



Forum for Civic Initiatives

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Policy Analysis

# POLICIES ON TRAFFIC SAFETY



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Prishtina, June 2012

Policy Analysis

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TRAFFIC SAFETY**



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## **Forum for Civic Initiatives (FCI) and Institute for Development Policies (INDEP)**

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## 1. Intro

Traffic safety remains one of the most overlooked challenges in Kosovo to this date. Even though this topic continues to be one of the greatest concerns for policy makers and traffic security experts throughout the world, the citizens of Kosovo are faced with very basic problems. The high number of accidents, especially in road traffic, which are caused by different factors, result in a relatively high number of civilian casualties and other damages, which could potentially be avoided or at least controlled with the help of appropriate laws and policies.

This discussion paper aims to present an overview of the actual situation with regards to traffic safety policies, the laws regulating this sector and their implementation. Additionally, this paper illustrates the competences of the responsible institutions in this sector, the implementation practices of the laws and policies in place, as well as a vision regarding the amendment and improvement of these laws and policies.

INDEP used a mixed research methodology (quantitative and qualitative), while conducting research for this discussion paper. Firstly, we have analyzed the legal and sub-legal acts which regulate the division of responsibilities regarding traffic safety, official documents of the Kosovo Police, the Police Inspectorate, the Ministry of Internal Affairs and Ministry of Infrastructure. Secondly, many half-structured interviews have been conducted with relevant institutions, traffic experts, as well as other Institutional officers who have primary responsibility over traffic safety.

## 2. Legal Framework

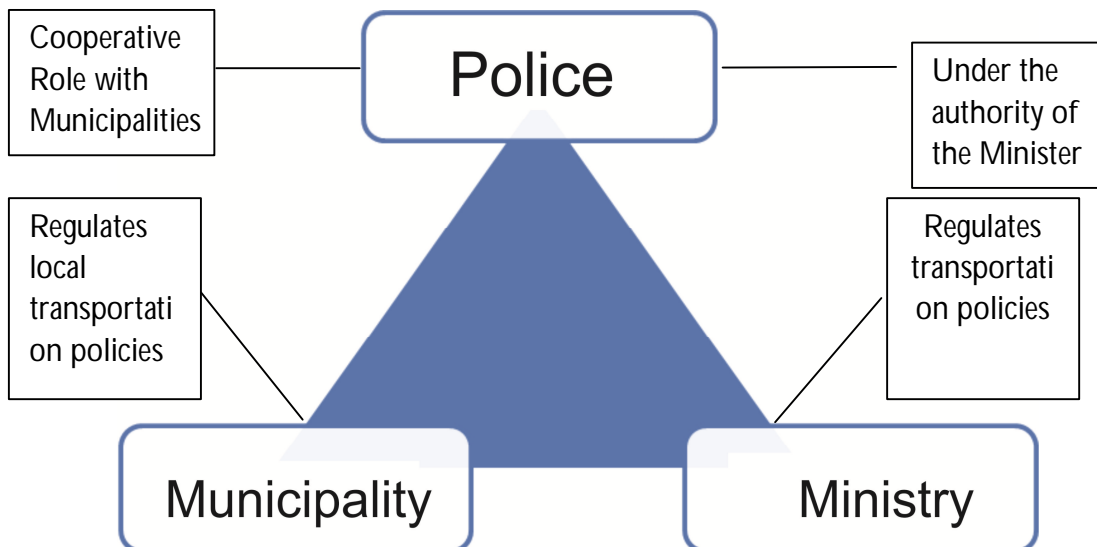
During the 13 years after the war, Kosovo has approved a series of laws which specifically regulate traffic. A significant number of laws which are related to traffic and traffic safety have been approved under the authority of the United Nations Mission in Kosovo (UNMIK).

The Law on Roads was drafted and went into power in 2003, whereas the one on Road Transport went into power in 2004. The law which specifically regulates traffic safety, the one on Road Traffic Safety, was drafted and approved by the Kosovo Assembly on 2007, again during the UNMIK Administration period. These laws, drafted and approved as UNMIK Regulations, remain in power even after Kosovo's Declaration of Independence in 2008. The Law on Kosovo Police, which also falls into the security component, was approved with amendments on 2012. In the other hand, the Law on Local Self-Governance, the Regulation for Municipality Services, and other sub-legal acts of Kosovo Municipalities, have crucial importance in the completion of the legal base for this field. Regardless of their importance, these laws contain a number of deficiencies and in many aspects fail to clarify the competencies of the responsible institutions with regards to their implementation. In some cases, this led to uncertainties regarding the competencies of respective institutions, thereby having a detrimental effect on citizens and traffic safety. As stated above, the Law on Road Traffic Safety is the key legal base for traffic safety. This law regulates the conditions and principles of the road safety sector in a specific manner, based on international standards. The law determines the behaviors of traffic participants, the

system on traffic signs, duties of respective officials, preparation of candidates for a drivers license, lists the required criteria for driving a vehicle, etc. The Law on Road Traffic Safety is under the supervision, administration and enforcement of the Ministry of Infrastructure, Kosovo Police and other responsible authorities. In the other hand, besides the Ministry of Infrastructure, Municipal Assemblies also reserve the right to order changes in the way traffic is organized.

