

ROLE OF NGO "SYRI I VIZIONIT" IN CREATING THE LEGISLATION AS A PRECONDITION FOR LOCAL SUSTAINABLE DEVELOPMENT

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Abstract

In sustainable local development today, an important role plays legislation with sustainable base. In these proceedings, especially is handled role of NGO "Syri i Vizionit" from Peja towards creation and making of local legislation in some important area of life, such as: environment, tourism, business, agriculture, security, human recourse, human rights, etc. The role of this organization is multiple, notably special contribution in creating and making legislation in accordance to the modern standards and in compliance with requirements of communities, at local and central level, who has had an impact on local sustainable development. On the other hand, in these proceedings are presented data's and numerous evidence over achieved results of this organization in the field of drafting legal standards, advocacy with citizens, liaison with civil society and government bodies, notably in drafting procedures of legal projects.

Keywords: law, regulation, community, advocacy, local sustainable development.

INTRODUCTION

Republic of Kosovo as a new state is at the stage of economic functioning of social order. A priority is to create a genuine legislation, efficient and in line with international standards. This especially comes in expression at the present time when Kosovo is on the verge of joining the European Union structures. To help in this regard, currently in the land of Kosovo is significantly present the international community through its organizations, KFOR, EULEX, UNDP and many other organizations dedicated to safety, economic development and rule of law. Additionally, in Kosovo also operate a number of other governmental and nongovernmental organizations that aim to increase the capacity of institutions and practices best decision. In the Republic of Kosovo also operate many nongovernmental organizations, which as a single or in concert, have conducted and are conducting more work in different spheres of life. Such an organization is the Syri i Visionit from Peja with ten-year experience. Syri i Visionit by Peja is one of the most successful non-governmental organizations in Kosovo. The activity of this organization lies in many areas. The activity of this organization extends in many areas. One of the important aspects of this organization is also raising the awareness of citizens in decision-making, rule of law, local governance, local development, advocacy with citizens, etc. The reason of introducing the organization's success has been achieved and its ambitions for the future.

The purpose of presenting its activities in the context of science in this international conference is to promote its values to serve as a model to stimulate other organizations that perform this kind of activity for the benefit of citizens and their institutions represent, in particular "pressure" that made the decision-making bodies to improve citizens' lives. On permanent view that we have great experience of Vision Eye NGOs have concluded that its presentation at a scientific work of this level is fully justified. During the work of this article, are using some scientific methods. In particular approach according to pragmatic method of presentation for practical facts, description method, method of the model, the method of measurement, as well as other theoretical and practical methods. Model is the activity of NGO's Syri i Vizionit in the context of its contribution to a special view at the development of legislation and local development and various forms of advocacy with citizens

to strengthen confidence in decision making. Special focus will extend to the field of local governance; harmonize of local interests in central legislation, in particular resolving the problem of forest management in the region of Peja, as Peja Region forests represent an extremely important assets for tourism and economic development, farming, etc. In the case of this scientific work are used resources and competent scientific references. This scientific work contains the history, organization and activities, the NGO Syri i Visionit for its activities in relation to the central authorities of power in terms of contribution to the rule of law and practice issues of the nature of advocacy. And finally, follow the study findings and recommendations in perspective.

1. HISTORY OF NGO "SYRI I VIZIONIT"

According to Veton Mujaj¹, "Syri i Vizionit" ("Eye Vision") organization was officially registered as a local NGO in September 2001 but has started to work since early 1999 as the Community Based Organization (CBO) in the municipality of Peja, making coordination and publication of a magazine for young in Kosovo with financial assistance from USAID. Since inception, the NGO "Syri i Vizionit" has achieved expertise in implementing projects of a broad spectrum of different projects, having proved themselves as actors of genuine civil society in Kosovo. Over recent years, the NGO "Eye Vision" has developed numerous partnerships with other stakeholders throughout Kosovo and the Balkans as USAID, IREX, DRC, CARE International, OSCE, Olof Palme, Swiss Labour Assistance, European Perspective, ISC, UNDP KFOS, The European Commission Liaison to Kosovo, Austrian Development Cooperation, Volkshilfe, etc.

Purpose and Values:

NGO "Syri i Vizionit" mainly aims to promote local democracy and citizen participation in Kosovo, especially in the region of Peja. In continuing efforts to implement democratic practices, NGO Syri i Vizionit gives special role promoting good governance, responsibility, transparency and participation in various spheres of civil society. In practice, any project implemented by NGOs Eye Vision seeks to establish a constant relation between municipal

¹ Veton Mujaj, Chef of NGO "Syri i Vizionit" in Peja

authorities and civil society actors at the individual or institutional level.

