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MINORITY ISSUES



EUROPEAN CENTRE FOR MINORITY ISSUES – ECMI KOSOVO

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Political Developments:

- I. Internal and Int'l Political Developments**

I-1 Security Council debates Kosovo report, splits on Serbia elections in Kosovo

At a closed session, on Monday, 21 April the UN Security Council reviewed a report on events in Kosovo since its February 17 declaration of independence. Kosovo Prime Minister Hashim Thaçi and Serbian President Boris Tadić offered different views of the situation. During the presentation of the report, UNMIK's chief Joachim Ruecker, denied speculation that he will resign. "I will continue to carry out UNMIK's mandate," he said, adding that his mission "will not allow violence, parallel institutions or disrespect for UNMIK".

Ruecker also noted changes in the field and the formation of Kosovo institutions. He observed that parliament passed a constitution, according to which UNMIK will transfer authority to local institutions as of mid-June. That is why, as Ruecker put it, UNMIK should adapt to the new circumstances. Ruecker added that allowing Serbia to hold local elections in Kosovo on 11 May, which Kosovo opposes, would not improve relations between Albanians and Serbs.

Kosovo Prime Minister Hashim Thaçi addressed the UNSC meeting too. Mr. Thaçi told the Council that Kosovo would fully comply with the Ahtisaari plan, particularly regarding minorities' rights. Thaçi also said that problems remained after independence, such as unemployment and the need for foreign investment. "Kosovo's independence was controversial, primarily due to strong resistance from Serbia. We continue to offer Belgrade a hand because there is an urgent need for co-operation at various levels," he said.

Serbian President Boris Tadić, however, insisted on holding those elections and on ensuring "that citizens everywhere in Kosovo, where they acknowledge the Republic of Serbia as their state, can democratically elect their municipal and parliamentary representatives". Mr. Tadić also criticised UNMIK for failing to react more strongly to Kosovo's declaration of independence and for allowing the implementation of former UN envoy Martti Ahtisaari's Plan.

The U.S. and UK ambassadors to the UN afterwards urged Serbia to rethink holding local elections in Kosovo.

I.2 UNMIK chief has green light to reconfigure mission

UN Mission in Kosovo got the green light from New York to move forward with the transfer of competencies once the constitution of Kosovo enters into force, Kosovo dailies reported on Wednesday, 23 April. The green light from UN in New York was confirmed by the UNMIK chief Joachim Rucker and Prime Minister of Kosovo Hashim Thaçi on their return from New York where they were attending UN Security Council meeting, adding that the transitional period will run the way it was planned. On this issue, Thaçi said that he also got the confirmation from Jean-Marie Guehenno, head of UN Peacekeeping Operations. Regarding the future presence of UNMIK in Kosovo, UNMIK chief Rucker said the precise UNMIK reconfiguration and format after 15 June would be decided later.

Mr. Guehenno has already visited Prishtina and Belgrade to discuss the recent developments in Kosovo and in particular the future of the UN Mission in Kosovo.

I-3 Dossier: 161 Serbian Ministry Offices (parallel structures) in Kosovo

During the reporting period Prishtina daily Koha Ditore on 2nd April, had an article on the Serbian parallel structures located in Kosovo Serb enclaves based on a leaked UNMIK Dossier. On how Serbia is keen on Kosovo proves the presence of the Serbian Ministry of Education, Culture, Social Welfare, Public Services, in Kosovo, reports Koha Ditore. UNMIK's dossier about parallel structures in Kosovo, which Koha Ditore is continuously publishing, proves that there are more than 161 offices, buildings and other premises, in which these five Serbian Ministries operate. UNMIK on its dossier has proved that there are more than 61 school buildings, which do not function under Kosovo institutions, as well as 18 medic-health institutions in Kosovo dispersed throughout Kosovo Serb enclaves. Also very important, writes Koha Ditore is the presence of the Serbian Coordinative Centre, which proved in a photograph raised doubts if the Serbian Ministry of Defence is also involved in this Centre writes Koha Ditore.

I-4 The US embassy in Kosovo

The US Liaison Office in Prishtina on Tuesday, 08 April 2008 transformed into the Embassy of the United States of America in Kosovo. Four embassies have opened in Prishtina since the declaration of independence, namely, that of the United Kingdom, Germany, Albania and Switzerland.

