



REPORT OF THE SOCIAL AUDIT TEAM IN MALISHEVË/MALIŠEVO

MONITORED PROJECT

“Construction, Treatment, and Cleaning of the Riverbed with Accompanying Structures - from the Bridge in the Center to the Transit in Malishevë”





This report has been developed by the DEMOS project, implemented by Helvetas Swiss Intercooperation Kosovo.

Disclaimer: The findings and conclusions expressed in this Report do not necessarily represent the positions of the European Union, Switzerland or Sweden.

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December 2024



DEMOS Decentralisation and Municipal Support

The Decentralisation and Municipal Support (DEMOS) Project supports the 38 municipalities of the Republic of Kosovo in achieving more democratic local governance and better municipal management. The DEMOS also supports the Government of Kosovo in the development of policies, which are more conducive to rule-based financing of municipalities.

The project is co-funded by the European Union in Kosovo, the Swiss Government, and the Swedish Government, DEMOS is implemented by Helvetas Swiss Intercooperation Kosovo.

DEMOS's support for the municipalities of Kosovo is within the framework of the Municipal Performance Grant as one of the tools that guarantees support for municipalities with good performance.

A special focus of the project is also support for the central Government where DEMOS is focused on providing assistance in building policies for a more favorable framework for decentralized governance.

Under the first component of the project, DEMOS III aims to open the data for wider public review of municipal performance and initiate Social Audits to monitor the impact of Municipal Performance Grant (MPG) projects on citizens.

The DEMOS project has supported the establishment and development of activities that engage citizens in decision-making processes, including Social Audit Teams, which have overseen the implementation of projects funded by the Municipal Performance Grant

• Jedisim një politikë dhe siç më të kryer së bashku nga qeveria komunale dhe publiku, me theks të veçantë në interes të çfarë preken ajo do të përfitojnë nga politika e kështu.

• Mbledhë qytetare: shqiptare civile, palet e interesuar dhe shtetësi komunal, për të ndihmuar shtetin, vlerësimin dhe përmirësimin e performancës së komunale.

• Qasë e reja të e logarshëm të përdoret për të korriguar dhe rikonfiguruar projektet dhe proceset.



BIRN Kosovo is an independent, non-governmental organisation, whose goals are providing information to the citizens and contributing to the democratic transition process in the country, promoting accountability, rule of law and policy reform. BIRN Kosovo in particular aims to serve as a watchdog of public institutions, monitoring the work of governing and public institutions. In addition, through the production of quality and impartial TV debates and training of youth on argumentation and debating skills, BIRN

aims to promote and encourage a culture of debate in Kosovo. BIRN's vision is to secure its position as the premier Kosovo's investigative journalism organisation, addressing the need for objective, quality, sustainable reporting on the country's many challenges. BIRN Kosovo, in partnership with Democracy Plus, has been engaged by DEMOS to facilitate the Social Audit in 11 selected projects across six municipalities: Gjakovë/Đakovica, Pejë/Peć, Klinë/Klina, Malishevë/Mališevo, Lipjan/Lipljane and Obiliq/Obilić.



Democracy Plus (D+) is an independent and non-profit organization founded in March 2016. D+ is committed to building a democratic society by increasing citizen participation in political processes, increasing accountability and influencing decision-making processes. D+ strives to integrate information technology in all their efforts, this to promote the use of the Internet, which has an important role in the democratization of a society. D+ aims to

contribute to the creation of good practices for good governance by public institutions at central and local level, strengthening the rule of law, advancing political parties, and supporting free and fair electoral processes. D+ undertakes initiatives aimed at bringing decision-makers closer to the citizens through policy research, facilitation of dialogue or communication and public education.

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EXECUTIVE SUMMARY

A team of civil society activists from Malishevë/Mališevo, supported by the DEMOS project training program, initiated a pilot project to engage citizens in overseeing the implementation of public projects. These citizen groups were named Social Audit Groups.

As a new concept in Kosovo, Social Auditing was introduced by DEMOS and civil society organizations in 2022 and continued in 2023 and 2024. With DEMOS's support, 20 Social Audit Groups were established, involving around 300 active citizens in these processes. Trained members of the Social Audit Teams became activists and provided over 100 specific recommendations to local governments aimed at improving municipal operations.

During 2024, BIRN and D+ with the support of DEMOS helped establish 11 Social Audit teams in six municipalities, Gjakovë/Đakovica, Pejë/Peć, Klinë/Klina, Malishevë/Mališevo, Lipjan/Lipljane and Obiliq/Obilić.

The program received the support of local governments, with six mayors signing memorandums of understanding with the

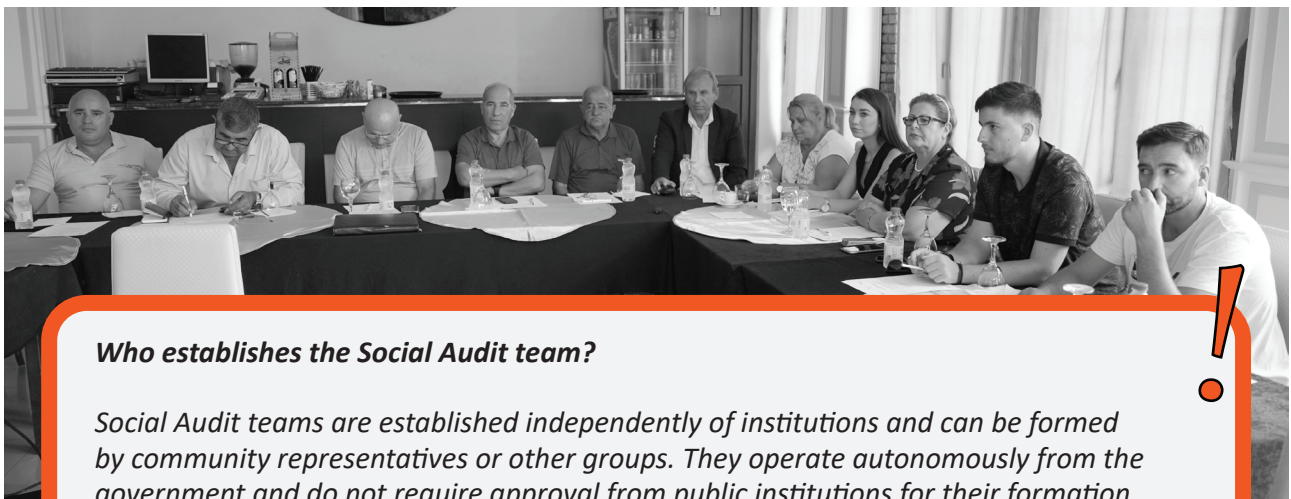
organizations to facilitate the Social Audit process. The Municipality of Malishevë/Mališevo is among the beneficiaries of funds from the Municipal Performance Grant.

