing the Assembly's RoP.

The Twinning Project recommends that the Assembly demands that the Government observe the deadlines for nominations, by reminding the executive branch of its responsibilities through questions, interpellations, requesting appearance in front of a committee, etc. It is suggested that the Liaison Officer sends a notice before these deadlines, and if these deadlines are not respected, it is suggested that the President of the Assembly would publicly call upon it to comply and also publicize this breach of law.

The Twinning Project recommends that the Assembly amends the respective laws on the agencies to stipulate whether the Assembly merely approves the submitted list or can choose from alternative nominees. It is suggested that the vote-taking process would also be described, stating whether it is an open or a secret ballot, and what size of majority is needed for a valid decision. Finally, it is suggested that each law would also include transitional measures for 'interim' periods, when the new governing/managerial body is not appointed by the time when the term of the previous one has expired.

From an evaluation point of view, the above recommendations make sense; and they highlight that there is no one "golden bullet" to resolve the current procedural unclarities and lack of accountability of the agencies. It seems several "golden bullets" are needed to remedy the situation and increase the Assembly's efficiency and oversight role.

The obligation to provide the Assembly with annual reports is clearly stated in most of the laws concerning independent institutions in a very different manner. The Twinning project suggests that the reporting obligation be standardised in the respective laws, while the procedure for assigning their review would be regulated in the RoP to ensure the involvement of all relevant committees resulting in a more thorough analysis. Other suggestions are related to committees developing joint opinions for the plenary, ensuring that the representative of the independent agencies under scrutiny is present at and participates in the plenary debate of the annual report.

The Twinning project suggests that the deliberation of annual reports and of audited reports of the independent bodies would be streamlined. Currently they are addressed with different recommendations after the evaluation of the annual report and the report prepared by the National Audit Office. By receiving only one set of recommendations, the independent bodies would also receive clearer messages regarding their financial management.

The Twinning project suggests that the procedure for the deliberation of the audit reports elaborated by the NAO be defined in the RoP and in the rules of procedure of the concerned committee to ensure a legal framework of this activity.

From an evaluation point of view, one can summarize that the Twinning project developed solid and valuable recommendations regarding: (1.) Clarification of the categories of independent bodies within the Assembly's oversight competence and alignment with the terminology of the Constitution; (2.) Nomination and appointment of the governing and executive bodies of independent bodies; (3.) Review of the annual work report of independent bodies, on structure of the annual report, deadline

for submission, allocation of annual reports to Assembly Committees, plenary debate on the reports in the presence of the head of the agency, deliberation of the audit reports.

We believe that there is need for Committee staff to follow-up more closely the Assembly's own recommendations on the reports of the agencies. This will contribute to strengthening the Assembly oversight role, whatever is the exact outcome on the rationalization of the number of agencies.

While we consider the above recommendation as solid and valid for a more comprehensive oversight role of the Assembly, in the framework of this evaluation assignment we believe that the Twinning project could have offered a more detailed proposal and timeline how to implement these recommendations, who should do what and how. That would have helped to put these recommendations on the administrative and on the political agenda. In addition, we believe that there is need for a comprehensive assessment framework on how to measure the independence and the accountability of the agencies. Good policy guidance requires an appropriate balance between the independence and accountability of the independent institutions.¹⁹

Therefore, and to improve the overall quality of the Assembly's oversight activity, a more systematic and thorough technical assistance on parliamentary oversight of independent institutions would be useful; and this theme could potentially be included in a potential next EU support project with the Assembly.

4.5 Strengthening the Committee on European Integration and the other Committees regarding the SAA process

The Stabilisation and Association Agreement between the EU and Kosovo entered into force on 1 April 2016. The SAA and the National Program for the Implementation of the SAA determine in several respects the preparation for EU integration. The Assembly plays an important role in the European integration process. Because the duties originated in the SAA have a horizontal nature, not only the Committee on European Integration (CEI) has a role, but the involvement and engagement of all committees has a particular importance.

Based upon the analysis, on-the-job trainings, workshops and coaching type activities offered during the first and second Twinning project, the third Twinning project focused on four specific areas: (1.) the role and functioning of the CEI; (2.) the operation of the EU-Kosovo Stabilisation and Association Parliamentary Committee (SAPC); (3.) strengthening the involvement of other committees of the Assembly in the SAA process; (4.) improving the role of the Assembly in raising general awareness on EU issues. Following is a short assessment on each of these four areas.

4.5.1 Role and functioning of the Committee on European Integration

The Twinning project made several recommendations regarding the role and functioning of the CEI. A first recommendation reads that: *“The CEI should be discharged from deliberating of all drafts in the legislative procedure and deal only with EU related draft laws”*. Our evaluation meetings indicate that this recommendation seems to lack the needed political support. The parliamentary working group revising the RoP does not envisage any changes to the current practices on this issue. The chairperson of the CEI has not been consulted by the working group on this matter.

A second recommendation reads that: *“The CEI should actively strengthen the oversight function and political supervision of the European integration activities of the Government”*. Implementing this

¹⁹ Under the Public Administration Reform (PAR) strategic framework, work is being undertaken to move a number of the agencies reporting to the Assembly to the Government oversight.

recommendation depends very much on the content of the annual workplan of the committee, and the relationships built with the Ministry of European Integration (MEI). We were told that staff of the Committee has regular contacts with the MEI, and that the assistance of the GIZ project was more useful in facilitating joint meetings and discussions between the staff of CEI and MEI.

The Twinning project recommended to divide the workload of the committee among its members in line with their specifications and the SAA chapters. We learned that there have been attempts to divide the workload among small groups of three MPs, but that was not considered very effective, as the time dedicated to the work of the CEI differs greatly among members of the Committee. The Twinning recommendation to assign individual MPs, as members of the CEI, to a specific chapter of the SAA could be more effective as it increases the accountability of the MPs to follow relevant developments in a specific area on behalf of the committee and the Assembly.

The recommendation that the CEI would start overseeing the use of EU funds can count on strong interest by the CEI and is expected to be included in next year's annual workplan of the CEI. So far, the MEI did not release any information to the Committee enabling any oversight over the use of EU funds. From an evaluation point of view, we consider the active role of the CEI in overseeing how the Kosovo beneficiaries make use of the EU funds as very valuable.

The Twinning project's suggestion to hold bi-annual debates on EU integration matters is implemented and generally realized, starting with the debate on the EC Country report in Committee and in plenary session; and regarding the National Programme on the SAA.

The recommendation to hold more often joint committee meetings with functional committees is not considered very useful. It usually happens on the occasion of the ratification of an international treaty.

The Twinning experts suggest that CEI staff attends as observers the meetings of the Stabilization Council in the government. Once implemented, this will be one of the most effective ways to remain informed and to learn how policy issues are debated and decisions taken. As far as we are informed, the staff of the CEI has not been invited yet to attend these meetings.

Another recommendation is that the CEI and its Chairperson are engaged in parliamentary diplomacy with EU Member States, EU institutions and regional partners. We have observed that the CEI chairperson is actively engaged in meetings with the Ambassadors of countries reluctant to approve the visa liberalization; and we have been informed of numerous other meetings by the Committee and its chairperson. In addition, the CEI is participating in meetings of COSAC and COSAP, if invited. However, there are very few if any joint meetings or contacts with the Committee on Foreign Affairs, which is somewhat surprising.

The staff of the CEU (currently 4 persons) plays an important role in advising the chair and members of the Committee as they review all legislation from the European integration point of view. Staff of the Committee informed us that they have participated in trainings and workshops by the Twinning project, but that the target group of these trainings were all Committee staff, and hence the scope of the trainings was of a more general nature. Going forward, the staff of the CEI expressed a need for trainings on specific chapters of the acquis, legal approximation, access to EU funds and writing projects for the EU. This seems to be a useful focus area for a possible future EU project with the Assembly of Kosovo.

Beyond the above-mentioned recommendations, the Twinning project also offered an internship for staff dealing with European affairs to the European Parliament. According to the participants, this was one of the most insightful and eye-opening activities, enabling personal links with staff at the EP which last till today. The Twinning project also organized several public roundtable discussions on current SAA issue and on the job training for the staff of the CEI.

4.5.2 EU-Kosovo Stabilisation and Association Parliamentary Committee

EU-Kosovo Stabilisation and Association Parliamentary Committee (SAPC) can play an important role during the association period, since it represents the highest level of inter-parliamentary cooperation with an institutional link to the European Parliament (EP), and it also provides openness to the integration process. The EU-Kosovo SAPC consists of two delegations: one from the EP and one from the Kosovo Assembly. The major impact of EU-Kosovo SAPC lies in the adoption of declarations and recommendations, which are brought to the attention of the Government, both Parliaments as well as to the European Commission.

On several occasions, the Twinning expert from Croatia advised the Assembly on distinguishing or separating the tasks and the functions of the CEI and the Kosovo delegation of SAPC. It was clarified that the task of overseeing the approximation of laws with the EU acquis is the responsibility of the CEI, while the SAPC serves as the platform for building relations with the EP and overseeing the implementation of the joint recommendations with the EP. The Twinning expert advised that the SAPC be supported by relevant background papers to the items on the SAPC agenda as well as to the draft recommendations.

During the evaluation mission, we intended to conduct meetings with the previous and current chairperson of the Kosovo delegation to the SAPC and the staff person supporting the SAPC. Unfortunately, none of them were available during the time of our mission.

4.5.3 Strengthening the involvement of other committees in the SAA process

The development of coordination and cooperation among the committees is one of the prerequisites of successful participation of the Assembly in the implementation of SAA. Although only the mandate of the CEI explicitly includes duties in relation to the EU integration process, each parliamentary committee has a responsibility in this matter. The chapters of the EU acquis correspond to the different areas of the EU legislation for which reforms are needed in order to meet the obligations arising from the SAA.

With a view to have a comprehensive understanding of the responsibilities of the Assembly and its committees, the 35 chapters of EU acquis were mapped by the twinning experts in line with the competences of the committees in the European integration process. The chapters are cross-sectorial which means that each chapter is related to several committees.

From an evaluation point of view, we consider the table detailing the competencies of committees related to the chapters of EU acquis very informative and useful. It can be the basis for the induction programme of new MPs at the beginning of a future mandate of the Assembly of Kosovo, and it will be a good basis for knowledge building for staff of the CEI and sectorial committees.

The Twinning project also offered four workshops on key issues of the SAA process: for the Committee on Economic Development, Infrastructure, trade and Industry; Committee for Agriculture, Forestry, Environment and Spatial Planning; Committee on Education, Science, Technology Culture, Youth, Sports, Innovation and Entrepreneurship; and the Committee on Legislation, mandates, Immunities, Rules of Procedures and oversight of the Anti-Corruption Agency.

4.5.4 Role of the Assembly in raising general awareness on EU issues

As the institution directly representing citizens and as the forum of political debates, the Assembly needs to play a key role in informing the general public and CSOs about European integration, and in involving them in the implementation of the integration process.

