

Legal framework for citizen participation in decision-making processes at the local level - the context of Kosovo

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Abstract

Public participation is essential to the promotion of democratic governance, the rule of law, social inclusion and economic development, including the fulfillment of human rights. Each country should create the legal framework for giving effect to the right to participate in public affairs by ratifying relevant international and regional treaties and incorporated them in national laws, policies and practices in order to ensure that equal right to participate in public affairs is recognized and protected within national legal framework. Despite being a fairly young democracy, Kosovo has a progressive legal framework. It has been developed with a strong support of the international community whereby majority of international instruments are incorporated within constitutional provisions and numerous positive laws. Consequently, the right to participate is entrenched in constitutional provisions, laws and bylaws of Kosovo. This paper explains the efforts undertaken in Kosovo to increase the participation of citizens in decision-making process using: normative legal method and qualitative method, by focusing on the specific analysis of the legal framework for citizen participation by comparing it with established practices which are often in conflict with the legal basis as a result of interference by political institutions.

Keywords: public administration, transparency, political interference, public consultation, public policy.

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