**2.1. Roles and competencies of relevant Institutions**

According to the Law on Road Transport, the Ministry of Infrastructure drafts the strategy and laws which regulate public transportation. Even the Municipalities, based on the law, have the competency to regulate public transportation within the territory of the respective municipality. This leaves space for interpretation, since Municipal legal acts might not be in compliance with central level policies. While article 4 of this law which talks about the competencies of the Minister, says: “The Ministry, through the Minister, determines the policy and strategy on development of road transportation, and regulates the transportation sector in Kosovo”<sup>1</sup>, the same law, on article 6.2 which talks about the competencies of Municipalities, says: “The municipality derives the local transportation plan and amends it when necessary”<sup>2</sup>. The Law on Roads, in article 5, specifies that the Ministry of Infrastructure is the responsible authority for intercity and regional roads, whereas the Municipalities are responsible for local and residential roads.<sup>3</sup>



Having in mind that part of the focus of this paper is the division of competencies between the Ministry, Police and Municipal Assemblies, it is important to understand these relations based on laws currently in power. Article 5 of the Law on Kosovo Police defines the relations between the Police and the Ministry of Internal Affairs, by limiting the authority of the Ministry outside the

<sup>1</sup> Kosovo Assembly (2004) Law No. 2004/1, on road transport.

<sup>2</sup> IBID.

<sup>3</sup> Kosovo Assembly (2003), Law No. 2003/11 on Roads, Article 5.

operation management of the police, but overseeing the cooperation of the Police with other responsible organizations and agencies in the field of public order and safety".<sup>4</sup>

Article 6 of this law, specifies the relations between the Police, Public Prosecutor and the Court, while stating that legally issues orders and directives from the prosecutor and responsible judges, must be enforced by the police. Article 8 of the Law on Kosovo Police also regulates the cooperation between the Police, local and central institutions, where it is stated that such methods of cooperation are regulated through sublegal acts by the Government or memorandums of understanding.<sup>5</sup>

In the other hand, the Law on Roads defines the competencies of the Ministry of Infrastructure and Municipalities regarding the placement of traffic signs. As for the Municipalities, the Law on Local Self-Governance defines the legal status of Municipalities. Moreover, the Regulation for Municipal Services is another legal provision with various specifics related to obligations of the Municipality and contains regulations related to traffic safety. In the chain of competencies between the central and local governance, the Kosovo Police plays an important role as well. Therefore, the Law on Kosovo Police is another law that must be reviewed in detail. Kosovo Police is an apolitical body, which is under the direct authority of the Minister of Internal Affairs, and it also has a supportive and cooperative role with Municipalities. Yet again, this law fails to clarify the role of the Police in detail. In one hand, it is obliged to enforce the laws and other legal acts of the central level, while in the other hand; it has a duty assist and support initiatives and activities of the municipalities. Cooperation between the Police and municipal authorities is already in place. However, a significant number of media reports indicate that there is no structural and efficient cooperation in place.

The Law on Kosovo Police, amongst other issues, regulates the way the Police is organized. Nevertheless, the decisions on placing police officers in the streets have been assigned within the competencies of municipal directories. These directories are supposed to have data and information on the roads and specific points where it is necessary to place police officers<sup>6</sup>. Regardless, the Law on Kosovo Police, respectively Article 34, talks about the competencies of regional directories only in broad terms without specifying who determines the positioning of control checkpoints throughout the streets. Moreover, nothing is specified in terms of inter-institutional cooperation regarding this issue.

Article 11 of the Law on Road Traffic Safety specifies that traffic signs must also mark the danger of temporary character. These signs should be placed by parties contracted by the Municipality to work on the improvement of road infrastructure. However, the lack of specifics which determine a time period before and during which these signs must be placed, had fatal consequences in the past. Since Kosovo is now going through a period when many works are

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<sup>4</sup> Kosovo Assembly (2012), Law No. 04/L-076 on Kosovo Police, Article 5.

<sup>5</sup> Kosovo Assembly (2012), Law No.. 04/L-076 on Kosovo Police, Article 8.

<sup>6</sup> INDEP interview with Mr. Sheremet Ahmeti, the Head of Department on Road Traffic, Kosovo Police, Prishtina, Kosovo, May 2012.

taking place to improve the road infrastructure, many roads are currently under construction. Hence, in the absence of traffic signs, they represent a constant danger to traffic participants. The Kosovo Center for Public Security in Vushtrri has played a very important role in the execution of the legal provisions and orders of the Minister. This institution reports directly to the Minister of Internal Affairs, and its primary responsibility is to implement the policies of the Ministry. Moreover, this institution has played an important role in the implementation of training programs. Municipal Inspectorates have also played an important role in terms of inspecting the enforcement of executive directives of the Municipal Mayor in the field of traffic safety, based on the Regulation on Municipal Services and the Law on Local Self-Governance.

Nevertheless, even though the legal base can be considered as established in principle, it leaves much space for interpretation. Moreover, the triangle of responsibilities between the Ministry of Infrastructure, Municipalities and the Kosovo Police remains unclear and subject to interpretation. The legal base has also been reinforced with strategies and operative plans of the Ministry of Internal Affairs, which aim to regulate traffic safety. These strategies and plans have tried to adapt to the road infrastructure in Kosovo, the parameters of which will be elaborated below.

### 3. Traffic Infrastructure in Kosovo

Kosovo's road infrastructure represents an important component of traffic safety. In the parts to follow, we will show that the number of accidents where the primary cause is road infrastructure is very small and decreasing from year to year. Traffic in Kosovo is generally identified with road traffic, as the most used form of transportation in Kosovo. Besides road traffic, Kosovo has also inherited a railway traffic infrastructure. Although damaged, this infrastructure is slowly recuperating and becoming an important factor in the economic development of our country. Even so, the most part of traffic in Kosovo lies within land roads, therefore making road transport a priority focus on this study.