The Assembly Secretariat has established a working group for updating its existing Communication Strategy and developing a new section related to EU information and communication. The Twinning experts expect that, on the basis of this new strategy, a detailed annual EU information and communication action plan will be elaborated, taking into account the recommendations provided by the Twinning Project.

From an evaluation point of view, we learned that, almost nine months since the establishment of the working group, the task of updating the communication strategy and developing a section related to EU information and communication is still ongoing. The head of the department for legal issues and the head of the directorate for parliamentary committee support are part of the working group. Our meeting with the new Director of the Media Department referred to the suggestions of the GIZ project in updating the communication strategy rather than the Twinning project. We were informed that the new Strategy is expected to enter into force on 1 January 2019, if approved by the Presidency in time. The new Communication Strategy will include a section on the role of the Assembly in communication on EU integration matters.

4.6 Administrative support to MPs related to tasks of the European integration process

In the last couple of years, the international relations of Kosovo have been intensifying in the field of bilateral and multilateral cooperation, especially because of the entry into force of the SAA and because of the increased participation of the Kosovo Assembly in various international fora.

The Twinning project's recommendations in this area cover three main areas: recommendations to develop the administrative structures responsible for the EU integration tasks; recommendations for the strategy on international relations and inter-parliamentary cooperation in the light of the SAA; and recommendations for improving and enhancing research activities.

4.6.1 Developing administrative structures responsible for the EU integration tasks

As far as developing of administrative structures responsible for EU integration is concerned, the Twinning project recommended to establish a new EU integration coordination unit (EICU) to gradually increase the capacities of the administration to provide assistance to the MPs in EU matters. The new unit would not take away the competences assigned to the current organisational units dealing with European integration, but would coordinate among, supplement the work of, and gain information from different organisational units in the parliamentary administration. In line with the experiences and the best practices of EU Member States' parliaments, in particular Croatia, the Twinning project recommended to establish this unit within the Directorate for Protocol and International Relations (DPIR), though it is understood that the Assembly might decide to place it as a third unit within the Directorate for Standardization and Legislation.

The newly created EICU would be responsible for coordination of inter-parliamentary co-operation concerning the EU affairs. EICU's placement within the DPIR would allow for optimal synergy with other (not exclusively EU-related) aspects of international parliamentary co-operation for which the DPIR would be responsible through its other units, i.e. protocol, multilateral co-operation (e.g. OSCE Parliamentary Assembly, IPU friendship groups, South-East European Cooperation Process Parliamentary Assembly, and in later phase also the Council of Europe Parliamentary Assembly). EICU would also be in charge of informing Kosovo's partners in EU national parliaments, European Parliament and other institutional partners about the latest developments and steps made by the Assembly and the country in the accession process. The new Unit would be the focal point for all types of EU-related tasks, ensure that the Assembly disposes of the necessary institutional memory

with regard to EU related tasks, and assist MPs in international meetings both in organizational and substantial issues.

The Twinning project has set out a comprehensive list of tasks and responsibilities for the EICU, including preparing reports for MPs and supporting them in drafting EU-related parliamentary documents; drafting speeches on EU issues, providing briefing notes with independent, pro-active, unbiased information to MPs on current political and legislative developments in the EU, etc.

From the evaluation point of view, the usefulness of such unit is fully endorsed. We might add two additional tasks for the EICU: to prepare funding proposals for the EU Office regarding support related to European integration matters, and to liaise with the EU Office on the implementation of new EU-funded project with the Assembly. The Twinning project has prepared a draft Regulation on the establishment of the Unit, alongside the job description for its three staff members. The draft Regulation is awaiting approval by the Presidency.

A word of caution is needed. In making the Unit operational, one needs to consider that an important part of the Assembly's contacts with foreign parliaments, including partners in EU national parliaments, is conducted by the Speaker and the members of the Presidency. Based upon the information at hand, it is not clear if the proposal has been discussed with the Speaker or members of the Presidency and how such Unit within the administration of the Assembly will gain the mandate and acceptance in coordinating these activities of the political level of the Assembly.

The Unit's effective and regular liaison with an adviser in the Cabinet of the Speaker will be useful to ensure that information on the Speaker's inter-parliamentary engagements are foreseen of briefing notes and relevant updates; and that the findings deriving from the Speaker's international activities are communicated to other parliamentary delegations visiting the same country or institution.

4.6.2 Strategy on international relations and interparliamentary cooperation in the light of the SAA

To be able to fulfil, plan and manage the field of international relations and inter-parliamentary cooperation efficiently, the Assembly needs an updated strategy, in particular in view of the implementation of the SAA and the importance of the relations with the Council of Europe and NATO. The Twinning-project has drafted a proposal for such updated Strategy.

The proposal includes recommendations for setting up permanent delegations to inter-parliamentary assemblies appointed for the whole parliamentary term, permanent secretaries for each parliamentary delegation, and structured cooperation with the Government (agreements on mutual cooperation with relevant Ministries). At administrative level, better strategic planning of international relations is of utmost importance. Therefore, it is suggested that the Directorate for Protocol and international Relations will draft an annual Authorization Plan containing incoming and outgoing political and staff level visits, for approval by the Presidency. Events included and approved once in the Authorisation Plan would not need further approval, thus enabling a more predictable financial planning. The Strategy also includes a proposal for a database and an archiving system for international relations.

From an evaluation point of view, we endorse the need to adopt such Strategy document, and we agree with the above-mentioned key elements. Based upon our evaluation meetings, it is understood that the Committee on Foreign Affairs intends to convene a meeting to finalize the updated strategy, prior to approval by the Presidency. This is to be welcomed.

A word of caution is needed here as well. Based on our meetings, it seems there are very few if any contacts between the Committee on Foreign Affairs and the Committee on European Integration, including at staff level. This is a concern, especially about the staff level, as this staff is operating

under the same Directory: the Directory for Support to Parliamentary Committees. Coordination between staff and MPs is needed. For an issue as important as updating the Strategy on international relations and inter-parliamentary cooperation in light of the SAA, it would seem appropriate that both Committees endorse the same document, possibly based upon a joint meeting, ahead of forwarding the document to the Presidency for final approval.

4.6.3 Improving and enhancing research activities

High quality parliamentary research is indispensable to be able to provide professional assistance to MPs to fulfil their legislative, oversight, and representative duties, particularly with respect to the approximation of the national legal system with EU legislation.

The first Twinning project suggested the development of a research plan, a library acquisition strategy and an electronic cataloguing system. The third Twinning Project elaborated – based on the best European practices – detailed guidelines for the Directorate for Research, Library and Archives to further develop European integration related research activities. These guidelines are based on the results of the previous Twinning Projects and the assessment of the capacities and operation of the Directorate for Research, Library and Archives with a special focus on the production of research papers.

Main issues concerning parliamentary research activities discussed with the research department of the Assembly of Kosovo include the generalist model versus subject specification in research, planning and delivery of European related research activity, quality control in research, and dissemination and publication of research papers.

A high-quality deliverable of the third Twinning project was to carry out a series of coaching type activities where twinning experts assisted the preparation of ten concrete parliamentary research papers. Draft research papers prepared by the researchers of the Directorate for Research, Library and Archives, were finalized with colleagues of the research departments of the following Parliaments: National Assembly of Hungary, Polish Sejm, the House of Lords and the Northern Ireland Assembly in the UK, who offered detailed feedback and suggestions on the draft papers. Based upon the feedback, several Skype meetings were conducted, prior to finalization of the research papers. The research papers have been shared with relevant Assembly staff and will be easily accessible to all staff once the intranet of the Assembly is up and running.

Based on the experiences of these coaching type activities a Manual on conducting research papers was prepared. The document contains detailed guidance on: (1.) Sources for conducting research; (2.) International standards and rules for references; (3.) Principles for the presentation of the research paper; (4.) Structure of the research paper; (5.) Guidelines on conducting short information papers on EU issues.

From an evaluation point of view, the process of drafting and upgrading the research papers in dialogue with the four mentioned parliaments is a concrete example of successful coaching activities during the third Twinning project. It is recommended to expand such coaching methodology in any future EU-assistance project with the Assembly of Kosovo. The Assembly training strategy need to start planning for own knowledge building for researchers and legal officers, among others regarding EU legislation, in addition to the assistance through a future EU project.

5 Conclusions and recommendations

5.1 Conclusions

As elaborated more extensively in the second chapter answering the evaluation questions, our conclusions on the evaluation criteria in the ToR can be summarized as follows:

Relevance:

- The three Twinning projects were very relevant to strengthen the Assembly's contribution to Kosovo's process of European integration
- The projects' objectives and activities have been updated and modified where needed, in particular at the start of the third project, when it became obvious that the Law on the Assembly would not be adopted any time soon, which was the working assumption for the content of two components in the third project.

Efficiency:

- Strong commitment and local ownership were evident at the start of the first two project phases. One of the important instruments of project management were the quarterly meetings of the Steering committee. All component leaders from the beneficiary side and key interlocutors from the implementing partner were present. Component leaders approved the activities proposed and gave feedback to the quality of past initiatives.
- Quality assurance mechanism for project delivery included the knowledge and parliamentary working experience of the parliamentary experts, coming from 11 national parliaments and the European Parliament. Unfortunately, the quality control of the final product of the third project, the Action Plan, fell short. As indicated elsewhere in this report, the Action Plan had several weaknesses, in terms of its structure, format, and partly its content as well.

Effectiveness:

- The administration within the Assembly had broad access to the assessment reports and draft recommendations of the project, while the interaction with the political level could have been stronger.
- On the question of the beneficiary's satisfaction with the project's services, a mixed picture has emerged. Analysing the minutes from the steering committee meetings, it looks that component leaders are mostly satisfied with the project results. During our individual evaluation meetings, several interlocutors within the Assembly Secretariat expressed disappointment that the issues they are facing have not been resolved, that required reforms are not moving forward or very slowly, and that the Twinning project seems not to have unlocked the situation. This disappointment has, to a certain extent, to do with the expectations by some Assembly staff that the Twinning project would advocate more effectively for the needed reforms and foster the political will, while respecting that the decision-making process on implementing the recommendations effectively lays with the Assembly itself.

Impact:

- The direct impact of the projects is visible in several areas, such as when the Assembly adopted (after the first project) project recommendations regarding the rulebook on political staff and a new organisational chart. Following the third project, all staff are aware how parliaments of EU candidate countries have organized themselves to meet the challenge of the approximation and negotiation process with the EU; and thus, what is required for the Assembly of Kosovo to be prepared in a similar way.