Program Objectives:

From the beginning, NGOs Syri i Vizionit has articulated work on specific objectives:

- Development of preparation and dissemination of reliable information and tested to citizens;
- Promoting public awareness about the urgent social problems to the broad masses, through actions that increase awareness;
- Equipping citizens with enough advocacy / protection, and lobbying skills, team work / networked in order to practice their basic rights and can challenge government institutions;

In line with these objectives, the NGO Syri i Vizionit has intervened in various sectors of civil society since 1999 and reviewed a large number of topics such as media development, promotion of minority rights, support for return and reintegration displaced persons and refugees, monitoring of municipal institutions, networking of youth work in the field of peace-building, urban planning, etc.

At the organizational level, NGOs Syri i Vizionit currently employs twenty permanent members, most of whom are responsible for specific projects. This task force is supported by a leading group of 40 young people from civic associations and community activists that serve certain actions in the area of advocacy, disseminating information and raising awareness.

At the level of management, daily work and strategy of the NGO is managed and supervised by the Board of Directors includes seven members. This board meets regularly. The highest in the organization is the Assembly of Members.

NGO "Syri i Vizionit" has an active role in the field of networking with young people and peace-building at regional level: the Board of the Kosovo Youth Network for years, and is the founder and active member of the multi-ethnic Youth Network of Pec since 2002. The organization actively participates in other initiatives for networking on a project such as the Peace Pro platform launched in Kosovo with the participation of local NGOs in 2005, the Coalition for Clean Parliament, "Democracy in Action", Consortium for Strengthening Civil Society Advocacy in Kosovo, Network Security, and the Coalition for Cooperation between Civil Society and Government, Network South East Europe OneWorldSEE, inter-state network RECOM Initiative, etc.

In terms of cooperation with local and central institutions, Syri i Vizionit, implements projects in close partnership with many municipalities in Kosovo, especially with the municipalities of Peja region. Good cooperation in specific programs our organization has with many ministries of the Government, with Parliament and parliamentary committees in the Assembly of Kosovo¹. **Donors:**

Given the great successes achieved, the Organization has not hard to find donations. For example:

NGO "Syri i Vizionit" in 2007 has had a lot of donors. Take a look at the figure².

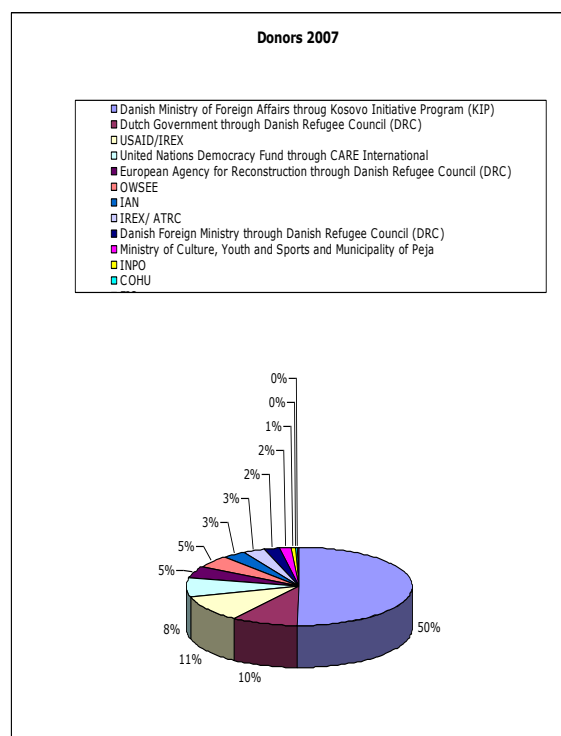


Figure 1: Donors 2007

2. RESEARCH AND ADVOKACY

The main findings in Peja 2009:

Since the beginning of the project were conducted 107 interviews with random citizens. From these interviews identified various problems and concerns in various institutions, such as:

- Administrative services, especially those providing personal documents (identity cards, passports, etc.). 55 citizens interviewed complained of poor services, expectations, delays and administrative procedures.
- Public Hygiene has been a sector where people are complaining of poor services, (11 citizens interviewed)
- Kosovo Energy Corporation has expressed disappointment regarding the final billing of electricity by the workers of KEC, (27 citizens interviewed).
- Court, an institution which neglects to be processed in time with the lawsuit of the parties, makes unfair trials and is corrupted, (6 citizens of respondents).
- Health personnel of this institution is corrupt, and is negligent in the control patients, (3 citizens of respondents)
- Municipal Bureau of property tax.³

