

MONTHLY NEWSLETTER – February 2012

Political Developments:

Kosovo – Serbia Talks

After months of deadlock, these talks resumed in February. A deal on Kosovo's representation in regional forums, reached on 24 February, enables it to be represented as 'Kosovo*' (with a footnote referring to the UNSCR 1244 and the ICJ advisory opinion on the Declaration of Independence: "This designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence"). This deal paved the way for the EU Council's decision of 28 February obliging the Commission to launch a feasibility study for a Kosovo – EU Stabilisation-Association Agreement, and recommending that Serbia be granted EU candidate status. The European Council approved Serbia's candidacy on 2 March.

The deal reached with Serbia was firmly opposed by opposition political parties (as well as some MPs of the Thaçi-led PDK) and civil society actors. On grounds of the desire for full equality for the Republic of Kosovo in regional forums, the criticism also focused on the PM Thaçi's initial insistence that Kosovo be represented with its Constitutional name and national symbols, and his later compromise to reach an agreement. While he and other senior Kosovo leaders claimed that through this deal Serbia *de facto* recognizes the Kosovo state, the Serbian leadership insisted that it safeguards their national interests in Kosovo. On 27 February, a protest against the deal, organized by the Vetëvendosje! Movement, took place in front of the Government building in Prishtinë/Priština.

On the other hand, the EU Foreign Policy Chief, Ashton, and the Enlargement Commissioner, Füle, called the deal a big step forward. The U.S. Secretary of State, Clinton, congratulated Kosovo leaders on the deal, while the U.S. Envoy to Kosovo status negotiations, Frank Wisner, said the deal does not damage Kosovo's sovereignty, but "enables [it] to be present and take part in discussions that relate to the future of the

Balkans and Europe, and will also help in defining Kosovo's role in these regions".

Referendum of the Kosovo Serbs in the North

On 14 – 15 February, the parallel Serbian Mayors in northern Kosovo held a referendum in Mitrovica/Mitrovicë North, Leposavić /Leposaviq, Zubin Potok and Zvečan/Zvečan on whether to accept Kosovo institutions' jurisdiction in this area. Out of an allegedly 75% voter turnout, over 99% voted against. The move was declared illegal by Kosovo institutions, the ICO and other international actors. On 15 February, Kosovo's parliament adopted a resolution declaring the referendum an attack on Kosovo's sovereignty. The Serbian President Tadić, fearing it would harm Serbia's EU candidacy bid, said he understood the need of Serbs in north Kosovo to express their political will, yet the move was unnecessary, as their attitudes were well-known.

One Kosovo Albanian Convicted of Ethnically-motivated Hatred

The District Court of Prizren convicted Esmir Hamza for having incited ethnically-motivated hatred and intolerance against Kosovo Serbs during the March 2004 riots. He was given a suspended two-year prison sentence, which would apply if he commits another criminal offence in the next five years. According to the Kosovo Judicial Council's 2010 report on the March 2004 riots, 143 accused persons have been convicted so far, of which 67 received prison sentences longer than a year.

Six Serbian MUP Members Arrested

On 26 February, the Kosovo Police raided six locations in Parteš/Partesh, and arrested six members of the Serbian Ministry of Interior, for "attacking Kosovo's legal order and impeding official persons from carrying out their official duties". Jeton Maloku, the Chief Gjilan/Gnjilane District Prosecutor, told the media that police confiscated material evidence and weapons. The arrested are undergoing interrogation by prosecutors in Gjilan/Gnjilane.

Uganda Recognizes Kosovo

The Government of Kosovo announced on 17 February, the Independence Day, that Uganda has recognized Kosovo. This brings the number of UN Member States recognizing Kosovo to 88.

ECMI Kosovo Project Update:

Legal Aid to Vulnerable and Marginalised Groups

During the reporting period, ECMI Kosovo continued with the implementation of the project: 'Enhancing the Positive Impact of the Law for Vulnerable and Marginalised Groups in Kosovo', funded by the EU and managed by the EU Office in Kosovo.



During February 2012, 113 legal aid cases were received. Moreover, ECMI Kosovo, in cooperation with the Youth Initiative for Human Rights, recorded over 20 complaints on the *Law on Use of Languages*, mostly relating to the official websites of Ministries and Municipalities. ECMI Kosovo is currently looking into the next steps with regards to such violations.