- Indirect impact of the projects is noticeable, for instance, where sections of the proposed draft law on the Assembly have been included in the draft revised RoP, specifically regarding the organization of the administration of the Assembly and regarding the relationship between parliament and government on European integration matters. Indirect impact is also noticeable in the new “change vocabulary” in the Assembly and an increased understanding within the Assembly administration on the need for better public management and the need for ‘checks and balances’ between parliament and government. The project has thus put the question of parliamentary autonomy on the political agenda.
- Based upon our interviews with senior staff of the Assembly Secretariat, it seems that the approach of drafting and distributing recommendations is not enough incentive for change. Change management requires more than knowledge on what needs to change, but also needs a trajectory of advice, coaching and advocacy to implement the proposed changes.

Sustainability:

- The project is expected to achieve sustainability through transfer of know-how and implementing the guidelines and recommendations that are expected to further advance Kosovo on the EU agenda.
- Our analysis on the recommendations of the Action Plan confirm that the Assembly has started the implementation but that there is need for further advise, coaching and support in accompanying the implementation. This will ultimately ensure the sustainability of the results achieved so far.

EU-added value and coherence:

- The specific added value resulting from the IPA intervention is the expertise on parliamentary practices from 11 national parliaments and the expert network deriving from that. That would have been hard to achieve by the Kosovo Assembly without the support of the IPA intervention.

Based upon the findings of this evaluation, our conclusion is that the Twinning modality has been exhausted, specifically in the context of the Assembly of Kosovo. The process of making assessments and drafting recommendations for the beneficiary has been completed. Most issues have been assessed and most relevant recommendations have been put on paper. For a twinning project to be fully successful, the beneficiary institution needs to be well experienced in change management processes. Since the Assembly of Kosovo is still coming up to speed to such processes, another modality seems more appropriate, directed towards accompanying the reforms and building knowledge and skills in a more inter-active way. Therefore, it seems that a Technical Assistance project would be more suitable in the context of the Assembly of Kosovo, at this moment in time.

Recognizing one of the advantages of the Twinning project, the availability of parliamentary officials of participating parliaments, it could be argued that any implementing institution, foundation, organization or company would need to put forward a list of parliamentary officials or ex-officials in its list of short term and long-term experts, or alternatively form a consortium which one or more participating parliaments delivering expert support to the project.

A considerable number of reforms proposed by the Twinning project depend on the Assembly's ability to agree on amendments to the RoP. Adopting changes to the RoP requires a 2/3 majority of MPs, which means the votes of 80 out of 120 MPs. It is understood that the Committee on Legislation has adopted draft amendments to the RoP, however this decision was taken by majority vote (opposition parties LDK and VV abstained) rather than by consensus as would have been desirable for a document as important as the RoP. A recent meeting of the Assembly plenary session has indicated that it is possible for majority and opposition parties to find common ground on

issues considered of critical importance for the future of Kosovo (such as the Kosovo Security Force).

To support the improved functioning of the Assembly, now and in the next mandate, and to honour the commitments for reform made towards the EU and US-funded projects with the Assembly, one can make the case that – in principle - amendments to the RoP deserve the common agreement of the ruling and opposition parties.

5.2 Recommendations

- 1 We recommend that the EU Office in Kosovo continues to support the Assembly of Kosovo through a new project. The reasons are threefold. Firstly, the Assembly plays an important role in Kosovo's progress in the European integration agenda and in achieving the "fundamentals first" approach, including better governance, as indicated in the EC progress reports for Kosovo. Further support by the EU Office in Kosovo to the Assembly is one way to emphasize continued EU support to Kosovo's European path. Secondly, while recognizing the challenges to democratic institution building in the Assembly, it is fair to say that these challenges are not more complicated than the challenges occurring in other sectors such as justice reform or public administration reform. Pulling out of Assembly support while remaining engaged with other public institutions would not be very consistent; it would further entrench the inherent "executive bias" of the EU accession process and lead to asymmetry of capacities between the parliament and the government. Thirdly, in a regional perspective it is noted that EU Delegations are supporting parliament in neighbouring countries; and it would be politically hard to justify excluding the Assembly of Kosovo. A continuation of support to the Assembly of Kosovo by the EU Office is therefore recommended.
- 2 However, it is justified to point at the need for progress on the proposed reforms suggested by the past three EU-funded projects. Therefore, we recommend the implementation of a short-list of prioritized reforms in the Assembly in the two to three next months, prior to further EU technical assistance to the Assembly. While the implementation of the full list of recommendations of the third Twinning project needs more time and might require technical assistance and advice during a next project, it is fair to expect that the Assembly of Kosovo will implement a short-list of priority reforms before the EU authorizes the start of a next project. Based upon our evaluation interviews, the implementation of the following short-list seems achievable in the next two to three months:
 - i. Restructuring the current Directorate for Legal Standardisation, Approximation and Harmonization by establishing a new organisational unit responsible for general legal issues and codification and an organisational unit responsible for European legal approximation (with English-speaking legal staff). Duties and responsibilities of the Directorate for Support to the Parliamentary Committees and of staff of the Committee on European Integration to be modified accordingly.
 - ii. Establishing the new organizational Unit for Coordination on EU Integration Matters (EICU), by adjusting the Regulation on the functioning of the administration of the Assembly accordingly, adopting the Job Descriptions of the staff of the Unit as recommended by twinning experts and hiring the new staff persons.
 - iii. Adopting the Strategy for Interparliamentary cooperation and relations, taking into account the obligation arising from the Action Plan for the Implementation of the SAA;
 - iv. Adopting the Regulation on Parliamentary Cooperation and International Relations;
 - v. Adopting the Strategy for Communication and Relations with the Public (incl. section on EU communication), in line with Twinning recommendations;

- vi. Employing the staff of the Unit on Budget and Finance Analysis, by updating the regulation on the functioning of the administration of the Assembly.
- vii. Strengthening the Unit for Research with three new research positions to enable subject specialization.
- viii. Preparing detailed statistics, for each session, on the number of oral and written questions, number of oral and written answers provided in time, and of failed answers.
- ix. Publishing on the Assembly website, in an easily accessible and searchable way, and in the Assembly Bulletin the statistical data of oral and written questions, answers provided in time and failed answers, verbatim transcript of oral questions and answers, and the text of written questions and answers.

Regarding the recruitment of new staff for the EICU, Unit on Budget and Finance, Unit for Research and Directorate for Legal Standardization, we recommend that at least 3 persons be selected who have accomplished the Young Cell Scheme Kosovo.²⁰ This will be an excellent opportunity for the Assembly of Kosovo to bring on board new staff which have studied at the EU's most reputable educational institutions, with solid knowledge of other languages and with a European certified skillset in law, economy or public administration.

3 The proposed overall objective of the new project is as follows: “The purpose of the project is to support the functioning of an efficient Assembly of Kosovo including in particular the administration of the Assembly, to strengthen the oversight role of the Assembly including oversight over the implementation of policies and legislation, and to strengthen the role of the Kosovo Assembly in EU-related issues, especially regarding the implementation of the SAA.” The thematic scope of the new EU project with the Assembly of Kosovo would be threefold: European integration, parliamentary oversight and professionalization of the Administration²¹. It is recommended that these three areas constitute the three components of the new project

The first component on European integration will focus on knowledge and skills building of the staff of the Assembly.²² Examples of the support on European integration include:

- Training and seminar cycle related to the elaboration of the Acquis chapters identified as priority foreseen in the SAA such as: Chapter 1 (Free Movement of Goods), Chapter 3 (Right of Establishment and Freedom to provide services); Chapter 23 (Judiciary and Fundamental Rights) and Chapter 24 (Justice, Freedom and Security) by linking it to the legal approximation (transposition). This training and seminar cycle would be aimed at staff of the Committee on European Integration and other sectorial committees, with occasional, brief introduction sessions for interested MPs of relevant sectorial committees.
- Training for legal approximation under Chapter 8 (Competition Policy) and overseeing the implementation of legislation in this area

²⁰ For over ten years the Young Cell Scheme has been supporting efforts to build a professional, accountable and apolitical civil service at all levels in Kosovo. The programme enables young and ambitious individuals to maximise their career prospects by studying in the EU's most reputable educational institutions through a scholarship, studying in specific MA, MSc and LL.M programmes. The programme responds to the SAA implementation needs and requirements. Upon their return, the young professionals have a contractual obligation to be employed for at least three consecutive years within the Kosovo civil service. See: <https://ycskosovo.eu/>

²¹ The current structure of the Assembly Secretariat including one Secretary General, two General Directorates and 12 other Directorates is adopted based on the recommendations by first Twinning Project, and also by NDI experts. The Administration is in line with the Law on civil servants, Law on State Administration and with the new Draft Law on public officials (as currently under discussion in the Assembly).

²² It is suggested that this component is developed in close coordination with the GIZ project on European integration, including at the time of drafting the ToR for the future project and the inception phase at the start of the new project.

- Technical support to drafting a guide on the parliamentary diplomacy including membership in parliamentary organizations for the Committee on European Integration.

Oversight would be a second thematic area for the new EU project, including by: (1.) providing technical assistance, coaching and inter-active training on drafting parliamentary questions and initiating interpellations, asking and answering parliamentary questions and debating interpellations, (2.) supporting the Assembly Administration in developing research findings relevant to oversight activities in plenary session and committees, and supporting evidence-based committee oversight of the implementation of policies and legislation²³, (3.) supporting oversight of independent institutions and agencies, with focus on the role of the Assembly regarding the follow-up to the reports of the agencies. To ensure better performance of the Assembly regarding oversight, the engagement with the government and with the political level of the Assembly is important. This component of the project will require a designated project interlocutor in the Assembly Presidency and the Office of the Prime Minister.

The third thematic area is professionalization of the Administration. Some changes in structures, internal regulations and staffing of the Secretariat have been proposed in the reports by the Twinning project. In addition to reviewing and summarizing the recommendations of the Action Plan to a more manageable number of reforms for the Administration of the Assembly, the work under this component will focus on accompanying the implementation of the changes, raising awareness and conducting consultations with staff in all Directorates and at all levels throughout the Secretariat, explaining and consulting all relevant actors in the change process including the Presidency, generating new proposals for optimizing the change results where needed, monitoring and evaluation of the change process, and alignment of the changes with the priorities of the Strategic Plan of the Assembly. The process of reforms and change management will be conducted under the authority of and guided by the Secretary General of the Assembly, with the support of any possible change manager as the Secretary General sees fit.²⁴ Therefore, the scope of a future project will need to consider the internal capacities of the Assembly to absorb the EU support and synchronize its planning cycle with the input from the EU support.

- 4 The organizational modalities of the new EU-project with the Assembly are suggested as follows:
- Scope: 75% focus on Administration; 25% focus on the political level, with a possibility to change the proportion in case of early elections and/ or prolonged formation of the new Assembly and government.
 - Methodologies: knowledge building, skills building, on-the-job-learning, interactive learning, technical assistance, staff placements in another parliament, regional exchange, peer-to-peer learning.²⁵
 - Priority target groups:
 - Legal Department and the Unit on legal approximation,

23 It is suggested that the oversight on implementation of policies and legislation includes a gender and human-rights based approach, and foresees in the involvement of civil society.