In July, BIRN, in line with the DEMOS-developed methodology, began research to identify active citizens in this municipality who would participate in the Social Audit process.

Following consultations with the community, interest groups, and civil society, BIRN, in consultation with DEMOS, recommended over 20 citizens to join the Social Audit team.

After selection, the citizens were invited to a one-day training program to equip them for the Social Audit process. In another one-day training during the Social Audit process, the team was trained in document reading.

Following the methodology developed by DEMOS and adopted by BIRN, the group of citizens from Malishevë/Mališevo formed the Social Audit team. They were assigned tasks to analyze and oversee the riverbed construction project in Malishevë/Mališevo. Part of the work also included analyzing citizen involvement in the public consultations and hearings of Malishevë/Mališevo Municipality.



Who establishes the Social Audit team?

Social Audit teams are established independently of institutions and can be formed by community representatives or other groups. They operate autonomously from the government and do not require approval from public institutions for their formation.

The team worked actively for about three months to reach the following conclusions:

Malishevë/Mališevo Municipality has not fully implemented the standards proclaimed by the administrative guide for open administration in the process of organizing budget hearings.

The investment project was not publicly discussed with citizens during its planning phase.

Malishevë/Mališevo Municipality faced issues during the project's tendering process.

Setting discriminatory criteria in the tender caused delays and jeopardized the contract signing and fund expenditure.

The riverbed concreting project will significantly impact the river's biodiversity.

The project has avoided planning access for persons with disabilities on the created promenade.

The Social Audit Group found that the project did not include pedestrian bridges connecting the two sides of the river.

The municipality has not taken measures to secure the construction site where work is being carried out.

Delays in contract signing have jeopardized the dynamic work plan, which, if not completed by December, will require returning the funds to the budget.

The municipality has not planned all the funds needed to fully implement the project.



What should a Social Audit team know?

Social Audit teams do not need to be strictly professional. Teams need civic will and courage and are recommended to have basic knowledge in:

- *The functioning of the municipality;*
- *Access to public documents;*
- *The public consultation process, especially during budget and investment planning in the municipality;*
- *The Public Procurement process.*

THE ENVIRONMENT IN WHICH THE SOCIAL AUDIT PROCESS TAKES PLACE

Based on preliminary census data from REKOS2024 by the Kosovo Agency of Statistics, Malishevë/Mališevo has a population of 43,8711. Compared to the 2011 census, the population in Malishevë/Mališevo has decreased by 26,129 people from 70,0002, representing a decline of 37.32%. In terms of population size, Malishevë/Mališevo is smaller than Suharekë/Suva Reka and larger than Rahovec/Orahovac.

The budget for Malishevë/Mališevo Municipality in 2024 is €19,740,806³. Out of the total budget, €5,831,403 is allocated for capital investments, which constitutes 29.54% of the budget.

Municipality of Malisheva/Mališevo is among the beneficiaries according to the 2023 Municipal Performance Grant. Malisheva received € 628,551.69⁴. The selected project is “Construction, Treatment, and Cleaning of the Riverbed with Accompanying Structures - from the Bridge in the Center to the Transit in Malisheva”.

The total planned budget for this project was €1,490,156.52. On the electronic public procurement platform in Kosovo “e-procurement,” a contract call was published on 12.07.2024⁵. The tender was announced with an open procedure, and the criterion for awarding the contract was the lowest price.

Out of three offers submitted for this tender, on 10.10.2024, the contract was awarded to the economic operator “B Famis” Sh.P.K., with a total contract price of €1,487,459.74.

For the design work of this project, the Municipality of Malishevë/Mališevo contracted the private company “PRO-ART-ING” from Ferizaj. For contract management, the Mayor of Malishevë/Mališevo appointed Valdete Morina through a decision.

The project for the construction and regulation of the Mirusha Riverbed is considered one of vital importance, giving a significant visual and developmental impact, especially to the city.



1 Kosovo Agency of Statistics [ASK] - Preliminary Census Results, REKOS2024, [REKOS2024](#)

2 Municipality of Malisheva, Official Website: https://kk.rks-gov.net/malisheve/?page_id=200000118

3 Law no. 08/L-260 on Budget Appropriations for the Budget of the Republic of Kosovo for Year 2024.

4 Municipality of Malisheva Wins €628,551.69 from the Municipal Performance Grant:<https://kk.rks-gov.net/malisheve/?neëscpt=komuna-e-malisheves-fiton-628551-69-euro-nga-granti-i-performances-komunale>

5 Municipality of Malisheva Contract Notice: https://e-prokurimi.rks.gov.net/SPIN_PROD/APPLICATION/IPN/Document-Management/DokumentPodaciFrm.aspx?id=3139189

CHAPTER I - FINDINGS IN THE CONSULTATION PROCESS AND TRANSPARENCY

The Municipality of Malishevë/Mališevo has 43,871 residents, who must be consulted during the budget drafting process to determine the priority projects to be funded by the Municipality. Consultations with citizens are conducted through direct meetings with residents and the organization of formal meetings during the budget hearings or for specific projects.

In 2023, the Ministry of Local Government Administration developed an administrative instruction for open administration, which sets out the method for organizing budget hearings and decision-making on citizen requests concerning the municipal budget.

Upon analyzing the materials published on the Municipality of Malishevë/Mališevo's website, the team found that the standards

proclaimed by this instruction were not implemented by the Municipality of Malishevë/Mališevo. According to the standards of the administrative instruction for open municipal administration, the working group established by the mayor's decision organizes the budget hearings and, after holding the meetings, lists citizens' requests. Based on pre-established standards, the group decides to accept or reject citizen requests. The administrative instruction specifies that the working group must prepare a detailed report from the budget hearings, providing detailed reasons for accepting or rejecting citizen requests. However, on the municipality's website and public consultation platform, the published report does not follow the administrative instruction standards and lacks the required content.

