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Kosovo Civil Society Sector Assessment

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Final Report

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None of these generous people bear any accountability for our interpretations, conclusions or recommendations. Nor does this report in any way represent any official viewpoint or policy of the United States Agency for International Development. All responsibility for the report and whatever errors or misinterpretations it may contain belongs with the assessment team.

EXECUTIVE SUMMARY

This report, the result of a two-week in Kosovo in late March 2004, is designed to inform the civil society component of USAID/Kosovo's strategic plan for 2004-2008. As things turned out, we had just begun our assessment when the crisis of March 17th erupted in violence directly mainly against minority Serbs, indicating that the slow transition process then in place had run into serious trouble. In consequence, we were asked by the USAID mission to enlarge our scope of work to include ideas on how civil society might deal in the short term with the aftermath of the crisis.

Civil society definition and functions. In our report, we define "civil society" as voluntary, non-profit, organized activity that is autonomous from the state. Following popular usage in Kosovo, we use the terms "civil society organization" (CSO) and "non-government organization" (NGO) interchangeable, as well as the expressions "NGO community" and "civil society community." In Kosovo, civil society has its two usual roles of promoting citizen participation in public decision making and holding the state accountable for its actions. But it also takes on three extra dimensions: dealing with an extra level of "state" in the form of the United Nations Interim Administration in Kosovo (UNMIK), which has been the ultimate governing authority there since 1999; promoting interethnic comity between majority Albanians and minority Serbs; and serving a special role as a haven for the huge youth community (60 percent of total population 25 or younger) amid large-scale unemployment.

Methodology. Our team, consisting of two expatriates and one Kosovar expert, supplemented by two interpreters, spent the period 15-26 March in Kosovo conducting our assessment. Our work is intended to advise the USAID mission as it designs its civil society strategy. Thus we looked at various USAID programs currently in operation dealing with civil society issues, but our work should in no way be interpreted as a review or evaluation of USAID's programmatic initiatives. The disruptions attendant upon the March 17th events, plus our added mandate to look at short-term civil society issues, has meant a shallower and wider report than we (or the mission) had anticipated, but we hope it will be useful to USAID/Kosovo.

Civil society advantages. Civil society in Kosovo presents an unusual set of plusses and minuses. On the positive side, there are distinct advantages: a clean slate, experienced NGOs and a receptive state. Kosovo's origins in the aftermath of the 1999 events meant a "greenfielding" opportunity to start a state from scratch, without the historical socialist system baggage affecting other systems in the region. For their part, NGOs have been able to draw on a rich experience derived from having supplied most essential services after the de facto Yugoslav state withdrawal during the 1990s and they have found the new state for the most part open to innovation and new ideas from civil society. NGOs are held in comparatively high regard in Kosovo and enjoy relatively good media relations. They realize that foreign funding has begun to decrease and have initiated plans to move to sustainability. Altogether the civil society community in Kosovo appears considerably more sophisticated than its counterparts in most other countries in the E&E and Southeast Asian regions where team members have worked.

Civil society problems. Along with the advantages, Kosovo civil society faces some unique difficulties. Foremost among them has been UNMIK, the meta-state governing authority set up in 1999 that is essentially accountable only to the UN Secretary General in New York, not to the Kosovo population. Thus far, the Secretary General's Special Representative (SRSG) and UNMIK have shown little inclination to take civil society at all seriously as an entity in the political arena, which has put a severe damper on the latter's ability to promote citizen inputs to the state and to press it to be accountable for its actions. Other problems stem from the "standards" thresholds set by UNMIK to be met before Kosovo's "final status" is to be decided. The standards present an excellent set of democratic principles, but they

are so high that virtually no state now considered a democracy could have met them at the time of its own independence. And an UNMIK not disposed to listen is unlikely to respond to pleas that the standards be made more attainable.

Ethnic tensions have remained intense since 1999, and with the March 17th events have become undeniably more profound, making it even more difficult for multiethnic initiatives to have much chance to work or even for Albanian NGOs to work on common activities with Serbian NGO counterparts. The fact of what amounts to a parallel Serbian authority in northern Mitrovice and most of the small Serbian enclaves elsewhere in Kosovo adds greatly to the difficulties here. Finally, amid all these severe constraints, the inexperience of Kosovo's state structure, cited above as an advantage, also constitutes a real problem; those at the helm of the Provisional Institutions of Self-Government (PISG) have little background to draw upon in dealing with these issues.

Civil society experience. Kosovo's civil society experience since 1999 has been a rich one. UNMIK's regulations governing NGOs have been quite permissive, and some 2,000 organizations are estimated to have come into existence. Many of course have failed or become inactive, but the civil society universe has developed a good number of robust structures. Networks are impressive. At the central level the Kosovo Women's Network and the Kosovo Youth Network federate large groups of local organizations. The AVOKO network, which emerged from ATRC's training program, brings together 28 NGOs to plan and implement advocacy initiatives. At the local level, the Gjakove Forum has brought together more than 40 NGOs working in different sectors to formulate joint strategies and pursue advocacy objectives.

Civil society advocacy at the central level is unusually complex in Kosovo in that there are the two levels to deal with, only one of which is publicly accountable. NGOs can lobby the PISG with respect to the devolved sectors (e.g., education, health, youth), subject to UNMIK's veto authority, but for many important issues, it must try to deal with UNMIK. Over the last six months, the NGO community has directed two large-scale advocacy efforts toward UNMIK, the missing persons campaign of autumn 2003 and the REFORMA 2004 campaign for an "open list" voting system this past winter. Unfortunately, neither elicited a significant reaction from UNMIK. In the wake of March 17th, the NGO community undertook a third united effort, to formulate a coordinated public response to the violence and develop an emergency mechanism to deal with future crises.

In addition to assistance for advocacy efforts, the KNAP, BRPM and OTI programs have supported NGO capacity building. Most of these efforts on the training side have been very well received, and NGOs have put their new skills to good use. The team did hear some complaint, however, that training-of-trainer programs may have diluted the level of expertise too far by the time it gets to end users.

Short-term recommendations. Here we address the short-term issues posed for civil society by the crisis of March 17th.

- Gaining leverage with UNMIK. Thus far, UNMIK has shown little inclination to see civil society as a serious partner in the political arena. If the citizenry is to have any input beyond "closed list" voting for the PISG Assembly into decisions determining the territory's "final status," this must change. The immediate challenge is to get UNMIK to listen. We suggest four ways for civil society to gain UNMIK's ear:
 - Lobbying at home. To date, this has not worked, as evidenced in the missing persons and REFORMA 2004 campaigns. But civil society might try a combined front with PISG to lobby UNMIK.
 - Lobbying with the Quint to pressure UNMIK to listen. Current tensions between Quint members might seem to preclude success here, but it's quite possible that the members could see this as an excellent opportunity to improve their mutual relations at relatively low diplomatic cost.

- Lobbying with the UN Security Council in New York. The diaspora network so useful in 1999 could be revived.
- Working with the international policy community. Think tanks, media, policy groups and well-placed foreigners would be the targets here.
- Employing civil society as a two-way link. In addition to its role in providing citizen inputs to state policy, civil society could also serve as an “early warning system” to alert the central level concerning the kinds of tensions that boiled over on March 17th.
- Building a “hard data” source. Kosovo’s growing capacity in opinion polling could be used to rebut the oft-heard charge that civil society “has no constituency.”
- Helping with returnees and reconstruction. The civil society presently has a great opportunity to be immensely useful in working with the PISG to repair the physical and psychological damage done on March 17th and 18th.

Longer-term proposals to enhance civil society capacity. These recommendations aim to strengthen citizen participation and civil society’s ability to affect accountability.

- Attaining “critical mass” as a political entity. Civil society needs to become a regular player in Kosovo’s political system at both central and local levels. This means strengthening its capacity to energize constituencies, establish agendas, etc., but it also means attaining a voice as such in the political arena. Despite the difficulties that will be encountered, building an apex coalition or a “coalition of coalitions” to represent civil society as a whole is what is called for here at both levels.
- Strengthening the constituency base. Stemming from their experience during the 1990s, Kosovo NGOs have a good start on building their constituency bases, but more needs to be done. NGOs are open to the charge of elite domination and even representation, so expanding and maintaining the grassroots base will remain an important priority.
- Following policy advocacy with implementation. The civil society community has done well at promoting policy change in the form of new regulations at both central and local levels. A move toward focusing on implementing the new policies begun, and this should be reinforced in future.
- Building think tanks for policy dialogue. Kosovo needs an institutionalized capacity to analyze public policy issues outside the confines of the state. Think tanks should be nurtured – preferably more than one in order to ensure the formulation of divergent views on important issues.
- Leveraging fully media’s potential for advocacy.
- Bringing traditional CSOs into the mainstream. Traditional groups like the veterans’ and pensioners’ organizations, widely regarded as useless – and quite possibly harmful – relics of the socialist era, get left out of donor assistance efforts. But a little effort could go a long way in de-radicalizing and bringing them into the wider contemporary civil society community.

Programmatic strategies for building NGO organizational capacity. Here we offer recommendations for enhancing civil society organizations internally, to help them become more effective.

- Focusing advocacy on issues resonating with ordinary Kosovars. As they mature, NGOs should be able to move increasingly away from following donor-driven agendas toward fine-tuning their own in accord with their constituencies.
- Building a nucleus of leading sectoral NGOs. A competitive core grant program can foster the development of leading-edge organizations in critical sectors.
- Strengthening strategic planning. To become sustainable, NGOs will need to improve their strategic planning capability.
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- Monitoring but not controlling NGOs. The state needs a capacity to ensure that NGOs abide by the regulatory framework within which they operate (e.g., tax exempt status), but at the same time it must be restricted from overregulating or controlling them.

- Developing financial sustainability. As donor support continues to dwindle, more effort will be needed to help civil society build other financial resources.
- Institutionalizing NGO support resources. The Intermediate Support Organization model developed elsewhere in the E&E region should be replicated in Kosovo.

What should civil society look like in five years? One five-year strategy will scarcely produce a fully functioning democracy, but we could expect an effective civil society program to effect some significant changes by 2008. Among them would be:

- Evidence of “critical mass;”
- Growing NGO constituencies;
- A voice for civil society when needed (along with a multiplicity of voices representing different interests);
- Wide (if uneven) opportunities to participate in public policy;
- Recruitment into public life through civil society;
- The beginnings of self-sufficiency for CSOs; and
- Widespread self-generated agendas in the civil society community.

Kosovo Civil Society Sector Assessment – Final draft

I. INTRODUCTION

In this report, we seek to provide an overview of the present state of civil society in Kosovo, assess the possibilities for its future strengthening, and offer recommendations to inform USAID/Kosovo's civil society assistance efforts over the period of its current 2004-2008 Strategic Plan (USAID 2003). We conducted our assessment during a two-week period in mid-March 2004 and thus encountered the crisis of March 17th and its aftermath. This experience is reflected in our report giving an added dimension to our original assignment.

A. March 17th and an enlarged mandate for the team

On the 17th of March 2004, after more than four-and-a-half years of international transitional administration, all stakeholders in Kosovo found themselves quite suddenly and unhappily caught by surprise. After a rash of violent mob outbursts, mostly against minority Serbs, Prime Minister Bajram Rexhepi moved quickly into action to try to calm things, but other major actors – both inside and outside the territory – initially appeared at a loss for what to do. Within a couple of days, a beefed-up NATO force proceeded to enforce calm throughout Kosovo, and in the ensuing days the United Nations Mission in Kosovo (UNMIK¹) as well as all other stakeholders – both inside and outside the territory – pondered its future.² A painfully slow transitional process had clearly run into serious trouble; the main questions on all minds were how much trouble, how deep, how long lasting, and what might be done about it.

This was the situation confronting the USAID Kosovo Civil Society Sector Assessment team during its two-week visit. The team's initial task – to advise the Mission on civil society strategy over the next several years³ – suddenly took on the added dimension of offering ideas to help deal with the more immediate crisis generated by the March incidents. Accordingly, this report has two goals in providing recommendations: assisting civil society to assume a useful role in moving Kosovo ahead in dealing with the present crisis; and supporting civil society over the next several years to assume a core role in promoting democratic pluralism.

The immediate key issue facing Kosovo at the end of March is to move UNMIK toward resolving the “final status” issue, i.e., determining just when the UN would depart and what would be the territory's situation and structure at that time. To move UNMIK in this direction depends on making material progress in meeting the “standards” laid down by UNMIK in December 2003, which in essence call for building a market democracy and establishing a multiethnic society.

The first question for us, then, is: What can civil society do to further this process, and how might USAID support such an effort? At the end of our report, we will provide some recommendations that we hope will be useful. We will also address the longer term issues posed in our Scope of Work, which ask for recommendations to enhance civil society's effectiveness in building a pluralistic democracy in Kosovo.

¹ As with development efforts everywhere, Kosovo presents its own array of sometimes bewildering acronyms. Appendix A provides a key to those used in this report.

² UNMIK did eventually set up a body to review the March 17th events and make recommendations to ensure better reactions should future crises emerge (UNMIK News Coverage website, 30 March 2004).

³ Appendix D contains the team's Scope of Work for this assessment.

B. Organization of the report

We begin in this introductory section with a very brief consideration of civil society's role in promoting democracy in the Kosovo context. We then note the scope and limitations of our report and our methodology. In the second section, we sum up the strengths and weaknesses of civil society currently. Our third section traces civil society experience over the last several years, focusing largely on the macro or central level. The next three sections present our recommendations, as follows:

- Shorter term suggestions for dealing with the immediate situation and in the process helping civil society to become a more significant player on the political scene;
- Longer term ideas to enhance civil society's place in building democratic pluralism in Kosovo at both central and local levels;
- Programmatic strategies for strengthening NGO organizational capacity.

In the final section, we present a capsule overview of what civil society might look like after four or five years if the recommendations suggested here are included in USAID's strategy, are implemented, and prove successful.

C. The roles of civil society: old and new

The term "civil society" has proven an elusive one to define in the democratization context, even within USAID itself, with quite distinct formulations attracting their adherents. Thus any definition must in the end be stipulative; we have to decide what we will mean by the term and then define it for our purposes. Thus we will use "civil society" in this report to refer to *voluntary (though not necessarily involving volunteers), non-profit, organized activity that is autonomous from the state*. Establishing useful definitional distinctions between CSOs and NGOs has also presented continual difficulties within the international development community, but here our task is greatly eased by the practice we find in Kosovo whereby virtually everyone seems to employ the two terms interchangeably. We will do the same.

In general terms, the role of civil society in a democratic polity is to complement elections as the second key mechanism to facilitate citizen participation and state accountability. While elections serve as the ultimate means of participation and accountability, they are at best crude instruments operating at widely separated intervals. In between elections, civil society becomes the path for citizens to influence public policy in detail, that is, to tell government what they want and don't want, and for them to hold government to account for what it does and fails to do.⁴ To put it another way, civil society enables citizens to provide specific policy inputs to the state and to react to the state's outputs, while elections offer only the broadest opportunity to choose programs and individuals to implement them.⁵ And with the "closed lists" system operative in Kosovo, citizens' ability to reward or punish elected officials at the polls – and to hold them accountable through transparent participatory monitoring processes – is less fine-tuned than with the "open lists" approach.⁶ As a result, voting becomes an even blunter instrument, making civil society all the more necessary.

