KOSOVO: DECENTRALIZATION

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DECENTRALIZATION OF KOSOVO AND THE PROTECTION OF MINORITIES: PROJECT AND REALITY

This edition contains documents eleborated for the needs of the Coordination Center of the Yugoslav Government and the Government of Serbia for Kosovo and Metohija, by experts of the *Lawyers Committee for Human Rights* (YUCOM) and the *Forum for Ethnic Relations* (FER): Dr Dušan Janjić, Biljana Kovačevič-Vučo, Prof. Dr Stevan Lilić, Dr Dušan Čelić, Dr Elisabeth Naucler, Dejan Milenković MA and Dr Srđan Bogosavljević.

The aim of this project is to contribute to the development of positions (strategy) of the Povratak Coalition and the Coordination Center for Kosovo and Metohija in the process of democratization in Kosovo and Metohija, with include issues of decentralization of the central government and the instruments of protecting freedoms and rights of national minorities and their members, primarily of the Serb national community. The aim was also to contribute to the implementation of the UN SC Resoultion 1244, the Interim Constitutional Framework and other respective documents.

In taking up this assignment, there was awareness that this is an extremely difficult issue for the Government in Belgrade, as well as not the least for UNMIK and the international

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CONCEPTUAL PROJECT FOR AMENDMENTS: THE BASIS OF POLITICAL PLATFORM FOR DEMOCRATIC DECENTRALIZATION IN KOSOVO AND STRENGHTENING SELF-FOVERNMENT OF LOCAL, NATIONAL AND REGIONAL COMMUNITIES

1. INTRODUCTION

1. 1. Political and security stability. Political and security stability in Kosovo and Metohija necessitates building of stable and credible social, political and legal institutions. Establishment

* Within the context of the implementation of the project ***Building and Development of Local Self-Government in Kosovo and Metohija***, members of the expert team YUCOM/FER – consisting of ***Biljana Kovacevic-Vuco, President, Committee of Lawyers for Human*** Rights (YUCOM), Belgrade; ***Dr. Dusan Janjic***, Coordinator of the Forum for Ethnic Relations (FER), Belgrade; ***Prof. Dr. Stevan Lilic***, Professor at the Faculty of Law in Belgrade; ***Dejan Milenkovic, M.Sc.***, YUCOM and ***Milan Simic***, YUCOM (Secretary), with associates: Elisabeth Naucler, chief of administration of Aland Islands, Dusan Celic, Faculty of Law at Pristina, Vladimir Cucic and dr Srdjan Bogosavljevic, director of SMMRI, have prepared a document ***Basis of the Strategy*** relating to the following: a) decentralization of Kosovo and Metohija, on the on hand, and b) strengthening of self-government of local, national and regional communities, on the other hand.

and strengthening of local democracy represents a pre-requisite for attainment of these objectives.

Promotion of local democracy in Kosovo requires, in addition to decentralization of the „central" authority, introduction and strengthening of structures and institutions of self-government of local, national and regional communities along with introduction and strengthening of certain functional aspects of public policy of not only local communities (e.g. municipalities) but also of special forms of sub-local (e.g. local communities) and supra-local (e.g. regional communities, the city) communities. In addition, particular efforts have to be made to create and maintain conditions for the promotion and implementation of the principles of multi-ethnicity, multi-culturalism and multi-religion, above all in relation to persons belonging to national communities.

Departing from relevant documents, above all, from the ***Resolution 1244/99*** of the United Nations and the ***UNMIK regulation no. 2001/9 on constitutional framework for provisional self-government in Kosovo***, on the one hand, and political facts such as results of local elections of 2000 and results of the elections for Kosovo self-government of 2001, on the other hand, the resulting outcome is that the question of decentralization of power at the moment or rather creation of conditions for building of self-government institutions of local, national and regional communities represent a question of extreme relevance necessitating urgent articulation and solution. Importance of local elections in 2000 lies in the fact that initial institutions of local self-government in Kosovo were established after installation of provisional administration of the UN. However, the Serbian *national community did not take part in these elections*. In conformity with new developments and the need to build further for the time being provisional institutions

in Kosovo, one has to head decisively for definition of a new and direct role of citizens and national communities and invigoration of their confidence in local self-government as a form of direct democracy.

