



British Embassy
Pristina



CARVING UP THE PIE

MONITORING REPORT ON RECRUITMENT PROCESS WITHIN KOSOVO'S INSTITUTIONS

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**MONITORING REPORT ON RECRUITMENT
PROCESS WITHIN KOSOVO'S INSTITUTIONS**

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METHODOLOGY

This report contains data collected between June 2018 and February 2019 from direct monitoring of recruitment processes.

The monitoring covered employment positions announced by the:

- Assembly of Kosovo
- Government of Kosovo
- Kosovo Prosecutorial Council
- Municipalities
- Public Enterprises

The monitored recruitment processes are divided into two categories:

- 14 selections processes conducted with assistance from the English Recruitment Company, BDO
- 18 other vacancies outside the BDO list

The monitoring of these processes occurred with the approval of the institutions announcing the positions. The monitors were engaged in measuring a number of indicators:

- Whether oral and written tests are conducted for candidates who meet the competition criteria;
- Whether the tests are held and evaluated in compliance with recruitment regulations;
- Whether the interviews are conducted under the regulations in force, and whether they are leading to the most deserving candidates being selected;
- Whether institutions are employing the most successful persons in the tests;
- BIRN monitoring has also led to the discovery of political ties and potential conflicts of interest between members of the evaluation commissions and potential candidates.

In general, BIRN has met no obstacles in the monitoring of such processes. However, some institutions have rejected BIRN's request to monitor their recruitment process. Monitoring was not permitted by many institutions, of which the most important are:

- The vacancy for the Kosovo Police Director
- Four vacancies at the Office of the Presidency
- Fourteen vacancies at public enterprises, opened by the Government of Kosovo

EXECUTIVE SUMMARY

The Balkan Investigative Reporting Network (BIRN) is implementing, in cooperation with the British Embassy, a project to monitor the recruitment process for senior management positions, as well as other positions in the civil service.

Kosovo institutions have consistently failed to guarantee equal access to, and meritocracy in, employment. BIRN's investigative reports have identified instances of employment sponsored by political parties and advancement of people associated with the ruling political structures.

The Haradinaj government came to power promising to employ at least one member of each family. The promise, given during the campaign by leader of the Social Democratic Initiative (NISMA) and Deputy Prime Minister Fatmir Limaj, has been brought to life by delivering employment and political appointments for party militants. While the PDK-AAK-NISMA-AKR coalition government was in power, BIRN found that:

- Kosovo's institutions have failed to implement the recommendations of the British Embassy with regards to selecting worthy and acknowledged individuals who also meet the criteria to key positions.
- The Assembly of Kosovo has selected persons who did not meet the conditions for appointment to important positions. This was observed during the selection of the Director of the Kosovo Property Comparison and Verification Agency and members of the Energy Regulatory Office's board.
- In important recruitment processes, despite the Memorandum of Understanding with the British Embassy, the Government of Kosovo has avoided involving company representatives in the selection process.
- The Government of Kosovo has completely excluded BDO from the selection of board members of the Kosovo Privatization Agency (KPA), which manages socially-owned assets.
- The Government of Kosovo has removed, in a dubious manner, names from the list of candidates to boards of public enterprises.
- The Assembly of Kosovo has failed to vote for the most successful candidates selected by the BDO. Of the 6 monitored cases, in only one case did the MPs of the Assembly of Kosovo vote for the successful candidates according to BDO's evaluation.
- One opposition party, the Social Democratic Party (PSD), participated in the vote, enabling the appointment of the members of the KPA board as nominated by the Government of Kosovo, despite the British Embassy's exclusion from the process.
- Opposition parties are not committed to guaranteeing regular and fair recruitment processes.
- The Government of Kosovo allowed the provisional board of the New Energy Company to select Fadil Ismajli as CEO after an intervention by a USAID representative. For the British Embassy partner, Ismajli did not meet the conditions to be appointed at the helm of this enterprise.

- BIRN monitors found problems and omissions in the recruitment process for the Director of the Tax Administration of Kosovo (TAK), one of the most senior positions that is selected by open call.
- The Government of Kosovo has allowed the selection of people who have not been recommended by BDO to sit at the helm of important boards.
- The Kosovo Assembly has voted for persons who received the lowest scores during the selection process, but who are associated with political parties.
- The evaluation of tests is done collectively, in violation of the regulations in force.
- Interviews for positions are conducted without standard, and last no longer than 10 minutes.
- Commission members don't ask questions about strategy or competence, as practiced by the BDO commission.
- During the evaluation process, commission members discuss in advance what scores to award to candidates.

BIRN monitored several recruitment processes that the British company did not participate in. What is worth mentioning as a positive trend, is that some institutions facilitated BIRN's monitoring of their selection process even for positions not included in the recruitment project by the British company. However, in these monitored processes, away from British eyes, BIRN encountered many violations that make it impossible to have a merit-based selection of candidates:

- Institutions do not have an established standard on which to organize their staff recruitment process.
- The manner of selection, evaluation and scoring differ from ministry to ministry.
- The evaluation process of candidates also varies in public enterprises.
- Violations were encountered in the testing process and in the manner of evaluation of written tests.

BIRN was not permitted to monitor important competitions initiated by Kosovo institutions. The Government of Kosovo didn't permit BIRN's monitoring of the recruitment process for the boards of 14 public enterprises. In a similar manner, BIRN was also denied permission for monitoring the selection process for the Kosovo Police Director and Deputy Director, as well as for several senior positions initiated by the Office of the President of Kosovo.

In addition to direct monitoring of recruitment processes, BIRN has reported on many instances of employment of people with political ties. These recruitments have occurred in institutions run by people who are not selected on the basis of merit, as is the case of the Secretary General of the Ministry of Trade and Industry (MTI), who was considered 'not appointable' by BDO's evaluation.

I. BACKGROUND OF BRITISH EMBASSY'S ENGAGEMENT IN RECRUITMENT

Last year, Prime Minister Ramush Haradinaj and Parliament Speaker Kadri Veseli signed a number of memoranda of cooperation with the British Embassy in Prishtina, regarding the provision of assistance to institutions in recruitments for senior management positions.

The purpose of the Memorandum of Understanding is to support, under the legislation in force, joint efforts to ensure the enhancement, independence, meritocracy and professionalism in the process of recruitment for senior management positions in the civil service and boards of public enterprises. In the memorandum, the signatory parties, the Prime Minister and the Speaker of the Parliament, pledge to implement the recommendations provided by British experts.

Regarding the central level, the first Memorandum of Understanding between the Government of Kosovo and the British Embassy

in Kosovo was signed on October 11, 2017, effective until March 31, 2018. Subsequently, the second memorandum was signed on August 24. This memorandum is effective until March 31, 2020. The first memorandum covered the selection of 21 senior positions, while the second one was expected to cover 22 other positions.

The British Embassy engaged an external implementing partner (a specialized British company) to assist in the technical processes of recruitment for the identified senior positions. In addition, the implementing partner would monitor and advise local institutions, and would provide recommendations and best recruitment practices to recruitment commissions. To date, 30 recruitment processes conducted with BDO assistance have been finalized.