I-5 ICTY: Former Prime Minister Haradinaj released from all charges

The International Criminal Tribunal for the Former Yugoslavia rendered its decision on Thursday April 3, on the 'Haradinaj case, Kosovo local and world-wide media reported. The Former Kosovo Prime Minister Haradinaj, 39, was acquitted of all charges filed against him by the prosecution. Haradinaj left the court's headquarters after the necessary procedures.

I-6 Kosovo's Government Adopts Plan for EU Integration

The government of the Republic of Kosovo, on Thursday, 3 April adopted the plan for European integration for the 2008-2010 periods. The plan consists of actions that the Kosovo institutions will take in the sphere of bringing legislation and administration reforms closer to required EU standards.

Prime Minister Thaçi said that EU integration is a main priority to the government of independent Kosovo. The government also adopted the strategy for an exit from the current energetic crisis, which aims for an improvement of the situation in a period from 9 to 12 months.

II. Additional Recognitions of Independence

II-1 Burkina Faso, Republic of Nauru and Marshall Islands recognized Kosovo
Burkina Faso on Tuesday, 22 April recognized Kosovo's independence. On Wednesday, 23 April, the Republic of Nauru, an island state in the Pacific, recognized Kosovo. "Burkina Faso recognises the existence of a new sovereign state, in keeping with international law," reads a statement from the Burkina Faso authorities. It adds that Burkina Faso is ready to establish friendly relations and cooperation with the new sovereign state. Following recognition from Burkina Faso, Nauru, and Marshall Islands, Kosovo so far has been recognized by 39 states.

III. Adoption of Ahtisaari's related legislation

III-1 Kosovo assembly adopts constitution

The Kosovo assembly on Wednesday, 9 April 2008, adopted the Kosovo constitution, which would come into force on June 15. All of the Assembly Members, 103 of them present at the session voted in favour of the constitution. The constitution contains 40 chapters and 160 articles, and stipulates that Kosovo is a parliamentary republic, and that the highest power lies with the president. It also states that Albanian and Serbian are the official languages of Kosovo. Last week, as envisaged by the Ahtisaari plan, prior to entering Assembly procedure the draft constitution was approved by the EU representative to Kosovo Pieter Feith.

Kosovo's lawmakers unanimously pledged to build a state with broad provisions for minority communities in Kosovo.

President Fatmir Sejdiu said the document was an important step in Kosovo's state building process and signals Kosovo's commitment to creating a society of equal citizens. "The guarantees for the minorities express the commitment of the majority of citizens and the state institutions to build an independent and sovereign Kosovo, home to all citizens, regardless of their ethnicity," President Sejdiu told lawmakers.

The UNMIK says it is awaiting instructions from headquarters in New York, but is certain to remain in some form under current U.N. Security Council resolution 1244. Kosovo already runs most of its own affairs, but the constitution also creates a Foreign Ministry, Defence Ministry, security force, constitutional court and intelligence agency. The text includes extensive provisions for the protection of the Serb minority, under the Ahtisaari's plan for supervised independence

Reactions from Serbia, and Moscow

Kosovo Minister in the Serbia's Government Slobodan Samardžić said "the adoption of the Kosovo constitution was an "illegal act." "That constitution is completely illegal and illegitimate from the point of view of Serbia, the Serbs that live in Kosovo, and international law, as the whole set of measures of enacting laws based on the Ahtisaari Plan, and this constitution, have been carried out without a Security Council decision," Samardžić told a press conference this afternoon. According to the minister, Serbia had expected such developments, though by no means everything was going according to the Kosovo institutions' plans.

Meanwhile, the Russian Foreign Ministry said today that the preparation of Kosovo's constitution was an attempt to strengthen Kosovo's self-proclaimed independence with a pseudo-legal basis, and

was a resumption policy of Prishtina and its patrons in violation of international law. The ministry said in a statement that it was evident that the section of Kosovo's population that did not accept unilaterally declared independence would not accept the future constitutional organisation, and that the situation could only deteriorate as a result.

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 Country Director, conducted several meetings with staff from the Office of the President (OP). The purpose of these meetings was to discuss the proposed steps for the establishment of the Communities Consultative Council within the OP. These meetings also reviewed the current shortages with regard to the membership of the CCC. ECMI proposed to start assisting communities in setting up their associations and to introduce them with the accreditation and nomination procedures. The Office of the President said it is currently assessing the situation in regard to the restructuring of the President Office and the establishment of the CCC and it will decide shortly on the next steps. ECMI developed a presentation on the steps to be taken prior to and following the promulgation of the Law on Communities which is expected to come into force by June 15. The presentation provides the Office with the timeframe envisaged with the Law on Communities and the Constitution of Kosovo. The presentation was drafted in consultation with staff from the Office of the President, and was submitted at the end of April 2008.