⁴ Since CSOs and NGOs are considered synonymous in Kosovo, we must add in service delivery as a function, albeit a function not connected directly to democracy.

⁵ While CS and elections are distinct elements of the democratic polity, the boundary gets slightly confused in that CSOs do engage in election work, with civic education campaigns, ballot monitoring and political process monitoring at the municipal level in the assembly and committees through NDI efforts.

⁶ In the "open lists," citizens vote for specific individuals, while with the "closed lists" they must vote for a party which then allocates the legislative seats it has won to specific party members.

These functions would sum up the description of civil society for most political systems, but for Kosovo we need to add three other considerations to this brief depiction of civil society:

- **Dealing with two levels of “state”.** A fundamental reality in Kosovo is that the PISG “state” to which civil society relates is only a quasi-state, while the real power, both *de facto* and *de jure*, lies with UNMIK. And UNMIK (which we are here employing as shorthand for UNMIK plus SRSG) is accountable not to the people of Kosovo but to the United Nations Security Council in New York. Thus Kosovar civil society – even if it were to attain maximum potential efficacy – has a severely circumscribed capacity to exercise the customary democratic functions of participation and accountability. Can civil society affect UNMIK’s behavior in the absence of this normal accountability? We believe there are some possibilities in this direction.
- **The interethnic dimension.** A second additional role for civil society in the Kosovo context is to promote interethnic comity between the majority Albanians and minority groups, in particular Serbs. Building a multiethnic state has been central to the UN presence, which was established to prevent the establishment of a uniethnic Kosovo of one type and which sees as one of its two principal missions precluding possible future moves to build a uniethnic state along any other dimensions.⁷ At the present moment in the wake of the March 17th violence, the prospect for a multiethnic state on which progress toward “final status” appears to be foundering. Addressing this issue more nearly resembles the customary role of civil society than dealing with UNMIK accountability to New York, and we think there is potential for civil society work here also.
- **A constructive haven for youth.** The combination of an unusually young population (60 percent of Kosovars are 25 or younger) and widespread unemployment in a stagnant economy means inordinately large numbers of involuntarily idle young people. While NGOs cannot provide serious employment to more than a few people, it can offer constructive opportunities to many more in the form of educational initiatives, civic improvement (e.g., environmental) activities, volunteering to build skills and the like. Civil society could also play a crucial role in increasing awareness and understanding among youths about different problems of democracy. There is potential here as well.

D. What this report is and is not

As an assessment of the civil society sector in Kosovo, the present report includes a very broad-gauge review and appraisal of USAID-supported efforts to assist civil society in that country, for the purpose of offering recommendations to inform the Agency’s civil society strategy over the next several years. This meant devoting as much attention as we could to USAID programs operating in this sector, in particular EWMI, the lead organization in the Kosovo NGO Advocacy Program (KNAP) and its partners, ATRC, FDI and ICNL/IKDO. In addition, we looked more briefly at the programs being implemented by NDI, IREX, The STAR Network of World Learning, KTI, Mercy Corps the recently completed CISP initiative, and the Save the Children program, including the recently completed KAP. We also included other U.S. Government programs, including those of BPRM.

We need to stress, however, that this kind of “assessment” does not in any sense constitute a formal evaluation of these programs or their implementers. We analyzed a number of aspects of these programs, but only in the interest of our general understanding of their purposes and activities, not with a view to evaluating them as programs. Rather our task has been to draw up a broad picture of the overall USAID effort to support civil society. Thus our appraisal and critique of these programs should be taken as representing the impressions and understandings gleaned from our review, not an official evaluation.

⁷ The UN’s other principal mission is to build a viable democratic market system in Kosovo, as per the “standards” of December 2003.

E. Methodology

Our team, fielded by MSI of Washington, DC, consisted of three principal members, supplemented by two interpreters. Members were:

- Harry Blair, the team leader, who is Senior Research Scholar and Lecturer in political science at Yale University and has led a number of USAID civil society assessments, most recently in Macedonia;
- Lorel Donaghey, an independent consultant with previous experience in USAID-funded NGO advocacy and sustainability support programs throughout the SEE region, the FSU and elsewhere;
- Dardan Velija, Executive Director of the Kosovo Institute for Research and Documentation (KODI).

Our interpreters were Gresa Sefaj (who also served as the team logistician) and Bashkim Fazliu.

We spent two weeks in Kosovo from March 15-26, a time that turned out to include the violent outbursts of 17-18 March. These events rather severely impeded our work, resulting in many cancelled interviews (some of which we were able to reschedule) and reducing our planned field visits to one day and two municipalities. There was also a very significant effect on our ability to meet minority NGOs and beneficiaries of their programs since freedom of movement and adequate security was severely limited. Nor were we able to meet many organized NGOs not receiving USAID-financed support, informal citizen groups, or other civil society actors. Likewise, a wide range of high-level government officials – with PISG, political parties and UNMIK structures – were unavailable as well. And other donors were also affected by these events, so we wound up seeing very few of them.

At the same time, the USAID mission understandably asked us to widen our brief to include attention to the new challenges posed by the mid-March events. So our report has become necessarily both shallower and wider than we had anticipated. We will have less to say about current civil society experience at both central and local levels – especially its interethnic dimension – than we would have liked, and we will have more to say about the immediately current situation than we had anticipated. In spite of these constraints, however, we were able to get considerable work accomplished and hope that our report will be useful to the Mission.

Our working methodology included the following components:⁸

- Document perusal, mainly the USAID materials from the mission, the numerous reports generated by USAID implementers, and the even more voluminous pamphlets, studies, manuals, etc., generated by Kosovar grantee organizations;⁹
- Key informant interviews with USAID staff members, contractors and cooperators, officials at national and local governmental levels, program grantees, and NGO leaders (from USAID grantees and non-grantee organizations);
- Meetings with other donors and officials within UNMIK “pillars;”
- Field visits to two municipalities, Gjakove and Peje, which included three focus group meetings (one in Gjakove and two in Peje).

⁸ Appendix C provides a schedule of the team’s activities, including all meetings, interviews and field visits.

⁹ Appendix B contains a list of references used.

II. THE CURRENT CIVIL SOCIETY SCENE: PLUSSES AND MINUSES.

It is of course a truism to observe that every political system is the unique product of its particular history and that accordingly every USAID assistance program must craft unique strategies to support development of each system. But in Kosovo this hoary aphorism seems even more appropriate than elsewhere. In any event, civil society there does present a number of plusses and minuses for development assistance that would be difficult indeed to find duplicated elsewhere.

A. Strengths and advantages for civil society

A clean slate

The fact that the Yugoslav/Serbian state apparatus withdrew from Kosovo in the aftermath of the 1999 war meant that there was no longstanding executive and administrative structure in place when the post-conflict era began. Whereas all the other components of former Yugoslavia have had to deal with the historical baggage and barnacles of long-standing socialist political and bureaucratic systems as they grope toward a democratic future, Kosovo was able to start with a more or less clean slate – a “greenfielding” opportunity to construct a new governance system from scratch. This situation provides both donors and Kosovars at every level immense scope to fashion new organs and networks for governance.

A receptive state

The very newness of the governance structure coming into existence after 1999 combined with civil society’s role in providing essential services during the 1990s meant a most unusual openness to innovation and fresh ideas. At both central and local levels, many elected and appointed officials¹⁰ have been more than willing to accept suggestions from civil society for improving public sector performance. As one PISG official put it, “We [NGOs and the government] are growing together.”

Experience at self-management

Over the 1990s, after the Yugoslav government had abrogated Kosovo’s official autonomy status and in effect dismissed all Albanians from participation in governance, the Albanian population developed an extensive system of service provision throughout the territory that amounted to a parallel governance structure, covering essential health, education, and welfare provision. What would have been NGO service delivery in other countries was in effect the public administration system in Kosovo during the 1990s. The new governance structure emerging after 1999 was then able to draw on this rich experience in crafting and staffing itself.

A high regard for NGOs

Typically in Southeastern Europe, the civil society community has a public relations challenge in overcoming unfavorable public perceptions stemming from the early post-Communist days of generous foreign funding for NGOs. A flood of foreign donor money supported what in retrospect were many NGOs of quite dubious ability and integrity. As a result, citizens (and even donors themselves) tend to see NGOs as opportunistic, money-grubbing outfits interested mainly in the welfare of their own staffs. These negative impressions can create serious problems for NGOs as they deal with government officials and agencies, and as they engage in their advocacy and service delivery functions. It’s hard to influence government policy or build an enthusiastic constituency when its potential members distrust an NGO’s basic motives. Kosovo underwent a similar inundation of outside funding in late 1999 and 2000, but

¹⁰ By no means all of them have proven to be so open; a good number seem uninterested in CS inputs. But in Kosovo it appears that quite an unusual proportion are receptive in this fashion.

citizens appear to have a much higher regard for NGOs than their counterparts elsewhere in the region, perhaps due in part to the legacy of the NGO performance as parallel government in the 1990s. This esteem is reflected in USAID's corruption survey conducted in May 2003, which found NGOs ranking 6th out of 28 institutions and groups in terms of public perception of corruption.¹¹ Anecdotal evidence gathered by the team indicated similar sentiments.

Relatively good media relations

One common legacy of Communist rule has been a proclivity on the part of officials to relate to the media by means of long and mechanistic speeches and press releases, while the media – especially broadcast operations – respond by dutifully reporting whatever government offers. NGOs tend to follow the same pattern, and the media, now a great deal freer but often not much more skilled than before, find the speeches and releases of little interest. The result is at best a strained and unproductive relationship. In Kosovo, the media also have low capacity and they lack confidence, but because leading print and broadcast organs are owned by civil society activists, the atmosphere is much better. Media are more open, and opportunities for civil society to relate to the citizenry are wider. For example, public debates are organized on a regular basis by the electronic media and members of the civil society are usually part of them. Such a friendly attitude by the media towards the civil society can be used to advantage by the latter.

Early sustainability awareness

A common tale in both post-communist and post-conflict foreign assistance experiences has been a donor funding cycle that begins with what for the host country is a sudden and massive influx of foreign money creating an explosion of activity, followed by a peak and a drop coming sooner than expected as other crises pull donor funds and enthusiasm to more needy cases.¹² Donors issue warnings and sometimes provide training to prepare for the crash by developing alternative income streams, but generally all this comes too late in the day, and NGOs fade out of existence. To be sure, many of the fallen aren't really worthy of survival, but quite a number of good ones wind up lost or seriously impaired in the process. Perhaps because it has come later on amid greater awareness of the problem within the international development community, Kosovo seems an exception to this pattern, for many NGOs seemed to the team to be quite aware that outside funding would inevitably dry up and begun to plan accordingly to diversify their funding bases.¹³ Sustainability was a more common concern than we had anticipated. This realization, plus the fact that it seems likely that USAID and other donor support will continue even beyond the next five years, implies a unique opportunity for Kosovar NGOs to combine self-identified interest with donor assistance to lay the groundwork for the diverse strategies necessary for financial sustainability. This would also capitalize on the strong regulatory framework permitting NGOs the full

¹¹ Among the 505 respondents surveyed, just under 12% thought corruption was high or very high among NGOs, as against 28% for municipal government, 46% for hospitals, and 78% (the highest level) for the KEK power corporation (Spector et al. 2003: 9).

¹² Many studies and reports have pointed to this pattern. See for instance Biddle et al., *Lessons in Transition: The NGO Story* (1999).

¹³ For example:

- The Kosovo Women's Network plans an event-based fundraising event as the culmination of their response to raise funds and awareness of the losses suffered by both Serb and Albanian families in the recent crisis.
- ATRC and FDI offer their own practical experience in targeting a diverse group of international donors in and outside of Kosovo, including initial development of a strategy to target the Albanian diaspora, to decrease their own reliance on any one donor.
- Several think tanks and business development organizations are attempting to develop products and services for which they can charge fees or at least sell their expertise through contracts for specific deliverables from international organizations (i.e. RIINVEST contract with UNDP for Early Warning Reports).
- Other groups have less well developed ideas to start businesses to generate revenue to support mission-driven activities and the very unique IPKO Institute model provides a local example from which to learn.

range of revenue-generating options, as well as the potential to capitalize on lessons learned in USAID efforts throughout the region.

A comparatively sophisticated civil society sector

Compared with civil society institutions observed elsewhere in the E&E region and in Southeast Asia, Kosovo offered quite a few examples of civil society networks (as well as some individual CSOs) that had highly developed advocacy skills. While CSOs in other systems tended to be working on such skills as developing agendas and finding a voice, a number of their Kosovo counterparts were evidencing more advanced skills like successfully influencing public policy formation in lobbying central and local assemblies to pass new regulations.¹⁴ Although the Kosovar civil society sector has yet to attain “critical mass” in the sense that policy makers have to take it seriously (a theme explored later on in this report), it appears to the team to have come closer to doing so than has been the case with many other systems in which the sector has received USAID support.

Most notably, civil society as a sector seems significantly more developed in Kosovo than in neighboring Macedonia, where one team member undertook a similar civil society assessment for USAID last summer (see Blair et al., 2003). While Macedonian coalitions had no more than episodic impact on decision making at any level, Kosovar networks appeared able to access and convince assemblies to include their agendas in passing new regulations. Implementing the new rules may of course prove to be harder, but USAID’s KNAP initiative appears poised to take on this activity as well.

B. Problems and constraints

An unreachable and unresponsive state authority

For the macro-level, one discovers at almost every turn that civil society cannot reach the ruling authority that really counts. Civil society can advocate its agendas, at times successfully, with the PISG, but the ultimate power rests at the meta-state level with UNMIK. If UNMIK were responsive to civil society, things would still be difficult, but not insurmountable. As it is, however, UNMIK is widely perceived within the civil society community as not just unresponsive but even as actively unresponsive; UNMIK almost seems to resemble a colonial power at times, holding that NGOs have no appreciable constituency base, represent only themselves, etc. Even when civil society has presented significant and at least arguably persuasive evidence of representing a serious base, as with the KAN and Reforma 2004 campaigns, UNMIK has been unresponsive. If civil society cannot even get a hearing with the power that really matters in Kosovo, its incentive for advocacy is dampened, to say the least.