II. MONITORING THE PROCESSES LED BY THE ASSEMBLY OF KOSOVO

Engaged by the British Embassy, BDO has provided assistance in several recruitment procedures for senior management positions in agencies reporting to the Assembly of Kosovo. Under the law, recruitment for the selection of the boards of independent agencies are opened by the Assembly. At the end of the recruitment process, the Parliamentary Commission recommends to the Assembly the most successful candidates for the position.

In addition, some hiring processes are initiated by the Government of Kosovo, which must propose to the Assembly two candidates for each position, while their appointment is decided by the MPs in a parliamentary vote.

BIRN has monitored or reported on 6 recruitment processes for which the Assembly should have made the final decision on the selection of successful candidates. Only the competition for members of the State Aid

Commission has been successfully concluded, appointing the candidates with the highest scores from both the commission and BDO.

The monitoring revealed that in the selection process for the positions of Director and Deputy Director of the Executive Secretariat of the Kosovo Property Comparison and Verification Agency, and members of the Energy Regulatory Office's (ERO) Board, the Assembly selected candidates who did not meet the conditions for appointment. Whereas the selection of the chair and one member of the KPA board was conducted behind the back of the British Embassy.

Two selection processes, for the board of the System, Transmission and Market Operator (KOSTT) and the Chair of the ERO, have not yet been finalized by the Assembly of Kosovo, and the successful candidates are expected to be voted on by MPs in a parliamentary session.

2.1 EXCLUSION OF BDO'S RECOMMENDATION ON THE POLITICAL SELECTION OF CANDIDATES

BIRN's monitoring found that the Assembly of Kosovo has completely avoided the recommendations of the British company when it comes to appointing people with close political ties to key positions.

The most criticized competition conducted with the assistance of the British Embassy

is the selection of the Director and Deputy Director of the Executive Secretariat of the Kosovo Property Comparison and Verification Agency.

The agency's scope is to verify and re-verify Kosovo's cadastral books by comparing them with the original specimens that have been kept in Serbia since the war. In proceedings initiated by EULEX, a number of people with political ties, including former MP Azem Sylja, have been accused of falsifying cadastral records.

The first attempt to fill the position in February 2018 failed as none of the nominated candidates had received sufficient votes from the Assembly of Kosovo. A second attempt began on June 27, 2018.

One of the candidates for Director of the Executive Secretariat of the Kosovo Property Comparison and Verification Agency, was Naser Shala.

Shala, also known as "Ftyra" (The Face), is a person closely linked to politics, often known as the man who stood behind KLA leaders Fatmir Limaj and Hashim Thaçi in press conferences during the war. He was tried, alongside Fatmir Limaj, in a war crimes trial, which found both of them not guilty. One of the main witnesses

in this case, Agim Zogaj, known as Witness X, committed suicide.

The recruitment procedure was conducted with assistance provided by the British partner, BDO. After interviewing the candidates, BDO considered that only Florije Kika was appointable, while Naser Shala ("Ftyra," or "The Face"), did not meet the conditions for appointment to this position.

However, alongside Florije Kika, the local commission also proposed Naser Shala as a successful candidate. In the voting process in the Assembly, Shala, who according to the British did not meet the conditions to become Director, managed to get the votes of 50 MPs, while Florije Kika received only 22 votes.

In addition to BDO, BIRN found that the Legislative Commission of the Assembly of Kosovo had recommended to the Assembly not to vote for any of the candidates proposed by the Government of Kosovo.

2.2 KOSTT BOARD

BIRN monitoring has also discovered problems in the selection process for board members of the System, Transmission and Market Operator (KOSTT). The main problems observed by the monitors are related to the composition of the interviewing commission, where irregularities and a lack of standards have been identified.

The monitors observed the lack of seriousness on the part of MPs during the interview process. On the first day¹, during which 5 candidates were interviewed, the local panel consisted of 6 members. Only the interview of the first candidate was attended by all the members of the commission.

The first to leave the interviewing room were MPs Liburn Aliu and Hykmete Bajrami. MP Liburn Aliu returned by the fourth candidate, while MP Duda Balje left. So, on the first day, the candidates were not scored by the same members of the commission.

BIRN considers that the leaving of commission members during the interview process, makes it impossible for members to make comparisons between the candidates and to decide who has provided the best answers. This prevents a realistic evaluation and fair competition among all candidates.

¹ The first day of interviews of candidates for KOSTT board members was held on January 14, 2019.

Candidate		Sala Berisha - Shala	Veton Berisha	Hykmete Bajrami	Liburn Aliu	Muharrem Nitaj	Duda Balje
1	Idriz Blakaj	Present	Present	Present	Present	Present	Present
2	Hamëz Rama	Present	Present	Absent	Absent	Present	Present
3	Mehdi Latifaj	Present	Present	Absent	Absent	Present	Present
4	Bahtijar Berisha	Present	Present	Absent	Present	Present	Absent
5	Habib Basholli	Present	Present	Absent	Present	Present	Absent
Commission after first day		Present	Present	Present	Present	Absent	Absent

Presence of commission members at candidate interviews on the first day and the following days.

On the second day of the interviews, it was decided the Evaluation Commission should be changed, reducing it to 4 members. The MPs who left the commission were Duda

Balje, who had given her evaluation for the first 3 candidates, and Muharrem Nitaj, who had been present at the interviews of the first five candidates.

Evaluation made by MPs		
	Candidates	Total
1	Hekuran Murati	27
2	Musafer Shala	25
3	Enis Berisha	24.8
4	Nagip Krasniqi	24
5	Migjen Kukaj	23.3
6	Nagip Skenderi	23
7	Shkelzen Nuza	22.3
8	Sejdi Rexhepi	20.5
9	Nebih Zariqi	20.3
10	Naim Sahiti	20
11	Neron Berisha	19.3
12	Habib Basholli	19

Evaluation made by BDO		
	Candidates	Total
1	Nagip Krasniqi	26
2	Enis Berisha	25.5
3	Musafer Shala	24
4	Migjen Kukaj	23.5
5	Mehdi Latifaj	22
6	Nebih Zariqi	21
7	Nagip Skenderi	20
8	Naim Sahiti	20
9	Sejdi Rexhepi	19.5

After the interviews, the local commission and BDO proposed to the Assembly of Kosovo different nominations for selection to the KOSTT board. Four of the nominations

proposed by the local commission are not on BDO's list of appointable candidates, which consisted of only 9 successful candidates.

2.3 BRITS ARE EXCLUDED FROM THE KPA BOARD

BIRN monitoring found irregularities in the selection of KPA board members.

Upon the signing of the memorandum, the Assembly and the British Embassy agreed that among the positions to be covered were those of the chair and members of the KPA board. However, BIRN monitoring revealed that the British were not informed at all by the Government of Kosovo about the selection of two members of the board.

At its 77th meeting, held on December 4, 2018, the government decided to nominate Bajram Zejnullahu (then a member of the KPA board) and Hajzer Salihu for the position of the KPA board chair.

The British Embassy tried to prevent such a selection by sending a letter to the Commission for Economic Development, notifying it about the exclusion of the Embassy from this process, but the letter was ignored. The Assembly, including MPs from an opposition party, PSD, decided to vote for the candidates proposed by the government, despite the exclusion of the Embassy.

