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MINORITY ISSUES



EUROPEAN CENTRE FOR MINORITY ISSUES – ECMI KOSOVO

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Political Developments:

Serbia Formally Proposes Ethnic Partition of Kosovo

On Monday 24th March Serbia formally proposed dividing newly independent Kosovo along ethnic lines, a move that was immediately rejected by Kosovo's leadership in Prishtina. European countries and the United States also declared that they too would reject such a proposal. The proposal, submitted to the United Nations, is the culmination of a campaign by Kostunica's Government to entrench its political and administrative control over the northern part of Kosovo. The proposal acknowledges United Nations jurisdiction over Kosovo, but calls for the Serbian majority to take charge of border customs, judiciary and police services in the northern part of Kosovo.

Mitrovica Protests

Serbia's effort to assert control over northern Kosovo has contributed to violent confrontations in recent weeks, including a clash on March 17th in which peacekeepers seized a courthouse in Mitrovicë/Mitrovica that was occupied by Serbian protesters. A United Nations police officer was killed and dozens of others injured in the fighting. Shortly after the conflict, KFOR took over the control in the northern part of Mitrovicë/Mitrovica. On 19th March, UNMIK re-established its administration re-establishing a calm situation, albeit one that remains tense.

Kosovo's reactions

President Sejdiu said that Belgrade is to blame for the violence. He claimed that it is Belgrade's responsibility to keep promises made during the negotiations and in the Security Council sessions, to refrain from any kind of violence.

Kosovo's Prime Minister Hashim Thaçi and International Civilian Representative Pieter Feith also condemned the Mitrovicë/Mitrovica violence. Thaçi and EU special representatives offered their full support to UNMIK's efforts to restore law and order. Thaçi accused the government in Belgrade of inspiring the violence in Mitrovicë/Mitrovica and urged the authorities in Belgrade to call on Serbs in Kosovo to exercise moderation and peace, adding that Kosovo's institutions were ready to preserve law and order, but also the province's integrity.

The International Civilian Representative, Mr. Feith, said the EU has condemned the violence against KFOR and UNMIK police members. "At the same time we express unconditional support for the UN, UNMIK police and KFOR forces, and their efforts to establish law and order," he said. Feith called on all residents in Kosovo to remain calm and think about their future, which the international community will help the government of Kosovo to build.

SLS – Serb Liberal Party returned to Kosovo institutions

In spite of the continued Serb boycott to the institutions of Kosovo, two Serb ministers attended a Kosovo government meeting on March 20th for the first time since the violence. Social Welfare and Labour Minister Nenad Rasić and Returns and Communities Minister Boban Stanković had both walked out from their jobs following Kosovo's declaration of independence on February 17th. Returning to work on March 20th they showed their support for of the decisions taken by the Kosovo government. Meanwhile, Serb Liberal Party leader Slobodan Petrovic said that his party members would also end their month-long boycott and return to parliament and government institutions.

For many Kosovo Serbs, however, none of their representatives in the institutions are seen to have any real legitimacy since the vast majority of voters in the community boycotted the last set of general elections, on November 17th, 2007.

Bush authorizes to supply Kosovo with military equipment

American President George Bush authorized on 19th March the supply of arms and military equipment to Kosovo. Kosovo leaders welcomed this decision while it generated harsh reactions from Serbia and Russia. Russia requested an urgent meeting with the NATO council to discuss the decision. Bush's decision one month after the U.S. recognized Kosovo's independence marks the start of a new phase of relations between the two states.

II. Additional Recognitions of Independence

Japan and Canada recognized Kosovo's independence on March 18th. Norway, Netherlands, Monaco, Croatia, Hungary, Bulgaria, Lichtenstein, and South Korea also recognized Kosovo's independence throughout March. 37-thirty-seven countries have recognized Kosovo's independence to date, including 18 EU member-states.

III. Adoption of Ahtisaari's related legislation

On 18th March, Kosovo's Assembly adopted 10 (ten) more laws foreseen by the *Ahtisaari Comprehensive Proposal*, including the *Law on the Ministry of Foreign Affairs* and the *Law on Kosovo Security Force*.

In addition, the Assembly of Kosovo adopted the following Laws throughout March; *the Law on the Promotion and Protection of the Rights of Communities and their Members in Kosovo*, the *Law on Public Finances for 2008*, the *Law on the Local Governance Finances*, the *Law on the Civil Aviation*, the *Law on the Kosovo*

Special Procurement, and the Law on the Competences, Selection and the Assignment of Subjects for the EULEX Judges and Prosecutors in Kosovo..