“Standards” as obstacle

The “standards before status” posture adopted by UNMIK lays out a detailed and publicly promulgated set of requirements that Kosovo should meet before its “final status” is resolved. These “standards” provide an excellent statement of the behaviors that any democratic state – including the NATO countries – should aspire to. But they represent a bar far higher than virtually any country – again including NATO – had attained by the time of its own independence. To expect Kosovo to meet such a setoff thresholds is altogether unrealistic. Thus as long as the present “standards” are held out as the definitive threshold that must be crossed before “final status” will be granted, Kosovo has virtually no chance of realizing them. Nor is there any sense that some kind of “reasonable progress” toward meeting the “standards” might be deemed sufficient for Kosovo to attain “final status.” In such a situation, the appropriate role for civil society remains far from clear. Should it try to move toward the “standards” directly? Should it try to establish a more achievable set of “standards”? Should it try to lobby UNMIK to lower the bar to a more attainable height? The team’s distinct impression is that CSOs have very little idea of how to proceed in these matters, and further that they find this lack of orientation to be quite debilitating.

¹⁴ For a suggested scale along which civil society advocacy efforts might be measured, see Annex E.

Exacerbated ethnic tensions

The events of mid-March have abundantly shown that ethnic tensions are significantly worse than had been previously realized by almost all sides in both Kosovar and international communities – despite a fledgling but nonetheless substantive level of collaboration and contact between Albanian and minority NGOs. Anecdotal evidence in the immediate wake of the violence indicated that levels of trust on the part of the Serbian minority toward the Albanian majority had sharply declined, at least for the time being. Unmistakably a very serious setback has occurred.

Things are scarcely hopeless, however. Widespread evidence of regret and distress on the part of Albanian citizens (e.g., in letters published in newspapers) and efforts on the part of the PISG to make amends by rebuilding houses and churches should help ameliorate tensions. NGOs can see the situation as an opportunity to extend their service delivery more effectively into Serbian areas. Human rights groups can use the crisis as a lever to raise general consciousness within the entire Kosovo community about the critical importance of protecting minority rights for all. So there is much that can (and should) be done. But it has now become clear that the challenges here are significantly greater than had been realized a short time ago.

A parallel authority

In the northern part of the Mitrovica region where a Serb majority exists, local governments and citizens look largely to Belgrade rather than to Pristina as the source of authority and funding. Kosovar NGOs, even those with multiethnic personnel and programs, cannot really operate there in any safety, making a multiethnic society all the more difficult to achieve. Smaller Serbian enclaves scattered across Kosovo now present similar problems, though their direct links to Belgrade are too tenuous to provide either support or a sense of security. Altogether perhaps 30 percent of Kosovo's territory comes presently under Serb control and remains at best deeply skeptical of Albanian bona fides. Interestingly, this parallel governance structure, particularly in northern Mitrovica, presents a somewhat similar situation to that experienced by the Albanian Kosovar population in the 1990s, when a popular "Republic of Kosovo" staffed largely by volunteers provided essential services to Albanians independently of Belgrade's authority.

Inexperience

We noted earlier as an advantage government's willingness to work with civil society and the latter's interest in working with government. The flip side here is that while both sides are working with a clean slate, that slate is also an empty one. Government and civil society are in many ways groping in the dark as they discover and master their roles. Governmental bodies are still learning how to develop policy, implement regulations, deliver services, respond to citizens, etc. At the same time, civil society is still finding out how to ascertain and represent citizen interests, participate in public policy making, monitor government and hold it accountable, and so on. The learning curve for both sides will continue to be a fairly steep one, both in terms of building the capacity to handle their own tasks and in dealing with each other. Their combined inexperience implies that all the more reason exists to pursue a concerted effort to attain a serious beginning toward civil society sustainability, as the donor community inevitably begins to wind down its support over the coming years.

III. CIVIL SOCIETY EXPERIENCE

Civil Society today is strongly affected by recent history, especially in the empowering role civil society played in the parallel state of the 1990s, as the official Yugoslav apparatus in effect abandoned the scene. The Kosovar Albanian community mobilized an entire volunteer social service sector, financed by the Albanian diaspora and local businesses, that voluntarily contributed 3 percent of their net income over and above state-mandated tax structures. At the same time, all staff of what was called the “Republic of Kosovo” worked for years on symbolic salaries. For example, a teacher’s salary started at US\$10 and was later increased to US\$20. This experience created a unique sense of solidarity, an attitude of self-reliance and a reflex to go around any obstructions created by official structures. In addition to these “institutions of the Republic of Kosovo,” the humanitarian organization ‘Mother Theresa’ provided significant aid relief throughout the 1990s. And the Council for the Defence of Human Rights and Freedoms (CDHRF) created some 30 offices-with a staff of more than 170 and around 3,000 active collaborators. These two organizations played a very important role, serving not only as the actual civil society throughout the period but also as the equivalent of government itself. The NGOs that were established in the 1990s still play an important role in post-war Kosovo, although they have changed their focus into new directions. Mother Theresa has put aside its governance function to work as a more purely service delivery organization, while CDHRF has moved in a somewhat opposite direction to put its energies into advocacy and democratic reform.

The donor arrival *en masse* at the onset of the post-conflict era distorted the civil society building process. It is estimated that as many as 2,000 NGOs were established in the first three years after the conflict, which meant roughly one NGO for every thousand Kosovo inhabitants, a large ratio indeed. While in the 1990s NGOs were strong and covered all or large parts of the territory and focused on their agendas without having fundraising opportunities, after the war NGOs quickly became largely donor-driven and tended to justify their goals in terms of being acceptable to donors. Although a large number of NGOs were created only a small number continue to be active in the wake of donor downsizings and departures in more recent years.

A. NGO Structural Framework Legislation

Legislation establishing mandated processes and forms for NGO registration, as well as the types of activities they may undertake, was one of the first measures promulgated by UNMIK in 1999. It is one of the most permissive in the region and lays a very strong foundation upon which to build. Now, most of the responsibility for implementing the legislation has been devolved to the NGO Registration Office under the auspices of the Ministry of Public Services. Among other duties, the NGO Registration Office is responsible for monitoring NGO reports, including those that allow continuation of Public Benefit Status, which provides tax exemption provisions. Because the NGO Registration Office still lacks the human resources to fully implement their duties, there is the strong potential for abuse of the privileges afforded to NGOs, which could damage the public confidence that NGOs still enjoy in Kosovo. In addition, the NGO Office is unable to evaluate which NGOs are still active in order to deregister some of the more than 2,000 currently registered in Kosovo. In addition, there are now some unclear customs and tax regulations that have since been developed through different ministries, which could cause increasing confusion if they are not resolved.

B. Civil society Structures

Civil society has been particularly good at networking. Several NGOs have established strong networks throughout the territory. Some of these take the form of ad hoc coalitions formed to push for specific

changes, like the recent Reforma 2004 and the KAN Network “We Are All Missing Them” campaigns described more fully in a subsequent section of this report. Others are beginning to take shape as more formal networks (Kosova Womens Network, Gjakove Forum of NGOs, Kosova Youth Network and AVOKO Network). Following are four successful examples of networks playing a direct leadership role and also encompassing a number of strong individual NGOs within their ranks:

- The Kosova Womens Network recently formalized itself as a coalition of some 45 women’s NGOs. With support from UNIFEM, the STAR Network, KNAP and others, the KWN has proven quite effective in fostering concrete and practical linkages among a range of women’s NGOs informal groups and activist individuals, including women leaders in media and politics. They demonstrate very strong communication skills within their network, as well as an acknowledgement of the importance of continuing to formalize and deepen their ability to affect change through advocacy activities. They have attracted quite a lot of support from a diverse range of donors, but so far have been able to avoid doing so to the detriment of support for individual member NGOs or other initiatives not directly within control of their network. It is important to note that this is the first network in Kosovo that has been able to secure funding to formalize their network with a dedicated staff member and modest office that, in future, should provide leadership to deliver even stronger impact.
- The Gjakove Forum of NGOs, which includes 44 NGOs working in diverse spheres of activity, has delivered concrete results with the passage of a municipal law on public participation. They are already working both to support implementation of the law in various contexts and to spread their model to other municipalities. In addition, they are providing leadership to organize the sector with seven sector leaders¹⁵ and ongoing programs to foster stronger linkages with a range of other stakeholders through bimonthly roundtables where government officials are invited to speak about their responsibilities and programs. As a group and as individual NGOs, they still need support to improve their practical skills and toolkit of tactics for effective engagement of local government and even stronger citizen support and acknowledgement of the value of their activities. This is the best example of the power of NGOs when they organize and speak with one voice. The result is that they are clearly a serious player in their municipality. An excellent example of Gjakove’s civil society engagement is the liaison office that lobbies for the economic development of Gjakove in Pristina and the one about to open in Brussels.
- AVOKO is a fledgling network of 27 NGOs, all of whom are working with ATRC and FDI under the auspices of the KNAP program. They meet regularly to share experience and plan advocacy initiatives. AVOKO will continue to work on strengthening FOI legislation in Kosovo, in part through a regional effort linking Kosovar NGOs with others working on the issue throughout the region. Member NGOs recently expressed strong interest in continuing to develop this coalition so that it could play a longer-term leadership role in the future.
- Youth networks link local with national coalitions. The Peje Youth Network, for example, began just after the 1999 conflict and with KTI support soon launched a magazine to attract submissions from young Kosovars. The magazine now claims a circulation of 3,000 throughout Kosovo, and the PYN has taken up other activities like a regional advocacy newsletter, a journalism training school for teenagers (with Italian support), a multiethnic summer camp program, and an initiative to monitor local government activities in Peje and adjacent municipalities. PYN is now part of a larger Kosovo Youth Network that boasts 128 organizations and a national membership of more than 100,000

¹⁵ In youth, women, minorities, human rights, education, economic development and environment.

There are also a number of individual NGOs, including professional associations, think tanks and NGOs with multiple branches or chapters (e.g., CDHRF) that are also taking on a leadership role and contributing to successful advocacy efforts on a number of levels. Most are also members of a number of coalitions and networks. For example, HANDIKOS, with a strong network of branches and visible support from membership, has been successful in using a number of advocacy tactics to raise public awareness and stronger government support for their issues. Recently, they held a rally and other events targeting the Ministry of Environment and Spatial Planning (completely devolved to PISG authority) to gain improved disabled access to public buildings.

Several think tanks have produced influential support and have managed to attract great deal of attention both by the government and by the media. KIPRED and KODI and KACI in institution building, and RIINVEST in economic development, are very good examples. They have managed to create personal contacts with the highest levels of decision-making within the PISG and are generally taken very seriously. Such contacts give the civil society a unique possibility to influence the policies directly and to provide a useful resource for the government, considering the fact that it is difficult for the PISG to hire well qualified persons on the salaries it provides. Outsourcing of duties from the government to the civil society is something that needs to be promoted and supported.

C. Advocacy efforts

CSOs in Kosovo have worked to influence public policy at both central and local levels. The local lobbying has been more straightforward, in that municipal assemblies do have control over a number of local functions, and CSOs can exercise a significant role in providing input to inform decisions regarding those devolved areas. Thus in both Gjakove and Peje NGO coalitions campaigned successfully for municipal regulations on public consultation and participation in decision-making. In Gjakove, for example, members of the civil society have organized a successful campaign for better management of school spaces whereby they have secured access to school buildings for the community after school hours. In Peje, the NGO community was instrumental in getting the assembly to pass a regulation to preserve the environment in the Rugova Canyon, a scenic area with high tourist potential. The challenge has now become one of implementation – pressing the municipal executive to enforce the legislation.

At the central level, advocacy takes on a much more complex cast, for there are three distinct entities to deal with. First, for the devolved functional areas, like education, health, youth and sports, etc., the PISG Assembly passes regulations, acting in its role as the central legislature. Second, the PISG's executive implements policy in these devolved sectors, operating through the ministries. And finally, UNMIK retains control of all other functions, acting as both lawmaker and implementing agency. In addition, UNMIK's head, the SRSG, vets all legislation passed by the PISG Assembly, exercising a veto power over any measures he deems inappropriate. Civil society, consequently, finds itself engaged in advocacy on three fronts, which may not agree with each other, even within the context of devolved functions. For example, in an effort coordinated through AVOKO (with technical support from NDI), the civil society community lobbied the PISG Assembly to pass a regulation on freedom of information. This Law on Access to Public Documents then went to the SRSG, but he refused to promulgate (i.e., ratify and approve) it, evidently fearing that UNMIK bodies as well as PISG organs could be held accountable by it.

D. The UNMIK issue

In its role as the ultimate governing authority in Kosovo, UNMIK necessarily retains control over all sectors undeveloped as well as significant veto power over functions that have been transferred to the PISG. UNMIK also controls both the scope and the pace of devolution, retaining the power to move more quickly or slowly toward a decision on “final status” for Kosovo. It has laid down a comprehensive set of benchmark “standards” to be attained before “final status” would be determined, and before the March

17th incidents, UNMIK had announced that in March 2005, it would “set a date for a date” at which this determination would be made. But while UNMIK has been engaged in dialogue with the PISG on governance issues, it has thus far shown itself unresponsive – some would say “actively unresponsive” – to inputs from civil society. Despite several recent well-organized efforts on the part of civil society to promote policy initiatives, UNMIK has not shown any real signs of taking the civil society community at all seriously as a legitimate player in the political system.

E. Central level large-scale advocacy initiatives

Civil society has evidenced real signs of a growing maturity in the policy issues it has presented to UNMIK over the last year or so. The following examples demonstrate that Civil Society can work together in a coordinated strategy to mobilize citizens and effect a change in public awareness of important issues. Unfortunately, they also demonstrate UNMIK’s lack of transparency and participatory mechanisms.

- The missing persons campaign. In November 2003, The Kosova Action Network (KAN), an informal network of peace activists in Kosovo and internationally, launched the “We Are All Missing Them” petition campaign asking external and internal decision-makers to be active in resolving the fates of 3,500 missing people from the war. The petition was addressed to the UN Secretary General Kofi Annan, US Secretary of State Colin Powell, EU Representative for Foreign and Security Policy Javier Solana, EU Commissioner Chris Patten, SRSG Harri Holkeri and PISG leaders. The campaign was completely self-financed by KAN activists and symbolic in-kind donations from the private sector. Altogether it gathered some 230,000 signatures. It requested the immediate resolution of the fates of the missing and the return of the remains of 800 bodies found in mass graves in Serbia. The petition asked also for international community pressure on the Serbian government to open the relevant dossiers. The SRSG did take cognizance of the campaign, for it included mention of the issue in a speech to the UN Security Council, but there has been no indication that SRSG or UNMIK have responded with anything more than lip service to this popular initiative. The campaign did serve to show how sophisticated the CSO community has become at raising awareness and mobilizing a campaign, however.
- The Reforma 2004 campaign for an “open list” voting system in Kosovo offers another example of a civil society effort to address the UNMIK authorities and is another clear examples of the maturity of the civil society in Kosovo. The campaign was initiated by four CSOs – KIPRED, CDHRF, KACI and KWN. Later 150 other organizations joined the coalition and staged demonstrations throughout the territory in support of the campaign. In the end, Reforma 2004 failed to generate tangible policy change, for the SRSG basically ignored it, making a few side observations to the effect that the number of women elected might be reduced, etc.
- Civil Society’s Response to the Recent Crisis. Two days after mob violence erupted, 57 NGOs participated at a meeting held in Pristina to develop a coordinated public response. A statement condemning the violence was issued.¹⁶ In addition, a 15 member ad hoc Group was established to plan further coordinated action and, perhaps, to serve as an emergency response mechanism to enable Civil Society to respond more quickly to future crises.¹⁷ To date, the group continues to meet on a regular basis to discuss and come up with solutions to the crisis. Although it is too soon

¹⁶ As it turned out, one of our team members (Dardan Velija) represented his NGO (KODI) at the meeting, and the other two members were able to attend, owing in large part to the fact that virtually all our scheduled meetings had cancelled in connection with the March 17th crisis and its aftershocks on so many organizations in Pristina.