1. 2. Decentralization and devolution of authority. In the present-day situation, one should design in real terms and synchronize the ***process of devolution of powers,*** which are now centralized in Kosovo at the UNMIK level, so as to have at the local level „receptors" that would have, in addition to organizational and functional, political and social capacities and abilities, to establish, above all, institutions of local self-government but also support and promote general and local processes of democratisation and direct participation of citizens in public policy and development of awareness of responsibility of individuals and communities – irrespective of political, ethnic, cultural or religious provenience – for the future of Kosovo. In the process of decentralization and institution building of self-government of local, national and regional communities account should be taken of multiethnicity and powerful ethnic distance existing among citizens in this area. For that reason, solutions to these questions should be conducive to the strengthening of mutual trust.

In order to carry out decentralization efficiently and begin the process of self-government building of local, national and regional communities within the framework of the provisional self-government in Kosovo as an entity under the interim international administration, it is necessary to ensure convincing security, political, administrative, economic and cultural guarantees to Albanians but also to Serbs and other national communities in Kosovo. Departing from the fact that national communities are an integral part of a multiethnic society and active

factors of religious, cultural and linguistic pluralism, i. e. interculturalism both in Kosovo and the Republic of Serbia, it is necessary to protect and guarantee the exercise of rights and freedoms of all citizens, especially the right to national specificity of persons belonging to national communities, conforming to the highest level of international standards, particularly those laid down in the Charter of the United Nations, the Universal Declaration of Human Rights (1948), International Covenants on Human Rights (1966), the International Convention on the Elimination of all Forms of Racial Discrimination (1966), the UNESCO Convention against Discrimination in Education (1960), the UN Convention on the Rights of the Child (1989), the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992), the European Council Framework Convention on the Rights of National Minorities (1994), the European Charter on Regional and Minority Languages (1992), the Final Act of the Conference on Security and Cooperation in Europe, Helsinki (1975), the Final Act of the Madrid Summit (1983), the Final Act of the Vienna Summit (1989), the Second Copenhagen Conference Document on the Human Dimension, CSCE (1990), the Paris Charter on a New Europe (1990), the Helsinki Document (1992) and other relevant OSCE documents.

This process has to run in accordance with the UN Security Council Resolution 1244 (1999) of 10 June 1999 and the constitutional framework for provisional self-government of 15 May 2001, participation of the international community, especially of the UNMIK and KFOR in the exercise of authority, i.e. ensuring peace and security, active involvement of UNMIK, self-governing institutions of Kosovo and Serbia in provision of internationally recognized human rights and freedoms as well as in creation of special institutions for efficient participation

of all national communities, as a segment of peace-loving and democratic society, in the public life of Kosovo and the Republic of Serbia. The result would be reaching, step by step, a high level of democratic self-government in Kosovo, stabilization of the region of South-eastern Europe and establishment of cooperation between Belgrade and Pristina, along with reinforcement of regional cooperation of Albania, Montenegro, Macedonia, Serbia and Kosovo.

1. 3. Normative framework. Finally, in devising a working ***model normative act*** („draft law") on decentralization and self-government building of local, national and regional communities in Kosovo and Metohija, the operational start should be the constitutional framework of the provisional self-government in Kosovo (UNMIK, 15 May 2001).

2. LOCAL COMMUNITY

2. 1. Democratic self-government. Established by peaceful and democratic means, including local referendums, an efficient local self-government, on the one hand, and administrative and territorial organization of Kosovo conforming to geographic, economic, demographic, cultural, historical and ethnic characteristics, including a possible regionalization, on the other hand, represent strong instruments of the protection of rights and freedoms of national communities and persons belonging to them, guaranteed in chapter 4. of the Constitutional framework for provisional self-government of Kosovo. Proceeding from real needs to develop democratic self-government, to establish and strengthen interethnic confidence and cooperation, and to bring into effect the letter and spirit of the Constitutional framework for provisional self-government in Kosovo, it is

necessary to develop, in an agreed process, self-government of local, national and regional communities, including self-government of the Serb national community, based on the right to self-organization and self-administration. The basic units of local self-government in the implementation of the Strategy of decentralization and building of democratic self-government in Kosovo would be: a) local community and b) municipality.