Low Citizen Participation in Meetings

According to the municipality's report, ten planned meetings were held in 2023. However, citizen participation was low in five of these meetings. The municipality justified the low participation by citing prior meetings that local council presidents held with residents or neighborhood representatives, presenting their written requests.

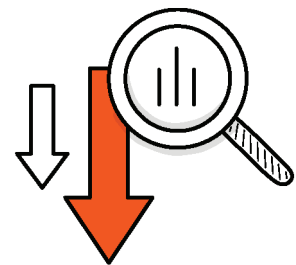
In the five meetings held, 74 citizens participated, including the requests from local council presidents. A total of 73 requests were recorded, which were reviewed by the directorate officials responsible for drafting the 2024-2026 draft budget of the Municipality of Malishevë/Mališevo. Of the 73 requests, 43 were accepted, 11 were partially accepted, and 16 were rejected. The team found that the final report from the budget hearings was incomplete, only recording statistics without

clearly identifying the citizen requests and the reasons for their acceptance or rejection by the working group.

Low participation was also observed this year in the budget hearing

meetings for 2025. A total of five meetings were held, with 89 citizens participating, of which only nine were women, and the majority were men. Additionally, the team found that the minutes of these meetings were handwritten and difficult to read.

The team concluded that the documentation of budget hearings was below standards, as the minutes were handwritten and did not fully represent the process.

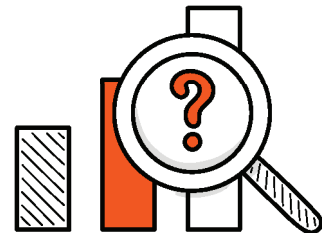


Lack of Public Discussion on the Project

The Municipality of Malishevë/Mališevo did not organize a public presentation for the project to involve citizens in the project planning process.

Discussing such important projects with the community allows for the inclusion of citizens' requests in the project before the tender is

opened, thus avoiding contract changes and additional work contracts.



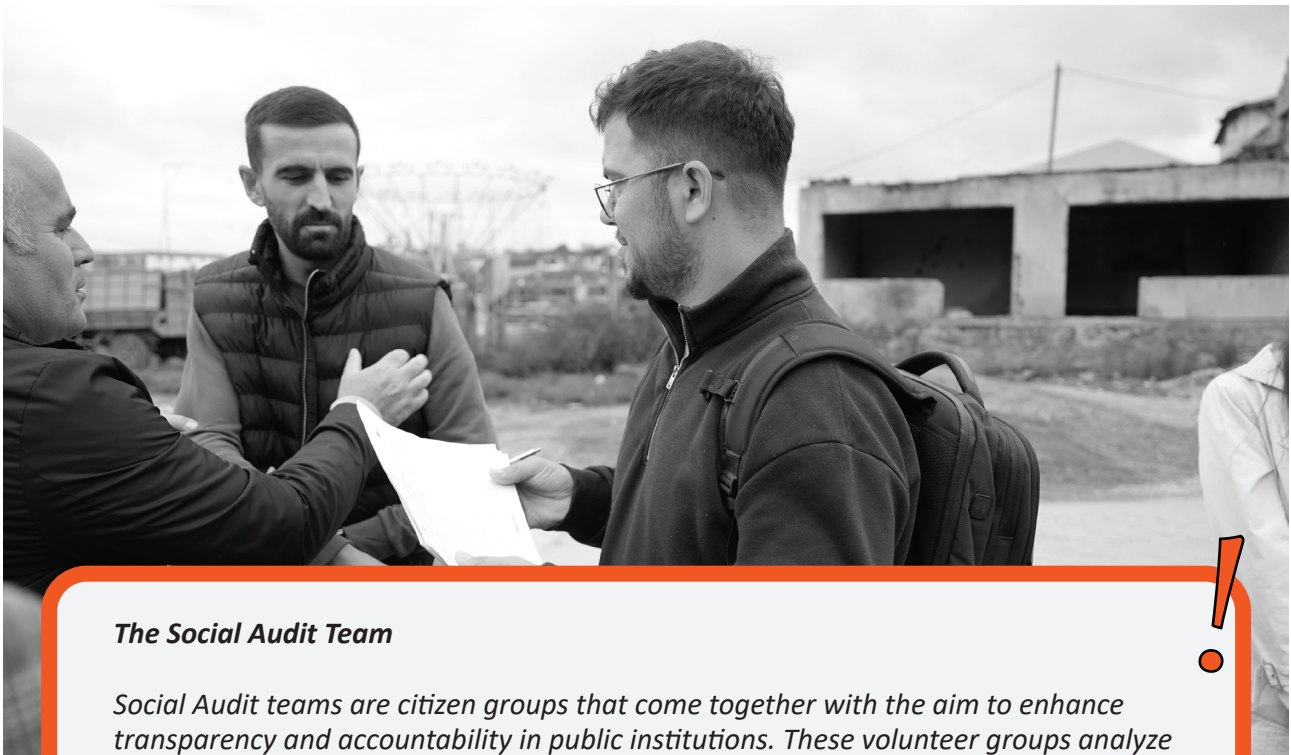
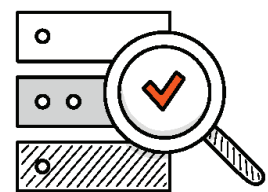
Lack of Transparency in Contract Implementation

The team found that the Municipality of Malishevë/Mališevo did not publish other necessary materials for active supervision of investment projects on the official website. The team found that the detailed project was not public for the two investment projects. Along with the project, documents produced by the contract manager, payment invoices, and evidence of project changes were missing.

The municipality had not proactively published other documents, such as oversight reports or payment invoices, on the municipality's website.

The Social Audit Team observed that the Municipality of Malishevë/Mališevo did not take steps to inform citizens about the names and contacts of the contract manager for the monitored project.

The name of the contract manager was not placed on the noticeboard. The name is not found on the website either.



The Social Audit Team

Social Audit teams are citizen groups that come together with the aim to enhance transparency and accountability in public institutions. These volunteer groups analyze processes with the goal of providing recommendations and fostering greater citizen involvement in decision-making.

