

The Progress of Public Administration and Control Mechanisms in Kosovo

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Abstract

This study provides a comprehensive examination of the historical development of public administration in Kosovo and legal oversight during the three key periods: 1999-2000, 2000-2008, and 2008-2023. The post-war period and the establishment of UNMIK as a temporary administration presented significant challenges and fundamental changes for Kosovo. Following the armed conflict, public administration began an intensive process of reforms and modernization during the 2000-2008 period, including training for administrative personnel and revising legislation to improve the efficiency of public services. From 2008 to 2023, administrative structures were consolidated and focused on improving the efficiency and oversight of public administration. Legal oversight has played a crucial role in ensuring legality and transparency in local governance throughout these periods. Thus, this study provides a clear overview of the history and evolution of public administration in Kosovo, highlighting the importance of legality and ongoing oversight as key elements for effective functioning and the protection of public interest. In the context of "Challenges of Sustainable Development in the Region," this study showcases the efforts and advancements of public administration in Kosovo as part of broader efforts to meet sustainable development standards in the Balkan region.

Keywords: historical development, public administration, post-war period, legal oversight, local governance, reforms, modernization.

JEL Classification: K23, H83

1. Introduction

Public administration plays a key role in the functioning of any state, providing services³ and overseeing the implementation of laws and public policies. In the context of Kosovo, the development of public administration has undergone a complex and transformative process, influenced by historical and political events, such as the war and post-war period, alongside efforts to harmonize legislation with international standards. This research examines the evolution of public administration in Kosovo during three key periods: 1999-2000, 2000-2008, and 2008-2023, offering an in-depth analysis of the challenges and progress made in this regard. The post-war period and the establishment of UNMIK as a temporary administration marked an important phase for Kosovo, which required the creation of administrative structures and the establishment of legal control mechanisms⁴. The second period, from 2000 to 2008, marks a significant step in building

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³ Cătălin-Silviu Săraru, „Considerations on the public services in the XXI century”, *Juridical Tribune - Tribuna Juridica*, Volume 6, Special Issue, October 2016, pp. 160-166.

⁴ Vera Axyonova, Argyro Kartsonaki. “The European Union’s Normalisation Policies for Kosovo:

and modernizing public administration, including personnel training and the adoption of new technologies. Finally, the period from 2008 to 2023 has been accompanied by continuous efforts to reform public administration and address the challenges of politicization and lack of professionalism. This study provides a detailed analysis of legal oversight of public administration and identifies the need for improvements, offering recommendations for the establishment of an Administrative Court and changes to the Law on Local Self-Government. The aim of this paper is to provide a clear understanding of the developments and challenges in public administration in Kosovo, highlighting the importance of a strong and efficient public administration system to ensure transparency and legality in local governance.

2. Methodology

In this paper, we followed an analytical and qualitative approach to examine the development of public administration in Kosovo during three key periods: 1999-2000, 2000-2008, and 2008-2023. The methodology used includes several key components:

- Research Approach: The research focused on a historical and comparative analysis, assessing the changes and improvements in public administration in the context of the challenges and opportunities that arose in each period.

- Data Sources: Various sources were used for this study, including legal documents, annual reports from the Ministry of Public Administration, and relevant academic literature. These sources helped build a strong foundation for in-depth analysis.

- Analysis Method: Qualitative analysis was used to interpret the data and identify key themes, helping to pinpoint trends and challenges in public administration.

- Case Studies: A review of specific cases, including initiatives and challenges in public administration, provided a practical and real context for the theoretical discussions.

- Comparison: Comparisons were made at two levels:

- a) between different periods in Kosovo to identify the transformations and challenges that emerged during each period.

- b) between public administration practices in Kosovo and neighbouring countries, to analyse how they conduct administrative oversight and to draw lessons from their experiences. This comparative process helped to draw conclusions on necessary improvements and reform opportunities.

- Recommendations: Following the analysis, recommendations based on the research findings were provided.

3. Historical overview of public administration in Kosovo

3.1. Legislative challenges: time period 1999-2000. Analysing the conditions and challenges in drafting administrative structures and laws in Kosovo

After the war ended and the transition period began, Kosovo faced a new

challenge: the construction of a new administrative system that would determine the path toward a sustainable future.⁵ The period of 1999-2000 marks a troubling yet exciting chapter in the country's history, a post-war era characterized by numerous challenges and fundamental changes.