2. 2. Local Community. The basic unit of provisional democratic self-government of Kosovo is a local community.

Local community is a ***form of local self-government*** established for an inhabited place, a number of connected small residential areas or for a part of a larger residential area, which make up in relation to other parts, a separately delineated smaller whole (e. g. a hamlet in rural areas or a quarter in urban ones). Local community is established as a ***form of direct participation of citizens in decision-making in local matters.***

An initiative for establishment of a local community may be taken by citizens at their meetings, their organisations and associations, local community council, municipal or other bodies and organisations (specified by the by-law of a municipality).

Bodies of a local community are the following:

a) ***Assembly of citizens*** – as a form of indirect participation in decision taking (provided that individual decisions are taken subject to consultations with appropriate *national communities' council).*

b) ***Local community council***, members of which are elected at citizens' meetings)

c) ***Local office*** – as an executive body.

The local community enjoys the status of a legal person.

In defining and specifying competences of local communities, ***special cooperation with the UNMIK*** should be established so as to determine exactly and precisely duties that are delegated permanently or entrusted temporarily to the local community concerned. In that way, distinction would be made between ***duties that are devolved*** on local communities for good and those that belong to ***ad hoc entrusted duties*** to the local community. The reason is that possibility should not be excluded of other (e.g. higher) levels of local self-government (e.g. municipalities) entrusting to a local community the performance of individual tasks falling within its own self-governing (e.g. municipal) sphere of work and which are of direct or everyday bearing on the life and work of citizens in a local community. Tasks from devolved and entrusted sphere of activity would be funded from the municipal budget.

2. 3. Municipality. Municipality is a unit of local self-government that is established, as a rule, for an area of a number of inhabited places that represent a natural, economic and social whole and that are connected by common interests of the population.

The municipality enjoys the status of a ***legal person.***

The municipal by-law lays down in more detail competences and the way of work of municipal bodies, forms of direct decision-making of citizens on matters of local significance, establishment and operation of local communities, forms of cooperation with other municipalities, association into broader regional communities, and other matters. In addition, the by-law of a municipality should also specify tasks that belong to its original ones and those that are permanently devolved or temporarily entrusted from its sphere of work and competence.

2. 4. Devolved powers and entrusted tasks Devolution of powers and entrusting of tasks of the provisional local self-government of Kosovo to municipalities is a significant factor of decentralization and de-concentration, especially because a part of UNMIK's powers might be delegated to municipalities as units of local self-government.

a) Permanently ***devolved powers to municipalities*** would be:

1) Establishment of bodies, organisations and services for municipality needs and regulation of their organization and functioning;

2) Establishment of institutions and organisations in the field of education, health and social services, child care, physical culture and sports that would satisfy needs for general and vocational education, culture and arts, protection of the language of communities, development of health and social services in the territory of the municipality concerned, etc.;

3) Human environment protection and promotion of tourism and transport;

4) Making of development plans and programs and city planning along with instruments for their implementation;

5) Regulation and care for development of utilities;

6) Cooperation in the pursuance and control of tax policy;

7) Taking care of the organization of municipal (local) courts and their operation, and

8) Promotion of the staffing and activities of the local police.

b) ***Entrusted tasks*** are the ones falling with the framework of rights and obligations of the Provisional local self-government of Kosovo that are entrusted to the municipality to perform

them. Entrusting of these tasks can be performed in the interest of a more efficient and rational exercise of rights and duties of citizens and satisfaction of needs of direct interest to the local population.