#### 3.1. Road Infrastructure

Kosovo's road infrastructure has been through significant changes in the last years. Below you will find the data on Kosovo roads throughout the years:

	2005	2006	2007	2008	2009	2010	2011
<b>International</b>	0.0 km	0.0 km	0.0 km	0.0 km	0.0 km	0.0 km	38.0 km
<b>Intercity</b>	630.4 km	630.4 km	630.4 km	630.4 km	630.4 km	630.4 km	630.4 km
<b>Regional</b>	1,294.7 km	1,294.7 km	1,294.7 km	1,294.7 km	1,294.7 km	1,294.7 km	1,294.7 km
<b>Total</b>	<b>1,925.1 km</b>	<b>1,925.1 km</b>	<b>1,925.1 km</b>	<b>1,925.1 km</b>	<b>1,925.1 km</b>	<b>1,925.1 km</b>	<b>1,963.1 km</b>

**Table 1: Kosovo's road infrastructure throughout the years<sup>7</sup>**

<sup>7</sup> Kosovo Government and Kosovo Agency for Statistics, "Summary of transport and telecom data in Kosovo", Prishtina, 2012.

This table clearly shows that only in 2011, the number of kilometers for international roads has increased as a result of the “Ibrahim Rugova” highway, which has been opened for partial use in 2011. The kilometers for all other types of roads have remained the same. The number of vehicle in the streets has significantly increased during the time period shown in the table above. As a result, there has been a discrepancy between the number of vehicles which have been circulating through these roads, and the quantity of kilometers of roads available for these vehicles. This is due to the fact that more than 1,000 vehicles enter Kosovo on an annual basis<sup>8</sup>. The table above clearly shows a very modest increase in road kilometers, only due to the addition of 38 kilometers of international road.

### 3.2. Railways

Railway transport is used in a much smaller capacity than road transport, and all of this is done through the 333 km of railway that are available in Kosovo. After the war, Kosovo inherited a severely damaged railway infrastructure. However, with improvements in its infrastructure, the use of railway transport has also increased.

Years	Number of Passengers	Quantity of goods transported (in thousands of tons)	Quantity of goods transported for million tons per km.
2005	317,000	298	20
2006	401,000	357	24
2007	417,000	592	31
2008	339,000	823	49
2009	375,000	914	46
2010	377,000	1.129	67

**Table 2: Number of passenger and goods transport in railways throughout the years<sup>9</sup>**

As shown in the table above, the use of railways for civil transportation has remained roughly the same, whereas the use for transportation of goods has increased significantly. Hence, while in year 2005 there were 298 million tons of goods transported, in year 2010 this quantity has increased to 1129 million tons. Even though the number of passengers has remained relatively the same, the trains are used enough to keep the infrastructure available for civil transport.

<sup>8</sup> Kosovo Customs, “Report on vehicle imports during 2008, 2009, 2010 and 2011”, Prishtina, 2012.

<sup>9</sup> Kosovo Government and Kosovo Agency for Statistics, “Summary of transport and telecom data in Kosovo”, Prishtina, 2012.



## 4. Vehicle Registration

Vehicle registration has also been foreseen in the Law on Road Traffic Safety. Article 303.4 of this law, leaves it up to the discretion of the Ministry to use sub-legal acts to define the forms of vehicle registration in Kosovo. The UNMIK Regulation on road taxes has determined the annual character of vehicle registration. The complaints regarding the cost of this tax have always been present, whereas there is a likelihood that this tax will increase due to the introduction of “ecological tax” by the Government, as of July 1<sup>st</sup>, 2012. Administrative Directive 14/2009 of the Ministry of Internal Affairs has specified the forms and procedures of vehicle registration in support of Article 301 and 303.4 of the Law on Road Traffic Safety<sup>10</sup>. Additionally, the administrative directive 24/2011 of the Ministry of Internal Affairs has further explained the methods of vehicle registration with KS license plates. This directive is also based on the Law on Road Traffic Safety and it has replaced the previous directive.<sup>11</sup>

According to data from Kosovo Customs, over 1,000 new vehicles enter Kosovo every year.

Every day, we have more vehicles and participants in the Kosovo Traffic. According to official data from Kosovo Customs, over 1,000 new vehicles enter Kosovo every year.

Year	2008	2009	2010	2011
Number of new vehicles imported	1,218	1,032	1,108	1,357
Number of old vehicles imported	10,898	14,342	12,465	19,811

**Table 3. The number of vehicles that have been imported in Kosovo during the last four years<sup>12</sup>**

All of these vehicles are an additional burden for the roads in Kosovo, just like the number of drivers that enter the traffic every year, which means that the need for awareness of these citizens also increases<sup>13</sup>. The roads in Kosovo have daily additions of new vehicles and drivers and the development of road infrastructure is not proportional with the constant additions of imported vehicles.

Another decision which had a direct impact in the number of vehicles in circulation is the Government Decision of June 2011, which imposes a higher excise tax on old vehicles. This decision came jointly with the decision to allow the import of vehicles up to 13 years old. Besides the increase of budget income, the Ministry of Finance also aimed to increase traffic safety by

<sup>10</sup> Ministry of Internal Affairs, Administrative Directive No. 14/2009 (2009).

<sup>11</sup> Ministry of Internal Affairs, Administrative Directive No. 24/2012 (2011).

<sup>12</sup> Kosovo Customs, “Report on Import of vehicles during the years 2008, 2009, 2010 and 2011”, Prishtina, 2012.