In early June 1999, the European Union envoy, Mr. Marti Ahtisaari, and the envoy of the Russian Federation President, Mr. Victor Chernomyrdin, delivered a peace plan to the Yugoslav government to resolve the conflict peacefully. The peace plan, prepared by the foreign ministers of the G-8 group on May 6, 1999, envisioned the establishment of a transitional administration for Kosovo under the supervision of the United Nations. On June 2, 1999, the Yugoslav government accepted the peace plan and also agreed to the establishment of an international civil and security presence under the United Nations in Kosovo. The resolution included the peace plan and established UNMIK as a peacekeeping mission to provide an interim administration for Kosovo, pending a political process and the resolution of Kosovo's final status⁶.

Although not explicitly stated in the resolution, the mandate to provide an interim administration for the people of Kosovo implied the authorization to issue laws. Based on the resolution, the Special Representative of the Secretary-General (SRSG) in Kosovo, in the first legislative act of UNMIK, Regulation No. 1999/1 of July 25, 1999, stipulated that all legislative and executive authority concerning Kosovo, including judicial administration, was vested in UNMIK and exercised by the SRSG. In carrying out the responsibilities assigned to UNMIK, the SRSG would issue legislative acts in the form of regulations⁷.

The process of creating administrative structures and laws in Kosovo during the 1999-2000 period faced a series of challenging conditions that reflected the complexity and transformations of this post-war era. Some of these challenges included: the consequences of the war and international intervention, ethnic diversity and the need for reconciliation and coexistence, demands for finalizing Kosovo's status and self-governance, and the need to harmonize laws and regulations with European principles, particularly in the area of human rights and freedoms. These were among the many challenges that the citizens of Kosovo faced during this extremely sensitive and difficult period.

3.2. Developments and achievements in the time period 2000-2008 of Kosovo's public administration

The exclusion of Albanians from public administration in the early 1990s disrupted the history of Kosovo's administration. For over a decade, until the end of the conflict in 1999, public institutions turned their backs on the vast majority of citizens. Consequently, it is not surprising that the post-conflict administration owes more to international institutions than to the country's past administrative history. Under UN Security Council Resolution 1244, the political and administrative responsibilities were

⁵ Pol Bargaúes, Assem Dandashly, Hylke Dijkstra, and Gergana Noutcheva. "Engagement against All Odds? Navigating Member States' Contestation of EU Policy on Kosovo." *The International Spectator* 59 (1), 2024: 19–38. doi: 10.1080/03932729.2023.2295893.

⁶ Instituti Kosovar për Kërkime dhe Zhvillime të Politikave (KIPRED). *Administrimi dhe qeverisja në Kosovë: Mësimet e mësuara dhe ato që mbeten për t'u mësuar*. Prishtinë/Gjenevë: KIPRED, 2005, p. 7.

⁷ Ibid., p. 7.

entrusted to the United Nations Interim Administration Mission in Kosovo (UNMIK), which was responsible for overseeing the establishment and development of self-governing institutions, organizing elections, and transferring responsibilities to local institutions. During this initial post-conflict period, international actors dominated the administration, with few local staff involved⁸.

Starting in 2000, once the legal basis for the functioning of public administration was established, Kosovo began the process of creating and building administrative structures. This included training staff, enhancing professional capacities, integrating technology, and creating new systems to ease the work of public servants. Additionally, it was necessary to review and adapt laws and regulations to the local context in which they would be implemented. This overview highlights the efforts during this period to rebuild and modernize public administration, aiming to improve the efficiency of public services.

3.3. Consolidation and modernization of public administration in Kosovo: 2008-2023

The challenges of public administration continued even after Kosovo declared independence. In a joint initiative by the OECD (Organisation for Economic Co-operation and Development) and the European Union, SIGMA (Support for Improvement in Governance and Management) in 2008 described Kosovo's public administration with the following characteristics: lack of professionalism, extreme politicization, inconsistency, incoherent legislation, and insufficient managerial and coordinating capacities⁹.

Given these assessments, Kosovo's public administration was not in its best possible state, making the need for professional advancements and reforms in many areas crucial. In response, Kosovo's institutions took these criticisms seriously and developed the "Public Administration Reform Strategy 2008-2010," which focused on various areas such as human resources, public administration management, communication with citizens, e-government, public administration financing, and fighting corruption¹⁰.