This is not the first time the British have been sidestepped when it comes to positions for which assistance is to be provided, as previously agreed with the institutions. Over the past year, the Governor of the Central Bank of Kosovo was elected without the 'blessing' of the British Embassy, and contrary to the Memorandum signed with the Assembly of Kosovo.

2.4 THE ERO BOARD SCANDAL

Dubious political interventions were also observed in the selection process for two members and the chair of the board of the Energy Regulatory Office.

In 2017, the Government, together with BDO, conducted the process of interviewing candidates for the board. At the time, BIRN was not involved in the monitoring process of interviews. However, because of the public interest, BIRN investigated and reported on this process.

BIRN found that in the first recruitment drive in 2017, BDO recommended two candidates: Bekim Jakupi, linked to the Democratic Party of Kosovo (PDK), and Fadil Ismajli, former deputy president of the New Kosovo Alliance (AKR).

In March, the government decided to propose to the Assembly four members, adding two more candidates to the list, Izet Rushiti and Selman Hoti. With regards to these candidates, BDO had come to the conclusion that they were not appointable to this position. BIRN's investigation found that Rushiti had been an AAK candidate for the municipal assembly in Ferizaj in last year's local elections.

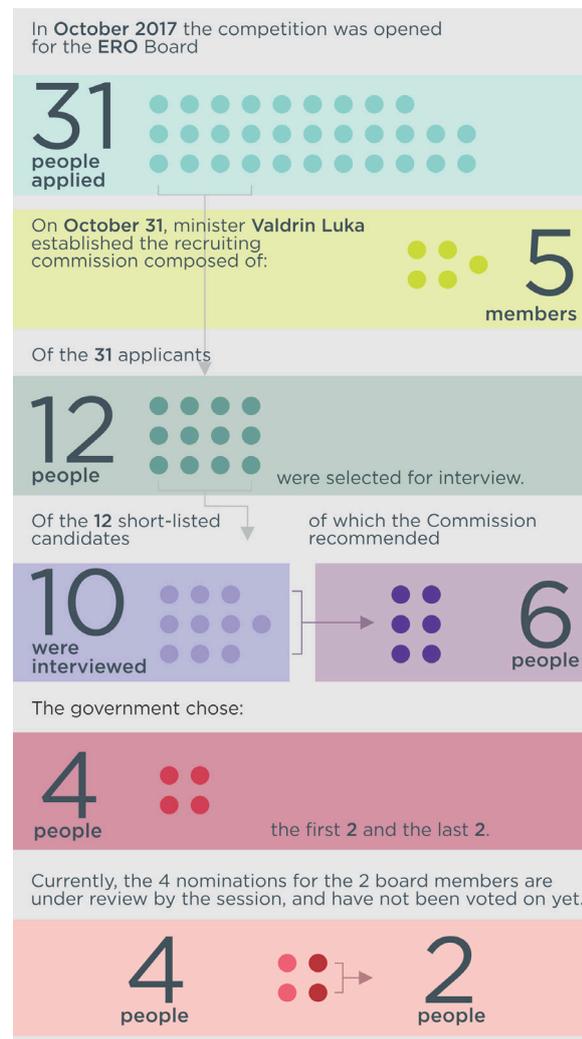
Despite the fact that BDO recommended two other candidates (Ismajli and Jakupi), the Assembly decided to select Hoti and Rushiti, who, according to BDO, were not appointable, as board members².

² See <https://kallxo.com/gjnk/propozimi-dyshimte-qeverise-per-anetaret-e-bordit-te-zrre-se/>

The second competition for the selection of the Chair of the ERO was opened in 2018.

BIRN did not participate in the monitoring of the direct interviews of this process, but after the conclusion of the Government's meeting on July 24, 2018, the Prime Minister forwarded to the Assembly 4 nominations for the position of chair of the ERO Board³: Fadil Ismajli, Petrit Pepaj, Përparim Kabashi and Bekim Jakupi.

During the monitoring, BIRN discovered that the government document was forged by removing two of the names: Përparim Kabashi and Fadil Ismajli. Only after BIRN's investigation and the MPs' reaction, the Government of Kosovo fixed the error, filing four nominations later on.⁴ The Chair of the Board of ERO has not yet been selected by the Assembly of Kosovo.



2.5 STATE AID COMMISSION'S EXAMPLE

BIRN also found instances when recruitment processes were properly conducted, and without political interference.

The competition for the selection of members of the State Aid Commission was successfully started and completed. This competition was opened by the Assembly of Kosovo and was conducted with the assistance of BDO.

The MPs appointed to the State Aid Commission are: Fortuna Shaqiri Haxhikadrija, Alban Elshani, Mehmet Krasniqi, Bashkim Mustafa and Asdren Osaj. This composition of the State Aid Commission is in line with the recommendations issued by the English company, BDO.

³ See <https://kallxo.com/gjnk/qeveria-i-largon-ne-menyre-te-dyshimte-perparim-kabashin-e-fadil-ismajlin-nga-gara-per-zrre/>

⁴ See <https://kallxo.com/permiresimi-i-gabimit-te-haradinajt-kuvendit-i-shkojne-4-emra-per-bordin-e-zrre/>

III. GOVERNMENT OF KOSOVO RECRUITMENTS

After publicly committing to the implementation of the Memorandum of Understanding with the British Embassy, the Government and the Assembly of Kosovo used it for political marketing while disregarding BDO's recommendations for important positions. In certain instances, BDO was even excluded from the process, especially in those related to positions of interest that were covered by the initial agreement.

The Government of Kosovo's approach, in certain instances, was to exclude BIRN's monitors, not allowing the monitoring of a number of important positions. The Government of Kosovo didn't permit BIRN to monitor the selection process for the boards of 14 public enterprises.

The selection of the CEO of the "New Energy Company" (NKEC) was concluded with a dubious decision made by the provisional board of this enterprise, influenced by pressure exerted by a USAID representative. BIRN also found differences in the scores given by the BDO commission and the local one during the recruitment process for the director of the Tax Administration of Kosovo.

One good example from the recruitment processes monitored is the legal opinion of the Ministry of Economic Development, which prohibits the selection of persons who have held political positions in political institutions or parties in the last 36 months, for top management positions in public enterprises.

3.1 THE CEO OF THE NEW KOSOVO ENERGY COMPANY (NKEC)

BIRN monitors participated in the selection process for the CEO of the New Kosovo Energy Company (NKEC). The process was conducted by an interim board, composed of subordinates to the Minister of Economic Development, with BDO's assistance, while the interview process was monitored by BIRN and USAID.

The candidates running for the position of NKEC CEO were Fadil Ismajli and Gjelosh Vataj, who were invited to be interviewed.

BIRN found that both commissions, that of the local board and BDO's, gave higher scores to Gjelosh Vataj. The local commission gave Fadil Ismajli a score of 26 points, while Gjelosh Vataj received 30.2 points. However, two members of the BDO commission gave a score of 28.5 points to Vataj, but only 20 points to Fadil Ismajli.

During the process, BIRN monitors encountered an unconventional precedent and flagrant intervention by the USAID monitoring team.