24 The structure of the Administration is adopted upon the proposal of Secretary General of the Assembly (Article 80, para. 2 of the RoP of the Assembly).

25 The "learning pyramid" indicates the need for a differentiation of learning methodologies in order to ensure that adults benefit from learning opportunities. Studies show that varying your study methods and materials will improve your retention and recall of information and enhance your learning experience. The "learning pyramid", sometimes referred to as the "cone of learning", suggests that most students only remember about 10% of what they read from textbooks, but retain nearly 90% of what they learn through teaching others. The Learning Pyramid model suggests that some methods of study are more effective than others and that varying study methods will lead to deeper learning and longer-term retention.

https://siteresources.worldbank.org/DEVMARKETPLACE/Resources/Handout_TheLearningPyramid.pdf

- Directorate for Committees, staff of the Committee on European Integration and other Committee staff
 - Directorate plenary session and liaison person to independent institutions
 - Coordination Unit on European Integration
 - Research Department
 - Office of the Secretary General
 - Presidency of the Assembly
 - Office of the Prime Minister²⁶
- Adaptation: guided by the above mentioned three thematic priorities of the project, and in line with lessons learned on development programming in practice,²⁷ there will be need for flexibility and adaptive programming. In order to be able to respond to a changing context, it is suggested that 10% the project budget will be set aside for an “adaptive programming fund” whose priorities can be decided during the project implementation, in agreement between the EU Office and the Assembly.²⁸
 - Timeframe of the project: 3 to 4 years²⁹
 - Modality: Technical Assistance through an EU grant awarded to an institution, foundation, company or national / international organization³⁰ based in an EU or EEA Member State (or a consortium thereof), either in agreement with or with a roster of resource persons linked to one or two national parliaments of EU Member States from the Western Balkans region (the parliaments from Croatia and/or Slovenia)³¹. This does not exclude the involvement of the national parliaments of other EU / EEA Member States.
 - The team: to implement the project effectively, remain fully informed of relevant developments in the Assembly and build a trusted working relationship with the key counterparts in the Assembly, there will be need for a team on permanent basis located in the Assembly premises. The team would include, at least, a full-time international senior parliamentary technical adviser, a full-time programme manager and several national project staff (including interpreter/translator), alongside short-term and thematic advisers, trainers and specialists. A future project formulation mission might need to provide further detail to the size of the team and the qualifications of the team members. It is suggested that applicants for the new project are requested to submit a list of maximum 15 STEs to be included in the project implementation.
 - Donor cooperation: we suggest reconfirming a requirement for the new project team to work in close cooperation with other projects in support of the Assembly, including by organizing joint activities, developing common proposals to the Assembly, and sharing documents and draft documents among partners working with the Assembly of Kosovo.

26 Specifically for the component on parliamentary oversight over the government.

27 <https://www.odi.org/sites/odi.org.uk/files/resource-documents/10401.pdf>

28 The proposed modality of Technical Assistance through a grant allows for 25% flexibility in spending between the different headings of the project budget.

29 Best international practice in parliamentary strengthening suggests that projects are most effective and their impact lasting if they cover a time frame of a full legislative term. This is also the recommendation of the European Commission – DEVCO in Brussels.

30 The obligation to be based in the EU or EEA does not apply for international organizations. [International organisations are international public-sector organisations set up by intergovernmental agreements as well as specialised agencies set up by them]

31 The ToR for the Call for Proposals for new project can include the guidelines that all applicants are entitled to sign an agreement (statement of intent) with one or two of the above mentioned parliaments. It would require prior consultation by the EU Office with these two parliaments, reconfirming their interest to be involved in continuing to support the Assembly of Kosovo in a next project.

Annexes

Annex 1: Terms of Reference of the evaluation

SPECIFIC TERMS OF REFERENCE

Action Title: Evaluation of the EU funded support to the Kosovo³² Assembly
Framework Contract SIEA 2018- Lot 3 - Human Rights, Democracy and Peace
EuropeAid/138778/DH/SER/Multi
Contracting Authority: *European Union Office in Kosovo*

1. BACKGROUND

1.1. Relevant country and sector background

1.1.1. Country Background

Kosovo's territory is land-locked and small, a little over 10,000 km². The resident population is estimated at 1.84 million. Over 90% of the population is Kosovo Albanian. The Kosovo Serb minority represents between 5% and 7% of the population. Other minority communities are Bosniaks, Kosovo Turks, Roma, Ashkali, Egyptians and Gorani.

Kosovo's economy is small and highly open. By regional standards Kosovo is relatively poor with a per capita GDP close to €3,000 per annum.

The EU presence in Kosovo is made up of three components: the European Union Special Representative component (EUSR), the European Security and Defence Policy mission EULEX and the European Union Office in Kosovo. The role of the EU Office in Kosovo is primarily to present, explain and implement EU policy, analyse and report on the policies and developments in the countries/institutions to which they are accredited. The EU Office also plays a key role in the implementation of the EU's substantial financial assistance to Kosovo.

The EUSR offers Kosovo the EU advice and support in the political process and promotes overall EU coordination and coherence in Kosovo. The mandate of EULEX Kosovo is to assist Kosovo authorities, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability and in further developing and strengthening an independent multi-ethnic justice system and multi-ethnic police, customs and correctional services.

The Kosovo Country Report in 2018 emphasises Public Administration Reform (PAR) as one of the key factors for Kosovo's aspiration to the European path. Most of the reports from 2009 onwards point out that ensuring the delivery of public services to all people in Kosovo and establishing a professional, accountable, accessible, representative public administration free from political interference is a key priority. The Kosovo Report also indicate and acknowledge the progress that has been achieved over the years; however, the administration still needs to improve to ensure that Kosovo is ready to meet the challenges linked to the European perspective, since progress in the public administration related reforms will contribute to Kosovo European path. Moreover the performance, professionalism and efficiency of public administrations are key foundations not only for the political development and Kosovo's European path, but also for its economic development.

The Stabilisation and Association Agreement (SAA) between the European Union and Kosovo entered into force on 1st April 2016. The SAA establishes a contractual relationship that entails mutual rights and obligations and covers a wide variety of sectors. The SAA focuses on respect for key democratic principles and core elements that are at the heart of the EU's single market. The SAA aims at gradually develop a free trade

³² This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence

area between the EU and Kosovo where free movement of goods, services and capital are mutually guaranteed and where the application of European standards in areas such as competition, state aid and intellectual property rights will be aligned. Other provisions cover political dialogue, cooperation in a wide variety of sectors ranging from education and employment to energy, the environment and justice and home affairs. The SAA obligations assume that Kosovo public administration is ready and capable to adopt and implement the SAA in an efficient and effective manner. As part of overall public administration reform efforts, Kosovo's top priority is to establish the policy planning system and ensure better regulation as well as to prepare the structures and strengthen the capacities required for implementation of the SAA.

1.1.2. Sector Background

In February 2018, the EU Commission adopted the strategy for 'A credible enlargement perspective for and enhanced EU engagement with the Western Balkans'. The strategy is confirming the European future of the region as a geostrategic investment in a stable, strong and united Europe based on common values. For Kosovo that means that EU has reconfirmed and offered an opportunity for sustainable progress through implementation of the Stabilisation and Association Agreement. It spells out the priorities and areas of joint reinforced cooperation, addressing the need for fundamental reforms and good neighbourly relations.

The European agenda remains Kosovo's priority, and there is a full consensus within the political spectre related to this issue. However, the core competences of the Assembly: legislative and oversight function and representation were put in a very challenging position during 2017 and 2018. Following the early elections on 11 June 2017, it took about two months to constitute the Assembly and appoint a new government. Voter turnout was low at 41.3 % (42.6 % in 2014). The "PAN coalition" (consisting mainly of the Democratic Party of Kosovo (PDK), the Alliance for the Future of Kosovo (AAK) and the Social Democratic Initiative (Nisma)) obtained 33.7 % (39 seats), while Vetëvendosje (VV) 27.5 % (32 seats), the "LAA coalition" (consisting of the Democratic League of Kosovo (LDK), the New Kosovo Alliance (AKR) and Alternativa) 25.5 % (29 seats), and Srpska Lista 6.1 % (9 seats).

A new Assembly and government took office in September 2017. With 61 out of 120 votes, the ruling coalition (consisting of PDK, AAK, NISMA, AKR and Srpska Lista as well as other minority parties) led by Prime Minister Haradinaj has a slim majority. For the first time, the opposition party VV became the single strongest party in parliament (32 seats). The new ruling coalition has had limited success in bringing forward EU related reforms and building consensus on key strategic issues for Kosovo. The continuing political fragmentation and polarisation are affecting the role of the Assembly and are impacting on the effectiveness of the government. In addition, the municipal elections in the autumn 2017 further delayed parliamentary work and seriously slowed down Kosovo's EU related reforms.

Attempts by members of the Kosovo Assembly in December 2017 to abrogate the Law on Specialist Chambers and Specialist Prosecutor's Office also raised concerns about Kosovo's political leaders' commitment to prosecute and judge these crimes and honour Kosovo's related international obligations. The Assembly's ratification of the border/boundary demarcation agreement with Montenegro in March 2018 was an important achievement after three years of prolongation.

Against this background the Assembly needs to substantially improve its performance as a forum for constructive political dialogue and representation, as well as to guarantee proper checks and balances. Both the ruling coalition and the opposition should intensify their parliamentary work and seek consensus on EU-related reform priorities. Overall, the Assembly's effective oversight of the executive and the transparency and quality of law-making need to be improved, and the use of urgent procedures limited.

The Assembly has 120 deputies elected by secret ballot on the basis of open list. The 100 seats in the Assembly are distributed among all parties, coalitions, citizens' initiatives and independent candidates in proportion to the number of valid votes received in the parliamentary elections. Twenty (20) seats are reserved for the additional representation of non-majority communities in Kosovo: 10 seats are allocated to parties, coalitions, citizens' initiatives and independent candidates that represent the Kosovo Serb Community. Ten other seats are allocated to other communities: 4 seats for Roma, Ashkali and Egyptian Communities, 3 seats for Bosnian Community, 2 seats for Turkish Community and 1 seat for the Gorani Community. The Law on General Elections involves a 30% quota for participation of both women and men in the Assembly; and the Law on Gender Equality calls for equal representation (50%), though this is not practiced.