However, subsequent developments, such as Kosovo's declaration of independence, significantly altered the landscape, and the implementation of this strategy was left incomplete. After independence, several additional strategies were introduced in this field, including the Public Administration Reform Strategy (2007-2013), the Public Administration Reform Strategy (2010-2013), and the Public Administration Modernization Strategy (2015-2020). Moreover, other strategic plans were issued, such as the Strategy for Improving Policy Planning and Coordination, alongside the Better Regulation Strategy 2014-2020, the Public Administration Modernization Strategy 2015-2018, and the Public Finance Management Reform Strategy, which was part of the "Policy Development and Coordination" pillar within the three-pillar framework of the Public Administration Reform strategic package, under the

⁸ Balkan Policy Research Group. *Challenges of Governance and the Need for Administrative Reform in Kosovo*. Prishtina: BPRG, 2020, p. 16.

⁹ Ibid, p. 18.

¹⁰ Ibid, p. 18.

responsibility of the Prime Minister's Office¹¹.

The most recent strategy for public administration reform was created for the period 2022-2026. The main objectives/pillars aimed to be achieved through the implementation of the Public Administration Reform Strategy (PARS) 2022-2026 include:

1. Policy planning and coordination
2. Public service and human resource management
3. Accountability and transparency
4. Provision of services (2022-2026).¹²

4. Organization of public administration at the local level in the Republic of Kosovo and forms of control

4.1. Principles of organizing local self-governance

The principles of organizing local self-governance are essential for the effective and democratic functioning of a municipality. Therefore, Kosovo, based on the principles of local self-governance outlined in the European Charter of Local Self-Governance and its protocols, taking into account the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages and the Convention on Cross-Border Cooperation between Territorial Communities or Authorities and its protocols, aims to establish a sustainable system of local self-governance and improve the efficiency of public services in the Republic of Kosovo. The Assembly of the Republic of Kosovo has adopted the Law on Local Self-Governance, which serves as the foundation for the functioning of local self-governance in Kosovo¹³.

4.2. The principle of legality

One of the main principles of public administration is the principle of legality. This principle means "compliance with the law," referring to the actions of competent state authorities within the limits of the competencies granted to them by law¹⁴.

From the perspective of public administration, this essentially means that public administration carries out its competencies in accordance with the law. This general formulation contains three fundamental aspects: material legality, procedural (formal) legality, and the aspect of legal competence. Public administration makes decisions by applying general legal rules impartially and regardless of any individual to whom those rules apply. Administrative bodies derive their authorizations from legal sources granted

¹¹ PIPS & Levizja FOL. *Policy Development and Coordination: Monitoring Report*. Prishtina: PIPS, 2021, p. 7.

¹² Ministria e Administrimit të Pushtetit Lokal. *Strategjia e Reformës së Administratës Publike 2022–2027*. Prishtinë, 2022. <https://mpb.rks-gov.net/Uploads/Documents/Pdf/AL/4909/STRATEGJIA-E-REFORMES-SE-ADMINISTRATES-PUBLIKE-2022-2027.pdf>, accessed on 20 November, p. 7.

¹³ Gazeta Zyrtare e Kosovës. *Ligji për Vetëqeverisjen Lokale*. <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2530>, accessed on 20 November.

¹⁴ Fejzulla Berisha, Petrit Hajdari. *Administrata publike dhe kontrolli i saj (Aspekti krahasimor)*. Pejë: Shqiptarë e Shkrimtarëve të Pejës, 2019, p. 235.

to them by law. Thus, the principle of legal competence is closely related to the implementation of the rule of law¹⁵.

4.3. Forms of public administration control in Kosovo

Control represents the permanent human activity and is as old as human society itself; however, the notion, content, forms, types, and bearers of control change alongside the development and transformations in human society. Precisely for this reason, at the current level of development of human society, control is highly developed, complex, and an extremely important activity in the realization of governance systems at all levels and in all its forms¹⁶.

The fact that public administration directly faces the implementation of many policies, and its impact on citizens' lives is direct, makes the need for permanent and continuous control unavoidable. Some of the forms of control exercised over public administration include: technical control, political control, and legal control¹⁷.