The current project to implement "The influence of local stakeholders in decision making at the central level" is a one-year project implemented by NGO "Syri i Vizionit" from Peja and is financed by (USAID ISC Institute for Sustainable Communities). The project goal is to enable the impact of local stakeholders in decision making at the central level in drafting laws. The project aims to create a

¹ Veton Mujaj, Chef of NGO "Syri i Vizionit" in Peja
² <http://www.syrivizionit.org/> 26.04.2011

³ FIQ, Functioning of public administration and citizens opportunities, Pristina, October 2009. p. 6 and 7.

mechanism to influence the laws that affect municipalities in the region namely: Peja, Klina, Deçan and Istog, in the first place, meaning the legislation on environment, forestry, tourism, etc. Kosovo's parliament has about 20 members, most of whom have expressed many times that they are ready, if asked to put in services to citizens in the region of origin. In the first phase of the project is identified for forestry law as the most important law in which there is a need to intervene in this project⁴.

Intervention to improve the situation:

NGO "Eye Vision" is the author of drafting the regulation on transparency in the municipality of Peja. Rules on transparency in Peja, provides very satisfactory solution to the public. It was approved by the Municipal Assembly of Peja and is under implementation. The following will present some of the most important provisions:

Objectives:

Section 1

Objective of this regulation is to:

- 1).-empower transparency of the municipal administration bodies, increase public participation in local level decision-making,
- 2).- create rules that enable easiest possible practice of this right and
- 3).- challenge good administrative practices for access to documents.

Right to petition:

Section 6

Petitions

6.1 Each citizen, organization has the right practice petition to Municipality for actions and responsibilities of the municipality. Petitions should be addressed to Municipal Assembly and submitted in the office of Head of Administration and Personnel. A petition must be signed by more than 100 persons registered in the voters list. Municipal Assembly should review the matter.

6.2 Head of Administration and Personnel should present each valid petition to Municipal Assembly within 30 days from the day of admission or on the upcoming session of the Assembly. Municipal Assembly is obliged to review petitions and to take decision within 6 weeks from its presentation.

6.3 With a submitted petition can be treated each matter that is on interest of the citizens under the competence of municipality.

6.4 Petition should contain generalities as well as the address of the petitioner, names surnamed and address of the petition signers. Petition should contain the object of the matter requested for review by the Municipal Assembly taking a deserved decision for the arisen matter.

6.5 Organizer or the group can take the floor in each meeting of the Municipal Assembly or the Committee would be an important manner to impact on the final decision.

6.6 Municipal Assembly within the time frame determined on section 6.2 takes the decision. Decision is communicated to the organizer. Citizens are free to continue to defend their attitudes, if the effort fails the first time, it can be realized the next time⁵.

Task of gathering public:

Section 7

Public meetings

7.1 Municipal Assembly in obligatory manner holds at least two public meetings for issues of general interest. Municipal Assembly should review the possibility to hold additional meeting in the level as close to citizens (dwellings, villages, neighborhoods) for matters which deal with usage of municipal budget, economic development, usage of municipal properties, spatial planning, municipal incomes, etc.

7.2 Municipal Assembly, through the office in charge for public information informs the public as it follows:

- Public announcements in the most frequented areas within the municipality region,
- Written and electronic media and
- Municipality internet website

7.3 Informing of the public is done at least 14 days before the date of public meetings. Public announcement, as per the abovementioned section, should contain these data (date of the meeting, time of the meeting, venue of the meeting and agenda).

7.4 Participation of the most senior municipal officials (Mayor, Deputy Head of the Municipal Assembly, Head of Administration and Personnel, Head of Local Office for Communities and Directors of Directorate of MCS).

7.5 Requests and recommendations given by the public during the public meetings are evidenced. Requests and recommendations are reviewed within a period of 30 days after the end of the meetings⁶.

Practical cases:

NGO "Syri i Vizionit" in January and February of 2009 was the organizer and managers of two successful petitions; Petition for amending the Law no. 03/L-040 For the Local self- governance, namely Article 70 and 71 of this Law.

The response of the citizens of Kosovo was massive. Petition signed by 10,275 citizens. Petition proved successful⁷.