CHAPTER II - FINDINGS IN THE PLANNING PROCESS

The project for the construction and rehabilitation of the Mirusha riverbed, in addition to its aesthetic value, has been deemed of vital importance for the city's development. The Municipality of Malishevë/Mališevo aims to extend this project to the artificial lake in Mirusha. Due to financial constraints, the first phase focuses on regulating the riverbed from the center, specifically from the central bridge to the transit bridge⁶.

The regulation of the Mirusha riverbed covers a length of 780 meters. It stretches within the municipality of Malishevë/Mališevo and is formed by the confluence of the Banja and Stopanica rivers⁷. The Social Audit Team found that investments were made in the same riverbed location over 11 years ago. The need to invest in the same project again indicates that the 2011-2013 project was not planned and designed for long-term sustainability, considering the needs of the citizens and the town's development. Additionally, the initial planning and project execution were not in harmony with the river's condition, as it was found to be poorly maintained and significantly damaged over time.

The Social Audit Group has determined that this project serves as an indicator that such large-scale projects should be planned and implemented according to the highest standards, in order to avoid the need for reinvestment in the same projects after a short period of time.

The team noted the necessity of pedestrian bridges within the 780-meter stretch, which are not currently planned. These bridges would facilitate communication between both sides of the promenade.

The Municipality of Malishevë/Mališevo stated that the reinvestment in the same project was necessary due to the city's ongoing transformation and the area's need for investment to mitigate flood risks. Discussions with the community documented their need for the project, as the area had experienced flooding

⁶ Urbanism Director, Avdi Morina, on 06.09.2024

⁷ Armend Mazreku, Engineer, Urbanism Directorate, on 06.09.2024

⁸ On September 6, 2024, the Social Audit Group held a discussion with Engineer Armend Mazreku regarding this project.

⁹ Urbanism Director, Avdi Morina, on 05.11.2024

in the past. For this reason, it has been deemed necessary to include this section of the river in these major capital projects, supported by investments from both foreign investors and the government⁸. The Municipality of Malishevë/Mališevo has taken the initiative to rehabilitate this riverbed using durable materials such as reinforced concrete.

The Municipality of Malishevë/Mališevo stated that the wall built along this section of the river around 11 years ago had become non-functional due to damage over time and subsequent construction of a sewer pipe/collector project. This infrastructure project caused further damage to the wall. Another reason for reinvesting in the riverbed is the need to realign the river's course. Currently, the riverbed does not flow through the center of public land, which has hindered the implementation of related capital projects, such as constructing a promenade and roads on both sides of the river.⁹

Ignoring Accessibility for Persons with Disabilities

According to the project plan, the riverbed is designed to have two levels: the first level, sufficient for the river's flow during summer, and the full width, capable of handling water levels during the rainy season. The cross-section of the riverbed measures 10.5 meters, while the bill of quantities accounts for a width of 12 to 13 meters, allowing extra space for construction work. The riverbed's height is 1.8 meters, with a thickness of 30 centimeters. The structure is built with reinforced concrete, with an outer width of 10.5 meters and an inner width of 9.9 meters.

The project envisions using both sides of the riverbed, within the river channel, as pedestrian walkways during periods of low water flow when only the first level is submerged.

However, the Social Audit Team in Malishevë/Mališevo found that the walkway does not meet several basic requirements to function as a proper promenade. Since the walkway is within the river channel, no seating or trash bins have been included in the design. This makes the area difficult for elderly individuals to use due to the lack of resting spots. Additionally, the absence of trash bins increases the likelihood of litter being thrown into the river.

Access to the walkway (during low water flow) is only possible via stairs, as ramps have not been included at any point along the path. This design makes the walkway inaccessible to individuals with disabilities and parents using strollers. The Social Audit Team raised these concerns in a meeting with the Contract Manager¹⁰, Valdete Morina. The manager stated that the project could be modified to include ramps in certain parts of the riverbed, allowing access for everyone.

In addition to the lack of access for individuals using wheelchairs, the project also fails to accommodate blind individuals. No provisions have been made for signage or tactile guidance for the visually impaired.

The section of the riverbed designated as a promenade is made entirely of water-resistant concrete, yet it lacks guiding strips or tactile surfaces that assist blind individuals in navigating public and private spaces. Guiding strips or tactile fields are essential for helping visually impaired individuals orient themselves while moving in these areas.

Concrete Lining of the Riverbed Poses a Threat to Biodiversity

The construction of the riverbed is expected to have significant impacts on the river's biodiversity. The Municipality decided to concrete the entire riverbed, thereby eliminating the vegetation that naturally grows there and causing harm to the river's ecosystem.

The Social Audit Team has urged the Municipality of Malishevë/Mališevo to include small dams or barriers within the river to ensure a consistent water flow throughout the year, even during the summer when water levels are lower. Without these dams, the reduced water flow will be



¹⁰ Contract Manager, Valdete Morina

detrimental to fish populations.

During a meeting with the Social Audit Team, the contract manager explained that she had discussed with the director and the contractor the possibility of installing one cascade, barrier, or dam approximately every 100 meters. These structures, similar to speed bumps on roads, would maintain a minimum water level and facilitate cleaning the riverbed with machinery without causing complications.

One of the concerns raised by members of the Social Audit Team was the full concreting of the riverbed base, which overlooks the environmental damage caused by such an approach. According to local fishermen, who are part of the audit team, this practice contradicts standard riverbed restoration guidelines, as it prevents fish from surviving in the ecosystem. The Municipality of Malishevë/Mališevo defended its decision to concrete the riverbed base, stating that the riverbed reconstruction project undertaken over 11 years ago did not include concreting. This led to the proliferation of vegetation in the riverbed and water flow erosion that damaged the side walls of the river channel¹¹. According to the Director of Urban Planning in the Municipality of Malishevë/Mališevo, Avdi Morina, the full concreting of the riverbed will make maintenance significantly easier.

The Social Audit Team noted a positive step by the Municipality of Malishevë/Mališevo in addressing the issue of wastewater and stormwater drainage in the area before proceeding with riverbed construction. This approach ensures that the riverbed will not need to be damaged again in the future.

The current project does not include improvements to the riverbed beyond the bridges, due to financial constraints. The municipality considers the regulation of the Mirusha riverbed to be an ongoing project.

Risk of Project Delays

The regulation of the Mirusha riverbed is only one component of the broader project, which also includes road construction, the creation of a pedestrian walkway, and the planting of trees along the river. The Social Audit Team has expressed concerns that the final project will face delays due to the Municipality of Malishevë/Mališevo's limited budget. The team found that the 2025 municipal budget allocates only €200,000 for the project, while approximately €800,000 is needed to complete all the planned work.