2. 5. The local police. The existence of the ***local (multi-ethnic) police*** is of particular importance to maintaining public order and peace on the territory of the municipality. The local police would perform certain duties of interest for the local community and would, in particular, maintain public order and peace, the utilities order, regulate local transportation, ensure protection against fire and security of property and projects. With a view to implementing the process of reconciliation and strengthening of mutual trust, in municipalities the population of which is more than xy% multiethnic, the local police would also be multiethnic.

Municipal bodies are the following:

a) ***The municipal assembly*** – as a representative body of citizens of the municipality.

b) ***The municipal government*** – executive body of the municipality.

In municipalities where more than xy% are persons belonging to national communities, the Municipal assembly would be a ***bicameral*** one and would consist of: a) ***municipal council of citizens of local self-government*** and b) ***municipal council of local and national communities.***

National communities would have also to have a satisfying (appropriate) participation percentage in the municipal government, administration, public enterprises and institutions. Municipal bodies would be obliged to consult, in their work and decision-making that relate to issues of relevance to freedoms and rights of persons belonging to national communities, coun-

cils of national communities (e.g. in case of appointment of school board members and other similar cases).

3. NATIONAL COMMUNITY

3.1. Democratic elections. Institutions of **self-organization and self-administration, i.e. of national communities' self-government** would be established on the basis of democratic elections. In these elections, carried out in every national community under the OSCE control, representatives of national communities would be elected for national community bodies that would also act, in addition to areas specified in chapter 4 of the

Constitutional framework for provisional self-government of Kosovo, in other areas of relevance to the exercise of:

1) The right to self-organization and self-administration;

2) The right to official use of the mother tongue;

3) The right to use the national flag and other symbols;

4) System of education, culture, information and sports, taking account of values and needs of the national community concerned;

5) Proportionate representation on the command staff and in professional military and police units, and in other public services;

6) The right to collect a self-contribution for the purpose of self-financing along with the right to financial aid from the Kosovo budget;

7) The right to international cooperation within the sphere of competence of provisional self-government of Kosovo.

3. 2. Political and legal basis. From the legal and political standpoint, the initial steps for attainment of proclaimed objectives is the establishment of forms of self-government of national communities, the basic forms of this organization being: a) national community council and b) national community union.

Establishment of these bodies enables vertical and horizontal linking of persons belonging to national communities and of national, minority self-governments. In that way, conditions are created for materialization of this kind of government. Such a solution is in conformity with the principle of decentralization of democratic power, and with understanding of autonomy accepted in the *UN Security Council Resolution 1244 (1999)* and *Constitutional framework for provisional self-government of Kosovo*. Such autonomy heightens importance of the sphere of civil society and makes it possible for citizens – persons belonging to a minority community – to exercise their rights and freedoms.

3. 3. National community council. National communities may establish national community councils as public bodies of national self-government. The council shall be established for the territory of a community (local community), municipality or city.

The Council enjoys the status of a ***legal person***. It shall be established and registered under the same conditions as other social organizations and associations of citizens.

The Council adopts its own ***bylaws*** which, in accordance with the *Constitutional framework for provisional self-government*, relevant standard-setting or other acts, specifies, inter alia, the following:

1) The name, seat and symbol of the council,

2) The authority of the council and the manner of its functioning;

3) Organization of the council (forms, composition and powers of the main and auxiliary bodies, and working bodies,

4) The manner of election to all the bodies;

5) Ways of financing the council, management of resources and material goods,

6) Organization, financing and work of educational, cultural and other institutions established by the council,

7) Other matters (local national community holidays, recognitions granted by the national community council, etc.).

The ***competence of the Council*** is a) to represent the national community and b) to elect or organize election of representatives of national communities in the bodies provide for by law or relevant instruments.

The Council takes part in the creation of policy and in taking and carrying into effect decisions in the following fields:

1) General and vocational education,

2) The culture and arts,

3) The use of the national community language,

4) Protection of human environment,

5) Local planning,

6) Directing the utility and housing policy of the local community,

7) The care of natural resources,

8) Economic development of the local community,

9) Development of health and welfare services in the local community,

10) Cooperation in the implementation and control of tax policy,

11) The promotion of tourism and transportation;

12) Organization of the judiciary and its activities in accordance with law;

13) Improvement of the local police staffing and its activities.