Within public administration control, we have internal control, which is realized in two forms: institutional and hierarchical. Institutional control is realized through the right of appeal by a dissatisfied party regarding an administrative decision, while hierarchical control is exercised ex officio according to the official duty of the body exercising the control.

External control includes several control models, some of which are: political control, judicial control, as well as control by the ombudsman or people's advocate. Among external control, judicial control holds special importance as an instance of exceptional significance, which, in the absence of sufficient internal control, plays a crucial role in protecting human rights and freedoms as well as in safeguarding the institution. In the Republic of Kosovo, this form of control is exercised within the Basic Court of Prishtina, which includes a special unit for administrative matters that examines all cases in the Republic of Kosovo. However, for various reasons that will be mentioned later, the Republic of Kosovo needs to establish a specialized institution such as the Administrative Court, which would facilitate the functioning of the judicial system in Kosovo and at the same time contribute directly to the protection of human rights and freedoms. The fact that a large number of human rights and freedoms have a direct relationship with the administration increases the need for control over the work of the latter and monitoring the implementation of one of the extremely important principles, such as the principle of legality, which we will discuss further.

¹⁵ Ibid., p. 235.

¹⁶ Esat Stavileci, Agur Sokoli, Mirlinda Batalli. *E Drejta Administrative*. Prishtinë: Universiteti i Prishtinës, 2010, p. 103.

¹⁷ Ibid., p. 109.

5. Establishment of the administrative court, and amendments to the law on local self-government

5.1. Their impact on the more efficient implementation of the principle of legality, aimed at protecting human rights and public interest

Administrative control is not simply the identification of irregularities, as the exercise of control not only determines whether the work of a particular body was lawful, but also whether the service, as an administrative organization, functions according to the law, whether it is properly established and organized, and whether the right people hold the right positions.

In the 2021 reports on the legality evaluation of municipal assembly acts, it is noted that *from the report of violations for 2021, 29 violations were identified, which were not reviewed at all by 9 municipalities as follows: Prishtina 12, Deçan 4, Prizren 3, North Mitrovica 4, Suhareka 2, Vushtrri 1, Mamushë 1, Gjilan 1, Peja 1.*

Nature of the Violations: The acts of the municipalities that were returned for review mainly concern the granting of municipal property for use, cases of granting municipal property through negotiation by the mayor, property exchanges, declaration of public interest for property, transfer of municipal property, changing the titleholder, granting municipal property for religious communities, acts related to municipal transparency, and acts concerning the formation of mandatory committees (KPF and KK) for gender equality and representation of political subjects emerging from the 2021 local elections.

Regarding the acts sent to Line Ministries, the Ministry of Local Government Administration (MLGA) forwarded 636 acts to these ministries for evaluation, of which 538 acts were confirmed as legal, while 98 were found unlawful. For all the identified violations, requests for review were sent to the municipalities through the MLGA by the Line Ministries. After receiving the requests for review, municipalities reviewed and harmonized 60 acts, 2 of which remain pending due to the local elections (Prishtina), while 38 requests remain unresolved.

Additionally, 24 requests were not reviewed at all by the municipalities as per the MLGA's request. Eight of them were sent to the Ministry of Justice—State Advocacy to be contested in court after the deadline had passed (Prishtina (3), Deçan (3), Mamushë (1), and Prizren (2)).

The acts returned by the Line Ministries concern the drafting of municipal development plans, regulations for municipal tariffs and fines, decisions on the designation of locations for various constructions, which were not aligned with development plans, regulations on waste collection, zoning maps, the conversion of agricultural land to construction land, decisions on naming roads, waste management plans, Local Plans for waste management, naming streets, squares, and neighborhoods, the permanent conversion of agricultural land to construction land, environmental approval for the strategic environmental assessment report of the Zoning Plan, acts approved by municipal assemblies for authorizing loans (credit) from the European Bank for Reconstruction and Development (EBRD), decisions on the start of drafting the housing plan for special housing programs, decisions on declaring public interest for expropriation of real estate, as well as decisions on setting tax rates for property taxes

for 2022, etc.¹⁸.