After the presentation of the final results of both commissions (the local commission and BDO's), the USAID representative, William Trigg, who was there only in the capacity of monitor, stated that the evaluations of the local commission and BDO representatives were inaccurate.

According to Trigg, Fadil Ismajli was better prepared than Gjelosh Vataj for the position. At the end of his address, Trigg said that the presented position was "a directive from the US Embassy"⁵. Trigg is Deputy Director at USAID's Economic Growth Office.

Trigg's intervention completely changed the candidate evaluation process. Afterwards, the Board went into three hours of discussions behind closed doors. Eventually, the NKEC Board decided to cancel the entire selection process for the CEO of this enterprise. The announcement of the decision was made in the presence of BDO, BIRN and USAID. Again, the representative of the latter was unhappy with the decision to cancel the process.

The board justified the cancellation with "the small difference in scores between the candidates." If we refer to the first scores given by the Board/Commission, the difference was

3.8 points. The scores were changed with a total lack of transparency, as board members gave no explanation about the changes.

The developments over the selection of the CEO of NKEC did not end with the announcement of the board's decision to cancel. The NKEC Board reconvened the following day, February 6. BDO and BIRN representatives did not attend the meeting.

At this February 6 meeting, the NKEC Board changed the scores once again, making Fadil Ismajli the highest scoring candidate. The announcement of the successful candidate was published on the Ministry of Economic Development's website and signed by the members of the interim board: Ferit Idrizi, Shqipe Ahmeti, Bedri Dragusha, Besnik Gecaj and Valon Berisha.

The announcement stated that Fadil Ismajli is the successful candidate with a score of 29 points. Based on these results, Ismajli's score was increased by 3 additional points. Vataj's score was not published, but he received 30.2 in the first evaluation, meaning his score was lowered in the second.

Meanwhile, BDO has published the results of their commission for the NKEC CEO. In their assessment, Fadil Ismajli is not appointable.

3.2 COORDINATED 'SHIFT' TO SELECT TAK DIRECTOR

The Director of the Tax Administration of Kosovo was among the most important positions planned to be covered with the assistance of BDO. Naim Baftiu, Secretary of the Ministry of Finance; Arton Berisha, Secretary of the Ministry of Public Administration; Nazmi Zenelaj, Secretary of the Ministry of Economic Development; Mrika Kotorri, UP lecturer, and

Shkendije Loshaj-Krasniqi, were the members of the Commission appointed by decision of the Minister Bedri Hamza to interview and evaluate the candidates. Meanwhile, Rebecca Stevens and Karen West were engaged by the implementing partners to facilitate and assist in the course of the process.

⁵ USAID and the US Embassy have not commented on this intervention of their representative, stating that the MED is responsible for this recruitment process.

At the outset of the monitoring process, BIRN found that the commission was not properly composed. Civil Society Representative, Shkendije Krasniqi, is employed by the American Chamber of Commerce of Kosovo (AmCham) holding the position of Membership and Protocol Officer in the Communication Department.

BIRN found that her appointment to the commission contradicts the provisions of Regulation No. 17/2018 on the Appointment Procedures in Senior Management Positions in the Civil Service of the Republic of Kosovo.

Paragraph 2 of Article 8 of this Regulation stipulates that one of the five members of the criteria evaluation commission must be from civil society, while point 1.3 of paragraph 1 of Article 9 of this Regulation stipulates that *“the civil society representative must be a person in a leading position in a civil society organization and be recognized for his/her integrity”*.

In the present case, the position held by Shkendije Krasniqi in AmCham is in contravention to the aforementioned regulation, as the Membership and Protocol Officer is a senior management position in an NGO.

PROCESS PROBLEMS

For the position of 'Director General of the Tax Administration of Kosovo', a total of 17 candidates were shortlisted and scheduled to be interviewed within 5 days, from January 28 to February 1, 2019. Of the 17 shortlisted candidates, 5 did not come to the interview, having notified by email that they would not attend the interview.

The BIRN monitor engaged in the process found that during the five days of the interview the local and British commissions made constant changes to the scores, lowering or increasing the scores of the running candidates.

Due to these changes, there were changes in the top scores list of the local commission. At the end of the process, 5 points were deducted from the score of the candidate Isen Lipovica, from the original 35.4 points down to 30.4, while the score of another candidate, Ilir Murtezaj, was increased by 1.4 points. Initially, Murtezaj had a score of 29.2, but after the final changes his score went up to 30.6 points, taking the top position in the ranking.

There were also changes in the scores of the British commission, and the most significant was the boosting of the score of the candidate Ilir Murtezaj, lifting him from one of the lowest scores to entering among the appointable candidates. Murtezaj was selected TAK Director on the proposal of the Minister of Finance, Bedri Hamza.

Scoring by British commission members

No.	Candidate Name	Score after Interview ¹	Score after initial discussion ²	Final Score ³
1	Isen Lipovica	35.4	▼ 30.6	▼ 30.4
2	Ilir Murtezaj	29.2	29.2	▲ 30.6
3	Dardan Stublla	28.2	28.2	▼ 26.2
4	Sakip Imeri	24.2	24.2	▲ 27
5	Ruzhdi Zeqiri	23.8	23.8	23.8
6	Remzi Smajli	23.6	23.6	23.6
6	Besim Ahmetaj	23.8	23.6	23.6
7	Hamit Mulaj	22.6	22.6	22.6
8	Hamdi Hoxha	22.4	22.4	22.4
9	Petrit Popova	19.6	19.6	19.6
10	Adrijana Latifi	18.8	18.8	18.8
11	Murat Mehmeti	16	16	16

1 – The first column represents candidate scores right after the interview

2 – The second column represents the scores awarded by the British commission, presented on 01.02.2019, which include the changes to the scores during the days of interviews

3 – The third column represents the final scores awarded by the British members of the evaluation commission

During this interview process, the members of the local commission reasoned the high scores for the candidates Ilir Murtezaj and Isen Lipovica with their familiarity with the information and examples provided by the candidates, meaning they decided not only based on the information provided by the candidates in the interview, but also on their previous knowledge about the examples provided by the candidates.

Murtezaj and Lipovica managed to climb among the appointable candidates only after the BDO disqualified two candidates, who had received higher scores, from the competition: Hamdi Hoxha, who had received a score of 23.4, and Ruzhdi Zeqiri with a score of 24.5. Their place in the top five candidates was taken by Lipovica and Murtezaj, who was

later selected as TAK Director by decision of the Prime Minister of the Republic of Kosovo, Ramush Haradinaj.

Implementing partners justify this drastic change in scores by arguing that they did so because they compared their notes to those of the commission, and were therefore persuaded to change their scores.

“Concerning the candidate Ilir Murtezaj, the large difference in evaluation between the local commission and the implementing partners led to an enhanced review of each of the competences where there was a difference in evaluation between commission members and implementing partners,” states the reply of Hugh Grant, co-leader of the implementing partners’ unit.

Further on, Grant adds that the review and exchange of notes between the local commission and implementing partners highlighted some differences in the notes about what the candidate had said during the interview.

“The examination of interview notes revealed some areas where commission members and implementing partners had recorded

different details about what the candidate had said, particularly in regard to areas of competence for strategic thinking, problem solving, and adaptability. Also, some of the examples cited by the candidate replying to competency cases, were of some years ago, but the implementing partners accepted the views of the local commission that they were valid examples of the candidate’s behavior,” states Grant’s response to BIRN.