14) In the territory of a municipality or a city, a national community may have *only one* council.

3. 4. National community Union. Councils of national communities may associate, at the level of the regional community and/or Kosovo into the national community union.

The national community union enjoys the status of a legal person, and is established and registered under the same conditions as other social organizations and associations of citizens.

A national community may have only one national community union at the level of Kosovo and the regional community respectively.

3. 5. Regional cooperation. Taking into account that territorial and national issues in South-eastern Europe are closely interrelated, each having its local and regional repercussions, it is necessary to secure both to Albanians and Serbs the security of a free inter-Albanian and inter-Serbian cooperation and integration, respecting fully the existing state borders and guaranteeing the state territorial integrity.

Strategically, long-term development interests of Serbia and other countries of the Region are:

1) Elimination of domination of any expansionist authority and „great national" ambitions;

2) Control and marginalisation of destabilizing political and ethnic problems and conflicts that have been exhausting human and material resources of the Region for decades;

3) Making it easier, through the implementation of concrete projects within the Stability Pact and SECI, interregional integration and joining the EU through the process of stabilization and association.

4) Short-term and medium-term interests of regional cooperation are the following:

5) Stabilization and democratisation of Kosovo and prevention of new conflicts.

6) Improvement in the status of national communities and protection of rights and freedoms of persons belonging to them, development of cultural, information and economic cooperation within a multiethnic society as a whole, within the framework of national communities, within the framework of ethnicities separated by state boarders but also among different ethnicities of the Region;

7) Establishment of common standards as regards the citizenship, protection of human and minority rights;

8) Control of migratory movements, illicit work (for instance, by introducing boarder controls but at the same time more easier movement of persons that have labour based residence permits) and refugee status;

9) Suppression of terrorism and organized crime.

4. REGIONAL COMMUNITY

4. 1. Regional community. Regional community is a community of municipalities as an institutional form of exercising the right to self-government. The right to the exercise of self-government is only a potential right, which is used by holders of the right if they want so and if they fulfil certain conditions that might derive from the Constitutional framework for provisional self-government in Kosovo. Regional communities are

an instrument of integration and a basic form of protection against ethnic division of Kosovo and Metohija.

This would mean that regional self-organization is the right but not an obligation.

The Framework or appropriate instruments determine the following issues: ***who are holders of the right to regional self-organization, the procedure for the exercise of the right, competences and powers of the regional community, legal documents adopted by regional communities, bodies of regional communities, relations of the region with the central authority and financing of the region.***

Holders of the right to regional self-organization should be those neighbouring municipalities, i.e. citizens of those municipalities, which consider that due to interconnection resulting from economic, traffic, geographic, historical, cultural and traditional ties they can perform certain tasks more efficiently together rather than separately or through central government authorities. That means that holders of the right to regional organization are municipal communities.

Establishment, determination of the territory, definition of functions and other matters of relevance for a regional community shall be laid down by an act of the competent authority. The appropriate act of the competent authority would fix the minimum number of municipalities and/or population of municipalities that can form a region. The Framework or other appropriate act would provide for conditions and procedure for possible alteration of the region's borders.

4. 2. Competence of the regional community. ***Appropriate acts of*** the competent authority lay down ***the competence of the central authorities*** and ***the competence of municipalities.*** Other spheres of competence, the scope of competence and the kinds of powers that are specifically enumerated by the

appropriate act fall within the sphere of competence of the regional community.

Taking into account different degrees of development of individual areas of Kosovo and different reasons for regional self-organization (cultural-historical reasons can override economic reasons and vice versa), future regional communities should have free hands in taking over from an offered catalogue the competences that suit them, they being determined by regions, individually, in their bylaws. Taking over of new competences from a list of possible ones shall be considered as adoption of a new bylaw and the whole procedure for the enlargement of competences (or reduction) shall take place in the way that a bylaw is adopted.

An appropriate instrument of the competent authority determines in fact to what extent of self-organization regions can go. This is the way to achieve flexibility and diversity of types of regional communities.