Another petition was directed against raising the tariff of electricity. Even the petition proved successful. It is signed by 10,529 citizens⁸.

3. PROJECT IMPLEMENTATION: THE INFLUENCE OF LOCAL STAKEHOLDERS IN DECISION MAKING AT THE CENTRAL LEVEL

This project is found and implementation phase started in 2009. The organization is working on drafting the Law on Forests, which, as is now disputed many of the citizens. The solution offered by this law is unacceptable because

⁵ Ibidem, Section 6

⁶ Ibidem, Section 7

⁷ Look at the: Appendix: 1, Full text.

⁸ Look at the: Appendix: 2, Full text.

⁴ "The influence of local stakeholders in decision making at the central level", project implementation phase, Vision Eye, Peja, 2009.

the citizens demand that the decentralized management of forest and selected property issues.

The forests of Kosovo in International Year Forest:

According to Deutsche Welle⁹, about 42 percent of the territory of Kosovo are forests, which in recent years have been the target of economic crime. In the Kosovo courts only for 2010 are raised 7.300 suits, while by illegal logging Kosovo budget loses by ten million euros per year. "In Kosovo, we have about 52 million cubic meter wood. That based on the basis of inventory made by the government of Kosovo, Swedish Sida and FAO, with 2002-2003 of which about 33 million cubic meters is a measure of volume from state forests, and 19 million cubic meters are from private forests. So, about 60 per cent of forests are state forests, while the other 40 percent are private forests owned by about 120 thousand"¹⁰.

According to the author Enver Ulaj, a member of staff in NGOs "Syri i Vizion", ownership of forests is century as a problem. Over the past 100 years Rugova's forests were once privately owned, once again the social state, depending on who has governed. Owners feel that now is the time to solve the issue of ownership. This is the historical result of changing power. For citizens of Peja, forest had a fountain of life and benefit; therefore, nowadays there are problems with property. Therefore, problems of this nature are collected in the absence of a good law on ownership. Some of these owners are involved in a Dutch organization SNV project, which is supporting the creation of associations of family forest owners, a kind of organization recognized in different countries, who are left in Kosovo. Peja Municipality has an area of nearly 25 thousand hectares of forest, of which nearly one-third are privately owned. But, at least 80 percent of these owners have problems with ownership but do not have proper documentation and other property problems, since the Serbian kingdom, say some of the citizens. Thus, the issue of ownership of forests has become an obstacle for other projects related to tourism and environmental protection in the area of Rugova¹¹.

The total area of forest in the region of Peja:¹²

Peja	23061,56 ha.
Deça.....	13254,64 ha.
Istogu	4974,40 ha.
Gjakova	18202,26 ha.
Klina	7295,86 ha.

Total: 66788,72 ha.

9 <http://www.ajete-beqiraj.com/2011/04/pyjet-e-kosoves-ne-vitin-nderkombtar-te.html> 25.04.2011

10 Ibidem

11 Green wreaths, Journal of the National Association of Forest and Pasture, no. 94, December 2009 - January 2010, Tirana, p. 5

12 Kosovo Forest Agency, Ministry of Agriculture, Forestry and Rural Development, Branch in Peja.

In this setup are:

Public forests	67%.
Private forests	33%.

Activity in Rugova:

Rugova Community is concerned about the situation of forests and requires that new law to change the situation forests. Representatives from 13 villages of Rugova at a joint meeting held on 22.04.2011 in Rugova, have identified some of the problems associated with forest themes among which protection from destruction, identification and return of nationalized property, and other requirements. To articulate these requirements, representatives from the villages said they could be achieved if the community involved in drafting policies on forests. The debate was organized in order to mobilize the community to influence the drafting of new forestry law, which has begun but has been blocked since last year.

Some citizens have indicated that the draft Law on forests should include community involvement in developing annual plans of forest management. "We are the owners of forests and in Rugova 95 per cent of forest is privately owned, so that the community should be involved in this process".

Peja Municipal officials said that new law should clearly delegate all powers to the municipality and that it should be provided and the commitment of staff necessary for the protection of forests.

"Syri i Visionit" Organisation, it is said that along with the recommendations that have emerged from the municipalities, the departments of agriculture, NGOs and community organizations will take the form of laws by legal experts and will be submitted to the ministry and parliament, to be included in the final draft before it was approved by deputies¹³.