Table: Categories of Acts

Category of Act	Number of Acts
Acts related to the Assembly and Municipalities (2021)	1561
Regular acts related to the Assembly and Municipalities (2021)	83
Decisions related to the Assembly and Municipalities (2021)	1478
Acts evaluated by MAPL	925
Acts sent by the Ministry of Line for evaluation	636
Acts confirmed as legal by the Ministry of Line	538
Acts established as illegal by the Ministry of Line	98
Acts returned for revision by MAPL to the municipalities	61
Acts that were harmonized with the municipalities	56
Acts that remain under revision	5
Acts sent by the Ministry of Justice for review in court	4

This table presents the number of decisions handled by MLGA as well as the number of decisions returned for review by MLGA.

The 2022 report also reflects cases similar in nature to those of 2021. The number of these cases is presented in the following table.

Type of Decision	Number of Acts/Decisions	Notes
Acts sent for review by the Ministry of Lines	1194 acts	For the year 2022
Acts confirmed as legal	1084 acts	These have been confirmed as consistent with the law by the Ministry of Lines
Acts identified as illegal	110 acts	Acts that were found to be in violation and sent for review
Acts harmonized by municipal councils	101 acts	Acts that municipal councils have revised and harmonized
Acts remaining as requests for review (unharmonized)	9 acts	Municipality of Fushë Kosovë (5 acts) and Municipality of Prishtina (4 acts)
Acts sent to the court for illegality	5 acts	Acts sent by MAPL through the State Attorney related to the Municipality of Fushë Kosovë
Acts remaining unharmonized and not submitted to court	4 acts	These acts pertain to the Municipality of Prishtina

¹⁸ Ministria e Administrimit të Pushtetit Lokal. *Raporti i Vlerësimit të Ligjshmërisë së Akteve të Kuvendeve të Komunave, Janar-Dhjetor 2021*. Prishtinë, 2022. <https://mapl.rks-gov.net/wp-content/uploads/2022/08/Shq.-Raporti-i-vlersimit-te-ligjshmeris-Janar-Dhjetor-2021-08.03.2022.docx>.

Based on these reports, it emerges that the importance of these decisions is significant, and the potential for damage, in the case of their implementation, as contested decisions from the central level, is high. We conclude that the creation of a specialized institution like the Administrative Court would have the following advantages:

- Increasing Citizens Trust in the Work of the Administration,
- Enhancing the professionalism of judges who are engaged with administrative cases, as they would have the opportunity to specialize only in administrative matters, and
- Improving the efficiency of the judicial system.

The court, in an administrative conflict, decides on the legality of final administrative acts, with which administrative bodies, in the exercise of public authority, determine the rights, obligations, and legal interests of physical and legal persons in administrative matters. The right to initiate an administrative conflict is granted to the individual or legal entity, if they believe that their rights or legal interests have been violated by a final administrative act in the administrative procedure¹⁹.

An administrative conflict can only be initiated against an administrative act issued in the second instance. An administrative conflict may also be initiated against a first-instance administrative act, where an appeal in the administrative procedure is not allowed. An administrative conflict may also begin when the competent body has not issued a relevant administrative act according to the party's request, under the conditions prescribed by this law²⁰.

The establishment of an Administrative Court, ensures that matters belonging to a specific jurisdiction are adjudicated by judges specialized in that field. By dealing more frequently with a limited range of issues, these judges can develop and accumulate the expertise to issue high-quality decisions that are unlikely to need modification by higher courts if appealed.

They can resolve these disputes more efficiently and quickly, as they require less time to investigate and reflect on the core elements of the case; they develop specific practices for case management and can guide and direct the parties in the early stages of the trial. The authority of specialized judges is more likely to be accepted by the parties and lawyers, especially if they themselves are specialized or experienced in the relevant field²¹.

Thus, based on these advantages of establishing the Administrative Court as a specialized institution, we contribute directly to increasing the efficiency of resolving administrative conflicts, providing faster and more professional responses to citizen complaints as parties in administrative procedures, or resolving contentious processes between two institutions in administrative proceedings. This directly impacts the implementation of the principle of legality, which protects citizens' rights and the public interest. The significant delays caused by the large number of cases in a specialized unit within the Basic Court of Prishtina, as well as the return of many cases for retrial by the

¹⁹ Fejzulla Berisha, Petrit Hajdari. *op. cit.*, p. 36.

²⁰ *Ibid.*, p. 37.