The regional community would have competences in the following fields:

1) Determination of regional bodies and services;

2) Determination of sources of income;

3) Management of regional property;

4) Industry of regional importance:

5) Agriculture, cattle breeding and forestry;

6) Regional roads, bridges, river courses, hunting, fishing, land reclamation and irrigation;

7) Regional road, river and possibly railway traffic;

8) Regional planning and preparation of terrains;

9) Public works of regional importance;

10) Education and culture of regional importance;

11) Regional police, and

12) Regional, second-instance courts.

4. 3. Authority and legal enactments. Regional communities should have at their disposal normative, executive, administrative authority, with the possibility of having a judicial authority.

In the domain of their original (exclusive) legislative authority, legal enactments passed by a regional community shall be subject to the constitutional control by a special panel of the Supreme Court of Kosovo.

In the domain where the regions pass laws with a view to enforcing state laws (the situation where the central authority delegates the authority of regulating individual issues or where by way of framework laws accords the right to regulate a matter in more detail) such regional acts are subject to control of legality by the Constitutional Court of Kosovo.

In the domain where executive and administrative authority is delegated, central bodies retain the right of central control.

For all other instruments made by bodies of regional communities, usual procedures of judicial and other controls are applicable.

4. 4. Bodies of a regional community. Bodies of a regional community are the ***assembly, government, and administrative bodies, with possibility of establishing courts.*** Regional communities may also establish other organs, bodies and committees that they need in the exercise of their authority.

a) ***The assembly of a regional community*** is elected by citizens having the right of vote in the territory of the region. The assembly of the region determines the procedure of election by law.

b) ***Election of the government, administrative bodies, other organs and bodies,*** along with their competences, are determined by law of the region.

Regions are obliged to adhere to basic principles of election of authorities laid down by the Framework and appropriate acts.

4. 5. Relations with bodies of the provisional self-government in Kosovo. Relations between a regional community and the central authority manifest in the following: a) participation of the regional community in bodies of the provisional self-government; b) the principle of unity and c) the principle of solidarity.

Forming of regional communities in the process of decentralization has to be in accord with the Constitutional framework. The same principle applies also to decentralization of legal sources. The Special Representative may make a special verification rule.

This is confirmed by the following solutions:

Statute of the region shall be approved by the Assembly of Kosovo, provided that until conditions are ripe for the Assembly of Kosovo as the self-government body to approve the statute this shall be done by the Special UN Representative for Kosovo;

The control of conformity of regional communities' statutes with provisions of the Constitutional framework shall be done by a special panel of the Supreme Court of Kosovo;

General regulations that fall within the exclusive competence of the region have to conform with acts of the competent authority and are subject to control of the special panel of the Supreme Court of Kosovo;

The subsidiarity principle: in the application of regulations, in case of the existence of both regional and central regulations, the regional regulations shall have precedence in application. However, in case there is a collision between the regulations of the regional and central authorities, the regulation of the central authority shall apply until a decision is taken by a special panel of the Supreme Court of Kosovo;

The legal status of citizens has to be regulated uniformly for the entire territory of Kosovo and no regional community can adopt regulations or its body carry out measures in the exercise of its powers that would limit freedoms and rights of citizens laid down in the Framework or appropriate instruments, especially those freedoms that relate to the freedom of movement, taking up residence and employment, and property rights;

The procedure of harmonization of legal regulations of regional communities shall be initiated by passing a law that will prescribe necessary principles for harmonization of regulations of regional communities in the matters that fall within their competence. The necessity of harmonization shall be decided on by the Assembly of Kosovo by separate voting in both Houses, provided the absolute majority is obtained in both Houses;

Regions can regulate their mutual cooperation by an agreement;

Federalization of regional communities is not permitted in any case and all agreements on cooperation between the regions (other than those that relate to administration and operation of their own services) shall be subject to confirmation by the Assembly of Kosovo in the same manner as the harmonization procedure;

A regional community cannot exercise any of its rights to the detriment of another region;

The central authority enjoys the right of direct intervention aimed at the maintenance of the unity of the Provisional self-government in Kosovo and the unity of the legal order, protection of rights of other regional communities and the protection of common interests. The Assembly of Kosovo by absolute majority in both Houses shall take a decision on existence of such a necessity.