No.	Candidate Name	Score after Interview ¹	Score after initial discussion ²	Final Score ³
1	Sakip Imeri	31	31	31
2	Dardan Stublla	29	29	▼ 28
3	Hamit Mulaj	27	27	27
4	Ruzhdi Zeqiri	24.5	▼ 24.5	▼ 24.5
5	Hamdi Hoxha	23.5	▼ 23.5	▼ 23.5
6	Isen Lipovica	18	▲ 22	▲ 22
7	Besim Ahmetaj	19	19	19
8	Remzi Smajli	17.5	17.5	17.5
9	Ilir Murtezaj	15.5	15.5	▲ 22
10	Adrijana Latifi	15.5	15.5	15.5
11	Murat Mehmeti	15.5	15.5	15.5
12	Petrit Popova	11.5	11.5	11.5

1 – The first column represents candidate scores right after the interview

2 – The second column represents the scores awarded by the British commission, presented on 01.02.2019, which include the changes to the scores during the days of interviews

3 – The third column represents the final scores awarded by the British members of the evaluation commission

So the British implementing partners changed and increased their scores based on the review of the local commission’s notes regarding the statements of Murtezaj. After consultation with the local commission, the company made

changes to the scores, actually reducing them for other candidates as well, including former TAK Director Sakip Imeri and Dardan Stublla.

3.3 INTERPRETATION TO DEPOLITICIZE THE POSITION OF THE CHIEF EXECUTIVE OFFICER OF PUBLIC ENTERPRISES

The third application process for the position of Managing Director of KEK was opened on August 9, and remained open until September 10, 2018. Fifteen candidates applied for the position of managing director of the Kosovo Energy Corporation, with some having political backgrounds.

Blerand Stavileci, the chief of cabinet of Kadri Veseli, and Njazi Thaçi, cousin of President Hashim Thaçi, were both potential candidates. Stavileci has served as the Minister of Economic Development and is currently a member of the Municipal Assembly of Prishtina from the ranks of the PDK.

BIRN monitors found that Stavileci's nomination to this position could be in violation of the law. In the process, BIRN recommended to BDO to seek an interpretation of the correctness of the legal condition in this case.

Blerand Stavileci was disqualified from the process following the interpretation of the Ministry of Economic Development (MED) and the Office of the Prime Minister (OPM) on KEK Managing Director candidates who have a political background, following a request for legal interpretation filed by the KEK Board on September 12, 2018. According to this

interpretation, no person who has held political posts in institutions or political parties in the last 36 months, can be appointed to the top management of a public enterprise.

The appointed CEO of KEK is Njazi Thaçi, cousin of the President of Kosovo, Hashim Thaçi⁶. Thaçi's selection process did not entail any procedural violation, at least in the interview room.

BIRN noted that Thaçi was the last candidate in the list of interviewees. Meanwhile, candidate interviews were conducted in a hall that was too close to the office of the Acting Managing Director, Njazi Thaçi.

The Evaluation Commission, composed of members of the KEK Board, coordinated several times the scoring given to particular candidates. BIRN found that some members of the evaluation commission have consistently stepped out of the agreed questions, changing them or giving more guidance to certain candidates. The change of questions has been raised as an issue even by members of BDO.

⁶ <https://kallxo.com/kusheriri-i-presidentit-hashim-thaci-ne-krye-te-kek-ut/>

IV. RECRUITMENT AWAY FROM BRITISH EYES

The BIRN team is committed to promoting merit-based recruitment standards. Within the project, BIRN monitored processes that were outside the scope of the contract of the Embassy with the Assembly and the Government. During such monitoring, BIRN identified major problems in the recruitment process, and in each case it recommended changes to the institutions' responsibilities. During this process, there have been recruitment processes that were canceled after BIRN's recommendations, and also evident improvements in recruitment practices.

BIRN found various violations made by Kosovo institutions during recruitment processes for positions not covered by BDO. The violations made at different stages (candidate selection, shortlisting, testing and interviewing stages) make it impossible for public competitions to select the best candidates. Moreover, some of the violations are recidivistic and have become an acceptable practice applied in many Kosovo institutions.

CANDIDATE SELECTION

BIRN found that institutions do not have a unified standard regarding the evidence a candidate must submit to prove their work experience.

The Regulation on Civil Service Recruitment Procedures, specifically Article 21 on the Application Description, refers to the content of work experience. It states that there should be a detailed description of work experience, including the employer's name, functions, titles, rank, duration of work, a brief description of the duties, number and type of supervised staff, the employer's address, and reasons for leaving the job. Further on, paragraph 2.1 states that a copy of the employment certificate must be submitted, without mentioning what is considered as evidence.

The Decision of the Government of the Republic of Kosovo No. 06/29, dated 15 May 2015, sets out the rules and procedures on providing evidence related to work experience for public sector employees in order to execute work experience compensation. Public sector employees, including those of public and socially-owned enterprises, are required to provide evidence of work experience, issued by the relevant institution.

Employees in the private sector and in non-governmental organizations, besides the evidence related to work experience issued by the enterprise or NGO respectively, are also required to provide evidence of the performance of personal income tax obligations and of the payment of pension contributions.

In some of the monitored competitions, candidates have not been asked to submit evidence of payment of personal and retirement contributions, besides their work experience evidence. Recruitment regulations should set out the documents to be required in each competition to provide evidence of work experience.

Another problem observed in some of the public competitions, is the selection of candidates who do not meet the competition criteria. This has caused the recruitment processes to fail, and consequently the positions remain vacant. For example, when looking to hire an 'Internal

Auditor,' the Urban Traffic Board was seeking candidates who, in addition to meeting many other criteria, had also graduated from the Faculty of Economics. Despite this criterion, the Urban Traffic Board invited to the test and even interviewed a candidate who was not a graduate in economics. Upon completion of the testing process, the candidate in question was selected as the most successful. Following the complaints of other candidates, the hiring process was abandoned. The Urban Traffic Board has subsequently announced two more invitations for applicants but has not yet managed to select an Internal Auditor.

CANDIDATE TESTING

BIRN monitored several tests conducted in various Kosovo institutions. Tests have been monitored at the Ministry of Agriculture, Forestry and Rural Development, the Ministry of Local Government Administration, the Ministry of Public Administration, the Horticulture Enterprise and the Kosovo Prosecutorial Council.

Under the '*Regulation on Civil Service Recruitment Procedures*,' candidates must pass a written and oral test. Under the same regulation, only candidates who score more than 50% of the points are eligible for the next stage, the interview.⁷ Ultimately, the candidate can only be selected for a position if they score 60% of the points, which also includes the candidate's interview.

BIRN found that there are omissions in the testing process, starting with the oversight of the testing process by only one member of the evaluation commission. In one case, the commission member was absent, on the grounds that he had to perform a religious ritual⁸. Following BIRN's findings and recommendations, the Ministry of Local

Government established the rule that the testing must take place in the presence of the Chair of the commission and at least two other members of the commission.