The work of the Assembly is organised through:

- Presidency (In accordance with the Rules of Procedure, the Presidency meets every working week of the Assembly to prepare the agenda for the meeting of the next Assembly session as well as to prepare the agenda for the next coming two weeks).
- Four Standing Committees (Committee on Budget and Finances; Committee on the Rights, Interests of the Communities and Return; Committee on Legislation, Mandates, Immunities, Rules of Procedure of the Assembly and the Oversight of the Anti-Corruption Agency; Committee for European Integration
- Ten Functional Committees (Committee on Foreign Affairs, Diaspora and Strategic Investments; Committee for Education, Science, Technology, Culture, Youth, Sports, Innovation and Entrepreneurship; Committee for Economic Development, Infrastructure, Trade, Industry and Regional Development; Committee on Agriculture, Forestry, Rural Development, Environment and Spatial Planning; Committee on Health, Labour and Social Welfare; Committee on Public Administration, Local Governance and Media; Committee on Internal Affairs, Security and Oversight of the Kosovo Security Force; Committee on Human Rights, Gender Equality, Missing Persons and Petitions; Committee for the Oversight of Public Finances; Committee for the Oversight of Kosovo Intelligence Agency);

The Administration of the Assembly has 178 civil service staff. The Office of the Secretary General (SG) comprises of two General Directories: the General Directory for Legal and Procedural Affairs and the General Directory of Administration. The SG office has the following organisational units: Directory for Protocol and International Relations, Directory for Media and Public Relations and the Procurement Directory. Under the direct supervision of the Secretary General are the Internal Auditor and the Certifying Officer for Finances.

In addition, under the SG the Assembly has the General Directory for Legal and Procedural Affairs, which is responsible for providing the professional legal and procedural for the Assembly and its bodies, through organizational units. The General Directory for Legal and Procedural Affairs consists of the following organizational units:

- a. Directory of Plenary and Procedural Affairs
- b. Directory for the Support of Parliamentary Committees
- c. Directory for Legal Standardization, Approximation and Harmonization, and
- d. Directory for Research, Library and Archive

The General Directory for Administration, through its organizational units, provides technical, professional and administrative support to the Assembly and its bodies. It is comprised of the following organizational units:

- a. Directory for Budget and Payments,
- b. Directory for Information Technology (TI),
- c. Directory for Technical Services,
- d. Directory of Personnel,
- e. Directory for Linguistic Services

The 2018 Kosovo Report is summarising that the Assembly needs to substantially improve its performance as a forum for constructive political dialogue and representation, as well as guarantee proper checks and balances. Parliamentarians are frequently absent from plenary sessions leading to a lack of quorum. As a consequence, agenda items are delayed from session to session. Political polarisation and obstructive behaviour, including the use of teargas, has hindered the work of the Assembly. Overall, the Assembly's effective oversight of the executive and the transparency and quality of law-making need to be improved, and the use of urgent procedures limited.

Ministerial attention to legislation in the Assembly, from proposals until adoption, needs to be improved. Ministers' failure to attend plenary sessions and failure to answer parliamentary questions continue to undermine transparency, accountability and communication with the Assembly. The Assembly needs to establish an ambitious work plan to address the increasing workload and to make up for lost time. The Assembly should plan its work in advance by presenting agendas every 6 months with dates of regular weekly plenary sessions to enable proactive oversight and ensure checks and balances.

The Assembly continued holding irregular plenary sessions. The fast-track procedure was frequently used (22 out of 115 laws were adopted in this way). This resulted in legislation being adopted without substantive debate or stakeholder consultation, including legislation of vital importance, such as the annual budget.

With regard to the appropriate implementation of SAA, it is in the interest of the country that it is managed in a structured way among and within the public administration institutions. The Assembly should have a big role in consensus building in specific policy fields. The SAA and the National Program for the implementation of the SAA (NPISAA) determine in several aspects the preparation for EU Integration and consequently focus of the stakeholders should be targeted on the SAA implementation. As the duties originated in the SAA have a horizontal nature, within the Kosovo Assembly not only the Committee on European Integration (CEI) has a role in the EU integration process. Involvement and engagement of all committees is important.

Parliamentary oversight of the executive and independent agencies remains weak. While parliamentary committees continued consultations with relevant stakeholders, improvements are required on early notification and follow-up. Furthermore, the Assembly lacks the powers and capacity to effectively supervise the 32 agencies / bodies, which report directly to it. The Assembly often failed to appoint, in a timely manner or on the basis of merit, professional board members for several independent institutions. Apart from the proper legal and procedural background that defines tools and mechanisms of oversight, it is indispensable that a culture of oversight develops.

Kosovo Assembly needs to develop methods for raising public awareness and external communication on the parliamentary activities on European issues. The pre-accession period, and particularly the implementation of SAA requires an increasing number of quality expertise and EU knowledge in judicial, economic and political matters. The capacity of the EU Integration Committee should be increased to reflect its key role in advancing EU-related reforms. Furthermore, it is necessary to strengthen administrative structures which satisfy the requirements of the EU acquis in a number of areas, including the EU gender equality acquis.

2. DESCRIPTION OF THE ASSIGNMENT

Type of evaluation	Ex-post evaluation
Coverage	The evaluation covers selected key projects launched by the EU Office in Kosovo to support the Kosovo Assembly.
Geographic scope	Kosovo, Pristina
Period to be evaluated	Entire period of the three projects to date

2.1. Global Objective

Systematic and timely evaluation of its programmes and activities is an established priority³³ of the European Commission³⁴. The focus of evaluations is on the assessment of achievements, the quality and the **results**³⁵ of Actions in the context of an evolving cooperation policy with an increasing emphasis on **result-oriented**

³³ COM(2013) 686 final “Strengthening the foundations of Smart Regulation – improving evaluation”- http://ec.europa.eu/smart-regulation/docs/com_2013_686_en.pdf; EU Financial regulation (art 27); Regulation (EC) No 1905/200; Regulation (EC) No 1889/2006; Regulation (EC) No 1638/2006; Regulation (EC) No 1717/2006; Council Regulation (EC) No 215/2008

³⁴ SEC (2007)213 "Responding to Strategic Needs: Reinforcing the use of evaluation", http://ec.europa.eu/smart-regulation/evaluation/docs/eval_comm_sec_2007_213_en.pdf ; SWD (2015)111 “Better Regulation Guidelines”, http://ec.europa.eu/smart-regulation/guidelines/docs/swd_br_guidelines_en.pdf

³⁵ Reference is made to the entire results chain, covering outputs, outcomes and impacts. Cfr. Regulation (EU) No 236/2014 “Laying down common rules and procedures for the implementation of the Union's instruments for financing external action” - https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/financial_assistance/ipa/2014/236-2014_cir.pdf.

approaches³⁶. From this perspective, evaluations should **look for evidence of why, whether or how these results are linked to the EU intervention** and seek **to identify the factors driving or hindering progress**.

Evaluations should provide an understanding of the **cause and effects links** between inputs and activities, and outputs, outcomes and impacts. Evaluations should serve accountability, decision making, learning and management purposes.

2.1.1. Projects to be evaluated

Since 2006 the EU has supported the Kosovo Assembly through four phases. The first phase was under CARDS funds to assist to Provisional Institutions of Self Government (PISG) and the Assembly for enhanced EU compatibility at Kosovo. Since this project was implemented in the different context from now on after the independence, it will not be taken into account by this evaluation.

The current evaluation will focus on the three last EU projects:

- 1) First twinning project: "Support to Kosovo Assembly", had the overall objective to support the Kosovo Assembly in meeting the challenges of EU integration for a national parliament. In order to reach this, goal recommendations were elaborated in the framework of the Project to increase the administrative capacities of the Assembly, and in particular its Presidency and Committees. By focusing on EU best practices proposals were also made to improve the technical competences in relation to EU approximation. The project's aim was to assist the Assembly in responding to the requirements set in the European Partnership. Special attention was given to the political criteria-related key priorities, among which primarily to the oversight function of the Assembly and to the strengthening of the Assembly's own administrative capacity.
- 2) Second twinning light project: The purpose of the project was to elaborate proposals for different pieces of legislation and to strengthen the overall codification and rule making capacity of the administration with the aim of enhancing the efficient functioning of the Assembly.
- 3) Third twinning project "Further support to the Kosovo Assembly" had the overall objective to help the Kosovo Assembly to meet the democratic standards of functionality. Project supported the creation of the conditions of independent functioning of the Kosovo Assembly, to strengthen its oversight role in relation to both work of the Government and Independent Agencies; to strengthen the role of the Kosovo Assembly in EU-related issues, especially in the SAA process. The project ended in March 2018.

The following are the operational details of all three twinning projects:

Title	CRIS no.	Timeframe	EU Contribution
Support to Kosovo Assembly	2011/277-389	11/11/2011-10/12/2013	EUR 1.5 M
Strengthening the functioning of Kosovo Assembly	2014/341-055	31/03/2014-30/10/2014	EUR 0.25M
Further support to the Kosovo Assembly	2016/372-105	01/03/2016-31/03/2018	EUR 1.3 M

2.1.2. Stakeholders of the Projects

³⁶ COM (2011) 637 final "Increasing the impact of EU Development Policy: an Agenda for Change" - http://www.europarl.europa.eu/meetdocs/2009_2014/documents/acp/dv/communication_/communication_en.pdf

Direct beneficiaries of projects included under this evaluation are: The Secretary General of the Assembly, the Speaker of the Assembly, all MPs, particularly ones dealing with EU integration issues and others in different standing committees, the civil servant staff, all 178 of them, divided into different directorates.

Civil society, especially those engaged in monitoring the performance of the Kosovo Assembly work are also an important stakeholders to these actions as well as all citizens of Kosovo. In addition to them are the numerous donors in the Assembly, dealing on different issues (NDI-National Democratic Institute with the financial support of USAID, GIZ, OSCE, UNDP).

2.2. Specific Objective

The main objectives of this evaluation are to provide the relevant services of the European Union, the interested stakeholders and the wider public with:

- an overall independent assessment of the past performance of the projects listed under 2.1.1;
- key lessons and recommendations in order to improve future Actions. In particular, this evaluation will serve the EU Office in Kosovo relevant services in headquarters for planning future assistance to the Assembly, the Ministry of European Integration and the main users of this evaluation will be the above institutions.

In particular this evaluation will serve:

- To understand the extent to which the programme has contributed towards the creation of the independent institution, with strengthen oversight role, and role in EU related issues;
- To understand the performance of the programme, its enabling factors and those hampering a proper delivery of results as to inform the planning of the future EU interventions and Actions in the Kosovo Assembly.
- Provide recommendations for the possible future actions in the Kosovo Assembly.

The main users of this evaluation will be:

- EU Office in Kosovo
- Relevant government institutions, Ministry of European Integration as NIPAC office
- Civil society organisation monitoring the work of the Kosovo Assembly

Other donors in the Kosovo Assembly

2.3. Requested services, including suggested methodology³⁷

2.3.1. Scope of the evaluation

The evaluation will assess the EU support to the Kosovo Assembly using the five standard DAC evaluation criteria, namely: relevance, effectiveness, efficiency, sustainability and impact. In addition, the evaluation will assess two EU specific evaluation criteria:

- the EU added value (the extent to which the EU support to the Kosovo Assembly adds benefits to what would have resulted from Member States' interventions only);
- the coherence of the Action itself, with the EU strategy in building the democratic institutions and with other EU policies and Member State Actions, and other donors, in section 2.1.2.