<sup>13</sup> INDEP Interview with Mrs. Shpresa Mulliqi, a senior officer within the Department for Public Safety, OSBE, Prishtina, Kosovo, May 2012.

providing incentives for citizens to opt for new vehicles<sup>14</sup>. The efficiency of this decision is best seen on the table above, which shows the number of old vehicles imported during the last four years. The number of old vehicles has marked an increase from 2008 to 2009, a decrease during 2010, and an extraordinary increase after the Government decision on June 2011.

The number of old vehicles imported in 2011, is 58% higher than last year. This high number of old vehicles participating in the roads of Kosovo has a direct impact in the traffic safety. Old vehicles are prone to have technical problems, which is also one of the causes for traffic accidents. This effect can be easily analyzed by looking at statistics for traffic accidents, respectively for the period June-December 2011 compared to the same period in 2010, where accidents in this period in 2011 were 6% higher than those in 2010<sup>15</sup>. Moreover, the number of traffic accidents for the first four months of 2012 is 10% higher than the number of accidents in the first four months of 2011. Thereby, the decision to allow the import of vehicles up to 13 years old to enter Kosovo, has increased the number of old vehicles in traffic, which has resulted in negative impacts with regards to traffic safety. The crossing of these two policies, even though they brought increased budgetary incomes, hasn't had any positive result in traffic safety.

## 5. Accidents

The high number of traffic accidents, not only the fatal ones, but also the ones including injuries and material damages, has a direct impact in traffic safety. The number of accidents differs based on the type and region, where Prishtina leads with the highest number of traffic accidents. In the other hand, the causes for these accidents are different and the data on causes includes the human factor, as well as other causes related to vehicle and road conditions. One of the simple methods to increase traffic safety is to address these causes and develop the appropriate policies to reduce the number of accidents based on those respective causes.

### 5.1 Statistics on Traffic Accidents

Despite the claims from the Kosovo Police that the number of traffic accidents in 2011 is expected to be lower compared to 2010, the statistics presented below show otherwise. The number of accidents has decreased by 15% for the period January – September 2011<sup>16</sup>. However, the total number of accidents from 2010 to 2011 has increased by 5%, which means that the second part of the year was characterized with a high increase in accidents, surpassing the 15% reduction achieved in the first part of the year.

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<sup>14</sup> Koha.net Portal, 'Kosovarë, urdhëroni vetura të vjetra!' <http://www.koha.net/index.php?page=1,3,59785>

<sup>15</sup> Kosovo Police, and "Statistics and analysis of road traffic accidents 2010-2011"

<sup>16</sup> Telegrafi Portal, 'Fushata e Policisë ul numrin e aksidenteve në trafik', 2011

<http://www.telegrafi.com/lajme/fushata-e-policise-ul-numrin-e-aksidenteve-ne-trafik-80-2494.html>

Year	Fatal Accidents	Accidents with injuries	Accidents with material damages	“Hit and Run” Accidents	Total Accidents
2008	118	3,850	11,313	658	15,939
2009	152	4,730	13,346	984	19,212
2010	158	4,326	12,594	952	18,030
2011	129	4,491	13,338	930	18,888

**Table 4: Statistics on accidents and their respective types<sup>17</sup>**

The total number of accidents has increased by 18.5% from year 2008 to 2011. The number of fatal accidents has increased by 7.6% during the same period. Increases have also been noticed in accidents with injuries, accidents with material damages and “hit and run” accidents with 17%, 18% and 41% respectively. This way, we have not witnessed any improvement in traffic safety during the last four years, since there haven’t been any decreases in the number of accidents in the five categories presented above.

There is a sharp decrease in the number of fatal accidents from 2010 to 2011, with 29 less casualties, a decrease of 18%. Likewise, the number of accidents with injuries and those with material damages has decreased on average by 9% and 6% respectively, during the period 2009-2010. In the same period, we have a decrease of 3% in the number of “hit and run” accidents, while the total number of accidents has also decreased by 6%. A simple analogy leads us to conclude that the improvement from 2009 to 2010 was ineffective, since the number of accidents in the previous period (2008-2009) had increased by approximately 21%.

The Kosovo Police is divided into six regions: Prishtina, Ferizaj, Mitrovica, Prizren, Gjilan and Peja. The table below shows the number of accidents based on respective regions.

Year/Region	Prishtina	Ferizaj	Mitrovica	Prizren	Gjilan	Peja
2008	6,521	1,383	1,350	2,319	1,718	2,648
2009	8,462	1,628	1,472	2,659	1,926	2,659
2010	8,056	1,463	1,474	2,600	1,588	2,850
2011	8,342	1,545	968	3,183	1,576	2,750

**Table 5: Statistics on traffic accidents by region<sup>18</sup>**

<sup>17</sup> Kosovo Police, ‘Police Report 2010’ and ‘Statistics and analysis of road traffic accidents 2010-2011’

<sup>18</sup> Kosovo Police, ‘Police Report 2010’ and ‘Statistics and analysis of road traffic accidents 2010-2011’

By analyzing the data presented above, only two regions (Mitrovica and Gjilan) have not marked an increase in accidents from 2008 to 2011. The largest increases can be seen in Prishtina and Prizren, where traffic accidents from 2008 to 2011 have increased by 28% and 37% respectively. In the other hand, Ferizaj and Peja have faced more moderate increases in the number of traffic accidents. Comparing the number of total accidents, it is evident that the increase from 2008 to 2009 comes mainly as a result of the increase of 30% in traffic accidents within the Prishtina region. Thereby, the capital city region is the main contributor of this increase in a national level. The latest reports by the Kosovo Police reaffirm this trend.