²¹ Ina Puravelli, Julejda Gërxhi, „Domosdoshmëria e krijimit të gjykatës administrative bazuar në gjendjen aktuale të zgjidhjes së mosmarrëveshjeve administrative”, *Revista Shqiptare për Studime Ligjore*, Vol. 2, 2011: 127-139.

Appeals Court, leading to the expiration of cases and the loss of the rationale for resolving an administrative matter, is a key factor pushing us toward the rapid establishment of the Administrative Court as an institution that would solve these problems.

6. Comparative aspects of the assessment of legality with states in the region

6.1. Republic of Albania. Comparative aspects

The Administrative Courts in the Republic of Albania, including the Administrative Court of First Instance in Tirana, began their operations on November 4, 2013, according to the Decree of the President of the Republic no. 8349, dated October 14, 2013. Administrative Courts represent an innovation in the organization of the judicial power in Albania. Previously, administrative trials were conducted in the administrative sections of the Court of Judicial Districts (sections not established in every Court). Administrative trials were considered one of the special trials provided for in the Code of Civil Procedure (Title III, Chapter II, now repealed).

The main function of the Administrative Courts is to deliver justice in disputes arising from the implementation of individual administrative acts, normative sub-legal acts (this competence belongs to the Administrative Court of Appeals), and administrative contracts, disputes arising due to illegal interference or inaction of public bodies, disputes of competence between different administrative bodies, in cases provided by law, disputes in the field of labour relations when the employer is a public administration body, as well as trials for examining administrative violations punishable by imprisonment of up to 30 days or requests for the replacement of this penalty. The Administrative Court of First Instance in Tirana has installed the Electronic Court Case Management System (ICMIS) as well as the RDA System for audio recording of court sessions (Administrative Court of First Instance Tirana, 2013)

6.2. Republic of North Macedonia. Comparative aspects

The establishment of this court represents an innovation within the legal system of North Macedonia, as it was established in 2007. It was founded with the Law on Courts (Official Gazette of the Republic of North Macedonia, no. 58/06), and from December 5, 2007, this court began its work. Another innovation is the formation of the Administrative Court competent for resolving the legality of acts of public administration, thus relieving the Supreme Court from such types of cases. This Court exercises its authority throughout the territory of the Republic of North Macedonia, but its headquarters is located in Skopje. It consists of 19 members, a number that can be increased by decision of the Judicial Council, which also elects its judges and chairperson. A person can be elected as a judge in this court if they have demonstrated work experience in court of at least five years or eight years of experience from passing the judicial exam, as well as a university professor with a scientific title of Doctor of Legal Sciences. The administrative court is a specialized court, competent to decide in administrative contexts regarding the legality of individual acts of public administration and other public authority bodies and other contests related to the application of the law

by public administration²².

Considering the positive experiences of Albania and North Macedonia, Kosovo can benefit from several practical actions: Specialization of Administrative Courts – Albania has established a specialized system for administrative courts., which handle disputes arising from individual administrative acts and agreements with public administration. This model of specialized courts helps improve administrative justice and ensures that these issues are handled by judges who have experience and expertise in this field.

Facilitation of Courts – North Macedonia has established a specialized Administrative Court to resolve administrative issues, relieving the burden on the Supreme Court. This step has resulted in increased efficiency in the judicial system and expedited administrative processes. Kosovo can benefit by establishing a similar structure, so that administrative cases do not overload the higher courts.

7. Conclusion

The summary and analysis of the history and development of public administration in Kosovo provide a deep perspective on its evolution during three key periods: 1999-2000, 2000-2008, and 2008-2023. The post-war period and the establishment of UNMIK as a temporary administration marked a difficult and transformative period for Kosovo, where the main challenges included the establishing of administrative structures and the harmonization of legislation with international standards and local needs.

In the period from 2000 to 2008, after stabilizing the post-conflict situation, Kosovo began a gradual process of building and modernizing public administration. This includes initiatives for staff training, adopting new technologies, and reviewing legislation to adapt to current conditions and international standards.

From 2008 to 2023, Kosovo experienced a period of consolidation and efforts for reform in public administration. The development of strategies and initiatives to improve efficiency and address challenges such as politicization and lack of professionalism marked a continuous commitment to strengthen governance and transparency in public administration.