4. 6. Principle of solidarity. The principle of solidarity is a constitutional principle deriving from the principle of the unity of the state and the principle of equality and equity. The necessity to introduce the principle of solidarity results from the fact that parts of Kosovo have unequal level of development. In this way establishment of a regional community based on regional egoism shall be prevented. For the purpose of bringing this principle into effect, ***a Fund for a balanced development of regions*** and ***a Council for general social and economic planning*** should be instituted.

4. 7. Financing of regions. The Frameworks or appropriate instruments lay down own sources of financing of regional communities. Those would be those sources that are ceded to them, in part or in full, by the central authority, own sources of income, and the resources from the Fund for a balanced development. In regulation of the matter account should be taken of the regions not fixing their own sources of income by additional taxation of citizens because in such a case citizens would pay the cost of political autonomy.

4. 8. Regional communities would secure their participation in bodies of Provisional self-government in Kosovo through the ***House of regional, national and local communities.***

5. CITY

5. 1. City. City is a unit of local self-government representing a natural, urban and social whole with the *population of more than 10,000.* In addition to the narrow urban area, suburban areas making with the city such a natural and social whole connected by everyday needs of the population of local significance belong to the city.

5. 2. Authority of the city. *The authority delegated* to the city would in principle coincide with authority of municipalities and the one specific and characteristic of urban environments may possibly enlarge it. Cities may also have tasks that are entrusted to them for performance by the municipality.

5. 3. Bodies of the city. As regards the bodies, the ***identical classification of bodies*** as in municipalities would be retained: a) city government and b) city assembly.

The assembly would be bicameral under the same conditions as in the case of the municipal assembly; the same applies to participation of national communities in the city government.

6. BICAMERAL ASSEMBLY OF KOSOVO

6. 1. Provisional self-government in Kosovo. This form of decentralization of functions and devolution of competences to local self-government as well as the necessity to promote multiethnic cooperation at the level of the Provisional local self-government in Kosovo, necessitates to think in perspective about introduction of a bicameral form of the Assembly of Kosovo, i.e. ***the House of regional, national and local communities.***

6. 2. Bicameral assembly. ***The Assembly of Kosovo would consist of two Houses:*** a) the House of citizens and b) The House of local, national and regional communities.

6. 2. 1. The House of citizens. All citizens would be represented in the House of citizens in accordance with the principle „one man – one vote" and this House would be of general jurisdiction, subject to a corrective principle established in the Constitutional framework,

6. 2. 2. The House of local, national and regional communities. The House of local, national and regional communities would represent regional communities and would take part in decision-making only in certain cases. Members of the House of local, national and regional communities would be elected in two ways. One each representative from every region would be appointed from among the existing composition of assemblies in the region, while the others would be elected depending on the number of citizens that enjoy the right of vote in each region. The House of local, national and regional communities represents the second house that takes part in the proceedings of the Assembly of Kosovo with the right of decision-making in the matters that concern the status and authority of these communities.

7. PREPARATION OF THE MODEL NORMATIVE ACT ON SELF-GOVERNMENT OF LOCAL, NATIONAL AND REGIONAL COMMUNITIES

7. 1. Model normative act. Fundamentals of the strategy for decentralization and building of local self-government in Kosovo would serve as a base for working out a model („draft

law") normative act on self-government of local, national and regional communities in Kosovo and Metohija. For the purpose, a special expert team of legal and other professionals would be set up, which would in a relatively short period of time devise the model.

7. 2. Expert debate. With a view to the implementation of the Strategy and initiation of the procedure for adoption of the model normative act, it is very useful to organize a number of expert discussions and public debates and to launch a campaign of lobbying for adoption of such a solution by all citizens in Kosovo and Metohija, and by persons belonging to individual national communities.

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