We also continued with implementation of the project funded by the Office of The UN High Commissioner for Human Rights. Within this project, on 23 February, ECMI Kosovo, in cooperation with the Centre for Legal Aid and Regional Development (CLARD), organized a workshop on Discrimination for officials of Municipalities of Klokot-Vrbovac/Kllokot-Vërboc, Novo Brdo /Novobërdë and Parteš/Partesh.



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For more information on this project, please visit www.kosovo-legalaid.com.

Support to Minority Communities during and after the Decentralisation Process

During the reporting period, ECMI Kosovo continued with implementation of the project extension 'Support to Minority Communities during and after the Decentralisation Process', funded by the Finnish Ministry of Foreign Affairs.



Under the first component, during this period, ECMI Kosovo finalized the business survey with local SMEs operating in the five target municipalities. The survey included a total of 250 local SMEs. The legal analysis section of the socio-economic study (covering primary legislation) was also finalized, while the local legislation section and the data collected are still being analyzed.

The primary legislation section covers key Constitutional and law provisions in relation to responsibilities of Municipalities in the areas of SMEs and local economic development. The socio-economic study will be finalized by the end of March. Following its publication, ECMI Kosovo will carry out consultations with Municipal authorities and local SMEs on the findings and needs deriving from the socio-economic study. Following that, a detailed needs assessment report will be finalized by the end of April.

Under the second component, during the reporting period ECMI Kosovo hired a Community Outreach Expert, based in Mitrovica

/Mitrovicë North. Following initial consultations with key project beneficiaries (MPT for Mitrovica/Mitrovicë North, ICO-M and the main civil society organisations active in this area), ECMI Kosovo organized its first workshop with local civil society organisations operating in Mitrovica/Mitrovicë North, Leposavić/Leposaviq, Zubin Potok and Zvečan/Zveqan. This workshop, attended by 33 participants representing 20 local CSOs, was part of the local CSO mapping process.

The mapping concept developed by ECMI Kosovo is based on consultation meetings, a structured questionnaire and mapping matrix, focusing on main areas CSOs' work, major projects and activities (both past and ongoing ones) implemented by them, as well as their assessment of the major needs and concerns of communities living in the area and their priorities in addressing them. It tackles five priority sectors: education, healthcare, social welfare, employment and local economic development).

The CSO mapping report, together with a Community Outreach Strategy for the MPT, will be finalized by the end of March. We also continued with regular support to the MPT on community outreach, which involves the distribution of 100 leaflets promoting the work of MPT in the area.

Improving the Delivery of Roma, Ashkali and Egyptian Education

ECMI Kosovo, within its project funded by UNICEF on 'Improving the Delivery of Roma, Ashkali and Egyptian Education in the Municipality of Fushë Kosovë/Kosovo Polje', continued to offer support to municipal officials of this municipality. During the reporting period, ECMI Kosovo finalized the Manual for municipal officials on how to operationalise municipal action plans. The Manual shall serve as a step-by-step guide for municipal officials to prepare functional municipal action plans

or for operationalising existing municipal action plans.

ECMI Kosovo has also been preparing a training workshop for municipal officials due to take place from 1 to 4 March. Its aim will be to increase the capacities of municipal officials to deliver according to the operationalized education component of the Municipal Action Plan for the Integration of Roma, Ashkali and Egyptian Communities.

The topics identified for the training workshop, through the needs assessment conducted previously, were: the legislative framework in relation to Roma, Ashkali and Egyptian education, data collection, monitoring and reporting, coordination with the central level; conducting research and operationalisation of an action plan.

Institutional Support to the Kosovo Consultative Council for Communities

During February 2012, several meetings were organized with the CCC Secretariat (legal and communication officers, legal officers of the Office of the President and Office of Prime Minister, and representatives of the ICO) to discuss proposed amendments to the CCC Statute. During this period, ECMI Kosovo also provided legal advice and support on amending the Statute of the CCC, through a Presidential Decree. At the end of February, the final draft of the amended Statute was sent to the Legal Office of the OP to be reviewed and signed by the President.

Currently, there are no activities taking place, the President has yet to sign the new Statute and CCC members have still not been informed about the extension of their mandate. The extension of their mandate is going to be for four months, because according to the Nomination component of the new Statute, the process of nomination of the candidates for the new members of the CCC will take 120 days.