In addition, BIRN noticed that the evaluation commissions check the tests one week after the test takes place, leaving room for doubts regarding their manipulation. Violations have also been found in the manner of evaluation of the tests, specifically of Regulation 02/2010 of Civil Service Recruitment Procedures. This regulation stipulates that the evaluation of the candidates at all stages of the procedure is done separately by the members of the evaluation commission. Moreover, the forms prescribed by the Regulation are for individual evaluations of each member of the ad-hoc selection commission.

More specifically, Article 28, paragraph 2 stipulates that "each member evaluates the candidate in terms of each criterion." Further on, Article 34, paragraph 2, stipulates that "after each written and oral test, each commission member completes the form, FORM.MAP-

⁷ Regulation No. 02/2010 on Civil Service Recruitment Procedures.

⁸ One member of the evaluation commission at the Horticulture Enterprise's competition was absent at Friday's test, February 14, arguing that he attended a religious ritual.

SHCK-08 or FORM.MAP-SHCK-08a, depending on the type.”

Also, Article 34, paragraph 3 stipulates that members' evaluations are individual and not group evaluations. Under this paragraph, “The members of the CSSC [Selection Commission] jointly mark the candidates' scores on the FORM.MAP-SHCK-09 form, providing a summary of “individual evaluations”. Thus, Form 09 contains the total points of each individual evaluation of all the members of the Selection Commission.

In the institutions where BIRN monitored selection processes that included a written test, the evaluation was done collectively, i.e. by agreement between the members of

the evaluation commission. At the Ministry of Local Government Administration, for the vacancy for the position of European Integration Officer, the evaluation of the tests was done immediately after the conclusion of the test. But, the evaluation of the tests was done in coordination between the members of the commission. In the Ministry of Agriculture, Forestry and Rural Development, in the selection process for the position of Head of the Division for European Integration, the tests were checked 9 days after the written test. In addition, the evaluation of the tests at the Ministry of Agriculture, Forestry and Rural Development was done collectively, and the chair⁹ proposed the scores for each candidate's answers, while other members agreed in all cases.

4.1 GOOD EXAMPLE OF THE MINISTRY OF LOCAL GOVERNMENT ADMINISTRATION

The Ministry of Local Government Administration (MLGA) addressed BIRN with the request to participate in the monitoring of recruitment processes for positions opened by the ministry.

At first, two positions were monitored: Officer for European Integration and Officer for Monitoring of Municipalities. In these two processes, BIRN found that:

- The evaluation commission showed no consistency in the manner of evaluation of work experience;
- Documents were filed after the deadline for submission of applications;
- The proper conduct of the test was not checked by all members of the commission;
- Test controls were delayed;
- Test answers are evaluated collectively.

All the findings of the BIRN team have been sent to the MLGA and the Secretary General of the ministry, Rozafa Ukimeraj, who engaged the internal auditor to check all claims and findings made by BIRN. Both processes were annulled, one for violations and the other for the lack of successful candidates at the end of the interview.

Following these recommendations, the MLGA has issued guidelines for all commissions, which show in detail the path to be followed, from the announcement of the vacancy until the successful candidate is selected.

BIRN has also monitored other positions announced by the MLG and the ministry had addressed BIRN's findings.

⁹ The Chair of the Evaluation Commission was Sebahate Haradinaj.

In recent monitoring, BIRN has again found that the evaluation of the tests, and even of the performance of the candidates in the interview, continues to be done collectively, not only in this institution, but in all of them. The legal obligation is that each member of the commission must make an independent

evaluation and complete a separate document for the scores given to each candidate's answers. Meanwhile, the members of the BDO commission, make separate and independent evaluations in cases of recruitment for senior management positions.

SECRETARY OF THE MINISTRY OF INFRASTRUCTURE

BIRN is engaged in monitoring the selection process for the position of Secretary of the Ministry of Infrastructure, and discovered legal violations during the monitoring of this process.

The monitoring found that certain documents were filed by the two candidates after the deadline for submission of applications. These filed documents had issue dates several days after the expiration of the deadline.

The process was also monitored by Eshref Shabani, Chair of the Independent Oversight Board for the Kosovo Civil Service. He asked the members of the commission to cancel the selection process, as it was confirmed that documents were filed after the deadline. He said that he would issue a negative opinion on the selection process, and once the board he chairs was complete, he would nullify it.

In front of the members of the evaluation commission, Shabani said that candidates

should be treated equally, stating that the candidate Sejde Tolaj was disqualified for not submitting the documents proving his work experience.

Shabani referred to this case when stating that if the commission had allowed the filing of documents after the deadline, the same possibility should have been provided to Tolaj as well. Shabani also stated that the receipt of additional documents after the deadline is unlawful. Despite the warnings, the evaluation commission has decided to proceed with other procedures, setting the days when the candidates will be interviewed.

The Ministry of Public Administration has acknowledged the fact that certain documents were received after the deadline for submission of documentation, but reasoned that this had happened because of a strike in the judicial system, and the inability of candidates to be provided with certificates that they are not under investigation within the deadline.

ASSISTANCE PROVIDED TO MUNICIPALITIES

BIRN's monitoring has also focused on recruitment for positions at the municipal level, for which the British Embassy in Kosovo has provided recruitment assistance. Currently, the British partner, BDO, is involved in several senior positions in the Prishtina and Peja municipalities. In the Municipality of Prishtina, BDO is engaged in the process to recruit senior positions at the:

- Public Housing Enterprise (PHE) - Board Members
- Parking Prishtina - Chair and Board members
- Bus Station in Prishtina - Chief Executive Officer, Chair and Board members
- Youth Palace in Prishtina - Chair and Board members

In addition to these positions, BIRN has also monitored vacancy competitions for the selection of senior officials at the Horticulture Municipal Enterprise.

The Municipality of Peja will also conduct recruitment procedures with British assistance. On February 8, 2019, the Mayor of Peja, Gazmend Muhaxheri, together with the British Ambassador in Kosovo, Ruairi O'Connell, signed a Memorandum of Understanding on Transparency, dealing with the form of recruitment of the Board of Directors of the "Peja Bus Station" public enterprise. The signing of this memorandum was preceded by the request for assistance of the Municipality of Peja addressed to this Embassy, in order to change the manner and culture of recruiting members of the Board of Directors.

BOARD OF PUBLIC HOUSING ENTERPRISE (PHE)

The recruitment process for the PHE board was conducted during November and December 2018. The evaluation commission from the Municipality of Prishtina was composed of the shareholders: Dren Kukaj, Vesel Makolli and Genc Sherifi.

BIRN monitors found that two BDO members prevented many violations during this recruitment process.

During the process, the commission members made proposals to postpone the deadline, despite having over 15 people who met the minimum requirements. There were also discussions that were made for specific candidates when assigning the persons to be interviewed. But these proposals were not adopted after discussions with members of BDO.

Local Commission	Score
Bekim Pireva	22.7
Arber Mulaku	21
Bekim Pireva	20.7
Arbnore Jashanica	19.3
Xhevdet Leci	17

British Commission	Score
Lendita Mekuli-Myderrizi	23
Arber Mulaku	20
Bekim Pireva	19.5
Arbnore Jashanica	19

List of successful candidates from both commissions

The monitors found problems during the interviews of candidates. The Shareholders' Commission and BDO made separate evaluations for each candidate and for each question. The monitors found that the local commission changed their scores in order to be in line with the evaluations made by the British. The changing of scores, despite its good intentions, indicates uncertainty at the moment of evaluation and evaluations that are not based on the answers given by the candidates.