¹⁷ Several days later, the ad hoc group staged a march in Pristina in support of NATO and against violence, but participation proved to be limited.

to predict the proposed actions or long term success of this group, it is significant for it shows that a large group of NGOs clearly recognized the importance of speaking out with a coordinated voice and were able to mobilize very quickly. The group was, for the most part, able to avoid spending unproductive time rehashing past misdeeds or assessing blame on other stakeholders and focus on practical action. This demonstrated an organizational and procedural capacity significantly enhanced over what would most likely been the case only a couple of years previously.

Despite their ostensible failures to gain a serious audience with UNMIK, the KAN and Reforma 2004 campaigns showed a civil society community capable of mobilizing and leading a large constituency on behalf of a public policy issue. Because in both cases the issues were delicate ones that UNMIK evidently was not interested in pursuing, the campaigns drew little response from the governing authority that really mattered. In this sense, they advanced the civil society cause to the “representation” level on our advocacy scale (See Annex E), but thus far not yet into the “accountability” section. If the PISG had been the governing authority to whom these advocacy issues were addressed, the CSO coalitions would have surely had a serious hearing, and likely made some headway into the “transparency” and “empowerment” dimensions of the advocacy scale. As it was, of course, UNMIK held the real authority and did not feel it necessary to afford more than perfunctory attention to civil society in these instances. The lesson, we think, is that more civil society effort will be needed to get UNMIK’s attention.

Civil society’s response to the events of March 17th must be interpreted in a different context, for here the purpose was not to lobby UNMIK on a specific policy issue, but rather to exercise a leadership role in helping to restore calm and promote comity in a situation that had delivered a rude shock to both these dimensions of civic life. And in coming together in prompt and orderly fashion, agreeing on a statement, and gaining access to broadcast and print media to disseminate their statement to a wide audience, the CSOs further evidenced considerable maturity. To be sure, a public statement from a group of Kosovo’s leading NGOs is not by itself going to undo the damage done by the violence of March 17th and 18th, but it does show that the civil society community is eager to stand up and be counted at times of crisis. And a community that just a few months before could gather 230,000 signatures from a population containing perhaps 1.2 million citizens over 20 years old should be entitled to make an important claim for itself as a force promoting stability and peace in this regard. The calm prevailing after March 17th must be described as a fragile one, and any group with this large a constituency should be regarded as a very key player in the public arena.

F. Media

ATRC has taken significant steps to help NGOs develop a foundation of skill in involving the media in their advocacy activities. They have provided training and published a companion resource manual that has been made widely available in both Serbian and Albanian languages. As a result, NGOs throughout Kosovo are increasingly aware of the importance of working with the media.

Standard advocacy NGO practice includes holding press conferences, issuing press releases and submitting articles and other information to television, radio and print media. These activities and their contribution to the success of some advocacy campaigns is beginning to offer a body of Kosovo-specific experience upon which the sector can draw in future. For example, the Gjakove NGO forum utilized local media to increase public awareness and support for its successful campaign to secure passage of a public participation regulation. An unanticipated result was the generation of strong interest in using the model for replication in other municipalities.

But despite a significantly increased capacity, NGOs do not yet demonstrate a strategic level of understanding about how to incorporate media strategies into their campaigns to achieve national scale

and any level of public opinion change leading toward a systemic change in political culture. In addition, they have not yet begun to apply a full range of specific media tactics. For example, one leading NGO active in a number of the leading advocacy networks and coalitions had never thought of utilizing the “Hajt Pak” open mike morning program on KTV as one potential tactic to increase the volume of their messages or even basic information dissemination. There are a few isolated instances when Public Service Announcements (PSAs) were utilized, but the concept or practice is not widespread.

G. NGO capacity building

Since 1999, institutional capacity building has been a consistent secondary emphasis in a wide range of USAID and other US government-funded programs targeting support along the relief to development continuum. USAID has made well-considered and successful strategic decisions that have built on these efforts over time. For example, the Kosova¹⁸ Youth Network includes several multi-ethnic youth centers and municipal level NGOs that received early funding and capacity building assistance from FDI, BPRM and OTI, as well as individual youth activists supported by NDI.

A number of NGOs cited the decreasing value of one-off workshops provided by external experts without adequate assistance to ensure that new skills are relevant to the Kosovo context and fully integrated into local operations. Dilution of useful expertise through training-of-trainer programs can become a problem, as knowledge gets thinned in successive transmissions. However, unlike their counterparts in many other countries throughout the region, even the most advanced Kosovar NGOs are still very open to accessing outside expertise, if it can be provided in more customized formats than disjointed training workshops.

In addition, there has been very little targeted effort to solidify foundation training capacity with advanced methodology to help trainers and training organizations learn to apply their skills to follow-on consulting or designing customized training in topics that have not been the specific focus of workshops developed with external expert guidance. Even in the limited sample of stakeholders included in this research, many cited very specific examples contrasting the ability to articulate well-understood theories learned in training with a lack of visible application of those theories in events and on-going operations. For example, there is significant Kosovar training capacity in gender mainstreaming, and a significant number of trainees supported by diverse donors and programs demonstrated a thorough understanding of the concepts. However, often these same organizations are unable to attract a significant number of women to their events and did not implement the very practical approaches that could address remaining barriers to true gender balance.

There has also been limited success in fostering lasting organizational capacity among NGO resource centers of all kinds. A network of NGO support centers created by OSCE beginning in 2000-2001 has all but ceased to exist, although remnants of that network still exist with greatly reduced capacity and focus in Prizren, Gjilan and elsewhere. Stakeholders and internal OSCE staff identified the absence of Kosovar staff with both the commitment, interest and leadership ability to develop “intermediate support organizations” (ISOs) as a critical factor in the lack of success to date in fostering ISOs with the potential to provide increasingly sophisticated support services in a sustainable way in Kosovo.

¹⁸ Pending guidance to be consistent with Mission guidelines, the team has attempted to be consistent with the spelling chosen by the NGO themselves when relevant. Otherwise, Kosovo and Kosovar have been used consistently throughout.

IV. SHORT-TERM RECOMMENDATIONS

In this first section of our recommendations, we address the short-term issues posed for civil society by the crisis of March 17th. The most immediate problem for civil society is getting the attention of UNMIK. Only if it can get UNMIK and the SRSG to listen to it can civil society begin to contribute meaningfully to democracy in Kosovo.

A. Gaining leverage with UNMIK¹⁹

There appears a widespread consensus among donors, Kosovar civil society and even some parts of the UNMIK organization itself that UNMIK in general and the SRSG in particular do not believe that civil society has anything useful to offer either in promoting a market democracy in Kosovo or in helping move the society toward realization of the “standards” and thus toward resolving the territory’s “final status.” Certainly it appears to be the case that the UNMIK establishment at present is not interested in even listening to the civil society community, to say nothing of taking it seriously as a player on the Kosovo political scene. If the citizenry is to have any input beyond “closed list” voting for the PISG Assembly into decisions determining the territory’s “final status,” this must change.

We find it difficult to conceive that Kosovo will ever attain the “standards” unless civil society does become a key element in the political system, and further that even if by some miracle UNMIK should pronounce Kosovo as having realized the “standards” requirements and then launch the territory into a “final status” in the absence of significant civil society participation, the political system that emerges without a strong civil society will not remain viable for very long. Civil society, in short, must become a key component of the polity and to do that must find the capacity to get UNMIK’s attention. Efforts to this end could be either domestic or international (or both) in their scope. A number of Kosovar and international NGOs could offer various visible international and domestic contacts and networks that might be brought to bear on behalf of such efforts. In particular, the KNAP team is already exploring appropriate strategies for a coordinated campaign that might include some of these approaches.

- **Leverage at home – lobbying UNMIK and the SRSG.** So far this has not worked, as demonstrated in the KAN and Reforma 2004 response instances. And while the ad hoc CSO coalition’s reaction to the March 17th events was not immediately directed at UNMIK, the latter might well have indicated that it had taken notice of the NGOs’ statement on the crisis if it had considered the NGO group to have some significant standing in the Kosovo political arena. As matters now stand, then, there is no reason to anticipate a change of heart on UNMIK’s part in the near future. But if civil society worked together with the PISG to lobby UNMIK to become more accessible to citizen input, things might well have more promise. PISG certainly has an interest in civil society becoming a serious player on the political scene, for additional voices would offer more pressure on UNMIK to move toward realizing “final status” for the territory. And connections between the PISG and civil society are for the most part quite good. Why not exploit this relationship to put together a combined effort to lobby UNMIK?
- **Leverage in New York.** There are basically three international paths that civil society could pursue to get UNMIK’s attention. Several (or all) of them could be pursued:

¹⁹ These are our boldest suggestions, and it is possible that they exceed out brief from the USAID mission. Accordingly they are tentatively offered in this draft report, subject to the mission’s response.

- **Lobby with the “Quint” to pressure UNMIK into listening to civil society.** At first glance it might seem such an approach would founder on current diplomatic tensions between members of the Quint,²⁰ but it is certainly imaginable that Quint members would see resolving Kosovo’s “final status” as an excellent opportunity to improve relations among themselves at what would be a relatively low diplomatic cost. Kosovo amounts at most to a small sideshow amid the dense tangle of overall relations between these NATO powers, but they could be persuaded that the symbolic value of achieving harmony on Kosovo policy (e.g., by pressing UNMIK to move toward deciding “final status”) is worth some effort on their part.
- **Go around UNMIK to lobby directly with the UN Security Council.** This kind of approach could be initiated by the civil society community, which appears to have some lobbying presence in the United States and Europe through its diaspora that proved a great resource during the war in 1999. The network that proved so helpful back then could be revived, perhaps in concert with PISG.
- **Work within the international policy community.** Think tanks in Washington and New York, policy groups like the Council on Foreign Relations, the international media, well-placed foreigners who have become energized by the Kosovo situation²¹ – all these entities could be mobilized to press UNMIK to explore possibilities of working with civil society. Again, the civil society community might usefully cooperate with PISG in this regard.

B. Emphasizing civil society as a two-way link

Civil society’s role is generally to provide citizen inputs to the state and reacts to state outputs. In other words, by working through NGO networks, citizens communicate their wants and needs to the state. But these same civil society structures could serve other communications purposes as well. Specifically, they could operate as a kind of “early warning system”²² from grassroots to Pristina to give timely indication when frustration, unrest and tension seemed to be mounting. In addition, NGO networks could serve as a path for civil society leaders to exhort their members (and through them the wider community) to refrain from antisocial behavior at times of crisis. If during the March 17th events, for example, the Prime Minister had been able to spread his appeals for calm to the public through civil society networks as well as through the media and his personal appearances at specific flashpoints, the PISG effort to hold down violence might well have had significantly greater impact.

Care must be taken lest such an arrangement take on (or seem to take on) the trappings of a state intelligence gathering apparatus. Such a concern becomes especially a propos in a region with strong memories of the previous regime using the NGO community as a front for state control of private lives. So extra (and continuing) steps would have to be taken to ensure that any early-warning function taken on by civil society networks is transparently just that: a system for dealing with crisis-level matters.

²⁰ The “Quint” comprises the five NATO countries which have committed troops to Kosovo: Britain, France, Germany, Italy, and the United States.

²¹ See for instance Misha Glenny’s OpEd essay addressing Kosovo issues in the *International Herald Tribune* on 22 March 2004. Or the open letter by Scott Bates of the Homeland Security Committee in the US House of Representatives, dated 19 March 2004.

²² Although RIINVEST already provides an official quarterly *Early Warning Report* (e.g., Riinvest 2003), it could be expanded to include stronger supporting qualitative data from other NGOs working in the field. The kind of early warning system contemplated here, however, would have to be much more immediate than a quarterly report. Perhaps “early warning bulletin” or “early warning alert” would be a more apt designation. The key would be a combination of accuracy and timeliness. The extensive election monitoring network that CDHRF and other multi-ethnic NGO partners have developed with support from NDI could be another resource upon which to draw.

C. Nurturing civil society as a “hard data” source

UNMIK officials are reported frequently to dismiss the civil society community on the ground that NGOs “really have no constituency; they just represent their own elite leaders.” Can such a charge be disproven? Over the past several years, several NGOs have built a credible capacity in opinion polling, with groups like RIINVEST and Index Kosova, which could be put to good use in making the case to UNMIK that the civil society community does represent a significant constituency. For example, how wide and how deep was popular sentiment in favor of an “open ballot” at the time of the Reform 2004 campaign? What will be the impact on citizen opinion of some future campaign to reintegrate returnees? Answers to such questions would be extremely useful in guiding PISG initiatives, informing civil society programs, and updating UNMIK on progress toward “final status.”

D. Helping with returnees and reconstruction

Although it is still too early for the team to predict any specific strategy for assessing damages and providing reconstruction assistance to both returning IDPs and their host communities²³, the PISG has taken the very positive step of announcing the budget allocation of €5 million to fund these efforts, indicating its intention to play a leadership role in addressing the aftermath of recent events.

The PISG alone does not have the capacity to implement any strategy that will be developed in the coming weeks – in other words to directly execute reconstruction and other emergency support for IDPs. Any progress made by international NGOs toward building trust between returnees and any other stakeholders in Kosovo up through to the March 17th events has been almost totally destroyed, rendering them less likely candidates to rebuild trust among affected minority populations beginning with playing a lead role in implementing reconstruction and related efforts.

Pending developments over the next several weeks, this situation could present a potential role for Kosovar NGOs to work collaboratively with the PISG to contribute to solutions, building on their previously established linkages with minority NGOs and communities. With strategic facilitation and/or support from USAID, NGOs could participate with PISG and other stakeholders in developing a strategy for delivering short-term assistance to IDPs and/or helping to gather data about their specific needs.

Beyond this immediate emergency assistance, Kosovar NGOs could then continue to play the role of standard-bearers for rebuilding some level of trust upon which to base longer term societal integration and steps to achieve standards. Since the PISG has already taken the first step toward taking responsibility for leading recovery, NGOs might also be able to do so without risking damage to their public image. Playing a positive and tangible role in helping lead recovery efforts could even strengthen long-term NGO credibility with the PISG, ordinary Kosovars and UNMIK.

²³ Early estimates provided by Brett Jones of BRPM in an oral interview on 24 March indicated more than 4,300 IDPs in Kosovo resulting from the March 17th violence, as well as 500-600 houses destroyed, 200+ damaged; 22 churches destroyed and 11 damaged. Also unspecified damage in the host communities. Some of these data were confirmed in UNMIK’s News Coverage website items for 30 and 31 March 2004 (See UNMIK 2004).