Future Work on the Walkway Risks Damaging the Retaining Wall

The current project focuses solely on the regulation of the Mirusha riverbed, with no contracts signed or timelines established for the completion of other components outlined in the project, such as the road, the walkway, and the surrounding greenery. Since only a portion of the project is expected to be finalized at this stage, the contract manager stated that the soil removed from the riverbed will be used to fill the areas around the retaining wall. However, she emphasized that gravel must be placed around the wall to prevent damage during the construction of the road and walkway. Heavy machinery used for compacting the roadbed creates vibrations that could compromise the integrity of the retaining wall. To mitigate this risk, the contract manager has indicated she will propose to the Municipality of Malishevë/Mališevo the placement of gravel along the retaining wall.

¹¹ Statement by Avdi Morina, Director of Urban Planning, on September 6, 2024, during the meeting with the Social Audit Team

CHAPTER III - FINDINGS IN THE CONTRACTING PROCESS

- The Municipality imposed discriminatory criteria in the tender for regulating the Mirusha riverbed.
- These discriminatory criteria formed the basis of a complaint filed with the Procurement Review Body (PRB).
- The potential delay in addressing the complaint risked losing donor-secured funds that were allocated due to the municipality's performance.
- Additionally, the municipality shortened the deadline for submitting bids.

The tender for expanding, constructing, and regulating the Mirusha riverbed was published on the “e-procurement” platform on July 12, 2024, with the deadline for bid submission set for August 2, 2024. The tender, valued at €1,487,459.74, initially allowed a 40-day submission period, but the municipality reduced it to 21 days.

Under the signed contract for the construction, maintenance, and cleaning of the riverbed and its accompanying structures from the central bridge to the transit area, specific payment arrangements were outlined. The total project value of €1,487,459.74 is to be financed as follows, per the financial support agreement [points: 2, 3 and 4 of article 3] between the Ministry of Local Government Administration (MLGA), DEMOS, and the Municipality of Malishevë/Mališevo dated 02.04.2024. MLGA: €302,120.26 from its 2024 annual budget; DEMOS: €326,431.43 from its budget; Municipality of Malishevë/Mališevo: €858,908.05 from its budget. Any cost overruns beyond the planned project value will be covered by the municipality.

Public contracting authorities are required by law to allow a minimum period for bid submission by economic operators during the publication of procurement activities. These minimum deadlines applicable to each CA are provided by law. Deadlines vary based on the projected contract value. However, procurement laws and regulations permit shortening these deadlines under specific legal circumstances.

The Municipality of Malishevë/Mališevo justified the reduced submission deadline as follows: The reason for shortening the deadline is that the project in question is a co-financed initiative under the Municipal Performance Grant scheme, supported by MLGA and DEMOS. The funds allocated for this project by the agreement stakeholders are designated for fiscal year 2024. Due to time constraints and procedural requirements, there is a risk of losing these funds.

MLGA bases its financial support on the relevant fiscal year's budget, which in this case is the 2024 budget. Thus, the funds secured for the project—amounting to €302,120.26—must be spent within the fiscal year. Otherwise, they risk being returned to Kosovo's national budget. Municipalities often prioritize spending money from the MLGA fund.

Unlike the MLGA, the funds in the amount of €326,431.43 provided by DEMOS financial support have a two-year spending period, and this gives the Municipality the opportunity to spend these funds in the following year as well.

Additionally, the required preliminary notice for this tender was missing, which should have allowed for a minimum 24-day timeframe according to public procurement regulations. The minimum deadlines that each CA must implement are provided for in Article 8, paragraph 2, Article 5, Articles 44, 45 and 46 of the Public Procurement Law.¹²

¹² Law on Public Procurement of the Republic of Kosovo No. 04/L-042 amended by Law No. 04/L-237, Law No. 05/L-068 and Law No. 05/L-092

Discriminatory Criteria in the €1.4 Million Tender

The tender for the regulation of the Mirusha riverbed was opened on 12.07.2024, with the deadline for bid submission set for 02.08.2024.

During the procurement process, issues arose as the Public Procurement Review Body identified several discriminatory criteria that excluded a company from the competition. These discriminatory criteria were found in the terms for the engagement of engineers.

Following the decision of the Public Procurement Review Body, the Municipality of Malishevë/

Mališevë corrected the criteria specified in the tender dossier. After this correction, there were no further complaints from economic operators, paving the way for the evaluation of bids and the signing of the contract.

On 10.10.2024, the contract was awarded to the economic operator “B Famis” Sh.P.K., with a total contract price of €1,487,459.74. According to the contract, the works began on 12.10.2024 and are scheduled to be completed by 28.11.2025.



Who finances the Social Audit?

Work in the Social Audit Teams is voluntary. All costs associated with the Social Audit are covered through a co-financing agreement between the Ministry of Local Government Administration and the DEMOS Project. The public investments monitored by citizens through the Social Audit this year were funded by the Municipal Performance Grant.

CHAPTER IV - FINDINGS IN THE CONTRACT IMPLEMENTATION PROCESS

After the contract was signed, the chief administrative officer (the Mayor) appointed a contract manager based on the Procurement Law. In cases where the contract is of high value, a direct supervisor of the contract manager is also appointed.

The Procurement Law states that once the contract is signed by both parties, the responsible procurement officer will inform the chief administrative officer. The chief administrative officer will then appoint a contract manager in writing, responsible for managing the specific contract, and a direct supervisor of the contract manager, who will have responsibilities as outlined in paragraphs 70.23 to 70.25 of the Public Procurement Regulation¹³.

The contract management process, based on the Public Procurement Regulation, refers to the “administration of contract implementation by the contracting authority through the contract management module in the electronic procurement system.”

Based on the Contract Monitoring Report, the Social Audit Team found that the contract implementation works began on 23.10.2024, with the planned completion date set for 25.11.2025.

According to the data published on “e-Procurement,” the dynamic plan for this project includes three phases in 2024, with a total value of €602,120, which is the amount of donations planned to be spent on this project within the year. If the planned donation amount for this project is not spent within the year, the unspent amount is lost as it is returned. The first phase was planned to be completed by 04.11.2024, with a value of €150,000. The second phase is planned to be completed by 02.12.2024, with a value of €152,120. The third phase, planned to be completed by 20.12.2024, has a value of €300,000.