The evaluation team shall furthermore consider whether the following cross-cutting issues: promotion of human rights, gender equality, democracy, good governance were taken into account in the identification/formulation documents and the extent to which they have been reflected in the implementation of the Action and its monitoring.

The specific Evaluation Questions as formulated below under 2.3.2 are indicative. Based on them and following initial consultations and documental analysis, the evaluator will propose in the Inception Report a

³⁷ Contractors should describe how the action will contribute to the all cross cutting issues mentioned above and notably to the gender equality and the empowerment of women. This will include the communication action messages, materials and management structures.

complete and finalised set of Evaluation Questions with indication of specific Judgement Criteria and Indicators, as well as the relevant data collection sources and tools.

Once agreed with the approval of the Inception Report, the Evaluation Questions will become contractually binding.

2.3.2. Indicative Evaluation Questions

An indicative list of Evaluation Questions is presented hereafter. The contractor is expected to critically reflect on them during the Inception phase, discuss them with the Project Manager and propose a final version for approval in their Inception Report.

Relevance:

- To what extent has EU support to the Kosovo Assembly action(s) (its purpose and its objectives) been consistent with, and supportive of Kosovo Government policies in the sector?
- To what extent has the action responded to the needs and priorities of the target groups?
- To what extent have the action objectives been updated in order to adapt to changes in the sector?

Effectiveness:

- To what extent has the action achieved its planned results?
- To what extent have the service delivery mechanisms and management practices been appropriate for achieving the expected objectives?
- To what extent have all target groups been able to access action results/services?
- To what extent has the action adapted to changing external conditions in order to ensure benefits for the target groups and the achievement of planned results?
- To what extent have the target groups been satisfied with the services provided?
- To what extent have the actions been implemented in coordination with the other EU actors and international partners?

Efficiency:

- To what extent have the action means been optimally utilised?
- To what extent have the action activities been delivered on time?
- Has the action been implemented in the most efficient way compared to other alternative means of implementation?
- Are the action costs proportionate to the achieved results?
- How efficient are action resources been converted into results?
- To what extent have the action management and coordination mechanisms allowed efficient programme implementation?

Impact:

- What are the direct impact prospects of the action?
- To what extent does the action have indirect positive and /or negative impacts?
- What are the broader effects and impacts of the programme?
- Have the actions made a real difference for the target groups?

Sustainability:

- Have the programme institutional beneficiaries been able to continue with the outputs of the projects beyond the programme phases?
- Have the trained professionals applied in practise what they have been taught during the action implementation?
- To what extent have the programme mechanisms ensured that the intended outcomes are sustainable beyond the programme implementation?

EU Added-value and coherence:

- What is the added value resulting from the IPA intervention in the Kosovo Assembly, compared to what could have been achieved by Kosovo authorities without such intervention?
- To what extent has the EU assistance contributed towards improved coordination and awareness among different authorities?

2.4. Required Outputs

The evaluation process will be carried out in three phases: an Inception and Desk Phase, a Field Phase, and a Synthesis Phase. Deliverables in the form of reports should be submitted at the end of the corresponding phases as specified in the synoptic table below.

The submission of deliverables by the selected contractor will be performed through their uploading in the EVAL Module, an evaluation process management tool of the European Commission; the selected consultant will have access to online guidance in order to operate with the module.

2.4.1. Synoptic table

The following table presents an overview of the key activities to be conducted during each phase (not necessarily in chronological order) and lists the deliverables to be produced by the team, including the key meetings with the Contracting Authority and the relevant stakeholders. The main content of each deliverable is described in Chapter 0.

Phases of the evaluation	Key activities	Deliverables and meetings
<u>Inception & Desk Phase</u> (1 week)	<ul style="list-style-type: none"> Initial document/data collection and definition of methods of analysis Background analysis Reconstruction of Intervention Logic, incl. objectives, specific features and target beneficiaries In-depth document analysis (focused on the Evaluation Questions) Interviews Identification of information gaps and of hypotheses to be tested in the field phase Methodological design of the Field Phase 	<ul style="list-style-type: none"> Kick-off meeting once the evaluator arrives in Kosovo at the EU Office Inception/ Desk report Meeting with relevant stakeholders
Field Phase (2 weeks)	<ul style="list-style-type: none"> Initial meetings at country level with project management, beneficiaries and stakeholders Gathering of primary evidence with the use of interviews, focus groups or other appropriate techniques Data collection and analysis 	<ul style="list-style-type: none"> Meetings with relevant stakeholders
<u>Synthesis phase</u> (1 week)	<ul style="list-style-type: none"> Organisation of the final presentation workshop Final analysis of findings (with focus on the Evaluation Questions) Formulation of the overall assessment, conclusions and recommendations 	<ul style="list-style-type: none"> Draft Final Report Validation Workshop with Reference Group and stakeholders to present draft final report/ findings/ recommendations • Executive Summary Final Report with all Annexes

2.4.2. Inception & Desk Phase

This phase aims at structuring the evaluation and clarifying its key issues.

The phase will start with initial background study, to be conducted by the consultant from home. It will then continue with a kick-off session in Pristina at the EU office between the Project Manager and the consultant. The meeting has the purpose to arrive at a clear and shared understanding of the scope of the evaluation, its limitations and feasibility.

Further to a first desk review of the political, institutional and/or technical/cooperation framework of EU support to democratic standards, the consultant, in consultation with the Project Manager, will reconstruct the Intervention Logic of the Actions to be evaluated.

Based on the reconstructed Intervention Logic the consultant will finalise the evaluation methodology, the Evaluation Questions, the definition of judgement criteria and indicators, the selection of data collection tools and sources, and the planning of the following phases.

The limitations faced or to be faced during the evaluation exercise will be discussed and mitigation measures defined. Finally, the work plan for the overall evaluation process will be presented and agreed in this phase; this work plan shall be in line with that proposed in the present ToR. Any modifications shall be justified and agreed with the Project Manager.

On the basis of the information collected, the evaluator should prepare an Inception Report; its content is described in Chapter 5.

The consultant will then present in Pristina the Inception Report to the Reference Group.

The Desk Phase aims at conducting most of the documental analysis needed for carrying out the evaluation. The analysis of the relevant documents shall be systematic and reflect the methodology developed and approved during the Inception Phase.

Selected interviews with the management, the relevant EU services and key partners in Kosovo can be conducted during this phase as to support the analysis of secondary sources. The activities to be conducted during this phase should allow for the provision of preliminary responses to each evaluation question, stating the information already gathered and its limitations.

They should also identify the issues still to be covered and the preliminary hypotheses to be tested.

A presentation by the consultant to the Reference Group will take place in Pristina.

2.4.3. Field Phase

The Field Phase starts after approval of the Inception Report by the Project Manager.

The Field Phase aims at validating / changing the preliminary answers formulated during the Desk phase and bringing further information through primary research.

If any significant deviation from the agreed work plan or schedule is perceived as creating a risk for the quality of the evaluation, these elements are to be immediately discussed with the Project Manager. In the first days of the field phase, the consultant shall hold a briefing meeting with the Project management.

During the field phase, the consultant shall ensure adequate contact and consultation with, and involvement of the different stakeholders; with the relevant government authorities and agencies. Throughout the mission the consultant shall use the most reliable and appropriate sources of information, respect the rights of individuals to provide information in confidence, and be sensitive to the beliefs and customs of local social and cultural environments.

At the end of the field phase, the consultant shall summarise its work, analyse the reliability and coverage of data collection, and present preliminary findings in a meeting with the Project Manager and the Reference Group and other stakeholders. At the end of the Field Phase an Intermediary Note will be prepared.

2.4.4. Synthesis Phase

This phase is devoted to the preparation of the Final Report and entails the analysis of the data collected during the desk and field phases to finalise the answers to the Evaluation Questions and prepare the overall assessment, conclusions and recommendations of the evaluation.

The consultant will present in a single Report plus Annexes their findings, conclusions and recommendations in accordance with the agreed structure (see a sample in Annex I); a separate Executive Summary will be produced as well.

The consultant will make sure that:

- The assessments are objective and balanced, statements are accurate and evidence-based, and recommendations realistic.

- When drafting the report, the consultant will acknowledge clearly where changes in the desired direction are known to be already taking place.
- The quality of the presentation and language will comply with highest professional standards.

The consultant will deliver and then present in Pristina in a workshop the Draft Final Report to the Reference Group to discuss the draft findings, conclusions and recommendations. Members of the Reference Group will send their comments in writing to the Project Manager at the EU Office who consolidates the comments expressed by the Reference Group members and sends them to the consultant, together with a first version of the Quality Assessment Grid (see Annex II) assessing the quality of the Draft Final Report. The content of the Quality Assessment Grid will be discussed with the evaluator team to verify if further improvements are required.

The consultant will then finalise the Final Report and prepare the Executive Summary by addressing the relevant comments. While potential quality issues, factual errors or methodological problems should be corrected, comments linked to diverging judgements may be either accepted or rejected. In the latter instance, the consultant should explain the reasons in writing.

2.4.5. Management and Steering of the evaluation

At the EU level

The evaluation is managed by the Project manager Ms Burbuqe Kelmendi, EU Office in Kosovo.

All relevant stakeholders to be included in the evaluation will be identified at the Inception Phase and will consist of members of the EU Office in Kosovo, Secretary General of the Assembly, Assembly Committee's members, MP's, Assembly civil service staff, representatives of the Ministry of European Integration, other donors and Civil Society Organisations.

At the Contractor level

The contractor is expected to oversee the quality of the process, the evaluation design, the inputs and the deliverables of the evaluation. In particular, it shall:

- make sure that for each evaluation phase specific tasks and deliverables for the evaluator are clearly defined.
- provide backstopping and quality control of the evaluation team's work throughout the assignment.

2.5. Language of the specific contract

The language of the specific contract is English.

3. EXPERTISEREQUIREDAND ORGANISATION AND METHODOLOGY

3.1. Number of requested experts³⁸ per category and number of man-days per expert or per category

The contractor is expected to hire **one expert of category I** with the following profile:

3.2. Profile per expert or expertise required:

Expert No. 1 (minimum 20 days):

Education:

³⁸ The European Union pursues an equal opportunities policy. Gender balance in the proposed team, at both administrative/secretarial and decision-making levels, is highly recommended.

- At least Masters degree in Law, Public Administration, Political Studies, Social Sciences or 6 years of professional experience, in addition to years required under the general professional experience.

General professional experience:

- At least 12 years working in a sector related to the support to democratisation, public administration reform or organisational development of public institutions.

Specific professional experience:

- Experience in at least 2 assignments related to evaluation of complex support projects in the field of democratisation/political society sector interventions.