Activity in Deçan:

On Friday the date 29.04.2011 in Decani was meeting with community representatives from the municipality of Decani in which it discussed the law on forests. The meeting was organized by NGOs from Peja Eye Vision within the project "Impact of local stakeholders in decision making at the central level" which is implemented with financial support from USAID / ISC. At the meeting attended by 23 representatives of villages, municipal officials from the municipal department of agriculture and forestry and non-governmental associations.

Heads of villages in this municipality have presented their concerns to the forests, their damages and delays in drafting a new law on forests. They have warned of the need to have a law as clear as possible, separating the good responsibility in only two levels: local and central level by eliminating the regional based organization.

From the meeting is come up with some recommendations:

- that the law on forests to include the rights of forest owners,

13 Excerpts from the press release of Syri i Visionit from meeting with citizens in Rugova, held on 22.04.2011

- the authority and staff necessary to pass in the responsibility of the municipality along with all the economic assets of the former forest,
- to defined clearly obligations for firms that win the tender and specifying penalties for those who violate the law, etc.

NGO "Syri i Visionit" these recommendations, along with other recommendations that come from community meetings in Peja and Rugova, along with recommendations that have emerged from the analysis that have become legal experts and forestry draft law will be submitted to the Ministry of Agriculture, forestry and rural development and the Parliamentary Committee on Agriculture and Forestry before approval of the law.

The project "Impact of local stakeholders in decision making at the central level" implemented in the municipalities of Peja region since 2009 and within it are addressed by the Ministry of Agriculture and Parliament several requests from the municipalities of Pec region, foremost among which has was it to draft a new law on forests and local level involvement in the drafting of this law¹⁴.

Massive damage to forests:

According to a study Professor Murat Hulaj, from research done for criminal cases for theft forest courts in the region of Pec for the period 2004-2007, statistics have shown that this type of crime accounts for 17% compared with the general criminality. This finding is really alarming¹⁵.

According to prof. Dr.Agron Bajraktari¹⁶, "The cutting of forests has been mainly in the 90s, when the state ruled by another condition, and has continued after the war. According z.Bajraktari, illegal logging has started decades ago. Of course the responsibility for forest protection has the state of Kosovo and illegal cutting of forests receives punishment by the Ministry. Illegal cutting of forests receives punishment from the ministry, because we have over 7.300 single lawsuit filed in 2010 and there is no news that one of them is examined. And what is worse, our inspectors sometimes follow the court cases for hundreds of thousands of cubic meters of wood to cut and penalties are hundreds of euros. This is the motivation for Illegal cutting of forests continue without disturbed".

According to Iva Stamenova, the Office of the European Commission regarding forest management according to European practices "Kosovo's government should identify the reasons for this denomination, whether social or commercial, and take action, because the losses caused to the Kosovo budget 10 million euros per year. And, how can those trees are replaced when and if it re-forest, but take years to become the new form? This is an environmental and commercial damage, both. Therefore, prevention of this phenomenon is our main priority. And, hopefully our project will help Kosovo get the right direction" says Mr.

Stamenova, under which the project will be a solid basis for establishing an adequate system for forest management¹⁷. Many authors have shown a reasonable concern about damage to forests, this concern is shared by citizens, and therefore criminal activities in forests, are stronger than the signal system of forest management urgently needs to change. Management should be returned to municipalities, this is the constant demand and reasonable citizens. This NGO supports without reservation "Syri i Visionit" as a true advocate of civil claims and as a bridge to decision-making institutions.

Appendix: 1.

Petition (NGO " Syri Vizion" from Peja, for the Assembly of Kosovo) about amending the Law no. 03/L-040 for Local self- governance, namely Article 70 and 71 of this Law.

For : Assembly of Kosovo

"We, the undersigned, citizens of the Republic of Kosovo, we call on the Assembly of Kosovo to amend Law no. 03/L-040 For the Local self- governance, namely Article 70 and 71 of this Law.

I Regarding Article 70 of this law, we appreciate the need to secure the signatures of 15% of the voting body of a municipality to earn the right to propose a draft regulation by a municipal assembly (as required by Law no. 03 / L-040 For the Local self- governance t, Article 70.3) represent impassable barricade in a way of making citizens initiatives to suggestion for draft regulations that would be interest to the community. We seek to propose a draft regulation at the municipal assemblies that are enough signatures of 5% of the electoral body of the municipality as provided for in most countries of the region in Slovenia and Bosnia.