I-2 On April 9, ECMI Country Director Mr. Adrian Zeqiri, and ECMI Programme Officer Ms. Virginia Stephens, met with International Civilian Office Decentralisation Advisor Mr. Mengistu Arefaine and Policy Advisor on Community Rights Dr. Annelies Verstichel. The meeting aimed to discuss the status of the approved legislation and to accelerate the establishment of the CCC. The ICO representatives' explained that the current legislation being passed by the Assembly of Kosovo would not be put into force until June when the transition period ends and the Constitution is signed.

II. Support to the Office of the Prime Minister

II-1 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 meet with the head of Good Governance Office/OPM to discuss the latest developments regarding the NHRSA and to review the costing of the Strategy required for fundraising purposes. ECMI Programme Office Ms. Virginia Stephens met with the Prime Minister's Advisor on Community Affairs, Mr. Fernando Mora.

III. Support to the Decentralisation Process

III-1 In order to establish stronger cooperation and deeper understanding with regard to the process of decentralisation and local governance reform, ECMI Head of Office, Mr. Adrian Zeqiri, met with Mr Izet Sadiku, Principle Political Advisor to the Minister for Administration of Local Governance. The meetings took place on 8, 16 and 22 April giving attention to the Constitution of Kosovo adopted by the Assembly, to the decentralisation issue and on the necessary steps needed for future coordination. ECMI informed the MALG on its proposed program to engage in the early stage of the decentralisation process, and that ECMI is looking for bigger cooperation with relevant actors dealing with minority communities in Kosovo.

III-2 On April 9, ECMI Country Director Mr. Adrian Zeqiri, and ECMI Programme Officer Ms.

Virginia Stephens, had a meeting with Ms. Paivi Nikander, Chief of the OSCE Department for Assistance of the Local Governance. The meeting aimed to establish a first contact and to open up discussions on decentralisation and the OSCE's communication awareness campaign to prevent any overlap between OSCE and ECMI activities. The meeting reached an agreement to share information on common decentralisation projects and to liaise closely in the future.

III-3 Throughout the reporting period, intensive meetings were held with Finnish Liaison Office with the aim of supporting the decentralisation process in Kosovo. The Finnish Liaison Office has expressed interest in supporting specific issues related to decentralisation process, especially those related to community issues and their effective participation in the process.

IV. Other Developments

IV-1 Throughout April, ECMI has welcomed different guests and has held a range of meetings, both internal and with relevant stakeholders, on issues of mutual interest. ECMI met with various key actors and community representatives to establish initial contact, open discussions on possible future co-operation, discuss status of approved legislation and needs to move forward with projects, and to obtain general background information on current issues relating to minorities in Kosovo. These meetings included Mr. Armin Reiser (Swiss Federal Department of Foreign Affairs), Ardita Metaj (HLC), Julie Chadbourne (Norwegian Helsinki Committee), Mr. Isak Skender (The voice of Roma) and Fernando Mora (Community Affairs Advisor) amongst others.

IV-2 During the reporting period, the work of the ECMI Prishtina Office was supported by Ms. Katherine Nobbs and Mi Zhou, who gave their inputs in drafting the Presidential Decree for the establishment of the CCC and procedures for establishment of the communities' representative organisation.

IV-3 During the reporting period, ECMI organized a field trip to Prizren and invited ICO's Dr. Annelies Verstichel to join. The field trip included meetings with [Mr. Refik Kasi](#) and [Mr. Mustafa Balje](#) representing the Bosniak community and [Mr. Altay Suroi-Recepoglu](#), [Mr. Ferhat Asikferki](#), [Mr. Levent Bus](#) and Mr. Alev Nus representing the Turkish community. The aim of both meetings was to discuss new issues of concern since Kosovo's declaration of independence and any new recommendations since the ECMI workshop in October 2007. The field trip also aimed at gaining an understanding on the types of activities civil society is currently involved in.

IV-4 During Roma Day on 8th April 2008, several activities were organised in Kosovo. ECMI Project Officer Virginia Stephens attended an event in Pristina on Roma culture and heritage. The event focused primarily on Roma poetry and music that dealt with Roma history and daily struggles. A play by youth was also held in the afternoon and followed by discussions. At the event, the Draft Strategy for the Integration of Kosovo Roma, Ashkali and Egyptians was distributed.

Report Ends;