V. LONGER TERM PROPOSALS TO ENHANCE CIVIL SOCIETY

While the recommendations in the previous section focused on immediate responses to the events of March 17th and their aftermath, those offered in this section and the next one center on the team's original Scope of Work. Here we propose ideas to strengthen participation and develop civil society's ability to affect the polity, while in the following section we will elaborate suggestions for strengthening the institutional capacity of the CSO community internally.

A. Attaining "critical mass" as a political entity

Civil society in Kosovo has made good progress in building capacity, mobilizing and energizing constituencies, establishing agendas, crafting coalitions, undertaking advocacy, monitoring state performance, and engaging the policy process at both central and local levels. The next stage is to attain what could be called "critical mass" within the political system that exists in Kosovo, by which we mean that political decision makers have to take civil society seriously as a player and as a partner in the political arena. Civil society could be said to be taking on critical mass in its relations to the PISG today at central level, and in some cases at the local level as well. But UNMIK clearly has not yet begun to consider civil society in such a role. When the PISG (or a successor central governance structure) presumably replaces UNMIK as the ultimate state authority in Kosovo's not-too-distant future, will civil society be accorded a real partnership role? Assuring that it does should be USAID's principal strategic objective over the next several years, we believe, at the central level. The critical mass idea also has resonance at the local level, where it will also become essential for the civil society community to attain the status of a serious player in municipal affairs. In Gjakove it appeared to us that the civil society forum had begun to function in this fashion, but in Peje this did not seem to have occurred. Our impression is that there are many more municipalities like Peje than like Gjakove.

To reach critical mass at either level will require broadening and deepening all the skills mentioned at the beginning of the paragraph just above. What all this implies for KNAP or a successor program is a concerted focus on the civil society sector as such, in addition to work with individual CSOs and civil society networks. Perhaps a civil society forum is the answer. The approach appeared to work well in Gjakove; maybe it could be used at the central level as well.²⁴ In its efforts to address the implications of the March 17th events, a substantial proportion of the civil society community formed an ad hoc steering group that could become the nucleus of such a forum. USAID should encourage and support such efforts over the next several years.

A slightly different way to consider this issue is to think of a "coalition of coalitions" or "network of networks" that would act as an apex group bringing together all the major players in the NGO community for common purposes. Thus while the Kosovo Women's Network links a large number of women's NGOs together, and the Kosovo Youth Network performs a similar function for youth organizations,²⁵ an apex coalition would provide coordination and leadership for the NGO community as a whole, in particular representing the community to PISG and UNMIK.

²⁴ One possible candidate for such a role might be AVOKO, the networking group that emerged from the ATRC program and which comprises 25 NGOs representing nearly all fields of activity, geographical regions and ethnic groups in Kosovo, AvioKo is a network that would work specifically on advocacy. Members include The Forum, Riinvest, GESH9Health), HANDIKOS, KODI, Prizren NGO Resource Center, and a range of groups outside of Pristina, including lots of minority ones, even in Mitrovica.

²⁵ The Regional Environmental Center (REC) has been working to foster the development of an environmental coalition, but this apparently has yet to coalesce into anything like the KWN or KYN.

Coalitions of any sort are difficult both to create and maintain, and apex coalitions even more so. Some of the more common problems are:

- Agendas differ between NGOs within the same sector (one environmental NGO in Peje might want to make urban solid waste the first priority, for example, while another might want to clean up the Rugova Canyon), as well as ideas on tactics (one women's NGO might prefer mobilizing its constituency for mass demonstrations, while another might insist on discretely lobbying assembly members).
- "Free rider" problems abound; some NGOs will wind up doing most of the work in any coalitional initiative, while others provide only nominal support. It doesn't take long for resentments to build among the worker bees toward the drones.
- Leaders often find it difficult to cooperate over long periods. NGOs typically are founded and guided by strong personalities, which is scarcely surprising, given the many frustrations encountered and perseverance required to accomplish anything in the voluntary sector. Nor should it be surprising when big egos clash with one another. And when one moves from first-order coalitions of NGOs working in the same sector to second-order groupings combining different sectors, these problems seem to become exacerbated.

Despite the impediments, however, apex coalitions can be of immense value in creating a capacity for the civil society community to speak with one magnified voice. A common approach to such issues as tax status and freedom of information regulations offer good examples. And obviously, an apex coalition that could exist on a permanent basis would stand the NGO community in much better stead in making its case with UNMIK. Part of USAID's civil society strategy to attain critical mass should be to support the creation of an apex coalition.

This recommendation might seem to fly in the face of experience, which indicates that apex coalitions seem doomed to fail if created through donor efforts. Actually, in Kosovo itself, an OSCE attempt early in the UNMIK administration to mandate such a coalition did not find a positive reception in the NGO community. Understandably, since then enthusiasm for an apex coalition has been muted. Even so, the advantage in having a central voice for the civil society community in dealing with UNMIK would seem sufficiently compelling to justify efforts to promote such a coalition. Indeed, in the present atmosphere, absent some kind of NGO apex body, it would appear safe to predict that UNMIK will remain most unlikely to take civil society seriously at all. A good start on building an umbrella coalition in Kosovo has been made with the recent missing persons campaign, Reforma 2004 effort and the response to the recent crisis. It should be possible to continue this momentum to the point of forming some more formal alliance among the NGOs. Even without donor backing, this kind of joint effort could come about, and with even a little donor support its likelihood becomes more feasible. It is surely worth trying.

B. Strengthening the constituency base

NGOs in Kosovo had a good head start on building constituencies back in the 1990s when they functioned as the principal service providers in so many sectors. After 1999, many of them were able to continue with substantial memberships. In advocacy, NGOs have made significant progress in mobilizing citizens, as the KAN missing persons drive demonstrated in the fall of 2003 in gathering some 230,000 signatures for its petition. Some NGOs have established impressive memberships, as for example the KYN, which claims over 100,000 participants in its coalition. The Kosovo Women's Network represents

41 member organizations. Perhaps most impressive of all is the CDHRF, which boasts 27 field offices through the territory (one in almost every municipality) and 3,000 active collaborators.²⁶

But more needs to be done. NGOs everywhere tend to be led by educated elites, and this has been especially true in the E&E region, where economies have been slow to expand after the end of the socialist era. Few good job openings exist, and consequently many young people who in other circumstances would have entered careers in the private sector instead go to work in NGOs. This pattern provides high-quality leadership to the NGO community, but it also leaves civil society open to the charge that it represents only (or mainly) the elite elements serving as its leaders. Thus it becomes critically important to build and maintain NGO constituencies, so that the civil society community can legitimately claim to be representing a significant part of the citizenry as it endeavors to become a player in the political arena. As part of its 2004-2008 civil society strategy, USAID should support efforts to build the NGO constituency base.

C. Following successful policy advocacy with implementation

Through the coordinated efforts of ATRC, FDI and ICNL/IKDO and, more importantly, the individual NGOs, networks and coalitions strengthened by their support, advocacy efforts were mounted over the course of KNAP at both local and central levels to induce assemblies to enact new regulations dealing with issues ranging from public participation to the quality of consumer goods and waste management services. The team identified a common thread in the focus on contributing to the establishment of a legislative framework. Of the 41 currently functioning KNAP “advocacy and policy grants,” fully 22 list regulatory changes as their principal objective. CSOs have learned how to expand from service delivery activities to advocacy quite well. Policy advocacy will continue to be appropriate as “filling the greenfield” will remain important for some time to come. Thus policy advocacy should remain a central focus in USAID’s civil society support strategy. Every political system is always “a work in progress,” after all, and new laws and policies will always be necessary to deal with changing conditions and contingencies.

But while regulations are clearly a necessary condition for civil society to be effective in the policy arena, they are not sufficient to actually produce action on the part of the state at either central or local levels. For this to happen, government must move from passing new rules to implementing them. So we recommend an increasing emphasis on implementation of the new regulations adopted at the two levels. Indications are that the KNAP team has already also identified the need for continued support for this type of implementation-level advocacy and hopes to make it a focus of their future efforts until the end of the extension of the program. Our point is to underline and emphasize the direction in which the KNAP team, NDI and others appear to have started moving. In the broader terms set out at the beginning of this report, the civil society community has done quite well at building the participation side; now it is time to concentrate more on the accountability side to ensure that government in fact does what it has promised to do in enacting its regulations.

What this means in more practical terms is developing skills in monitoring, measuring and analyzing government implementation so that CSOs can ascertain how well the executive is doing at carrying out the regulations that its assembly has put into place. CSOs will also have to build skills in reporting out their findings in ways to get the attention of both government and the public generally, which implies attention to media relations.

²⁶ Few if any NGOs report figures on their active memberships. The absence of such information probably constitutes good evidence that more attention is needed to building the constituency base of these organizations.

The bottom line, then, is to retain the earlier interest in service delivery, continue to work in the policy advocacy area, and expand KNAP focus to emphasize implementation.

D. Building think tanks and policy dialogue

Every political system requires a constant generation of new ideas. As political circumstances, economic conditions and social realities continually change, new policy approaches must be generated to deal with them. In Kosovo, for example, the large demographic bulge in younger people (30 percent of the population under 15, according to UNDP statistics, and 43 percent under 20) means enlarged educational facilities will be needed, as well as youth programs and rapid expansion of employment opportunities. But if Kosovo follows the general European track of economic development and concomitant family planning patterns, birth rates can be expected to drop shortly in a “demographic transition,” leading to lower school populations and reduced entries into the job market. How will Kosovo deal with this changing socio-economic environment? How will public policy accommodate to it? One can think of analogous questions in gender issues (as women’s education and ambitions for employment expand, how will the economy respond?). Some of these patterns will move in opposite directions; in another decade or so, the number of young people entering the job market will surely decrease, while the proportion of women doing so will increase. What are the public policy implications?

Offering analyses of such questions and suggesting answers to them is the task of think tanks. Kosovo has made a promising start in establishing research institutes like KACI, KIPRED and KODI, but they need to be nurtured. Kosovo should have at least a couple of high-quality institutions in this field, so that different voices can make themselves heard in the policy dialogue and decision makers will have more than one set of options to choose among. Not all policy suggestions emanating from think tanks are equally good, after all, and often there are trade-offs between good policy options that should have advocates arguing different sides of the issue. Promoting economic growth vs. preserving the environment offers a classic example here, where several voices should get a hearing. USAID should support strengthening of the think tank sector, optimally in cooperation with other donors, so that several organizations can be assisted. In the process, think tanks should be encouraged to develop their own income streams based on research undertaken on a fee-for-service basis, as well as build their capacity to compete for international foundational support for their work.

E. Leveraging fully media’s potential for advocacy

While the team certainly did not want to duplicate recent efforts to develop a separate media assessment, our brief investigation of the specific intersection between the media and NGOs as it relates to advocacy impacts and related capacities points to a clear opportunity to capitalize on media openness to collaboration with NGOs.

Although the media sector offers very weak capacity, this in itself creates an opportunity for skilled NGOs to present their own strategic frames for media coverage related to their issues. USAID should ensure that a more strategic approach to utilizing the media in advocacy campaigns is increasingly emphasized in NGO advocacy support programs. In addition to increasing programmatic linkages with IREX media support programs, this emphasis should include future consideration of very targeted funding support for media campaigns and production of well designed public service announcements or other formats to raise public awareness when clearly tied to the specific advocacy strategies of leading advocacy NGOs or coalitions that are already receiving USAID support and that have a very high potential for success. Some concerted attention also needs to be given to linking media efforts with program advocacy. Raising awareness has value, to be sure, but unless the increased awareness leads to further action, it does little good except perhaps in some residual sense. To elevate awareness of solid waste disposal as environmentally harmful, for instance, should be accompanied by increased

opportunities for public involvement in improving waste management. Groups of schoolchildren might be mobilized to care for particular stretches of public streets or highways in this example.²⁷

F. Bringing traditional civil society institutions into the mainstream

In addition to the kinds of NGOs supported by USAID and other donors, Kosovo's civil society community is also inhabited by another set of NGOs that receives virtually no assistance. These are the organizations for pensioners and veterans that trace their legacy back to the socialist period, when they – like most other formal organizations of the time – were largely fronts for the ruling party or the state itself. Today they are viewed mainly as fossilized relics of a former era, able to cause public harm in that they are ethnically oriented and intolerant, but not capable of serving any worthwhile public purpose. But these groups do have large memberships – as many as 100,000 and more in the case of the pensioners, we were told – and certainly have a grassroots base. It is surely worth exploring whether some attention to them from KNAP or ATRC could serve to deradicalize them and bring them into the mainstream of the larger civil society community. A little effort on this front could pay large dividends to civil society.

²⁷ All the value added from awareness-raising campaigns does not come immediately, to be sure. School programs on environmental issues or civic rights and responsibilities, if well conducted, can have an impact that extends well into the future lives of those participating.

VI. PROGRAMMATIC STRATEGIES FOR STRENGTHENING NGO ORGANIZATIONAL CAPACITY

In this section, we offer recommendations for enhancing the ability of civil society organizations to carry out the functions discussed in the previous section. Whereas section V focused on what more capable CSOs might do to improve participation and accountability in the public sphere, here we look at what CSOs might do to attain such capabilities.

A. Focusing advocacy on issues that resonate with ordinary Kosovars

As mentioned previously, many of the most successful NGO advocacy actions to date featured issues that deliver tangible benefits that improve the daily living conditions of the communities they represent. By building on the lessons learned in these successes, NGOs will be increasingly able to demonstrate that they represent and have the support of a growing number of citizens as they continue to identify and advocate for issues that address the needs perceived to be most important to their constituencies. As NGOs continue to demonstrate their ability to replicate this success, we recommend increasingly allowing NGOs themselves to identify the issues they target in their advocacy efforts. Over time, the increasing support and involvement of ordinary Kosovars in NGO advocacy will build civil society's credibility with PISG and, possibly UNMIK as well, helping them affect the kind of systemic change that is the ultimate collective goal of advocacy efforts.

B. Building on the best: A core group of sector leaders

There are already a small group of NGOs providing leadership for advocacy efforts in a number of roles and sectors. The most promising of these include (1) networks and/or coalitions that include groups located both at the municipality level and in Pristina that share interest in a common issue or (2) municipality-level coalitions of groups working in different spheres (e.g., youth or economic development) that are able to see the value of working together to address issues of common interest. There are also individual NGOs (e.g., think tanks, associations or groups with multiple branches) that are already playing a leading role in advocacy efforts by providing critical policy or technical elements common to successful advocacy.

Their overall capacity is not yet at a level to guarantee either their organizational sustainability or their ability to deliver lasting and significant systemic changes in political culture. For example, some groups that have developed strong skills in advocacy suffer from gaps in other types of fundamental skills like project design. Although still in need of significant support to develop their full potential, this core group of NGOs should be provided with increased levels of support. (Maybe we should justify this policy by a) there are other donors who offer small grants to start-up NGOs and b) we have a very large number of NGOs so there is no need to create new ones).