II Meanwhile, the issue to submit the citizen referendum regulations and decisions of the municipal assemblies (Article 71) we require that:

- Municipal assemblies are required to submit a citizen referendum in all its regulations and decisions, if the citizens raised such a request with the support and securing signatures from 20% of the electoral body of the municipality;

- Municipal assemblies are obliged to consider any request of citizens to submit to a referendum of its regulations or decisions if such request is supported with the signatures of 5% of the municipality's electoral body "¹⁸. Petition was signed by 10,275 citizens across all centers of Kosovo.

The petition has had a positive effect.

Appendix: 2.

Ad-Hoc Coalition of Civil Society against rising electricity tariffs.

14 Excerpts from the press release of Syri i Visionit from meeting with citizens in Deçan, held on 22.04.2011

15 Murat Hulaj, *Vepra Penale e Vjedhjes dhe Shkretimit të Pyllit ë Gjykatën e Qarkut në Pejë në Periudhën 2004-2007*, Peja 2010, p. 104.

16 <http://www.ajete-begiraj.com/2011/04/pyjet-e-kosoves-ne-vitin-nderkombtar-te.html> 25.04.2011

17 Ibidem

18 Petition for amending the Law no. 03/L-040 For the Local self- governance, namely Article 70 and 71 of this Law. Publication NGO: Kosovo Democratic Institute, Kosovo Center for International Cooperation, Initiative for Progress, Non Governmental Organisation / Together Towards Europe, Eye Vision, Pristina, January - February, 2009

FOL'08 Citizen Action, Democratic Institute of Kosovo, CBM-Mitrovica, Forum for Civic Initiative, Kosovo Center for International Cooperation, for Progress "Syri i Vizionit" PETITION

Pristina on February 13, 2009

"Ad-hoc coalition of civil society organizations introduces petition signed by 10,529 citizens of the Republic of Kosovo, who seek to oppose the rise of electricity tariff. This number of signatories petition can not be ignored and we trust that you will consider this petition.

In Kosovo 38% of citizens live in overall poverty, 18% in extreme poverty while more than 350 thousand people looking for work so the fee increase does not make sense. Further:

- Raising electricity tariffs is meaningless until KEK fails to meet the demands of Kosovo's citizens for electricity
- KEK receives millions of euros from the budget in the form of grants and donations from the host government, these funds collected from taxpayers' money. It gets that citizens pay twice for a service.
- Raising electricity tariffs is a punishment for those who regularly pay their electricity and KEK can not be that for non-self ability to efficiently collect revenues do increase the electricity tariff.

Hopefully in an affirmative response to our case"¹⁹.

SUMARY

NGO "Syri i Visionit" from Peja, undoubtedly is one of inter-governmental organizations most successful in postwar Kosovo. Its activities have left deep traces in the minds of citizens, proclaimed and installed the bridge connecting the citizens with the institutions to realize the vital requirements. The activity of this organization is lying in many areas, but in this scientific work addresses the attempt was made to some of the most important. Therefore, based on research and analysis conducted for this paper, obviously it can be concluded that:

- NGO "Syri i Visionit" from Peja has successfully achieved through citizen advocacy to approximation with the institution of the state in the context of decision making, while emancipated and factoring it at the forefront of democratic change.
- Two petitions organized in 2009, against rising electricity tariffs and amending the Law on Local Government, are fully shown, how to answer the mass of citizens and the goal of reaching the bodies that have been addressed. Draft Municipal Regulation on Transparency, would be considered extraordinary value of the Organization. Such regulation has built the strongest bridge the communication link between citizens and local government institutions and so has contributed greatly to the establishment of legislation as a precondition for sustainable local development.

- Organization in cooperation with citizens found on track in implementing the provisions amending the Law on forests, so forest management by the central authorities down to the municipalities and to the legitimate owners, as in the public sector as well as in private. However, given the complexity of the issue and the lack of a genuine law for properties and efficiency of the courts, the realization of these requirements will longer. Obviously, the results of NGO "Syri i Visionit" from Peja, presents the model to be followed in terms of strengthening the legal infrastructure that will serve to build capacity for sustainable local development.

¹⁹ *Petition the Ad-Hoc Coalition, Civil Society against rising electricity tariff. Publication of ad-hoc coalition of civil society organizations consists of: Citizen Action FOL'08 (Pristina), Forum for Civic Initiatives (Pristina), Kosovo Democratic Institute (Pristina and Prizren), Kosovo Center for International Studies (Gjilan) Initiative for Progress (Ferizaj), Syri i Vizionit (Peja) and Community Building (Mitrovica). Pristina, January - February, 2009.*

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