During these periods, legal oversight over public administration played an important role in ensuring legality and transparency in local governance. However, challenges remain evident, and the need for continuous improvement of oversight mechanisms and the functioning of public administration remains a major priority for the future.

In the context of recommendations regarding forms of legal oversight and the more effective implementation of the principle of legality, the following are suggested:

1. Recommendation for the establishment of an Administrative Court.

During the analysis of the annual reports published by MAPL on the legality of the decisions of municipal assemblies, we have noted that a significant number of municipal acts have been returned for review by MAPL and the line ministries, causing administrative overload and delays in the implementation of the law. Part of this problem is also the lack of efficiency in handling these cases by general courts. The creation of a

²² Fejzulla Berisha, Petrit Hajdari. *op. cit.*, p. 182.

specialized Administrative Court would allow for the faster and more efficient handling of these issues, which would directly contribute to the protection of human rights as well as the protection of the public interest.

2. Recommendation for specific changes to the law on local self-governance.

In accordance with the findings of the report, MAPL currently has a limited role in supervising and suspending illegal acts. Changing the Law on Local Self-Governance is necessary to provide legal clarity and to empower MAPL to temporarily suspend illegal acts until they are harmonized with existing laws. This change would accelerate the process of improving legality and would avoid delays encountered during the review and harmonization. This will help ensure that illegal acts do not remain in effect for long periods and will increase accountability in local governance.

Bibliography

1. Axyonova, Vera & Argyro Kartsonaki. "The European Union's Normalisation Policies for Kosovo: Contributing to a Durable Peace?" *Ethnopolitics* 24 (4), 2025: 461–78. doi: 10.1080/17449057.2024.2358 647.
2. Balkan Policy Research Group. *Challenges of Governance and the Need for Administrative Reform in Kosovo*. Prishtina: BPRG, 2020.
3. Bargués, Pol, Assem Dandashly, Hylke Dijkstra, and Gergana Noutcheva. "Engagement against All Odds? Navigating Member States' Contestation of EU Policy on Kosovo." *The International Spectator* 59 (1), 2024: 19–38. doi: 10.1080/03932729.2023.2295893.
4. Berisha, Fejzulla & Petrit Hajdari. *Administrata publike dhe kontrolli i saj (Aspekti krahasimor)*. Pejë: Shoqata e Shkrimtarëve të Pejës, 2019.
5. Gazeta Zyrtare e Kosovës. *Ligji për Vetëqeverisjen Lokale*. <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2530>, accessed on 20 November.
6. Instituti Kosovar për Kërkime dhe Zhvillime të Politikave (KIPRED). *Administrimi dhe qeverisja në Kosovë: Mësimet e mësuara dhe ato që mbeten për t'u mësuar*. Prishtinë/Gjenevë: KIPRED, 2005.
7. Ministria e Administrimit të Pushtetit Lokal. *Raporti i Vlerësimit të Ligjshmërisë së Akteve të Kuvendeve të Komunave, Janar-Dhjetor 2021*. Prishtinë, 2022. <https://mapl.rks-gov.net/wp-content/uploads/2022/08/Shq.-Raporti-i-vlersimit-te-ligjshmeris-Janar-Dhjetor-2021-08.03.2022.docx>.
8. Ministria e Administrimit të Pushtetit Lokal. *Strategjia e Reformës së Administratës Publike 2022–2027*. Prishtinë, 2022. <https://mpb.rks-gov.net/Uploads/Documents/Pdf/AL/4909/STRATEGJIA-E-REFORMES-SE-ADMINISTRATES-PUBLIKE-2022-2027.pdf>, accessed on 20 November.
9. Puravelli, Ina & Julejda Gërxi, „Domosdoshmëria e krijimit të gjykatës administrative bazuar në gjendjen aktuale të zgjidhjes së mosmarrëveshjeve administrative”, *Revista Shqiptare për Studime Ligjore*, Vol. 2, 2011: 127-139.
10. Săraru, Cătălin-Silviu, „Considerations on the public services in the XXI century”, *Juridical Tribune - Tribuna Juridica*, Volume 6, Special Issue, October 2016, pp. 160-166.
11. Stavileci, Esat, Agur Sokoli & Mirlinda Batalli. *E Drejta Administrative*. Prishtinë: Universiteti i Prishtinës, 2010.