Language skills

- Excellent command of English

3.3. Management team member presence required or not for briefing and/or debriefing

The presence of member(s) of the management team is not required for briefing or debriefing purposes.

4. LOCATION AND DURATION

4.1. Starting period

Provisional start of the assignment: September 2018.

4.2. Foreseen finishing period or duration

Indicatively November 2018. Maximum duration of the assignment: 3 months (including time for mobilisation until final acceptance and submission of the final report).

4.3. Planning³⁹

It is assumed that the consultant will work on the basis of a five-day week, the consultant is expected to work in Kosovo with exception of a limited number of home-based days outside Kosovo for preparation of the mission, study of project reports and finalising the Final Report. Working outside Kosovo cannot be more than 25 % of the overall number of working days. Prior written authorisation has to be acquired from the EU project manager in case additional home-base working days are needed.

The consultant is expected to complete the assignment in not more than two missions to Kosovo, unless prior written authorisation is given by the project manager. The first mission of the assignment should allow sufficient time for analysis, consultation and drafting the reports. The second mission is planned for the workshop related to presentation of the draft report.

Attention is drawn to the fact that sufficient forward planning is needed in order to ensure active participation and consultation with government representatives and national stakeholders.

4.4. Location of assignment

The assignment will take place in Pristina.

5. REPORTING

5.1. Content, timing and submission

The reports must match quality standards.

The project manager reserves the rights to request revision of the report as often as necessary to arrive at acceptable quality.

³⁹including the period for notification for placement of the staff as per art 16.4 a)

Type of report	Content	Timing for submission and comments
Inception/ Report	Desk <ul style="list-style-type: none"> • Intervention logic • Methodology for the evaluation (in case different from the Offer) • Evaluation Questions, judgement criteria and indicators • Data analysis and collection methods • Evaluation Matrix • Stakeholder map (including also other relevant donor projects) • Updated Work Plan (based on the initial offer) 	The Inception report to be submitted 5 days week after the end of Inception phase. Project Manager will submit comments within 3 calendar days. The revised report shall be submitted within 3 calendar days from the date of receipt of the comments.
Draft Final Report with executive summary	<ul style="list-style-type: none"> • <u>Sample of report provided in Annex I</u> 	Draft report to be submitted during Synthesis phase. Project Manager will submit comments within 2 weeks.
Final report	<ul style="list-style-type: none"> • Same specifications as of the Draft Final Report, incorporating any comments received from the concerned parties on the draft report that have been accepted 	2 weeks after having received comments to the Draft Final Report.

5.2. Language

All reports shall be submitted in English.

The Draft Final report and the Final Report shall be furthermore translated into Albanian and Serbian languages.

5.3. Number of copies

Each report will be submitted initially in electronic version as a draft. The final version of the Final Report will be provided in one paper copy and in electronic version in Word and PDF format (CD/USB).

6. INCIDENTAL EXPENDITURE

This is a **Global Price Contract**.

The following items should be included in the reimbursable costs: (i) per diems (covering accommodation costs), (ii) international travel costs to and from Kosovo, (iii) organisation of a workshop with stakeholders at the end of the assignment for presentation of the Draft Evaluation report and (iv) sufficient translation/interpretation costs for meetings with stakeholders, beneficiaries and reports. The above reimbursable costs should be foreseen in the budget breakdown.

On the grounds of the specific Council Regulations governing the concerned EU Office in Kosovo external aid program, VAT and any other taxes and duties are excluded from the Community financing.

7. MONITORING AND EVALUATION

The quality of the final report will be assessed by the Project Manager using the quality assessment grid provided in Annex II, which is a tool to review the quality of the Draft and the Final report. Its compilation will support/inform the Performance Assessment required in CRIS, in particular with reference to the third criterion 'Quality of Service' (and should the score be 2 or 3 a synthesis of the QAG comments can be pasted in the Comment box of the Performance Assessment).

Annex 2: Profile of the evaluator

Franklin De Vrieze is a parliamentary development practitioner with extensive experience in parliamentary and political party programme design, implementation and evaluation. He has thorough knowledge of parliamentary development, political parties, good governance, institution building, and good understanding of EU institutions, EU enlargement policy, EU contractual procedures.

He has more than 7 years international field mission experience in the Western Balkans, specifically with the Assembly of Kosovo through the OSCE Mission in Kosovo (2001-2009).

Through his work in South East Asia, Middle East, Africa, Caribbean and Central and Eastern Europe, he has over 7 years of experience in Monitoring and Evaluation of governance and parliamentary programs, and 20 years of experience in the sector of good governance.

His evaluation assignments include parliamentary projects in Fiji (2015), Myanmar (2014), Georgia (2013, 2011), Vietnam (2012, 2011), Pakistan (2012), Albania (2011) and Montenegro (2011), Macedonia (2016).

His assignments with the European Commission and EU Delegations include the Formulation of EC governance programme in Jordan (2016), DEVCO Study on regional parliamentary cooperation in South East Europe / Western Balkans (2014), Formulation of EC parliamentary project in Georgia (2013), DEVCO Study on political party assistance, Mapping, Performance Indicators, Training for EU Delegations (2013), Evaluation of EC-funded parliamentary project in Zimbabwe (2012), Formulation of EC parliamentary project in Lebanon (2012).

Franklin De Vrieze works part-time as free-lance consultant on parliamentary development and part-time as Senior Governance Adviser for the Westminster Foundation for Democracy.

Annex 3: List of interlocutors, evaluation mission, October 2018

Members of the Assembly / Cabinet of the Speaker

Vjosa Osmani, Chairperson of the Committee on Foreign Affairs
Blerta Deliu-Kodra, Chairperson of the Committee on European Integration
Armend Zemaj, Vice-chairperson of the Committee on European Integration
Avni Bytyci, Deputy Chief of Staff and Political Adviser, Cabinet of the Speaker

Secretariat of the Assembly

Ismet Krasniqi, Secretary General
Sali Rexhepi, Director plenary session
Xheladin Hoxha, Director of Legislation
Emrush Haxhiu, Director General Administration
Vulnet Kabashi, Director ICT
Musliu Krasniqi, Director Media
Miradije Haziraj, Director of Human Resources
Arben Loshi, Director Research
Istret Azemi, Director Budget
Zoja Osmani, Director Harmonization and Approximation
Fehmi Hyseni, Director Committee support
Shqipe Krasniqi, Coordinator donor relations
Fehmi Pireva, Liaison Officer Independent Institutions
Adelina Demolli, Coordinator of the EU integration committee
Florent Mehmeti, EU integration committee staff

Partners and donor projects with the Assembly

Peter Weling, Head of Unit, OSCE Mission in Kosovo
Dhurata Kreyziu, Programme Manager, OSCE Mission in Kosovo
Mareike Meyn, GIZ Team leader
Venera Aqifi, GIZ National Adviser
Rinor Beka, Programme Officer, NDI
Nora Loxha Sahatciu, Head of Office, United Nations Kosovo Team
Marta Gazideda, Programme Coordinator, UNDP
Ervin Ibrhimi, UNDP

Twinning Projects (via Skype)

Zoltan Horvath, Head of Technical Assistance team, Twinning project, Hungary

Mariana Gyorkos, RTA, Twinning project, Hungary

Zsofia Czoma, RTA, Twinning Project, Hungary

Daniel Mondekar, Expert, Twinning Project, Croatia

Adam Dudzic, Expert, Twinning Project, Poland

Peter Egemose Grib, Expert, Twinning Project, Denmark

Andrea Halambek, Expert, Twinning Project, Croatia

Government of Kosovo

Kastriot Halili, Ministry for European Integration

EU Office in Kosovo

Luigi Brusa, Head of Cooperation Section, EU Office

Mikaela Gronqvist, Team Coordinator PAR/PFM – Cooperation Section, EU Office

Burbuqe Kelmendi, Programme manager / Twinning Coordinator, EU Office

Blerta Bejtullahu, Senior Political Analyst, Political Section, EU Office

European Commission in Brussels

Gonzalo Jorro-Martinez, [Policy Officer – Democracy – Parliaments and Political Parties](#), European Commission, DG International Cooperation and Development – EuropeAid (DEVCO), Unit B1 - Gender Equality, Human Rights and Democratic Governance

Annex 4: Literature consulted

Documentation on the Twinning projects and the Assembly of Kosovo

- Action Document (Description of the Action) and Log frame of three Twinning Projects
- Progress reports and final reports of the Three Twinning Projects
- Project Books with assessments and recommendations
- Activity reports
- Minutes of the Steering Committee meetings
- EC Progress Reports / Country Reports on Kosovo
- Website of the Assembly of Kosovo
- Ministry of Public Administration, Review of institutions and agencies of the Assembly and central bodies of the government, Prishtina, December 2016, 156 p.
- Ministry of Public Administration, Action plan for the rationalisation of agencies, Prishtina, June 2018, 11 p.

Publications on parliamentary development:

- European Commission, Engaging and Supporting Parliaments Worldwide Strategies and methodologies for EC action in support to parliaments, Brussels, October 2010, 196 p.
- European Parliament, The Right to Petition. Study commissioned by the European Parliament - Directorate General for Internal Policies, Brussels, 2015, 56 p.
- Guidelines for Parliamentary Research Services, IPU and IFLA, 2015, 48 p.
- Inter-Parliamentary Union, Parliament and Democracy in the Twenty-First Century: a Guide to Good Practice, Geneva, 2006, 140 p.
- Office for Promotion of Parliamentary Democracy (OPPD), *Electoral systems: The link between governance, elected members and voters*, European Parliament, Brussels, 2011, 100 p.
- UNDP and IPU, Global Parliamentary Report: The changing Nature of Parliamentary Representation, New York & Geneva, 2012, 115 p.

Relevant publications by the evaluator, Franklin De Vrieze:

- Study on Parliamentary Cooperation - International Parliamentary Institutions and Parliamentary Networks in the Western Balkans and South East Europe, published by European Commission and Public Administration International, Brussels, 2015, 166 p.
- Study on Parliamentary Cooperation - Overview of Parliamentary Capacity Building in EU Candidate Countries and Potential Candidates, published by European Commission and Public Administration International, Brussels, 2015, 75 p.
- Global Mapping and Analysis on Parliamentary Strengthening, published by the Swiss Development Cooperation and Democracy Reporting International, Bern and Berlin, 2015, 57 p.
- OSCE coordinates parliamentary support programs, *Helsinki Monitor*, 2007, pp. 57-63
- Building Parliamentary Democracy in Kosovo, *Security and Human Rights (previously: Helsinki Monitor)*, 2008, pp. 278-293.
- The Assembly of Kosovo during its second mandate (2004 – 2007). Analysis of the functioning of a young parliament under international supervision, *Studia Diplomatica. The Brussels Journal of International Relations*, Vol. LXII, 2009, N.1, pp. 75 – 116.
- "The South-East European Cooperation Process and its New Parliamentary Assembly: Regional Dialogue in Action", Special Issue 'Parliamentary Diplomacy Uncovered: European and Global Perspectives' (ed. by Stelios Stavridis and Davor Jancic), *The Hague Journal of Diplomacy*, Vol. 11, Nos. 2&3, 2016, pp. 215-234.