The number of accidents has also continued to increase in the first four months of 2012. Based on the data from the Department of Road Safety within the Kosovo Police, when comparing data for months January-April 2011 with the same period in 2012, we have an approximate increase of 10% in the number of traffic accidents. Yet again, we have positive statistics with regards to fatal accidents where there is a decrease of 13.3%. This clearly indicates that 2012 is expected to follow the same trend as in the previous years.

**5.2 Statistics on accidents based on their causes**

Based on the practices of relevant institutions, throughout this study, we have categorized the causes of accidents in six categories: Human Factor (Driver), Human Factor (Pedestrian), Vehicles’ Technical Condition, Road Infrastructure, Climate Factors and Other Factors. It is evident that drivers themselves are the main cause for accidents. As a result, approximately 98% of the total number of accidents is caused by drivers.

Year	Human Factor (Driver)	Human Factor (Pedestrian)	Vehicles’ Technical Condition	Road Infrastructure	Climate Factors	Other Factors
2008	15,565	32	52	29	229	32
2009	18,946	10	38	24	175	19
2010	16,286	12	17	14	332	8
2011	14,481	8	17	8	59	9

**Table 6: Accidents based on their causes<sup>19</sup>**

In the statistics of accident causes during 2008 and 2009 from the Inspectorate of the Kosovo Police, the six main categories have been further elaborated into other subcategories. The Human Factor (Pedestrian) contains the following subcategories: Participation in traffic while in the influence of alcohol/drugs, disregard of traffic signs, disregard of pedestrian crossing places and sudden appearances in the road. From all the subcategories, ‘Reckless Driving’ within the Human Factor (Driver) accounts for 27.7% and 26.7% of the total number of traffic accidents during 2008 and 2009 respectively. In 2010 and 2011, around 24% of total accidents resulted as a consequence of reckless driving or carelessness.

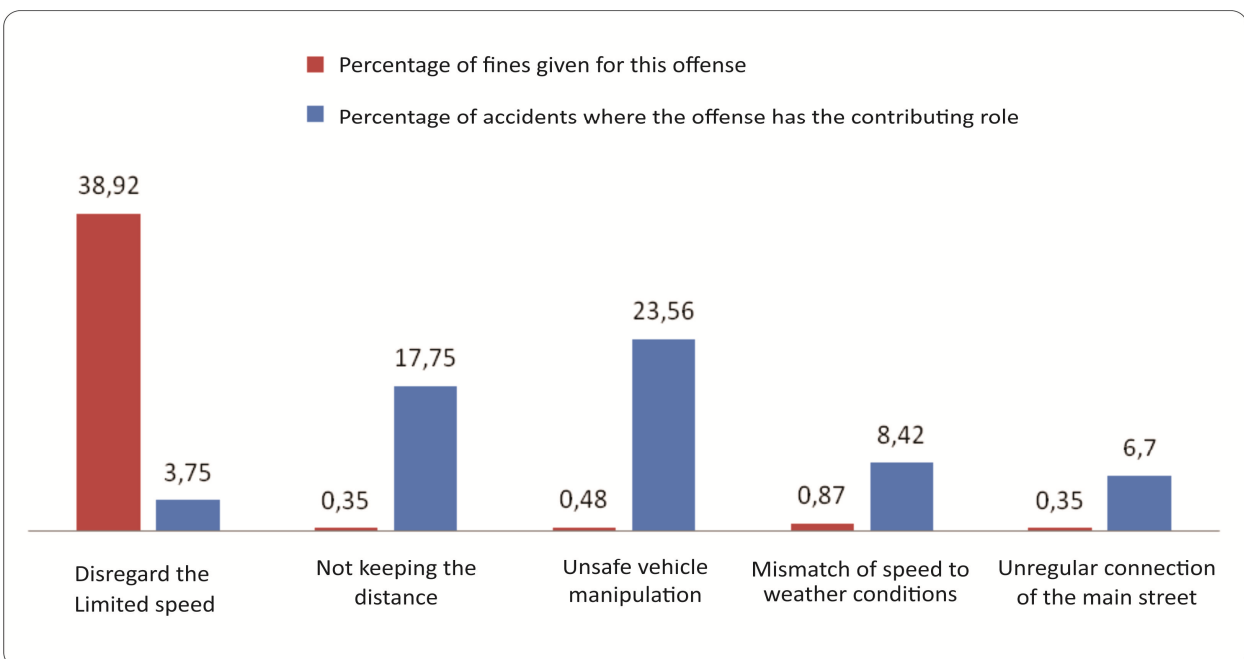
<sup>19</sup> IBID

A positive statistic for road safety is the decrease in the number of accidents caused by Road Infrastructure. The number of accidents has continuously decreased from 2008 to 2011, where in 2011 – there were only 8 accidents caused by Road Infrastructure compared to 29 accidents in 2008. The number of accidents caused by road infrastructure has decreased due to significant investment made in road infrastructure, as a result of which, the number of asphalted roads has increased continuously.

### 6. Relation between Police tickets and accident causes

After carefully reviewing the official statistics of the Kosovo Police, we have come to the conclusion that tickets issued by the police fail to address the causes of accidents. Therefore, the media and citizens were right when criticizing the tickets policy which is considered more as a policy to fill the budget than it is to address traffic safety. Around 39% of the total number of tickets issued in 2010 and 2011, were given for speeding, which accounts for the majority of total tickets issued. In the other hand, speeding results in only 3.75% of total accidents, which can be seen in the statistics on accident causes.

