

## Executive Summary

In two short decades, civil society in Kosovo has experienced everything from brutal repression to intensive assistance that has sometimes bordered on patronage. Now it is struggling to find its own authentic, effective voice in a newly unilaterally declared independent nation that has many economic, social, and political hurdles to overcome. As it masters its own development challenges, civil society will be helping Kosovo to do the same. A skilled and confident “third sector” is essential to the functioning of a healthy democracy.

Kosovan civil society was born in an era of repression and dissent. It came into its own simultaneously with the “parallel institutions” created by Kosovo Albanians after Yugoslavia rescinded the then-province’s autonomous status in 1989, and took on a range of responsibilities from human rights to medical care and poverty relief. Under United Nations administration after the conflict of 1999, Kosovo saw a rapid influx of assistance, and home-grown organizations sprang up to work with foreign donors on an almost infinite variety of projects. More recently, especially since the unilateral declaration of independence in February 2008, donors are channelling more of their funds to the government and less to civil society. Thus, the environment in which civil society organizations (CSOs) must operate, and the challenges they face, are changing once again, demanding new skills and new attitudes.

CSOs have begun the process of transformation in a number of ways, from creating codes of conduct to searching for ways to work bet-

ter with each other and with the government. But they still have their work cut out for them. Among the challenges: an unresolved legal status, internal tensions born out of competition for foreign funding, ethnic divisions that have only partially healed, public mistrust, and a lack of focus that has left all too many organizations willing to reshape themselves to donor priorities.

Civil society can fill a variety of roles as Kosovo’s economic and political institutions mature, from serving as a watchdog to giving input on policy to providing social services. CSOs also have much of value to contribute on Kosovo’s path to European integration.

Sometimes CSOs’ relations with government and business will have an adversary nature, and at other times they will support and be supported. But whatever the task and whatever the role, their success will depend on increased professionalism, a more diverse and sustainable funding base, and a stronger sense of who they are and what they want to achieve. What they have achieved already is remarkable.

This report brings together eleven authors for a multifaceted look at civil society’s place on Kosovo’s development agenda. It also draws on the *Perceptions of Civil Society in Kosovo Survey*.

After a close look at what we mean when we say “civil society” and what we mean when we say “development,” the report goes on to explore the history of civil society in Kosovo,

its legal context, and ways it can influence public policy. Next, it looks at civil society through the eyes of the government and the general public, before discussing ways that CSOs can effectively work together with the government, with each other, and with the media, and ways they can influence and benefit from the European integration process. The final two chapters suggest improvements that CSOs should strive for and explore the potential of Community Driven Development in Kosovo.

**Human development and civil society** are both terms open to multiple interpretations. Development cannot be measured purely in terms of buildings and roads and power lines; even more important is whether it improves individuals' well-being and ability to take charge of their lives. This is where it intersects with civil society, which encourages people to demand a voice in the decisions that affect them. For all the debate about the exact nature of civil society—does it include the media? churches? organizations that receive corporate or government subsidies? groups with racist or totalitarian beliefs?—probably the simplest way to think of it is as a third sector, lying between government and business, with the boundary sometimes blurred in one direction or another. Recent changes, from the fall of communism to the rise of the Internet, have created a fertile ground for its development in Kosovo and around the world.

**The history of civil society in Kosovo** is part of the broader story of Eastern Europe

during the fall of communism, but was also shaped by the unique circumstances of Kosovo and the violent break-up of Yugoslavia. When Kosovo's autonomous status was revoked in 1989, civil society became part of the resistance, cooperating closely with the parallel government set up in defiance of Belgrade and offering alternative health, welfare, and literacy services. The success of the Movement for the Reconciliation of Bloods Feuds is just one example of the popularity and strength of civil society during this era. Civil society faced a radical change after the NATO intervention in 1999, with the United Nations Mission in Kosovo (UNMIK) focused on peacebuilding and reconstruction and a flood of foreign donors urging CSOs to play a major role but also sometimes, subtly or un-subtly, defining the parameters of that role. With the best of intentions, the sheer volume of support and the rapid pace of change have created challenges CSOs are still struggling to overcome.

**The legal environment for civil society in Kosovo** is still unsettled. A major law on NGOs was ready for UNMIK to sign off on just before independence was declared in February 2008. Now it has gone back to the parliament for review, and NGOs would like to see some changes in it. For the time being, NGOs still operate under a 1999 UNMIK regulation. Even when the Law on Freedom of Association in NGOs is passed, there are a number of issues that still need to be addressed. NGOs' tax status is ambiguous, and the law can make individual donations and voluntarism difficult. Civil society should

have a part in drafting the laws that will govern it.