According to the contract manager, Valdete Morina, the funds for the first and second phases are from the Ministry of Local

Government Administration (MLGA) and have been processed. The works have been verified by the Ministry, the documentation is complete, and they are now waiting for the payments to be executed.

The third phase, valued at €300,000, is from a DEMOS donation, and this amount can be spent in 2024-2025. Therefore, if there are delays in the execution of works due to weather conditions and the works are not completed according to the management plan, the project is not harmed as the same amount is retained for the following year.

The Municipality Does Not Allocate Sufficient Funds to Finalize the Contract

The contract manager stated that they have received a commitment from the economic operator to complete the work according to the project timeline, with all donor funds expected to be spent within 2024. The Social Audit Team expressed concern that delays in signing the contract and starting the work could lead to the loss of some donations, as the work is scheduled for November and December 2024, months that may experience rainfall, potentially hindering the completion of the work on-site.

The Social Audit Team also raised concerns that the project might not be completed within 2025 as planned, as they found that only €200,000 has been allocated for this project in the 2025 budget. Despite the contract specifying a completion date of 28.11.2025, the Municipality of Malishevë/Mališevo has not allocated all the necessary funds for the work in the 2025 budget. However, the municipality has committed to allocating an additional €800,000 in 2026 to finalize the contract.

13 Public Procurement Regulation No.001/2022: https://e-prokurimi.rks-gov.net/HOME/Documents/Legislation/Rregulloret/shq/Rregullore%20Nr.001_2022%20p%C3%ABr%20prokurimin%20publik.pdf

Safety Challenges at the Construction Site

During field visits, the Social Audit Team found that the construction site was not fenced according to safety standards. The contract manager stated that the tender's bill of quantities did not include site security. The initial positions in the bill of quantities were geodetic surveying and site clearing, followed by riverbed deviation. The contract manager explained that security was not included because there is no significant movement of people in that area. However, the Social Audit Team noted that there are houses and functional businesses near the construction site.

During the field visit, the Social Audit Team observed that workers were not equipped with necessary safety gear, such as helmets and protective clothing, and some workers were even working without gloves. The contract manager mentioned that this aspect falls under the jurisdiction of the Labor Inspectorate.

Poor Planning Imposes Additional Work

At the start of the project, initial problems were identified, necessitating additional work outside the contract. During the execution of the work, it was found that the project planning did not meet the required standards and did not align with the site conditions. The contract manager requested the installation of a 30 cm stabilizing layer with 150 diameter stones, followed by other layers. According to her, the way it was initially planned (20cm/60cm and 10cm/30cm) risks making the riverbed base weak and vulnerable. She mentioned that discussions were held with the director and the economic operator to install a stabilizing layer first, followed by the layers specified in the contract.

Need for Concrete Quality Supervision

One of the issues raised by the Social Audit Team in Malishevë/Mališevo is the contracted price for one cubic meter of concrete. In the project for the construction and regulation of the Mirusha riverbed, the team found that one cubic meter of concrete was contracted for €150, which is significantly more expensive than regular concrete. A total of €597,750 has been planned for waterproof concrete for the construction of the riverbed, walls, and stairs, with a quantity of 3,985 cubic meters. The contract manager stated that the contracted concrete is hydrotechnical and waterproof, and the economic operator is required to provide laboratory documents proving the concrete's contracted quality. Given the high price of concrete, the Social Audit Team requested that the municipality conduct its own concrete analyses to ensure that the concrete used in the riverbed meets the contracted quality.

What happens with the recommendations?

The recommendations of the Social Audit groups serve to improve governance. The recommendations will be used to improve future projects and to improve the current project.

Technical Acceptance Commission

The Technical Acceptance Commission, a professional team of the municipality, inspects the works at the end of the project. Based on the commission's report, the works are accepted and payments are made.

CONCLUSIONS / RECOMMENDATIONS

Following the Social Audit team's analysis at the project's completion, several conclusions have been drawn:

Recommendations for citizen involvement:

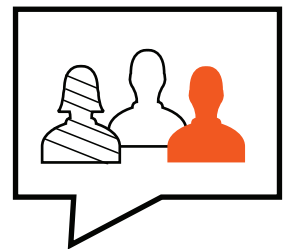
The Municipality of Malishevë/Mališevo should adhere to the standards outlined in the open administration guide when organizing budget hearings.

Additionally, the Municipality should ensure that major capital projects are discussed with the community before the tender process begins.

The municipality is recommended to take steps to involve more women in budget hearings.

To ensure a process of citizen oversight, the municipality is recommended to increase transparency towards citizens by:

- Publishing more documents related to projects, including the full project and contract with economic operators.
- Publishing other documents produced during project supervision, such as supervisor reports or technical acceptance reports.
- Placing the name of the contract supervisor or the address where citizens can send information on notice boards.
- Publishing a list of people involved in the monitoring of municipal projects on its site.
- The municipality is recommended to bring major projects that affect the interests of citizens to public discussions.



Recommendations for the Project Planning Process:

In infrastructure projects, the Municipality should insist on planning for accessibility for people with disabilities.

The Municipality is recommended to organize public hearings with citizens for specific projects, especially when they are large and directly impact citizens' lives.

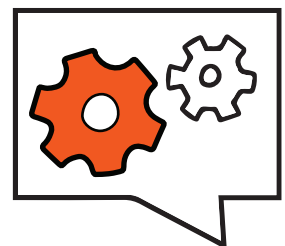
During project planning, the Municipality should enforce site safety and address safety aspects.

In the planning of works, sufficient funds should be allocated to implement the Law on Safety and Health at Work.

The project's time planning should be better, in order to guarantee timely implementation of projects.

Projects should be planned to guarantee long-term sustainability and avoid the need to dismantle investments due to interventions for laying sewage or electrical lines.

The Municipality is recommended to handle tender criteria professionally to avoid complaints and delays in public procurement.



Specific Recommendations for the Project:

Construct small dams in various parts of the riverbed to ensure continuous water flow and allow for riverbed cleaning.

The planned promenade along the riverbed should be accessible for persons with disabilities.

Build suitable ramps at the stairs.

Construct at least two pedestrian bridges, which can also be decorative.