Failure to keep the required distance between vehicles results in 17.75% of accidents in 2010 and 2011, while only 0.35% of tickets related to this cause, were issued during the same period. The same trend is valid for reckless driving (0.48% of tickets / 23.56% of accidents), irregular access to a primary road (0.35% of tickets / 6.7% of accidents) and failure to adapt speed to climatic conditions (0.8% of tickets / 8.42% of accidents). Based on this data, it is clear that the police strategy with regards to ticket types is not in compliance with the primary causes of traffic accidents. This fact has a double negative effect, as in one hand – it fails to address the accident causes, and in the other hand – it significantly diminishes the efficiency of police tickets.



Graph 1: Comparison of issued tickets with accident causes

Another point worth emphasizing is the inefficiency of the courts. Due to the overload of work, Courts often lag behind in the treatment of ticket cases. Often, we have cases that reach absolute obsolescence and as a result, the punishments never achieve their desired effect.<sup>20</sup>

## 7. The role of stakeholders in the enhancement of traffic safety

Cooperation and allocation of competencies among relevant institutions is of crucial importance to traffic safety. In often cases, the lack of specific allocation of competencies is cause for non-functioning of responsibilities in these institutions. In the following parts, we will focus on these actors and the respective work they have done for traffic safety. With regards to Kosovo Police, we will focus on their strategic plans and the importance that has been given to traffic safety. With regards to Ministry of Internal Affairs, the focus is within the Department of Public Safety. The work of the Government will be analyzed related to its supervisory role, whereas the role of Municipalities will be analyzed based on the work of Directories for Public Services.

### 7.1. Kosovo Police

The Kosovo Police drafts strategic plans based on which it operates. These plans include traffic safety as well. In the strategic plan 2008-2010, the only time when traffic safety is mentioned, is in the form of an objective to reduce the number of traffic accidents. However, no concrete measures or actions are specified on how the Police should achieve this objective.

In the other hand, we can see an improvement in the strategic plan 2011-2015, as one of the strategic objectives is the increase of the public safety through higher presence of Kosovo Police, to be carried out by more frequent patrols in specific hotspots. The later can be considered as a step forward compared to the previous Strategic Plan. This is due to the fact that determining hotspots will be done by taking into account the specifics of the respective road and accident statistics for that road. Moreover, this strategic plan features an Action Plan on the prevention and decrease in the number of fatal accidents. This action plan includes two activities: increase in the number of controls and activities in road traffic, as well as educative programs for kids.

After analyzing the Strategic Plans of the Kosovo Police, it is clear that both strategic plans (2008-2010 and 2011-2015) pay little attention to traffic safety. Every strategic plan should contain an action plan with concrete steps and measures towards the treatment of a specific problem. Even though the strategic plan 2011-2015 contains an action on traffic safety, this plan can be considered very deficient as it only contains two activities, which are poorly specified. Moreover, this action plan includes a specific deadline, leaving enough space for these two activities to be completed within the period 2011-2015

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<sup>20</sup> Interview with Mr. Sheremet Ahmeti, Head of Department for Road Traffic, Kosovo Police, Prishtina, Kosovo, May 2012.

Since the Kosovo Police is only one of the components of traffic safety, and the later one is consisted of many other components, Kosovo must have a strategic action plan dedicated to traffic safety. Best practices from other countries indicate that such strategic plans improve the efficiency through a direct increase in institutional cooperation. Albania has two published documents which directly address road traffic and safety: Action Plan on Road Safety 2011-2015 and National Strategy on Road Safety 2011-2015. A positive development in this aspect is the fact that the Ministry of Infrastructure is currently working on the Strategy for Road Safety and its Action Plan. Currently, this strategy is only a draft document and it's expected to be implemented this year, while the inclusion of stakeholders in the strategy drafting process, especially the civil society, is absolutely necessary.

## 7.2. Ministry of Internal Affairs

The Ministry of Internal Affairs has opened a website dedicated to the Department on Public Safety. This website is based on the Ministry's mission to increase the safety of its citizens by cooperating with them<sup>21</sup>. As such, it is foreseen to serve as place where citizens have access to legal provisions, strategies, and practical advice for them<sup>22</sup>. Traffic safety is in no doubt, an important part of public safety. Yet, the only thing in this website related to traffic safety is a brochure entitled "Safe Driving. This is a one page brochure with information on safe driving during rough meteorological conditions. No other advice is provided for citizens besides the fact that they are the primary cause of traffic accidents: "Reckless Driving". Hence, a further and more qualitative engagement by MIA with regards to traffic safety is absolutely necessary.

## 7.3 The Government and Municipalities

The work of the Kosovo Police is closely connected to the work on political level and primarily, the Kosovo Government. The Government has invested in the improvement of road infrastructure mainly for local roads, which often led to traffic jams. The relevant institutions have failed to develop an information system which would alert the drivers in real-time regarding blocked roads, traffic accidents, road damages, road conditions, etc. In western countries, there are special associations who provide information for citizens on road conditions. This is a fundamental right of citizens for information and an obligation of public institutions to inform the citizens.<sup>23</sup>

In addition, the municipalities, through the directories for public services, were supposed to do a better job on increasing traffic safety. They should utilize their competencies more efficiently, with regards to improving the local traffic system. Moreover, in the field of education, the municipalities have not undertaken any initiatives that are worth mentioning.