There would be strong benefits in offering carefully structured, comprehensive support for a well-chosen target group of core NGOs (giving priority to networks/coalitions) that are already demonstrating leadership in sectors and expertise critical for sustainable national level advocacy that encompasses both local and national level critical mass. This support should include larger grants including some level of support for core costs, longer-term strategic campaigns and far-reaching changes in public opinion and political culture. In addition to funding and action, this strategy should include customized support strategies to strengthen both specific technical expertise and organizational capacity development.

Specific components of this strategy could include:

- Select an initial short list of groups eligible to compete for Core NGO status that could then be provided with very targeted preliminary assistance to complete the Core NGO application process. This approach would deepen the depth of evaluation included in the selection process, increase the feasibility and impact of proposed advocacy actions and strengthen the capacity of all short-listed groups, even those not chosen in the final analysis.
- Offer core groups the opportunity for an initial participatory organizational assessment as a basis for development of customized training and technical assistance plan to be supported through their Core Grant.
- Provide short-term advisors for 1-6 months to core NGOs, including networks, associations and organizations with branch offices, to help them strengthen both their individual organizational capacity as well as the sophistication of their networks and coalitions. This expertise need not come from the United States; high-quality advising available from a number of “graduated” countries in Eastern Europe could serve admirably in this role.
- Emphasize practical skill building in meeting organization, facilitation and communication – the fundamental skills needed to deliver increasingly sophisticated national level results and shifts in public opinion and political culture. Even the most successful networks and NGOs that have led ad hoc coalitions in successful campaigns demonstrate a lack of advanced skills in these areas.
- Offer grants with multi-year commitments for funding based on achievement of annual performance plans developed collaboratively to include institutional development as well as advocacy objectives.
- This strategy should not be applied completely at the expense of continuing to provide some level of grant funding and other related support for non-core NGOs, either participating within these networks or delivering results through their own advocacy efforts.

C. Supporting strategic planning as critical to sustainability

Strategic Planning was included in the priorities identified in a recent ATRC training needs assessment. Realistic plans that are more than shelved documents are a critical feature of NGOs striving to be less donor-driven, more sustainable and increasingly linked to their own constituents. The best methodology for conveying this skill combines training to introduce basic concepts and facilitation to help each NGO develop their own plan. KEC and RIINVEST offer some local experience upon which to draw, although it has not been tailored to meet the needs of NGOs.

D. Regulating NGOs without controlling them

Although existing framework legislation is strong and among the most permissive in the region, it does offer the potential for abuse, especially given low capacity in the PISG office charged with implementing provisions related to auditing and oversight. The Elective Public Benefit Status regulation provides a good example here. It provides tax exemption for NGOs, and, while it requires annual reports for organizations utilizing the tax benefit, the PISG’s NGO Office has not proven itself up to the task of monitoring or evaluating these report. The result, at least anecdotally, has been significant abuse of the tax exemption; one hears talk, for instance, of importing materiel under this exemption and then reselling it on the black market. Given the NGO community’s high public image in Kosovo today (cf. Section IIA above), it is especially important that illicit behavior not be allowed to sully its reputation. A fortified PISG capacity to enforce regulations would thus seem salutary.

At the same time, increased governmental ability to monitor NGOs and enforce adherence to regulations carries with it the power to interfere unduly with civil society. And it is not hard to envision a government becoming upset with NGOs revealing official misdeeds or corruption and using its power to

suppress dissent. Accordingly, the power to regulate must be carefully tempered so that it does not become the power to hobble and even destroy inconvenient voices in civil society. Great care, then, must be taken to ensure an even balance between keeping NGOs honest and allowing them the freedom the need to fulfill their role as society's third sector along with the market and the state. But this is not impossible. After all, the state is faced with a similar need for balance in dealing with the market – to encourage it to operate freely while simultaneously constraining tendencies toward conspiracies to restrain trade. Most states accomplish both these balancing acts reasonably well; there is no reason why Kosovo cannot do so too.

In addition, USAID should monitor developments related to the idea of earmarking a percentage of proceeds from VAT tax and/or the Lottery to fund NGO grants and consider providing support in the form of legal expertise when and if legislation or regulations governing these ideas become timely.

E. Developing financial sustainability options

Although the initial flood of donor funding continues to decrease, Kosovar NGOs already recognize the critical need to develop diverse sources of financial support and to begin immediately to strive for eventual financial sustainability. This, combined with a legal framework that allows for the possibility of the full range of financial sustainability strategies presents a unique opportunity for the NGO sector in Kosovo and for USAID support to make a significant practical contribution to sector sustainability.

USAID should consider offering targeted support to help Kosovar NGOs access models and approaches based on lessons learned in more advanced countries in the region and elsewhere. This support might include more intensive and targeted advice to Core NGOs to develop and begin to implement specific sustainability strategies. Making available information resources including relevant case studies could provide a less concentrated level of support for a broader group of NGOs.

F. Institutionalizing NGO support resources

Localized and sustainable NGO support resources that can deliver increasingly sophisticated training and customized technical assistance as the sector matures are a feature of strong civil societies around the world²⁸. Service delivery NGOs and other institutions not currently working in advocacy will also need access to Kosovo-based institution-building resources to be sustainable in the long run. Conversely, advocacy NGOs will need to develop organizational capacity in fundamental areas not directly related to advocacy in order to achieve sustainability. Building on the somewhat fragmented foundation of Intermediate Support Organizations (ISOs), including training organizations²⁹ and resource centers, could be a lasting legacy for USAID in Kosovo that would support the sustainability of advocacy NGOs as well as the sector in general.

²⁸ There is a growing acknowledgement among donors and civil society worldwide about the importance of capacity building and adequate locally-available support resources for flourishing civil society. Since 1997, Grantmakers for Effective Organizations (GEO) (geofunders.org), a network of more than 600 leading US and global foundations, has been dedicated to promoting learning and encouraging dialogue among funders committed to building strong and effective nonprofit organizations. GEO's mission is to advance and expand organizational effectiveness practices in and by the philanthropy community. USAID Sustainability Indexes have long tracked organizational capacity as one factor measuring sector sustainability and maturity. Some of the most often cited success stories from Northern Tier countries (i.e. Poland, Hungary and Slovakia) involve sustainable, localized NGO support mechanisms.

²⁹ There is not yet a clear indication of the exact form that might develop in Kosovo, but it is critical that the exact structure not be dictated by donor leadership. It might even happen that a group of trainers form a small consulting firm. Other models include a trainer association or looser network of trainers employed in other capacities within the sector.

USAID should consider taking the lead to consolidate the training and institution building capacity already fostered in a number of organizations and project-based networks. Similar recommendations have been noted in previous Civil Society Assessments commissioned by USAID and other donors, and the opportunity still exists with expanded Kosovar capacity from which to draw. Conducting a comprehensive assessment of both NGO needs and existing in-country capacity would be an important initial step in this direction.

A special consideration: In a relatively short time, ATRC has developed a solid foundation of capacity to support the needs of the advocacy networks and NGOs it supports. However, they may not be able to develop the comprehensive range of programs or expertise needed to sustain the sector over time in addition to continuing to play a leadership role in direct advocacy actions. In fact, expecting ATRC to be the sole repository of this type of service might not be consistent with their own mission and strategies and, hence, counterproductive for their own success as well as the sustainability of the sector.

VII. WHAT SHOULD CIVIL SOCIETY LOOK LIKE IN 4-5 YEARS?

In suggesting components for strategic planning, it would be useful to sketch out an idea of what civil society might become in four or five years if things go well in Kosovo. To do so, it is first necessary to point out the obvious, that while 4-5 years is a long time in terms of donor projects or programs, it is a very short period in democratic development. The kind of democratic culture that took many decades and indeed centuries to build in the industrialized countries cannot be duplicated even over the frame of several sequential donor-assisted programs. But with good planning and management (surely some luck will be needed as well), we can point to some of the highlights that could be aimed at by 2008.

“Critical mass.” Much hinges, of course, on UNMIK. But let us assume that it has decided upon a “final status” that comprises an acceptable form of self-determination for Kosovo. We can probably assume further that, on the road to “final status,” civil society will have gained not only the attention but also the ear of UNMIK and will have proved itself a valuable source of counsel and support in realizing the “standards”. In this whole process, civil society will have attained enough “critical mass” to have become a real player in the political system, along with the legislative and executive branches of the central government, the business sector, and the international community (we assume that a significant donor presence will remain well past 2008). At the local level, NGO forums will have attained a similar role. This doesn’t mean decision makers always acquiesce in civil society’s agendas, but rather that the NGO community has a significant role in the political arena, can make inputs that are taken seriously, and can demand accountability from political authorities.

Growing constituencies. On the participation side, civil society constituencies will be gaining enough benefit from civil society advocacy that they remain a reliable support base. CSOs will continue to be led and managed by elites, just as is the case elsewhere, but they will represent the interests of their constituencies, and the proof of this representation will be the fact that those growing constituencies continue to support these same CSOs (or similar ones – there is bound to be an ongoing shaking out in the NGO population over time).

Voice and voices. While the civil society community will have gained the capability of speaking with a unified voice in matters of state NGO policy (taxes, regulations on FOI, etc.) and in times of crisis (e.g., should the March 17th events threaten to repeat themselves), it will offer a multiplicity of voices in the general policy arena. According to their various missions and agendas, different CSOs will work in environmental, health, environment, disability and other sectors, presenting policy makers with a multiplicity of demands, sometimes even conflicting ones. The civil society community, in short, will help build the level of democratic pluralism in the political arena at both central and local levels. To put it another way, just as political parties contest for electoral support, so civil society’s different ideas and visions will be competing for public attention and support in policy terms.

Increased (if uneven) opportunities. The increased accountability, participation and contestation outlined above implies that the civil society advocacy scale (in Annex E) will be developed more fully along all its dimensions. There will be inequities, to be sure, as some elements (e.g., chambers of commerce, well-organized middle-class women’s groups) get more attention and public support than others (e.g., anti-smoking health groups, associations for the disabled), but even the CSOs with less wealth, fewer linkages to elites and a lower skill base will be able to compete and make their case in the policy dialogue.

Recruiting for public life. Civil society will have begun to serve as a recruiting mechanism for public life. Increasing numbers of assembly members at local and central levels will have gotten their first taste of public service in an NGO, and the experience will have inspired them to go on to seek elected office. NGOs, in Tocqueville’s phrase, will have started to serve as “schools of democracy.”

Beginnings of self-sufficiency. NGOs will have begun a significant effort to diversify their sources of support beyond donor assistance, though few if any will have become totally self-sufficient within such a short time-frame. Membership dues, fee-for-service activities, contracts with municipalities for service provision, charitable donations, and the Kosovar diaspora will all have become important sources of funding.

Self-generated agendas. In their policy approaches and project activities, many NGOs will have moved beyond donor-driven priorities to self-generated agendas, guided by the needs of their constituents which they have formulated into their own strategic plans.

ANNEX A. ACRONYMS USED IN THIS REPORT

ATRC	Advocacy Training and Resource Center
AvoKo	Advocacy NGO Network of Kosovo
BPRM	Bureau of Population, Refugees and Migration (US State Dept)
CASSI	Community Action for Social Services Initiative
CDHRF	Council for Defense of Human Rights and Freedom
CISP	Community Infrastructure and Service Program
CSO	Civil society organization [generic term]
EAR	European Agency for Reconstruction
EU	European Union
EWMI	East-West Management Institute
FDI	Foundation for Democratic Initiatives
FOI	Freedom of information [generic term]
ICNL	International Center for Non-profit Law
IDP	Internally displaced person
IOM	International Organization for Migration
IPKO	Institute of Information Technology
IRC	International Rescue Committee
KAN	Kosova Action Network
KAP	Kosovo Assistance Project
KFOS	Kosova Foundation for Open Society
KIPRED	Kosovar Institute for Policy Research and Development
KNAP	Kosovo NGO Advocacy Project
KODI	Kosovar Research and Documentation Institute
KTI	Kosovo Transition Initiative
KYC	Kosovo Youth Council
LGSI	Local Governance Strengthening Initiative
MC	Mercy Corps
MSI	Management Systems International
NDI	National Democratic Institute
NGO	Non-government organization [generic term]
OSCE	Organization for Security and Cooperation in Europe

PISG	Provisional Institutions for Self-Government
REC	Regional Environmental Center
SRSG	Special Representative of the Secretary General [of the United Nations]
STAR	Strategies, Training, Advocacy, Resources [regional Women's network]
UNMIK	United Nations Interim Administration Mission in Kosovo
USAID	United States Agency for International Development

ANNEX B. REFERENCES

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Annex C. Team schedule and interviews

Date	Time/meeting	Name	Institution/Organization/ Function	Place of the meeting	Comments
Monday 08.03.2004	9:00-16:00	Bobby Herman (MSI), Natasha Wancheck (MSI), David Black (USAID/DG)	MSI / USAID	MSI for team briefing	
Tuesday 09.03.2004	9:00	Malissa Janis	US State Department		
	11:30	Doug Rutzen, Senior VP	Intl Center for Not-for-Profit Law		
		Catherine Shea, Program Director, Including Kosovo	Intl Center for Not-for-Profit Law		
	15:30	Robert J. Maushammer, USAID/E&E Kosovo/Macedonia Desk Officer	USAID		
		David A. Atwood	Office for Democracy, Governance and Social Transition Bureau for Europe and Eurasia	USAID	Confirmed
		Sarah Farnsworth	USAID		
Dale Pheiffer, Kosovo Mission Director		USAID			
Sunday, 14.03.2004		Blair & Donaghey arrive			
Monday, 15.03.2004	8:30	Judith Schumacher	Program Officer	USAID Kosovo	

Date	Time/meeting	Name	Institution/Organization/ Function	Place of the meeting	Comments
		Paul F. Randolph	Democracy Office Director	USAID Kosovo	Confirmed
		Argjentina Grazhdani	Media/Civil Society Advisor	USAID Kosovo	Confirmed
		Perihan Ymeri	Program Engineer/Democracy and Governance Office	USAID Kosovo	Confirmed
		Urim Ahmeti	Grants Manager	USAID Kosovo	Confirmed
		Arben Nagavci	Program Engineer/Democracy and Governance Office	USAID Kosovo	Confirmed
Tuesday, 16.03.04	9:00h	Delina Fico	STAR Network of World Learning	STAR	Confirmed
	11:00	Luan Shllaku	Kosovo Open Society Foundation (KFOS)	KFOS Offices	Confirmed
	12:30	Gazmend Selimi	European Agency for Reconstruction	EAR Offices	Confirmed
	15:00	Matt Shelley, Chief of Party	Int'l Research and Exchange Board (IREX)	IREX Offices	Confirmed
	16:00	Kreshnik Berisha, Director; Kimete Klenja, General Manager; and Nicole Farnsworth, Information and Outreach Officer	Advocacy Trainnig and Resource Center (ATRC)	ATRC	Confirmed
	17:00	Michelle Veilleux	Canadian Coordination Support Office	CCSO Offices	Confirmed
Wednesday, 17.03.2004	8:30	Blerim Vela	REC	REC Offices	Confirmed