This is because the local commission changed the scores in 25 cases. The scores were changed up to plus/minus 2 points. In contrast to the local commission, BDO changed their scores in only two instances. BIRN monitors also found that the candidates with the highest scores from BDO were not appointed.

The Shareholders' Commission stated that the change in the final list of successful candidates was due to Article 17, paragraph 4 of the Law on Publicly Owned Enterprises, which requires that the Board must have at least two (2) directors who are experts, or at least have adequate accounting knowledge. They removed the candidate Arber Maloku, despite him having the highest score, and took Xhevdet Leci (17 points) into the board, with the justification that the latter has accounting knowledge.

Since the law specifically requires two accounting experts, the application process should have been announced in two parts, one for accounting experts and one for two other members with other knowledge, to prevent cases such as this, when a successful candidate is removed and the board hires a candidate that was not appointable.

PRISHTINA PARKING

BIRN monitors have also supervised the recruitment process of Prishtina Parking board members. Eighteen people applied for the position. After the interviews, BDO's evaluation was that Naser Krasniqi was the only candidate to meet the conditions for appointment to the board. In contrast to BDO, after the completion of the interview process, the local commission proposed four successful candidates for the board: Lulzim Pirraku, Sinan Pasha, Mahir Blaku and Naser Krasniqi.

Although the Municipality of Prishtina published on Facebook the new names of the board of the company, that post was later deleted. Now, members of the Shareholders' Commission still have no decision whether to cancel, as recommended by BDO, or complete the board with four people, three of whom did not meet the conditions for being on the board of this enterprise according to BDO.

CHIEF EXECUTIVE OFFICER OF BUS STATION

BIRN monitors engaged in the monitoring of the competition for the position of Chief Executive Officer of the Bus Station, observed breaches from the outset of the process. The selection process of candidates to be invited to the interview tolerated the late submission of documents by one of the candidates.

The candidate whose documents were filed after the deadline, Emin Sylejmani, was the acting CEO, and he was constantly present in the vicinity of the office where the interviews were held. Despite these violations, the commission selected another candidate, Luan Hoti. He received the highest score from the local commission, 33.3 points. However, in BDO's evaluation, Hoti shared the first spot with Naser Krasniqi, with a score of 28 points.

MYSTERIOUS EVALUATION OF TESTS AND INTERVIEWS AT THE HORTICULTURE ENTERPRISE

During the monitoring process in the Municipality of Prishtina, BIRN's team encountered problems and was excluded from the monitoring of the recruitment process for Horticulture, the public enterprise of the Municipality of Prishtina which deals with the design, maintenance and construction of green areas in Prishtina. The process was not conducted with BDO's assistance.

BIRN encountered basic problems. The candidates were allowed full access to their phones with the justification that they can be used for calculations and the tests were not evaluated on the day of testing. Moreover, the Horticulture Board excluded the BIRN monitor from the test evaluation process. Another issue identified by the BIRN monitor, is the length of the interviews. The interviews of candidates lasted on average 7 minutes. During the interviews, there were no questions about long-term strategies or questions about competence.

Once the interviews were concluded, the members of the commission: Valentina Bajrami, the Presiding Member, as well as Dardane Sadiku, Kreshnik Gashi, and Shpetim Aliu, made no evaluation. They stated that the

evaluation of the candidates would take place at a board meeting which was closed to BIRN monitors.

BIRN informed the Mayor of Prishtina, Shpend Ahmeti, and the board of the company about the exclusion of our monitor from the evaluation process. A reply received from Horticulture's board members states that, "we have done the scoring of the tests, and we advised her [the monitor] to find all the tests and notes from the interviews in the archive of the company, where they are recorded and archived, but she showed no interest."

The secretive evaluation of the tests and the prolonged evaluation of the interviews made it impossible for BIRN to ascertain whether the evaluation of the tests and interviews and the final decision in these processes were made in compliance with the law. Moreover, the closing of the evaluation process indicates a lack of transparency in this enterprise.

Peja Bus Station - The process of selection of board members of the Peja Bus Station is in the initial stage. Currently, only the persons who will be called to the interview have been determined.

REFUSAL OF MONITORING

Despite numerous statements that Kosovo institutions are transparent and committed to regular processes, BIRN has come to the conclusion that this is not the case.

BIRN has filed a large number of requests to participate in the monitoring of a range of recruitment procedures announced by Kosovo institutions. BIRN has not been allowed access to many of these recruitment processes, which raises doubts about the manner in which evaluations are made when BDO or civil society are not present.

The Government of Kosovo opened the selection process for the boards of 14 public enterprises on August 22. BIRN filed a timely request with the Prime Minister's Office for their monitoring.

The Government of Kosovo rejected BIRN's request on the grounds that BIRN's involvement is not foreseen in the memorandum they have signed with the British Embassy. Despite the fact that BIRN explained in a memo that it has been engaged by the British Embassy to monitor recruitment processes that are not foreseen in the memoranda, the Office of the Prime Minister again refused to permit the monitoring.

This is not the only instance in which BIRN's monitoring of public recruitment processes has been rejected by Kosovo institutions. Two of the main processes that BIRN has not been allowed to monitor are for the selection of the Director and Deputy Director of the Kosovo Police. BIRN had filed timely requests

with the responsible officials, political staff and selection commissions, but was rejected. The selection of the Director and the Deputy Director of the Kosovo Police was made without BIRN monitoring.

BIRN filed a request for the monitoring of the recruitment process for four vacant positions announced by the Office of the President of Kosovo. This office, led by Hashim Thaçi, never replied to BIRN regarding the monitoring of the four vacancies.

The Municipality of Prizren also did not allow BIRN to monitor some open recruitment processes, while the Ministry of Justice allowed BIRN to monitor the selection process for the position of Director of the Department for Transitional Justice, but has not replied to the request for monitoring of the recruitment process for its examiners.

The Kosovo Energy Corporation has also not allowed BIRN to monitor selection processes for some senior positions, despite the fact that the board and chief executive of this enterprise have been selected with the assistance and practice of the British company, BDO.

Despite many refusals, some of Kosovo's institutions have been to open BIRN's monitoring recruitment processes. In this regard, the example to be followed is that of the Ministry of Local Government Administration. Access was also granted by the Urban Traffic and Horticulture Public Enterprises, and the Ministries of Justice, Public Administration and Agriculture.

POLITICIZATION OF PUBLIC ENTERPRISES AND CIVIL SERVICE

In addition to direct monitoring, BIRN is engaged in controlling politically-sponsored employments. The Haradinaj government came to power with the promise to hire one member from each family. BIRN's investigation has found cases of employment of people close to political parties.

The *Jeta ne Kosove* newspaper reported on a number of party-based appointments at the Ministry of Trade and Industry, which selected as secretary a candidate who, according to BDO, did not meet the conditions for appointment.