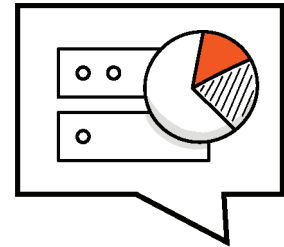
The Municipality should conduct continuous quality testing of the concrete.

Ensure that the height difference between the river wall and the road to be built is 50cm, eliminating the need for safety railings.

Secure the construction site.

Ensure that the Law on Safety at Work is respected during the execution of works.

Install waste bins and signs indicating that littering is prohibited.



Request for Project Continuation:

The Municipality is recommended to allocate sufficient funds to finalize the project within 2025, as planned in the contract.

The Municipality is recommended to start such projects earlier to avoid the risk of losing financial resources from donors.

Ensure that the dynamic plan is respected to avoid the loss of financial resources.

Continue the second phase of the project as soon as possible.

For the Continuation of the Second Phase of the Project, the Social Audit Team Recommends:

- Provision of seating areas.
- Provision of lighting.
- Provision of a separate bike path.
- Provision of a guiding strip for visually impaired persons on the walking path.
- Seating, waste bins, and space dividers can be made from recycled or sustainable materials (e.g., treated wood, recycled metal, or recycled plastic) to reduce pollution and support a circular economy.
- Planning green spaces and biodiversity that can also improve air quality and preserve the ecosystem.
- Provision of interactive green spaces that can be used for recreational activities, such as walking, resting, and for children, while also planning for community involvement.



METHODOLOGY

This report presents data collected from interviews, requests for access to public documents, field visits, and conversations with municipal officials, implementing companies, and the community. In July, DEMOS and the Ministry of Local Government Administration, based on pre-established standards, selected 20 projects in 12 municipalities of Kosovo to be included in the Social Audit process.

DEMOS and the Ministry conducted an open process to select organizations to facilitate the process. After evaluation by a professional jury, BIRN and D+ were selected to participate in the Social Audit of 11 projects in six municipalities.

Name of the Project	Municipality	Value	Project Phase at the Start of the Audit
Construction of the Klina Riverbed	Municipality of Klinë/ Klina	746,046.00	Implementa- tion
Construction of the Settler for Drinking Water Filtration	Municipality of Klinë/ Klina	849,921.63	Implementa- tion
LOT 5 - Construction and Maintenance of Paths in 'Karagaç' Park	Municipality of Pejë/Peć	234,500.00	Tendering/Im- plementation
LOT 6 - Construction of the Clinic in Trestenik Village	Municipality of Pejë/Peć	85,631.00	Tendering / Im- plementation
Expansion of the 'Martyrs of the Nation' Road - Western Entrance of the City	Gjakova/Đjakovica Municipality	1,004,545.60	Implementa- tion
Construction of Public Spaces in the City Center	Gjakova/Đjakovica Mu- nicipality	1,187,211.72	Implementa- tion
Construction, Treatment, and Cleaning of the Riverbed with Accompanying Structures - from the Bridge in the Center to the Transit in Malishevë	Municipality of Malisheva/Mališevo	1,487,459.74	Pre-tendering
Construction of the Kindergarten in Rucf i Ri - Phase II	Lipjan/Lipljane Municipality	247,958.69	Implementa- tion
LOT 1 - Construction of the Sports Hall at 'Ismail Luma' School in Lipjan	Lipjan/Lipljane Municipality	248,226.45	Implementa- tion
Construction of the Park and Sports Field in Bakshi Village	Municipality Obiliq/ Obilić	164,614.17	Implementa- tion
Construction of Parking at the Social Housing Units 'Hades' in Obiliq	Municipality Obiliq/ Obilić	67,894.05	Implementa- tion

Who Established the Social Audit Group?

The Social Audit Group is a team of citizens who voluntarily respond to the initiative to engage in overseeing projects.

To ensure broad community involvement, BIRN and D+ developed a list of professions and community representatives who would be invited to join the group.

The selection criteria aimed to prioritize the inclusion of marginalized social groups such as women, youth, the elderly, persons with disabilities, and minority communities.

The selection criteria were based on the DEMOS methodology, which suggests which categories of citizens should be included in the process. This methodology aimed for a diverse group in terms of professions and ages to ensure inclusivity.

BIRN and D+ teams contacted over 150 citizens from 6 municipalities to invite them to join the groups. After preparing the preliminary list, BIRN shared the profiles of recommended members with DEMOS, and after receiving comments, 120 citizens from the targeted municipalities joined the groups.

In Malishevë/Mališevo, one group was established with 16 citizens to work on project oversight.

How Were the Data Collected?

For compiling this report, the established Social Audit Team used several techniques to gather data.

They searched online for the municipality's public data, compiled a list of questions about the project, sought information from the municipality, sent requests for access to public documents, and analyzed the documents received from the Municipality. To document the findings, the team conducted field visits and held meetings with officials of the Municipality of Malishevë/Mališevo.

The data in the report were collected by the 16 members of the Social Audit team and the report was prepared with the assistance and support of BIRN. The report was made public after addressing the comments received from the Municipality of Malishevë/Mališevo.

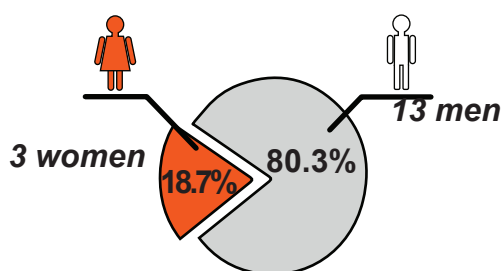
Validimi i të dhënave

The Social Audit Team in Malishevë/Mališevo worked on identifying issues within the project and collaborated to write the report. In their meetings, the group agreed on systematic findings across the project and specific findings for the project.

The teams also agreed on the recommendations presented in this report. After structuring the findings, the team met with the Deputy Mayor of the municipality and sought comments from the municipality on the report's findings. Before publication, the municipality reviewed the report, and their responses were incorporated into this report.

The data in the report were collected by the 16 members of the Social Audit team and the report was prepared with the assistance and support of BIRN. The report was made public after addressing the comments received from the Municipality of Malishevë/Mališevo.

Team composition



Retirees; Students; Business owners; Teacher(s); "Handikos"; People with disability; Activists; Residents.