Date	Time/meeting	Name	Institution/Organization/ Function	Place of the meeting	Comments
	10:00	Heather Kashner, Country Director; Tim Baker, Senior Program Manager; Niti Shehu; Program Manager	National Democratic Institute (NDI)	NDI	Confirmed
	12:00	Bashkim Rrahmani	Foundatioan for Democratic Initiatives (FDI)	Grand Hotel	Confirmed
	14:00	Ibrahim Makolli	Head of CDHRF	Hotel Victory	[cancelled]
	15:00	Jetmir Balaj	Head of the Forum	Forum Offices	[cancelled]
	16:30	Leon Malazogu	Head of KIPRED	KIPRED Offices	[cancelled]
Thursday, 18.03.2004 Gjakova trip cancelled, Pristina meetings instead	9:00	Valnet Hocha	KTI	-	[cancelled]
	10:00	Aqif Shehu	Mayor of Gjakova Municipality	Municipality Building	
	11:30	Bashkim Rrahmani	FDI	Tour of FDI and intro to FDI Staff	
	13:00-15:00	-	KDC, KYC, MAR, PRO	FDI Offices	
	15:30-17:00	Fitenete Dula and Ylber Sahiti	Forum of NGOS	-	
	11:00	Tina Grazhdani	USAID	USAID	update meeting
	15:00	Leon Malazogu	KIPRED	Coffee shop	rescheduled
	17:00-19:00		Debate Club	Pristina Art Gallery	Open meeting
Friday, 19.03.2004	9:00	Valentin Mitev	NGO Officer/OSCE	OSCE HQ	[cancelled]

Date	Time/meeting	Name	Institution/Organization/ Function	Place of the meeting	Comments
	11:00	Igaballe Rogova, Executive Director; and Elita Gota, Program Manager	Kosova Womens Network	KWN Offices Agim Ramadani A2/26	Confirmed
	13:00	Akan Ismaili	Executive Director of IPKO	IPKO Offices	Confirmed
	14:00-17:30	Interested NGOs	Emergency NGOs meeting	Grand Hotel	Open meeting
	15:00	Halit Ferizi	HENDIKOS – NGO for disabled people	HENDIKOS Offices	Postponed
	17:00	Enver Hoxhaj	Ex-Executive Director of KODI	Kodi Offices	[cancelled]
	9:00	Stuart McNeil & Hana Hoxha	Program Manager/KTI Program Assistant/KTI	IOM Office	Confirmed
	11:00	Flora Macula	Program Manager/UNIFEM	UNIFEM Offices	Confirmed
	13:30	Habit Hajredini	Office of Good Governance	Assembly Building	Confirmed
	16:30	Kreshnik Berisha, Director; Nicole Farnsworth, Information and Outreach Officer	ATRC	ATRC Offices	Confirmed
	16:00	Johan Tevelte	Head of OSCE Democratisation Department	OSCE HQ	[cancelled]
	17:30	Luan Ibraj, Executive Director	Eye of Vision, Peje	Grand Hotel	confirmed
	17:30	Veton Mujaj, local editor	OneWorld Net	Grand Hotel	confirmed
20.03.2004 Peje trip cancelled		Reading, writing			

Date	Time/meeting	Name	Institution/Organization/ Function	Place of the meeting	Comments
Sunday, 21.03.2004		Reading, writing			
	18:00	Albin Kunti & Geneta Budema	KANI	Pristina Hotel	confirmed
Monday 22.03.2004	8:30	USAID	Mid-point briefing	USAID Offices	
	10:00	Dukagjin Popovci	Head of Kosova Education	KEC offices	confirmed
	11:00	Ibrahim Makolli	Head of CDHRF	Hotel Prishtina	confirmed
	12:00	Halit Ferizi	HEAD of Handikos	Handikos Offices	confirmed
	13:00	Marek Antonio Novicki	Ombudsperson of Kosova	Ombudsperson offices	Cancelled
	14:00	Jetemir Balaj	The Forum	The Forum offices	cancelled
	15:00	Skender Boshtrakaj	Head of Youth Department	Ministry of Culture, Youth and Non-Resident Issues	Confirmed
	16:00	Marian Cadogan, Mission Director	Mercy Corps	Mercy Corps Offices	Confirmed
		Besa Vuthaj, Deputy Program Director	Mercy Corps		
		Lulzim Morina, Senior Program Manager	Mercy Corps		
Paul Jeffery, Program Manager		Mercy Corps			
17:00	Xhulieta Mushkolaj	Head of IDKO	IDKO offices	Confirmed	

Date	Time/meeting	Name	Institution/Organization/ Function	Place of the meeting	Comments
	17:30	Amir Haxhikadrija	Head of Kosovo Youth Council	KYC offices	confirmed
Tuesday 23.03.2004	9:00	Franklin De Vrieze	OSCE Asambly Consultant	OSCE HQ	moved
	13:00	Barbara Burri	Deputy Coordinator/Swiss Cooperation Office	Swiss Cooperation Office	cancelled
	11:00	Christopher Sohojlm	Head of SIDA	SIDA's offices	cancelled
	11:00	Fron Nazi	EWMI pgm director	ATRC office	confirmed
	13:30	Arjeta Rexhaj	Head of CRTI	CRTI offices	confirmed
	16:00	Tamara Sorger	Head of CIDA	Cida offices	cancelled
	15:00	Paul Mecartney and Jeanne Russell	COP & Dy COP, Save the Children	Save the Children offices	confirmed
	0:00	Muhamet Mustafa, President	RIINVEST	RIINVEST Offices	
	17:00	Franklin De Vrieze	OSCE Asambly Consultant	OSCE	confirmed
	18:00	Valentin Mitev	OSCE Asambly Consultant	OSCE	confirmed
	20:00	Paul Reynolds	USAID Dem Office Dir	dinner	confirmed
Wednesday 24.03.2004 Peje trip rescheduled	9:00	Reshat Nurboja	Civic League	Focus group at Civil League office	confirmed
		Hasnat Latifi	Century 21		confirmed
		Xhema Shetu	New Era		confirmed
		Pal Marku	Youth Center		confirmed
		Hysem Nikqui	Aquila		confirmed
	12:00	Suada Dzagovic	Madis	Focus group at Civil League office	confirmed
		Albiua Pejcmovic	Madis		confirmed
		Zija Baba	Ecologists Assn		confirmed
		M ohammed Kelmandi	Ecologists Assn		confirmed

Date	Time/meeting	Name	Institution/Organization/ Function	Place of the meeting	Comments	
		Noym Taliri	Euroecologists		confirmed	
	15:00	Ramiz Zeka	C.E.O. of Peja	Municipal Office	confirmed	
Wednesday 24.03.2004 Gjakove trip rescheduled	9:00		Municipality Mayor	Municipal Office	confirmed	
	10:00	Bashkim Rrrahmani and staff	FDI	FDI Offices	confirmed	
	10:30	Mirlinda Dana, Program Assistant	IOM/KTI	FDI Offices	confirmed	
	10:30	Valentin Hoxha	KTI and Urban Diplomacy group (Sister Cities International Aspiring Country Office)	FDI Offices	confirmed	
	1:00		Vjosa Mullaahiri, Executive Director	Community and Business Development Center (CBDC)	Focus Group and FDI Offices	confirmed
			Mirlinda Kusari, President	She Era Women's Business Association		confirmed
			Qefsere Kumnova, Coordinator of Association	Gjakova Woman Association		confirmed
			Ismet Isufi, Executive Director	Kosova Development Center		confirmed
			Butrint Batalli, Executive Director	Environmental Protection and Rehabilitation (MAR)		confirmed
			Sami Togoli, Representative	Three new and informal groups of Roma, Ashkali and Egyptian Citizens		confirmed

Date	Time/meeting	Name	Institution/Organization/ Function	Place of the meeting	Comments
	3:30	Ylber Sahiti, Network for Democratic Development	Leader of Gjakova NGO Forum	NGO Forum Activities	confirmed
		Ftnete Dula, Civil Rights Project, Kosovo	Leader of Gjakova NGO Forum		confirmed
	19:00	Brett Jones, Refugee Coordinator	Head of BPUS Office Pristina, Bureau of Population, Refugees and Migration (BPRM)	Hotel Pristina	confirmed
Thursday 25.03.2004		Whole team	Report writing	Hotel Pristina	
Friday 26.03.2004 Exit briefing at USAID	14:00	USAID staff		USAID office	confirmed
Saturday 27.03.2004	12:00	Blair & Donaghey depart		Pristina airport	

ANNEX D. SCOPE OF WORK

I. Purpose of the Assessment

USAID/Kosovo seeks to refine its analysis of the many factors that affect the development of the Third Sector in Kosovo, and review the results achieved and general impact of efforts undertaken so far to promote the development of civil society. The objective of this assessment is to provide an overview of the state of civil society in Kosovo today, gather lessons learned based on current and completed civil society and civic participation activities, and make recommendations to help inform USAID/Kosovo's civil society assistance.

II. Background

A. Overview

USAID assistance to Kosovo started in mid-1999 at the conclusion of the conflict that expelled Milosevic's regime from Kosovo. At the end of this conflict, 38% of the housing stock was destroyed and another 20% was severely damaged. During and immediately after the conflict large amounts of humanitarian assistance were provided to house, feed and tend to the basic needs of an enormous number of displaced and newly impoverished Kosovars. This was followed by a program to start the restoration of civil and economic life in Kosovo.

Despite the lack of previous democratic and civil society experience, as a result of a long history of Communist and Serbian dominated rule, Kosovar society provided itself with social, cultural and basic community services during the 1990's through a large voluntary civil society system. Many of these Civil Society Organizations (CSOs) developed into well-organized agencies with skilled management and international support.

Currently, the number of registered CSOs is over 2000, but this number includes many defunct CSOs because there is no process for de-registration of inactive CSOs. The number of active CSOs ranges from 100 to 150, not counting scores of informal citizens groups that are also active, mostly at the local level. The relationship between the Provisional Institutions of Self Governance (PISG) and CSOs is very good. In the past year there have been more examples of CSOs coalescing around issues of concern of their constituencies, both locally and Kosovo-wide. A number of laws and regulations have been adopted or changed as the result of successful advocacy campaigns. It has been noticeable, however, that CSOs outside of the capital have been more successful in advocating for their constituencies. CSO activities have been receiving considerable media coverage at both local and central level. Nevertheless, their access to United Nations Mission In Kosovo (UNMIK)³⁰ decision-makers in the area of reserved powers has been minimal. In addition, a majority of CSOs have been struggling to keep their staff and offices functioning, as funding from international donors is thinning rapidly.

The upsurge of interest and willingness of Kosovar CSOs to become active in political processes was dramatically demonstrated during the last two years. During this period, more than 10 laws and

³⁰ UNMIK was established June 10, 1999 when the [United Nations Security Council Resolution 1244](#) authorized the Secretary-General to establish in Kosovo an interim civilian administration led by the United Nations.

regulations were passed at the local and central level as a result of civil society advocacy. These regulations include: Regulation Requiring handicapped access to public buildings advocated by Handikos, regulation on public participation in legislative process advocated by Gjakova CSOs Forum, Regulation prohibiting food products exposed outside shops advocated by Vision Toward Future, Regulation on public participation in legislative process advocated by Epoka e Re in Decan, regulation on food quality and safety control advocated by Kosovo Agribusiness Alliance in Gjakova, regulation for solid waste management in Gjilan municipality advocated by CSOs Elita, Regulation of health standards for slaughterhouses advocated by Kosovo Development Center in Gjakova etc. Recently there has been an increased trend of important coalitions of CSOs to advocate for issues such as electoral law reform and equal gender representation in political processes.

However, CSOs in Kosovo still face many challenges. The USAID NGO Sustainability Index for 2003 shows that change is slow, and that despite some signs of increasing maturity (especially as regards training capacity, advocacy skills, and favorable legal environment), the sector is quite weak.

B. USAID/Kosovo's Approach to Civil Society Assistance

In early 2000, USAID conducted a civil society sector assessment for Kosovo. The assessment recommended that USAID postpone starting a civil society assistance program for one year because of the saturation of donor grants and assistance for NGOs in Kosovo available at that time immediately following the end of the conflict. Another recommendation, given the emphasis on the time on supporting relief and service providing Kosovar NGOs, was that USAID should focus on increasing the role of CSOs to be advocates on behalf of their constituencies for policy and other reforms.

In September 2001, USAID launched the Kosovo NGO Advocacy Project (KNAP), a three year program implemented by East West Management Institute (EWMI). The purpose of KNAP is to: (1) Enhance the role of CSOs in advocacy by helping to transform them from reactive service providers into proactive agents of change; (2) Strengthen the institutional capacity of the CSO sector by fostering the development of viable, professional and transparent CSOs; (3) Improve the financial viability and sustainability of CSOs; and (4) Elevate the public image of CSOs. These KNAP objectives are planned to be achieved through a combination of training, mentoring programs, and grant-making. The program includes:

1. The Advocacy Training and Resource Center (ATRC) provides training that combines theory with concrete examples from the region. ATRC is responsible for providing training in advocacy, CSO development and management, and gender awareness.
2. The Foundation for Democratic Initiatives (FDI) is the Kosovar NGO responsible for implementing the grant-making under KNAP. Linking training to grant-making is a crucial element of KNAP, and applicants are required to complete KNAP training programs to be eligible to receive grants. The grant making programs are designed to be flexible and respond to initiatives presented by Kosovar CSOs. They are also intended to stimulate advocacy efforts in priority areas for the development of Kosovo's civil society.
3. The International Center for Not for Profit Law (ICNL) and its local partner IKDO implement the Legal Support Component of KNAP (KNAP-LSC) to help strengthen the ability of the CSO community to play a more active and effective role in advocating on a wide range of issues that confront community groups by developing participatory rules and procedures, particularly at the local level, to ensure more effective CSOs advocacy efforts. ICNL also provides training for CSOs and community leaders on issues related to the legal framework for CSO advocacy and financial viability of the CSO sector. ICNL/IKDO promote the adoption of a CSO code of ethics to help improve the public image of the CSO sector in Kosovo.

In addition to KNAP, many USAID/Kosovo-funded activities support civil society and CSOs. For example, the National Democratic Institute (NDI) program includes a civic participation component which provides training and networking opportunities for informal citizens groups and CSOs involved in monitoring and engaging government and elected officials; ABA/CEELI supports the Chamber of Advocates (Bar Association) and Association of Judges; IREX ProMedia supports associations of journalists and broadcasters; STAR/World Learning supports women's economic empowerment and anti-trafficking groups; and other USAID/Kosovo programs currently or previously supported economic and political think tanks, trade unions, business associations, and other non-government organizations. The Kosovo Transition Initiative (KTI) and sub grantees under the Kosovo Assistance Project (KAP) such as IRC, Mercy Corps and Oxfam, also worked closely with civil society, usually in the form of informal village governing units or citizens groups, by successfully promoting citizen participation in the prioritization, design, implementation and monitoring of donor funded infrastructure projects.