Veron Selmani, the husband of Fatmir Limaj's daughter, is employed by the Ministry of Trade and Industry, which is led by Limaj's party, NISMA. In March 2018, Veron Selmani was contracted at the KIESA Agency, an agency with the Ministry of Trade and Industry, in the role of Financial Issues Consultant.

The *Jeta ne Kosove* newspaper also found that Taulant Krasniqi, nephew of Jakup Krasniqi, was employed as a market inspector in the ministry headed by NISMA. Taulant Krasniqi is the son of Abdyl Krasniqi, brother of Jakup Krasniqi.

The sister of the former MP Valdete Bajrami was also employed at the Ministry of Trade and Industry through an application process, the criteria for which were set to match her education. After the first application process was nullified, Shkëndija Bajrami-Azizi, Bajrami's sister, was hired as market inspector for petrol quality through a second recruitment process.

The Government of Kosovo have also appointed the board of Kosovo Telecom following procedures developed with the assistance of BDO. Again, *Jeta ne Kosove* reported on political ties with Kosovo Telecom's board members.

Recently, the board continued its history of politicization by Gent Begolli to its helm. Begolli was the director of public services in the previous municipal government in Prishtina, and leader of the AAK list in the 2017 local elections. Later, he resigned from this position.

Despite facing major financial problems, during the Haradinaj government Kosovo Telecom has been overcrowded with new staff. A document secured by KALLXO.com shows that from February 2018 to February 2019, the number of employees has increased by 234 units.¹⁰

The Kosovo Privatization Agency Board of Directors has appointed Valon Tolaj as Managing Director for a four-year term, without an open public competition. Valon Tolaj had previously been the executive secretary of Prime Minister Ramush Haradinaj's party, Alliance for the Future of Kosovo (AAK). His new position pays a salary of 4,500 euros.

In addition to Tolaj, AAK has also taken care of former MP Lahi Brahimaj. Brahimaj, who is Prime Minister Haradinaj's uncle, is employed at the Food and Veterinary Agency, which operates under the Office of the Prime Minister.

In addition, the *Jeta ne Kosove* newspaper had also reported on a number of new employees with political ties in the Ministry of Infrastructure, headed by AAK's Pal Lekaj. Florije Boshnjaku, an AAK member of the Rahovec Municipality Assembly, has been selected to head the Legal Office of the Ministry of Infrastructure, while Fatos Mani, political advisor to Lekaj, is the recommended candidate by the Selection Commission for the position of Director of Finance at the ministry.

¹⁰ See <https://kallxo.com/gjate-qeverisjes-haradinaj-ne-telekom-u-punesuan-234-persona-dokument/>

RECOMMENDATIONS

The Government, the Kosovo Assembly and Municipalities must take BDO recommendations seriously;

The Assembly and the Government of Kosovo must respect the obligations of the Memorandum of Understanding and include BDO in the processes related to positions agreed in advance;

The MPs of the Assembly of Kosovo, especially those of the opposition, must be active in preventing non-merit-based promotions;

The Government of Kosovo and other institutions must implement BDO's policies in recruitment processes of lesser importance;

In processes conducted with BDO assistance, BIRN recommends that scoring notes be made on a laptop, whose screen can be openly and easily followed by all commission members and monitors, either through a large monitor or a projector. In such a manner, the initial scores, and also the subsequent changes from the initial scores, would be evidenced;

BIRN recommends that civil society members must not be part of the evaluation commissions. Until the legal amendments are made, the selection of civil society members should be made by organizations that monitor a particular institution or sector related to the position in question;

BIRN recommends the video recording of oral and written tests, so that performances during

the interviews may be reviewed in case of complaints;

BIRN recommends the detailed regulation of the manner of testing and interviewing, in order to prevent violations from occurring;

The questions must be set by all members of the commission on the day of the test;

At the written test at least 60% of the members of the evaluation commission must be present;

The evaluation of the tests must be done individually, as prescribed by the regulation. Any recruitment process that has no individual scoring must be canceled;

Interview questions must be set on the interview day, when all members of the evaluation commission are present;

There must be questions to test the candidate's vision, but also questions about competence;

The duration of the interview must be set before each interview process, and it must be communicated to the interviewed candidates;

BDO must not be influenced by local commissions to change its scores at the end of the process;

Political parties must not allow their members and their relatives to run for positions requiring qualified individuals.

ANNEX I

FIRST MEMORANDUM - OCTOBER 11, 2017

NO	INSTITUTION	No. of positions
	Positions carried from the 2016/17 list	
1	Director of the Health Financing Agency (HFA)	1
2	General Director of the Institute of Forensic Medicine	1
3	Secretary General of MTI	1
4	Secretary General of the Ministry for Communities and Returns	1
5	CEO of Accreditation Agency - MEST	1
	Ongoing or pending processes	
1	Kosovo Post and Telecom Board	6
2	Kosovo Energy Corporation Board (KEK)	6
3	General Director of the Kosovo Correctional Service	1
4	Sec. General of the Ministry of Justice	1
5	Director of the Employment Agency	1
6	Director of the Agency for Adult Education and Vocational Training	1
	List of new positions for 2017/18 (tbc)	
1	Director of the Central Procurement Agency	1
2	Members of the State Aid Commission	5
3	Executive Secretariat - Kosovo Property Agency	1
4	Supervisory Board - Kosovo Property Agency	2
5	Commission on Bar Examination	5
6	Director General of the Industrial Property Agency	1
7	CEO of the Kosovo Energy Efficiency Agency	1
	Possible positions	
8	General Directors of the Tax Agency and Customs	1
9	Deputy General Directors of the Tax Agency and Customs	1
10	Deputy General Directors of the Tax Agency and Customs	1
11	Director of Tax Administration of Kosovo	1

ANNEX II

SECOND MEMORANDUM - AUGUST 24, 2018

No	INSTITUTION
1	General Director - Kosovo Police
2	Director and Deputy Director of the Kosovo Property Comparison and Verification Agency (KPCVA)
3	KEK Director
4	Director of the Kosovo Accreditation Agency
5	Head and Members of the Kosovo Privatization Agency
6	Head of the Kosovo Investment and Enterprise Support Agency (KIESA)
7	Director of the Agency for the Management of Memorial Complexes
8	Head and Members of the Independent Oversight Board for the Civil Service in Kosovo
9	Head and members of the Kosovo Radio and Television Board - RTK
10	Head and members of the Pension Savings Trust
11	Members of the Procurement Review Body
12	Head of the Review Commission at the Water and Sewerage Regulatory Office
13	Head and Members of the Public Enterprise Board - KOSTT
14	Head and members of the Independent Commission for Mines and Minerals ICMM
15	Permanent Secretary of the Ministry of Innovation and Entrepreneurship
16	Permanent Secretary of the Ministry of Education
17	<i>Managing staff of the Ministry of Education</i>
18	Attorney General of State
19	Head of the Commission on Bar Examination
20	Head and Members of Media Complaints Board
21	Head of the Public Procurement Regulatory Board
22	<i>Positions in the New Kosovo Energy Company (New Kosovo)</i>

CARVING UP THE PIE

MONITORING REPORT ON RECRUITMENT
PROCESS WITHIN KOSOVO'S INSTITUTIONS

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