**Civil society's influence on public policy** is potentially profound. It can contribute at any of the five stages of policymaking: agenda setting, policy formulation, decision-making, implementation, and evaluation. One of the most powerful tools for getting an issue onto the public agenda and influencing the subsequent debate is the media. Think tanks and other CSOs can also influence the government directly or through political parties with which they are sometimes associated. In Kosovo, the best route to government influence is sometimes through an international organization or UN agency. At the implementation stage, CSOs can often play a role in carrying out government-mandated services. And their role is key in evaluating policy outcomes.

**The government's vision of civil society** is positive but not well defined, and cooperation so far has been sporadic and too dependent on individuals. Government and CSO officials are often invited to each other's functions, but there is a need for deeper and more institutionalized cooperation. With some former government officials joining CSOs and vice versa, understanding between the two groups has grown. To the extent that CSOs are perceived as being driven by the agendas of their donors, however, their influence is weakened. Government could help by providing capacity building for CSOs and supporting them financially either through direct funding or by outsourcing the provision of government services.

**Public perception of civil society** is mixed. One in five Kosovans participates in some way in a civil society organization, and volunteerism has actually increased somewhat since 1999. But only about a third of those polled told the *Perceptions of Civil Society in Kosovo Survey* that they believed CSOs were open to public participation, and only about half felt that CSOs represented their personal interests. CSOs scored relatively low on accountability, and many respondents felt their decisions were driven by donors. Clearly there is room for improvement in civil society's outreach to the general public. Serving as a watchdog, and providing services that the government cannot provide, were the two functions that poll respondents found most important for CSOs to carry out.

**Cooperation between civil society and government** needs formal mechanisms to help it run smoothly. One problem has been that CSOs have lacked an umbrella organization to speak for them. Some CSOs maintain ties with political parties that go back to the parallel-government era of the 1990s. It has been more difficult for ethnic-minority CSOs to interact with government institutions. A few CSOs have enthusiastically taken on the watchdog function, but the government has not been receptive to their criticisms. Input from think tanks has been better received. CSOs with a solid specialty will be more credible with government than those that take a "jack of all trades" approach.

**Coordination between CSOs** can make it easier for them accomplish their goals by giving

them strength in numbers, better access to information, more visibility, and more credibility with donors, by enabling them to cover a wider geographical area, and by easing some of the administrative tasks on projects. Alliances between CSOs can be structured or unstructured, long-term or short-term. The Kosovo Women's Network is a good example of a CSO network. Some networks form to meet donor requirements, but networks are generally more successful when they are need-driven rather than donor-driven.

**The media and civil society** share a history that was heavily impacted by repression that followed the end of Kosovo autonomy in 1989 and the flood of aid money after 1999. Like with NGOs, there was an explosion of new media outlets. Journalists, surveyed in an online poll that supplemented the *Perceptions of Civil Society in Kosovo Survey* on which most of this report is based, said they felt the media and civil society served a similar purpose; many even said that the media was part of civil society. Most journalists surveyed felt that civil society was an important story to cover, but some suggested CSOs needed to build credibility by giving more reliable information.

**European Union integration** offers challenges and opportunities to Kosovo civil society. The process is a complex and technical one, and Kosovo stands near the beginning of it. Progress towards acceptance into the EU involves annual progress reports that assess, among other things, the status of civil society. Kosovo civil society has repeatedly been assessed as weak, but there is assistance available from the EU

for strengthening CSOs. Based on the progress reports, each candidate country develops an action plan for reforms. These plans can be an opportunity for civil society to enlist the EU's support for specific reforms.

**Sustainability of Civil Society** is all the more important given the key role that CSOs have played in helping some of Kosovo's neighbours join the European Union. Now that Kosovo has declared independence, perhaps some of the energy that went into resolving its status can now be spent on strengthening civil society. The decrease in donor funding is posing a challenge to CSO sustainability. Improved accountability will go a long way towards making CSOs more credible. Civil society needs to find ways to become less dependent on funding from foreign donors. The "1 percent law," pioneered in Hungary in 1996, is one option for channelling tax money to CSOs. More effective networking and better public outreach are other essential goals.

**Community Driven Development** is an approach to development projects, largely funded by the World Bank, that is highly congruent with the goals and values of civil society. It focuses on involving communities in the projects that are meant to benefit them in ways that will both strengthen the community and improve the project. CDD is not a magic wand—"communities" often contain competing interest groups, for example, and "participation" can be onerous for people already working long hours at low-paying jobs. But when implemented carefully, it can yield promising results.