The previously mentioned laws were adopted in both readings and will get into force once after the adoption of the Constitution of the Republic of Kosovo.

ECMI ACTIVITIES

During the reporting period, ECMI was engaged in advancing activities in three principal areas of its work in Kosovo.

I. Communities Consultative Council

I-1 Throughout the reporting period, ECMI General Director has met several times with the Office of the President of Kosovo to discuss the creation of a legal framework for the functioning of the Communities Consultative Council (CCC). To this end a briefing note was developed following an initial request by the President with ECMI General Director. The briefing report provides the President with an overview of the types of similar minority consultative mechanism that are established elsewhere in the region [Croatia, Bulgaria, and Romania] and provides the full legal and institutional structures a Communities Consultative Council (CCC) in Kosovo. The briefing note was drafted in consultation with the President's Office staff, and was submitted in its final form in the middle of March 2008, to the Principle Political Advisor of the President, Mr. Muhamet Hamiti. ECMI now awaits feedback. The President is considering the best ways in which to proceed and will take a decision on the issue shortly.

The institutionalization of the CCC at this point in time is essential for streamlining the needs and concerns of communities into the work of the government of Kosovo and its institutions following the declaration of independence. ECMI has thus advised the President on the necessity to move promptly on the establishment of the CCC as a confidence building measure in the current transition period.

II. Support to the Office of the Prime Minister

II-1 ECMI has supported the OPM and Kosovo Institutions in the final review stages of the Draft Law on Communities. ECMI has worked together with the ICO in developing a modification procedure to the Draft Law on Communities involving experts on minority rights. These experts include the OSCE High Commissioner for Human Rights Office and the Council of Europe. The Draft Law on Communities was approved by the Parliament of the Republic of Kosovo on the 18th March 2008, thereby concluding the successful work of ECMI with the Kosovo Government, the Kosovo Unity Team and minority representatives.

II-2 In order to continue its involvement in the Minority Rights Strategy within the Kosovo Human Rights Strategy and Action Plan (HRSAP), ECMI Head of Office has met with the Head of the Office for Good Governance-OGG/OPM and with the Prime Minister Advisor on Community Affairs, Mr. Fernando Mora. The HRSAP is nearing its completion and includes the Chapter on the Rights of Minority Communities drafted by ECMI during 2007. The OGG/OPM has now requested adding costing to the Strategy for fundraising purposes.

III. Support to the Decentralization Process

III-1 During the reporting period, the ECMI Office Representative, Adrian Zeqiri, has worked closely with the Finnish Office in Pristina to discuss community needs within the decentralisation

process. The ECMI Office Representative has also met regularly with the Ministry of Local Government Administration. Both ECMI and the Minister expressed their willingness for further cooperation on issues of mutual interest. In particular this included agreeing on engaging together in the decentralisation process and in the reformation of local governance. A project has now been developed to support both local government and communities during the decentralisation process and a Memorandum of Understanding is ready for signing between ECMI and the Minister of Local Government Administration.

III-2 In order to gain deeper understanding about the process of decentralisation and local governance reform, ECMI Head of Office, Mr. Adrian Zeqiri, met with Mr Boban Stanković, Minister for Returns and Communities. The meeting took place on March 17th giving attention to the *Draft Law on Communities*, adopted by the Assembly of Kosovo, and to the decentralisation issue. ECMI informed the Minister for Returns and Communities on its initiative to engage in the decentralisation process and to cooperate with all relevant actors dealing with minority communities in Kosovo.

III-3 On March 14th, ECMI Head of Office, Adrian Zeqiri, met with UNDP representatives to discuss recent activities in support to the Office of the Prime Minister and the institutionalization of the CCC. ECMI's support to local government reform and the involvement of communities' civil society organisations and NGO's in this process was also discussed.

IV. Other Developments

IV-1 ECMI has welcomed different guests and has held a range of meetings, both internal and with relevant stakeholders, on the issues of mutual interest. Among these were meetings with Mr. Mengistu Arefaine from the International Civilian Office in Kosovo, Mr. Armin Rieser Swiss Peace-building Advisor for Macedonia, Serbia and Kosovo Mr. David Mundiz from U.S Office in Kosovo.

III-2 During the reporting period ECMI has welcomed a new staff member, Ms. Virginia Stephens, who has joined the Kosovo Office. Ms. Stephens started as an intern in early 2007 and has since worked in Kosovo with UNICEF whilst also helping the Kosovo Office as an external associate. Ms. Stephens will be working as Programme Officer for the ECMI Kosovo Office.

Report Ends;