Civil society assistance is woven throughout USAID's new five year strategic plan which includes four strategic objectives (SOs). Under **Strategic Objective 1.2: Improved Policy and Institutional Climate for Productive Investment**, USAID has supported RIINVEST, an independent think tank performing economic research and analysis and enhancing policy dialog and advocacy. RIINVEST activities have resulted in effective communication between the government and private sector, as well as the donor community, and enhanced public understanding of key economic reforms. RIINVEST has also facilitated the creation of an umbrella business advocacy organization to promote economic policy and institutional reform in support of private sector development.

Under **Strategic Objective 1.3 Accelerated Growth of the Private Sector**, USAID helped establish the Alliance of Kosovar Agribusinesses (AKA), which comprises five associations encompassing the majority of agricultural input dealers, producers and processors in Kosovo, with more than 3000 members. Training included association development and management as well as assistance in drafting by-laws to ensure democratic internal governance. The association also developed a policy advocacy agenda for agribusiness, and presented cogent analysis that persuaded the government to reduce tariff distortions affecting the agricultural sector.

Under **Strategic Objective 2.1: Civil Society and Government are More Effective Partners in Achieving Good Governance**, USAID aims to develop and strengthen the relationship between civil society and local governments so that they act as partners in furthering democratic processes. This SO works with both citizens and local governments to develop this relationship. At the citizen level, the SO improves public information about individual rights and responsibilities and facilitates understanding of political, economic and social reforms. These efforts include work with the media. The upcoming assistance to local governments will ensure that local government operations are transparent, accountable to their constituencies and fulfilling their key functions efficiently. Under **IR 2.1.1: Better informed citizens**, USAID works with the two media associations the Independent Broadcasters Association (AMPEK) and the Association of Journalists. Under **IR 2.1.2: Increased citizen influence on public policy**, USAID aims to increase public influence on important policy outcomes. This IR builds on USAID's previous work in the area of advocacy training and coalition building. It strives to raise the level of citizen participation in economic and political decision-making, and the actual oversight by CSOs and watchdog groups.

Under **Strategic Objective 2.2: More Open and Responsive Government Acting According to the Rule of Law**, USAID seeks to support Kosovo's transformation to self-government by strengthening new democratic institutions and helping Kosovars take complete ownership of these bodies. To achieve this objective, USAID works with a number of organizations from the Third Sector.

C. Other Donor Civil Society Programs

Other foreign donors have also been active in supporting civil society in Kosovo. The British Council, DFID, the Canadian International Development Agency, the Netherlands Embassy, UNDP, UNICEF and NED are among those that have specific programs to strengthen civil society organizations. USAID-funded implementers have generally worked closely with other donors to avoid duplication and seek complementary strategies. In 1999, the Organization for Security and Cooperation in Europe (OSCE) started to organize bi-weekly civil society donor coordination meetings, but those meetings stopped two years ago. Although there are no longer regular and formal donor coordination meetings, the donor community meets on an *ad hoc* basis to discuss projects and keep each other informed of their activities.

III. Tasks of the Assessment

In its report, the team should present an analysis of the following:

- Strengths and weaknesses of civil society in Kosovo, with a focus on CSOs, but also including informal citizens groups and other civil society actors or groupings active in Kosovo;
- The current effectiveness of CSOs and civil society actors as contributors to democratic development;
- Prospects for enhancing the effectiveness of CSO and civil society contributions to democratic development, at both the central and local levels;
- Key constraints or obstacles impeding further enhancement of CSO effectiveness in democratic development;
- Any intractable problems or areas unlikely to benefit from technical assistance in the near term;
- Lessons learned from current and previous USAID and other donor civil society assistance programs in Kosovo;
- Observations of and recommendations for improving linkages between USAID/Kosovo's civil society strengthening programs and other USAID/Kosovo programs, including but not limited to media, local governance, economic policy reform, and political process programs; and
- Recommendations regarding potentially productive strategies and priorities for technical assistance to enhance and strengthen civil society in Kosovo consistent with the goals, objectives and discussion set out in the USAID/Kosovo strategic plan for 2004 – 2008.

This analysis should include a discussion of the range of strategies adopted by various donors and implementers in attempting to support the development of the Third Sector in Kosovo, along with the goals and underlying assumptions of these activities. While the report should draw on a full understanding of the evolution of activities supporting civil society development, the recommendations should be forward-looking, with an emphasis on what should be done over the next few years, and should be specific to Kosovo. The recommendations may, where appropriate, suggest strategies or modalities employed elsewhere that seem applicable to Kosovo. The report should identify any areas in which the team concludes that USAID should not be involved for any reason, such as the intractability of a particular problem, unreasonably costly results, duplication of efforts by other donors, high probability of success in the absence of donor involvement, or inappropriateness of intervention. Recommendations must be linked to the findings and conclusions presented in the assessment report.

The assessment should have appropriate emphasis on advocacy CSOs, but should also have adequate attention to other civil society actors, such as community-based citizen organizations, informal village governing units, informal issue-based citizens groups, professional associations, independent trade unions and issue-oriented coalitions. The report should also take into consideration the relevance of the Mission's five cross-cutting issues (gender, anti-corruption, youth, capacity-building, and returns/reconciliation) in its conclusions and recommendations.

IV. Deliverables

- A. An Outline (Table of Contents) of the report is to be submitted within three working days after arrival in Kosovo.
- B. Two briefings for Mission staff: one at the half-way point of the assessment and a second before leaving Kosovo.
- C. A draft of the final report shall be submitted to the Mission for review before the team leaves Kosovo. The final report, of not more than 30 pages in length if possible, should contain an Executive Summary and should clearly identify the team's findings, conclusions, and recommendations. Appendices should, at a minimum, list the people and organizations interviewed. The Mission will provide written comments to the team. The final report is due to the Mission no later than ten days thereafter. The final report should be submitted electronically (as a Microsoft Word document) along with six bound copies.

V. Team Composition and Logistics

The team will be composed of experts in conducting assessments of this nature. A team leader will be assigned who has the ultimate responsibility for overall team coordination and development of the final report. The Team Leader is also responsible for ensuring that team members adequately understand their roles and responsibilities and for assigning individual data/information collection and reporting responsibilities. Including the team leader, the team will likely consist of three members with expertise in a combination of the following areas:

- A professional background in development work, especially democracy/civil society programming, with a focus on support of CSOs in transitional, post-communist settings;
- Previous experience in working on assessments for USAID; and
- Recent experience in and background knowledge of the region.

It is highly desirable that the Team Leader has experience conducting and writing similar assessments for USAID. USAID may appoint a USAID and/or other USG employee(s) to act in the capacity of an observer or consultant where appropriate. The Contractor will guarantee that substitutions will not be made for individuals proposed as team members without the approval of USAID/Kosovo.

VI. Suggested Methodology

Prior to departure, the contractor will review background documents, including:

- USAID assistance strategy for Kosovo 2004-2008, (http://www.usaid.gov/missions/kosovo/pdf/kosovo_strategy_final.pdf);
- USAID Annual Report documents regarding Kosovo for the past four years;
- Relevant USAID publications, especially Lessons in Implementation: The NGO Story. Building Civil Society in Central and Eastern Europe and the New Independent States (USAID October 99, PN-ACA-941, available through www.usaid.gov); and the NGO Sustainability Index reports for Kosovo (reports for 1999, 2000, 2001 and 2002 are available on the USAID website, and the draft report for 2003 is available upon request from USAID/Kosovo);
- Useful recent publications concerning the development of NGOs in the region, such as the paper on "Democracy Assistance and NGO Strategies in Post Communist Societies" (by Sarah Mendelson and John Glenn) issued by the Carnegie Endowment for International Peace, Democracy and Rule of Law Project, available on www.ceip.org/programs/democr/NGOs; and

- USAID/Kosovo cooperative agreements with East West Management Institute (EWMI), and National Democratic Institute (NDI).
- Evaluation of USAID/Kosovo's Strategic Objective 3.1, (available from the Mission).

In Washington, DC the contractor will conduct interviews with USAID and EWMI staff as directed by the Mission. The team will contact USAID/Kosovo for guidance on whom to interview in Washington, DC.

In Kosovo, the contractor will meet with USAID/Kosovo upon arrival to discuss methodology and schedule, and to review the deliverables. The assessment will be conducted utilizing information from interviews and meetings with:

- USAID/Kosovo staff;
- field staff for KNAP (EWMI, ATRC and FDI);
- field staff of other relevant donors and providers of civil society assistance (such as NDI, IREX, the Kosovar Civil Society Foundation, Kosovo Open Society Fund, OSCE);
- active host-country organizations and specialists on Third Sector matters (such as ICNL, Kosovo Institute for Not-for-profit Law/IKDO);
- CSOs (both recipients and non-recipients of USAID or donor grants/assistance);
- representatives of Kosovar think tanks and policy groups both within and outside the capital (such as RIINVEST, the Kosovar Institute for Policy Research and Development/KIPRED, the Center for Gender Policy and Research);
- citizens and members of informal civil society groups (both recipients and non-recipients of USAID assistance/training);
- municipal and government officials that have interacted with CSOs and/or been the target of CSO advocacy or watchdog activities; and
- any one else who can provide useful information about the Third Sector's development and prospects in Kosovo and the impact and value of USAID assistance to that sector.

The team should plan to travel outside Pristina to conduct meetings in diverse regions and settings, (e.g., rural, urban, predominantly Albanian Kosovar, predominantly Serb Kosovar, etc.).

VII. Illustrative Schedule of Work

The anticipated start date for this assessment is o/a March 1, 2004. Up to three workdays will be required in Washington prior to departure for collection and review of documents, appointments with relevant agencies and organizations. The field assessment and draft preparation will require two weeks of work in Kosovo with an authorized six-day work week. After departure from Kosovo, four additional days will be required for the team leader and up to two additional days for the other team members to prepare the final report. The final report should be submitted within 10 days of receiving USAID/Kosovo's comments on the draft report.

Week One – Team preparation and meetings in Washington; travel to Kosovo.

Week Two – Initial meetings with Mission; Interviews, meetings, and field visits in Kosovo; Submission of assessment outline (table of contents); Mid-point briefing for Mission.

Week Three – Interviews, meetings and field visits in Kosovo; Briefing for mission and submission of draft assessment report.

Additional Work Days (following receipt of comments from USAID) – Final report submitted.

VIII. Other

A. Logistical Support

All logistical support will be provided by the contractor, including travel, transportation, secretarial and office support, interpretation, report printing and communication, as appropriate.

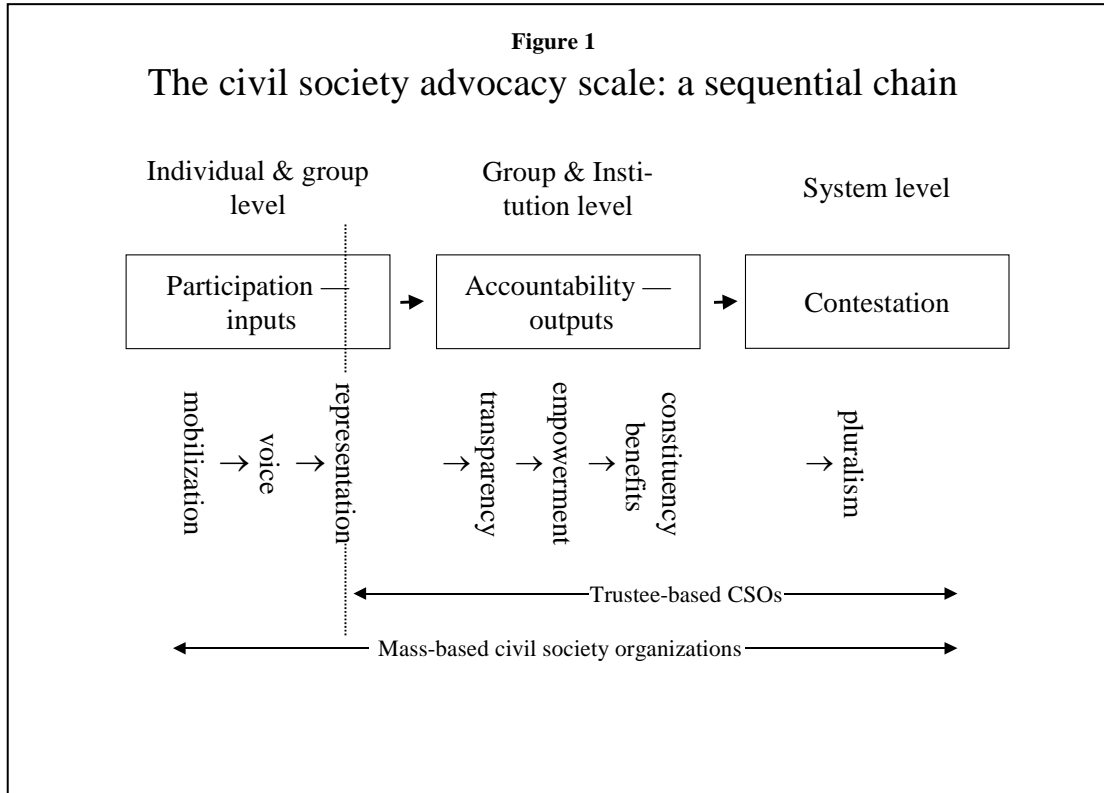
B. Workweek

A six-day workweek is authorized while in Kosovo.

C. Technical Direction

Technical direction during the performance of this delivery order will be provided by Argentina Grazhdani, (381 38) 243-673 ext.-139, agrazhdani@usaid.gov.

ANNEX E. AN “ADVOCACY SCALE”



For an example of how the scale might be used, see the next page. For a more complete explanation, see the source for this annex: H Blair, “Assessing civil society impact for democracy programmes: using an advocacy scale in Indonesia and the Philippines,” *Democratization* 11, 1 (Spring 2004), 77-103.

The advocacy scale – A (somewhat idealized) example:

- **Participation** – inputs into public policy:
 - Concerned neighborhood mothers mobilize selves around bad schools, absent teachers (*mobilization*);
 - They assemble and publicize an agenda for action (*voice*);
 - They attain enough critical mass and press authorities enough that they are listened to (*representation*).

- **Accountability** – affecting public policy outputs:
 - The group creates enough pressure that authorities must justify what they are doing (*transparency*);
 - Authorities have to publicly promise change (*empowerment*);
 - Reforms are instituted and implemented, schools improve (*constituency benefits*).

- **Contestation** – competition within the larger political system:
 - Other groups also get involved in political arena, many voices begin to affect policy and the level of *pluralism* improves.

Note **two basic types** of civil society organizations:

- **Mass-based** (grassroots) groups, like the parents' organization example.
- **Trustee-based** groups, run by elites and claiming to represent various constituencies (e.g., human rights – where victims of abuse cannot organize selves very well).