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<sup>21</sup> The homepage of the official website of Department on Public Safety, Ministry of Internal Affairs, 2012. [www.dsp-ks.org](http://www.dsp-ks.org)

<sup>22</sup> IBID

<sup>23</sup> INDEP Interview with Mr. Sheremet Ahmeti, Head of Department for Road Traffic, Kosovo Police, Prishtina, Kosovo, May 2012

Municipal directories for education could increase the education level on traffic safety through their policies. This topic could also be made available as an optional learning course if there are such requests from parents or the municipal directory for education.<sup>24</sup>

Another problem which has surfaced recently and that is worth emphasizing is the level of corruption in the Ministry of Infrastructure. The rumors regarding corruption with drivers' licenses were also confirmed by Minister Fehmi Mujota himself, who claimed that such malpractices exist<sup>25</sup>. There rumors were started by some witnesses who claimed that with 500 Euros, any individual can be equipped with a valid drivers' license without even entering the exams. Investigations made by the Kosovo Police on this issue have been sent to the Special Prosecutor, who claims that there is a criminal network operating the Ministry, involving high-ranking officials<sup>26</sup>. This development complicates matters even more and is directly linked with "Reckless Driving", which is the number one cause in traffic accidents in Kosovo.

## 8. Penalty Systems - Points

The Law on Road Traffic Safety specifies in detail, the functioning methods of the points system in a drivers' license. In the description of the Provisions of the Law on Road Traffic Safety, there are 36 violations for which the Points removal system is enforced. However, this system is far from practical implementation<sup>27</sup>. The points system is not being implemented in Kosovo. The main challenge remains at the development of a central database which would store the points of every individual, whereas presently there are no available statistics on the number of points given. The non-implementation of the points system is a critical mistake due to the fact that if implemented, drivers would be much more careful in traffic and as a result, there would be less traffic violations<sup>28</sup>. The removal of one point would make the driver more careful in the future, as the risk of losing the drivers' license would increase.

In order to see whether the points system would be effective or not, an awareness campaign implemented by the Kosovo Police and OSCE could be considered a good indicator. The campaign entitled "Nine points and you lose your license" aimed to increase the awareness of citizens related to the points system. This campaign had an astonishing effect within the citizens, surpassing all estimations<sup>29</sup>. As a result, during the period when the campaign was running, the number of traffic accidents decreased significantly. At that time, the citizens were overwhelmed from with "fear" as the campaign emphasized that points may lead to the suspension or removal of their drivers' license for a considerable time period. Money and tickets didn't have a

<sup>24</sup> Interview with Ramush Lekaj, Head of Division on Curriculum, Ministry of Education, Science and Technology, Prishtina, Kosovo, May 2012.

<sup>25</sup> Koha.net Portal, 'Mujota e pranon se ka kriminalitet në ministrinë që drejton'. <http://koha.net/?page=1,13,102504>

<sup>26</sup> Koha.net Portal, 'Zbulohet rrjeti kriminal që shiste patent shoferi' <http://www.koha.net/?page=1,13,102356>

<sup>27</sup> INDEP Interview with Mr. Sheremet Ahmeti, Head of Department for Road Traffic, Kosovo Police, Prishtina, Kosovo, May 2012

<sup>28</sup> IBID.

<sup>29</sup> INDEP Interview with Mrs. Shpresa Mulliqi, senior official, Department for Public Safety, OSBE, Prishtina, Kosovo, May 2012.



significant effect, whereas the idea that they could potentially lose their drivers' license for a certain period of time had a significant impact on citizens<sup>30</sup>. Therefore, the brochures distributed as part of the campaign, have been carefully kept by drivers to remind them about the risk from losing points on their license.

According to the Law on Road Traffic Safety, if a driver accumulates at least 6 negative points within a 36 month period, additional measures are to be taken against this individual. If we go back to the Description of Provisions of the Law, the points can be taken away as a result of 36 violations. In most of these 36 violations, the number of points assigned per violation is 1 or 2, whereas 5 points are assigned for only 5 predefined violations from the Law provisions. An example to illustrate such cases: if a driver crosses the speed limit within or outside of a residential area for 30-50km/h, only one point is removed from their drivers' license. Therefore, even if the same driver commits the same violation for 5 times within 3 years, no measures would be taken against them. In other words, if a driver is caught 5 times while driving at 100km/h in a residential area with a speed limit of 50km/h, they will have 5 points removed from their drivers' license and no additional measures will be taken against them. All of this aside, the points system cannot be evaluated since it has never actually seen implementation in practice.

## 9. Kosovo Police Campaigns

The Kosovo Police has carried out a series of awareness campaigns in cooperation with other local and international institutions. In cooperation with OSCE, the Kosovo Police has launched a number of awareness campaigns such as: "Safe at school, at home, and with friends", "Speeding Kills! Don't Rush", "Know your Police Officer", "What is the penalty for a lost life?" etc.

"Safe at school, at home, and with friends" is a one-page leaflet which was distributed in primary schools throughout the country. Around 500,000 leaflets were distributed to children and lectures were held for them in primary schools. The leaflet is illustrated with animations which attract the attention of an audience such as small children. Part of this leaflet is related to traffic safety, which includes information on pedestrians in traffic, traffic lights and riding a bicycle. This campaign was spread throughout Kosovo and was very important in the information of students regarding participation in traffic and traffic rules.