Annex 5: Analysis table of the quality and status of implementation of the Action Plan

Number	Evaluation of the content of recommendation					Status of implementation of the recommendation					
	Specific	Measur.	Actiona.	Relevant	Time-b.	Done	Almost	Started	Considered	Rejected	Unclear
Recommendations at political level											
Component 1											
1	0	0	1	1	1			1			
2	1	1	1	1	0			1			
3	1	1	1	1	0				1		
4	0	0	0	1	0			1			
5	1	1	1	1	0			1			
6	0	0	0	1	0			1			
7	1	1	1	1	0			1			
8	1	1	1	1	0			1			
9	1	1	1	1	0			1			
10	1	1	1	1	0			1			
11	0	1	1	1	0				1		
12	1	1	1	1	0			1			
13	0	0	0	1	0				1		
14	0	1	1	1	0				1		
15	0	1	0	1	1				1		
16	1	1	1	1	1			1			
17	0	0	0	1	0				1		
18	0	0	0	1	0			1			
Component 2											
19	1	1	1	1	0				1		
20	1	1	1	1	0			1			
21	1	1	1	1	1				1		
22	1	1	1	1	0				1		
23	1	1	1	1	0				1		

Number	Evaluation of the content of recommendation					Status of implementation of the recommendation					
	Specific	Measur.	Actiona.	Relevant	Time-b.	Done	Almost	Started	Considered	Rejected	Unclear
Component 3											
24	1	1	1	0	0					1	
25	1	1	1	0	0	1					
26	1	1	1	0	0	1					
27	1	1	1	1	0					1	
28	1	1	1	0	0					1	
29	0	1	0	0	0					1	
30	1	1	1	1	1			1			
31	1	1	1	0	0	1					
32	1	1	1	1	0				1		
33	1	1	1	1	0				1		
34	1	1	1	1	1						1
35	1	1	1	1	1						1
36	1	1	1	0	0				1		
37	1	1	0	0	1					1	
38	1	1	1	1	1					1	
39	1	1	1	0	1					1	
40	1	1	1	0	1					1	
41	1	1	1	0	1					1	
42	1	1	1	0	1					1	
43	1	1	1	1	1		1				
44	1	1	1	0	0					1	
45	1	1	1	1	0			1			
46	1	1	1	1	1					1	
47	1	1	1	0	0					1	
48	1	1	1	1	1						1
49	1	1	1	1	1					1	
50	1	1	1	1	0			1			
51	1	1	1	1	1	1					

Number	Evaluation of the content of recommendation					Status of implementation of the recommendation					
	Specific	Measur.	Actiona.	Relevant	Time-b.	Done	Almost	Started	Considered	Rejected	Unclear
52	1	1	1	1	0				1		
53	1	1	1	1	1			1			
54	0	1	1	1	0			1			
55	0	1	1	1	0	1					
56	1	1	1	0	0					1	
57	1	1	0	0	0					1	
58	1	1	1	1	1					1	
59	0	0	1	1	0		1				
60	1	1	1	1	0		1				
61	1	1	1	1	0		1				
62	1	1	1	1	1		1				
63	0	0	1	0	0		1				
64	0	0	1	1	0		1				
65	0	0	1	1	0		1				
66	0	0	1	1	0		1				
67	1	1	1	1	0		1				
68	0	0	0	0	0		1				
69	0	1	1	1	0		1				
70	0	1	1	1	0		1				
71	1	1	1	1	0				1		
72	0	0	1	1	0				1		
Component 4											
73	0	0	1	1	0	1					
74	1	1	1	1	0					1	
75	1	1	1	1	0			1			
76	0	1	1	1	0				1		
77	0	1	1	1	0				1		
78	1	1	1	1	0			1			
79	1	1	1	1	1			1			

Number	Evaluation of the content of recommendation					Status of implementation of the recommendation					
	Specific	Measur.	Actiona.	Relevant	Time-b.	Done	Almost	Started	Considered	Rejected	Unclear
80	1	1	1	1	1			1			
81	1	1	1	1	0	1					
82	1	1	1	1	1		1				
83	1	1	1	1	0		1				
84	1	1	1	1	1				1		
85	1	1	1	1	1				1		
86	1	1	1	1	0				1		
87	0	0	1	1	0				1		
88	1	1	1	1	0				1		
89	1	1	1	1	1						1
90	1	1	1	1	0						1
91	1	1	1	1	1	1					
92	1	1	1	1	0				1		
93	0	1	1	1	0						1
94	1	1	1	1	1	1					
95	0	1	1	1	0			1			
96	1	1	1	1	0	1					
97	0	0	0	1	0			1			
98	1	1	1	1	0				1		
99	0	0	0	1	0			1			
100	1	1	1	1	1				1		
101	1	0	0	0	0						1
102	0	0	0	1	0			1			
103	1	1	1	1	1						1
104	1	1	1	1	0						1
105	0	0	0	0	0				1		
106	1	1	1	1	0				1		
107	1	1	1	1	0						1
108	1	1	1	1	0						1

Number	Evaluation of the content of recommendation					Status of implementation of the recommendation					
	Specific	Measur.	Actiona.	Relevant	Time-b.	Done	Almost	Started	Considered	Rejected	Unclear
109	1	1	1	0	0						1
110	1	1	0	0	0						1
111	1	1	1	0	0						1
112	1	1	1	1	1						1
113	1	1	0	1	0					1	
114	0	0	0	1	0						1
115	0	0	1	1	0				1		
116	1	1	1	1	0				1		
117	1	1	1	1	0			1			
118	1	1	1	1	0			1			
119	1	1	1	1	0			1			
Component 5											
120	1	1	1	1	0			1			
121	1	1	1	1	0			1			
122	0	1	1	1	0			1			
123	0	0	0	1	0						1
124	1	1	1	1	0		1				
125	1	1	1	1	1				1		
126	1	1	1	1	0				1		
127	1	1	1	1	0				1		
128	1	1	1	1	0		1				
129	1	1	1	1	0		1				
Recommendations at administrative level											
Component 1											
130	1	1	1	1	0				1		
131	1	1	1	1	0				1		
132	1	1	1	1	0				1		
133	1	1	1	1	0				1		
Component 2											

Number	Evaluation of the content of recommendation					Status of implementation of the recommendation					
	Specific	Measur.	Actiona.	Relevant	Time-b.	Done	Almost	Started	Considered	Rejected	Unclear
134	0	0	1	1	0			1			
135	1	1	1	1	1						1
136	0	0	0	1	0			1			
137	0	0	0	1	0						1
138	0	1	1	1	0			1			
139	0	1	1	1	0			1			
140	1	1	1	1	1						1
141	1	1	1	1	0			1			
142	0	0	0	0	0						1
143	0	0	0	0	0						1
144	0	1	1	1	0			1			
145	1	1	1	1	1			1			
146	1	1	1	1	0			1			
147	0	0	0	1	0						1
148	1	1	1	1	0			1			
149	1	1	1	1	0						1
150	1	0	0	1	0				1		
151	1	1	1	1	0				1		
152	0	0	0	1	0						1
153	0	0	0	1	0						1
154	1	1	1	1	1			1			
155	1	1	1	1	0						1
156	1	1	1	1	1						1
157	1	1	1	1	0	1					
158	1	1	1	1	0				1		
159	1	1	1	1	0	1					
160	1	1	1	1	0			1			
161	1	1	1	1	0				1		
162	1	1	1	1	0			1			

Number	Evaluation of the content of recommendation					Status of implementation of the recommendation					
	Specific	Measur.	Actiona.	Relevant	Time-b.	Done	Almost	Started	Considered	Rejected	Unclear
163	1	1	1	1	0				1		
164	1	1	1	1	0				1		
165	1	1	1	1	0		1				
166	1	1	1	1	0		1				
167	1	1	1	1	0			1			
168	1	1	1	1	0			1			
169	0	1	1	1	0				1		
170	1	1	1	1	0			1			
171	0	1	1	1	0				1		
172	1	1	1	1	0				1		
173	1	1	1	1	0			1			
174	0	1	1	1	0				1		
175	0	1	1	1	0				1		
176	0	1	1	1	0				1		
177	0	1	1	1	0			1			
Component 3											
178	0	0	0	1	0			1			
179	1	1	1	1	0			1			
180	0	0	0	0	0				1		
181	1	1	1	1	0			1			
182	0	0	1	0	0				1		
Component 4											
183	1	1	1	1	0				1		
184	1	1	1	1	1						1
185	0	0	1	1	0			1			
186	0	0	0	0	0						1
187	1	1	1	1	0	1					
188	1	1	1	1	1				1		

Number	Evaluation of the content of recommendation					Status of implementation of the recommendation					
	Specific	Measur.	Actiona.	Relevant	Time-b.	Done	Almost	Started	Considered	Rejected	Unclear
189	0	1	1	1	1			1			
190	0	1	1	1	0			1			
191	0	1	1	1	0			1			
192	1	1	1	1	0			1			
193	0	1	1	1	0			1			
194	0	1	1	1	0			1			
195	0	1	1	1	0			1			
Component 5											
196	0	1	1	1	0	1					
197	0	0	0	1	0		1				
198	1	1	1	1	0		1				
199	1	1	1	1	0			1			
200	1	1	1	1	0	1					
201	0	0	0	1	0			1			
202	1	1	1	1	1			1			
203	0	0	0	1	0			1			
204	0	0	0	1	0			1			
205	0	0	1	1	0					1	
206	0	0	1	1	0			1			
207	0	0	0	1	0				1		
208	1	1	1	1	0				1		
209	0	1	1	1	0	1					
210	1	1	1	1	0				1		
211	1	1	1	1	0		1				
212	0	0	0	0	0						1
213	0	1	1	1	0			1			
214	1	1	1	1	0				1		
215	1	1	1	1	0			1			
216	1	1	1	1	0		1				

Number	Evaluation of the content of recommendation					Status of implementation of the recommendation					
	Specific	Measur.	Actiona.	Relevant	Time-b.	Done	Almost	Started	Considered	Rejected	Unclear
217	1	1	1	1	0			1			
218	1	1	1	1	0			1			
219	1	1	1	1	0		1				
220	1	1	1	1	0		1				
221	1	1	1	1	0				1		
222	1	1	1	1	0					1	
223	1	1	1	1	0				1		
224	1	1	1	1	0			1			
TOTALS	150	179	188	195	42	16	26	71	59	21	31
%	66.96	79.91	83.93	87.05	18.75	7.14	11.61	31.70	26.34	9.38	13.84
	Specific	Measur.	Actiona.	Relevant	Time-b.	Done	Almost	Started	Considered	Rejected	Unclear