SOCIAL AUDIT GROUP ACTIVITIES

July 2024	<ul style="list-style-type: none"> ● Field visit ● Targeting and identifying profiles that will be part of the team ● Preparation of the list with the profiles of the members of the Social Audit team ● Selection of team members of the Social Audit team
August 2024	<ul style="list-style-type: none"> ● Signing of the Memorandum of Understanding with the Municipality of Malishevë/Mališevo ● Publishing promotional materials on social media ● Training for Social Auditing ● Create the group on the Viber platform ● Field visit on project implementation site ● Appointment of persons within the team for sending requests to the Municipality ● Review accessible materials on open platforms: the official website of the Municipality of Malisheva, the electronic platform “e-procurement,” etc. ● Send requests for access to public documents to the Municipality of Malishevë/Mališevo. ● Receive responses from the Municipality of Malishevë/Mališevo.
September 2024	<ul style="list-style-type: none"> ● Analyze the materials received from the Municipality of Malishevë/Mališevo. ● A working meeting between the team and the Director of Urban Planning in Malishevë/Mališevo, Avdi Morina. ● The team conducts a field visit to the project site.
October 2024	<ul style="list-style-type: none"> ● Receive documents from the Municipality of Malishevë/Mališevo after the contract is signed. ● Analyze the materials and discuss the progress of the work with the group. ● The team visits the construction site before the start of the work. ● Document findings and recommendations from the Social Audit Team.
November 2024	<ul style="list-style-type: none"> ● The team visits the construction site. ● The Social Audit Team meets with the contract manager, Valdete Morina. ● Division of duties for the team members in drafting the report ● Setting the structure and determining the points of writing the report ● Delineate the duties for writing the report ● Drafting of findings and recommendations by the team ● Meeting with the Mayor of Malishevë/Mališevo ● Presentation of the report to municipal officials ● Editing the report ● Addressing comments and suggestions ● Send the report to the municipality for validation ● Presentation of the report to municipal officials
December 2024	<ul style="list-style-type: none"> ● Implementation of the media campaign to promote the report ● Preparing implementation plans for the recommendations and Social Audit reports by municipalities

EKIPI I AUDITIMIT SOCIAL NË MALISHEVË

No.	Name and number	Occupation/Function
1	Isuf Morina	Agronomist/Red Cross
2	Endrit Mazreku	Student
3	Lulzim Morina	Works at a railway company/Trainkos
4	Naim Shehu	Teacher
5	Feride Hoxha	"Handikos"
6	Ekrem Mazreku	President of local council/businessman
7	Nusret Sertolli	Pensioner
8	Ali Januzaj	Teacher/Pensioners association
9	Isak Krasniqi	Association of the Blind
10	Fatime Limaj	Association of the Blind
11	Dalip Halitaj	Mother Theresa Association
12	Veton Kastrati	Teacher
13	Avdullah Paqarizi	Fishermen Association
14	Astrit Hoti	Businessman/project related business
15	Albrim Mazreku	Architect
16	Albana Gashi	Architect

Contract Supervisor

The contract supervisor is a person or company engaged by the municipality. He is responsible for overseeing each phase of contract implementation. The supervisor prepares reports for each phase.

What is the impact of Social Auditing?

Social Auditing in the Municipality of Malishevë/Mališevo influenced the improvement of the project oversight.

LETTER FROM THE MAYOR OF THE MUNICIPALITY OF MALISHEVË/MALIŠEVO

Allow me to express my sincere gratitude to all the stakeholders involved in this process, aimed at increasing transparency and ensuring the highest quality in developmental projects carried out across our country, particularly in the Municipality of Malishevë/Mališevo.

This initiative for continuous monitoring through the Social Audit Team, during the implementation of the project in the town of Malishevë/Mališevo, “Construction, Treatment, and Cleaning of the Riverbed with Accompanying Structures from the Bridge in the Center to the Transit in Malisheva,” a project derived from the Municipal Performance Grant supported by the DEMOS project and the Ministry of Local Government Administration, is undoubtedly very important for our institution. Such a Social Audit mechanism is a new and welcome culture that will contribute to the best possible realization of the project.

This draft report, prepared by various interest groups operating in our municipality and making significant contributions to the development of their respective sectors, is a very important document that we, as a Municipality, will treat with great seriousness. All reflections, suggestions, and recommendations will serve us to address and foresee them during the second phase of this project, which we plan to develop as soon as we have budgetary opportunities.

Once again, as the Mayor of Malishevë/Mališevo Municipality, I express my thanks for the support we have from the DEMOS project and the BIRN team, whose experts have supported the optimal functioning of the local structure of the Social Audit Team in Malishevë/Mališevo Municipality.

I hope that the implementation of the project “Construction, Treatment, and Cleaning of the Riverbed with Accompanying Structures from the Bridge in the Center to the Transit in Malisheva” proceeds according to the plans, and I believe that the contribution of the Social Audit in this project will become a functional model for future capital projects in our municipality.

Sincerely,

Ekrem KASTRATI

Mayor of the Municipality of Malishevë/Mališevo



LETTER FROM THE SOCIAL AUDIT TEAM IN THE MUNICIPALITY OF MALISHEVĚ/MALIŠEVO

Through Social Auditing, we as community members in the Municipality of Malishevě/Mališevo have had the opportunity to understand how project planning works, learning more about the issues and procedural phases a project goes through until its final stage. This initiative has allowed us as a group to learn more about our rights as citizens, our obligations to the community we live in, and our commitment to the better development of our city.

Through the development of training sessions and follow-up workshops organized by you as the facilitator, we had the opportunity to become skilled in demanding transparency and accountability from local institutions in our Municipality. As a Social Audit group, we see the necessity for this format to be implemented in future years because, for community members, it is a duty to engage in the city they live in, while for local institutions, fulfilling the community's needs is a legal obligation.

We hope that as part of the community, we will be involved in decision-making for other projects that the Municipality plans to implement, whether through performance grants or the capital investment budget.



The Role of Moderators in Public Discussions

Moderators play a crucial role in public discussions. Moderators should be more proactive, encouraging citizen involvement in discussions about municipal projects and budgets. They should stimulate debate and draw out ideas and proposals from participating citizens.

Who are the members of the Social Audit team?

Members of the Social Audit teams are community members who are not in conflict of interest with the project. Officers of the institution directly related to the project and the official oversight process of the project cannot be on the teams.



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