"Speed Kills! Don't Rush" is another campaign assisted by OSCE, which is also known by the name "Patrol two". This campaign has been characterized with a convincing motto such as: "It's better to lose one minute in life... than to lose your life for one minute". This campaign served as an appeal to citizens to respect the law on traffic safety and was implemented in the end of 2011. Cardboard police cars were placed in the streets as a tool aiming to make drivers break and slow

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<sup>30</sup> IBID.

down instinctively. Regardless, the success of this campaign was questioned and deteriorated with the airing of a TV clip aimed at informing the drivers for the existence of cardboard police cars, and therefore, the campaign didn't reach the desired impact. "After we realized one day that it lost its effect, we decided to remove it"<sup>31</sup>

### 9.1. The impact of campaigns

In order to analyze the success of the "Safe at school, at home, and with friends" campaign, it would be wise to wait for the statistics on the number of accidents during 2023, since this campaign only started in the last months of 2011. Nevertheless, it is safe to say that it was successful if we compare the number of deceased and injured children until the age of 12 from 2010 to 2011. The number of deceased children was decreased by approximately 18%. In the other hand, the number of injured children has decreased by 7.5%.

The "Speed Kills! Don't Rush" campaign aims to directly impact the fear of drivers for loss of life. Maybe it can be said that this objective has been achieved successfully if we refer to the number of fatal accidents which have decreased by 18% from 2010 to 2011, even though the overall number of accidents has increased. Therefore, it is difficult to reach a solid conclusion on the impact of this campaign, even though we heard declarations from the spokesperson of the Police that precisely this campaign will decrease the number of total accidents in 2011, which did not happen. Even though there have been a number of awareness campaigns, the Kosovo Police and OSCE do not possess a more specific measuring mechanism which could be used to evaluate these campaigns. The success of such campaigns is measured by Police statistics related to traffic accidents. However, such statistics cannot be the decisive factors in terms of evaluating which campaigns were successful and which weren't, which ones should continue and which ones should be stopped. Hence, all of the campaigns by Kosovo Police and OSCE were of a temporary character and they haven't been continued, regardless of the fact that there have been positive indications of success for some of the campaigns. Without having a proper measuring mechanism in place to see what is necessary and what isn't, if we look at the statistics of accidents and their causes, same as the case with police tickets, the campaigns also fail to address the main accident causes. There still hasn't been any campaign towards addressing the issue of "Reckless Driving" as the primary cause for traffic accidents.

## 10. Conclusions

Although Kosovo has an established legal base regarding traffic safety, it could be further improvement by eliminating a number of uncertainties. Such actions are especially required with regards to the division of competencies among relevant institutions. The cooperation of Kosovo Police with Municipalities and the dependent role towards the Ministry need to be clarified. Moreover, the way Kosovo Police is organized is not clearly defined in the Law on Kosovo

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<sup>31</sup> INDEP Interview with Mr. Sheremet Ahmeti, Head of Department for Road Traffic, Kosovo Police, Prishtina, Kosovo, May 2012

Police. The competencies of Regional Directories are not specified and it is not stated anywhere that they have the competency to determine traffic control points.

The terminology used in the laws is also unclear in some occasions. In the Law on Road Traffic Safety, in the part of Ministry competencies, the term “public roads” is used very often, without specifying what type of public roads since the Municipalities also reserve some competencies in this case. Likewise, the part that talks about the obligation to mark damaged roads or those under construction, does not specify a time period for relevant institution within which the necessary traffic signs must be placed. Moreover, there are uncertainties regarding the use of the word “moped” as there is a lack of clear definition for this specific term.<sup>32</sup>

The number of fatal accidents has decreased in the last four years. Yet, the total number of traffic accidents has increased significantly during this period. The decrease in fatal accidents and the increase in the number of total accidents has also characterized the first four months of 2012 compared to the same period in 2011.

The points removal system is described in detail within the Law on Road Traffic Safety. Nevertheless, we come to the conclusion that the points system is not being implemented in practice. The main challenge in this case is the lack of a central database where all data would be stored. In the other hand, the points system is considered as an ideal mechanism to prevent the continuous increase of traffic accidents in the country. The primary cause for accidents in Kosovo is reckless driving, whereas the ninth cause by importance is the surpassing of the speed limit. In the other hand, almost half of police tickets are issued with regards to speeding violations, whereas a very small number is issued for reckless driving. As a consequence, we can conclude that police tickets are not contributing to the improvement of the current situation with traffic accidents. Awareness campaigns have failed to address the causes of traffic accidents. There have been many campaigns with regards to speeding, while statistics indicate that only 3.75% of traffic accidents happen due to this cause. Reckless driving, as the primary cause for accidents, has not been a part of any awareness campaign. The method of evaluating the success of an awareness campaign for traffic safety is to compare statistical data before and after the campaign. There is no mechanism in place to measure the degree of their success and statistics on traffic accidents remain the only tool used in evaluating what type of campaigns are needed. Kosovo does not have a national strategy on traffic safety. This issue of traffic safety is only mentioned as part of the Strategic Plan of the Kosovo Police. Therefore, this country needs a special strategy on traffic safety with concrete action plans to be carried out in this field.

Very little has been done in terms of educating students with the necessary basic information on traffic safety. The educational curriculum does not foresee any continuation in the education of students related to traffic, which undoubtedly impacts their behavior in traffic and the lack of a solid base for them as future drivers. In the other hand, there was no pressure from any stakeholder for traffic safety to be available as an optional learning course, and to be added in the curriculum.

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<sup>32</sup> Kosovo Assembly, Law on Road Traffic Safety No..02/L-70 (2007)



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