



MONTHLY NEWSLETTER – September 2011

Political developments

Border control dispute

The border control dispute continued during September. EULEX, supported by KFOR, continued its investigations in relation to the killing of the Kosovo Police special force member, Enver Zymberi.

On the other hand, on 27 September, KFOR forces had to use teargas to diffuse a hostile situation involving 500 protestors attempting to prevent EULEX and KFOR from closing a recently constructed illegal border crossing near the Jarinjë/Jarinje checkpoint.

Rubber bullets were fired by KFOR troops in response to shots fired and explosive devices thrown in their direction. KFOR stated that nine of its soldiers and seven Kosovan Serbs were injured, though the latter figure is unconfirmed.

KFOR has since deployed two armoured personnel carriers in an attempt to close the illegal crossing point and stated that they will react with force if assailed. Whilst protesters and the Serbian government condemned KFOR actions, qualifying them as provocations, Kosovo authorities blamed criminal elements and parallel structures in the north for the violence, reiterating their intention to extend the rule of law in this part of the territory.

In a visit to Kosovo on 6 September, the NATO Military Committee expressed its commitment to the troop presence in the country, particularly in light of recent events at the northern border. Admiral Giampaolo Di Paola stated that the troubles in this area show the importance of the KFOR presence to maintaining peace and security.

The same day, the COMKFOR, General Erhard Bühler, in his farewell meeting with Kosovan media, reiterated that the north continues to be influenced by criminal structures. His successor is General Erhard Drews of Bundeswehr.

In a visit to Kosovo on 15 September, the NATO Secretary-General, Anders Fogh Rasmussen, made it clear that the Alliance will not allow the security situation to deteriorate.

The Government of Kosovo condemned protestors' attacks on KFOR and EULEX and called upon Kosovan Serbs living north to Ibër/Ibar River to show more willingness to cooperate with the relevant authorities and actors and integrate with the rest of the society.

With the KFOR-brokered deal coming to an end, on 15 September Prime Minister Thaçi outlined the Government's plan for the north, supported by EULEX and KFOR. It foresees the Kosovo Police and EULEX to control non-commercial vehicles at Jarinjë/Jarinje until the border becomes fully operational. Vehicles carrying commercial goods without excise will be processed at the Bërnjak/Brnjak, while those carrying goods with excise are to go through the Merdare border-crossing point.

Kosovo – Serbia talks

On 2 September, the sixth round of talks led to an agreement on customs stamps. On 16 September, the Kosovo Government decided to lift reciprocity measures for Serbian imports. Some days later Kosovo Customs reported that 3 initial trucks with Kosovo goods marked with its stamps were allowed to enter Serbia.

However, talks have since stalled after the head of the Serbian delegation, Stefanović, insisted that the seventh round only address the border dispute. With the date of resumption of talks unclear, Cooper, the chief EU mediator, stated that this depends on Serbia's willingness to reengage.

This comes after the European Council President, Van Rompuy, called on both parties to continue the dialogue in order to facilitate progress on disputed issues during President Jahjaga's recent visit to Brussels.

On the other hand, the opposition leader, Isa Mustafa, stated that under the new circumstances, LDK opposes resumption of talks as long as the Serbian government and Stefanović personally support parallel structures and organized crime in the north.

Prosecutions update

On 22 September, Fatmir Limaj, the former Transport Minister, was placed under detention by EULEX, as part of the Kleçkë/Klečka case war crimes indictment against him and 9 others. This came after the Constitutional Court ruled, the same day, that MPs are not immune from prosecution.

In a related development, the body of Agim Zogaj, a crucial witness known as 'Witness X' was found dead in a park in Germany. German Police claim that he committed suicide, though the results of the autopsy are still pending.

His family disputes this conclusion of the German Police, particularly the speed of it. Zogaj was a KLA member under Limaj's operation command.





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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 European Union and managed by the European Commission Liaison Office to Kosovo.

On 22 and 23 September, ECMI Kosovo organised, in cooperation with CLARD and the Kosovo Judicial Institute, two training sessions for Kosovo judges on the legislative framework affecting vulnerable and marginalised groups in Kosovo. Presentations were given by international legal trainer, Asa Solway and local legal trainers, Flutra Hoxha and Erdogan Haxhibeqiri.

They discussed issues of discrimination, domestic violence and women's rights in divorce and inheritance. All presentations delivered in these training sessions will be available online at the project website: www.kosovo-legalaid.com.

ECMI Kosovo would also like to announce that in October it will organize a large-scale outreach campaign covering all of Kosovo.

In this campaign a team of legal outreach officers will organize visits to every municipality in Kosovo to provide information on the legal aid provided through this project and receive cases directly from beneficiaries in the field.

Finally, Legal aid lawyers provided free legal assistance to 100 beneficiaries in 8 municipalities: Gjilan/ Gnjilane, Mitrovicë/ Mitrovica, Skenderaj/ Srbica, Prishtinë/ Priština, Klinë/ Klina, Suharekë/ Suva Reka, Leposavić/ Leposaviq and Gračanica/ Gračanice.

During September, ECMI Kosovo continued with a project funded by the Office of The UN High Commissioner for Human Rights (OHCHR). Through this project, ECMI Kosovo will be able to expand its legal aid coverage to four new municipalities: Brdo/Novobërdë, Klokot-Vrbovac/ Klokot-Vërboc, Parteš/ Partesh and Ranilug/Ranillug. During the reporting period, ECMI Kosovo signed MoUs with the selected municipalities and designed posters and leaflets to advertise the establishment of legal aid clinics in these municipalities.

Building Sensitivity for Roma, Ashkali, Egyptian Communities in Schools

During September, ECMI Kosovo continued with the implementation of its project aiming to increase the inclusion of Roma, Ashkali and Egyptian children in schools, funded by the OSCE High Commissioner on National Minorities.



During this month, ECMI organized visits of teachers to the parents of Roma, Ashkali and Egyptian pupils in the municipality of Obiliq/Obilić (Caravodicë/ Crkvene Vodice, Plemetinë/ Plemetina and the town of Obiliq/Obilić). The objective of this activity was to discuss with parents the education of their children and to raise their awareness of its importance.

The visits also contributed to further teachers' understanding of Roma, Ashkali and Egyptian communities and to building positive relations between parents and teachers. Altogether, 101 families were visited in the three municipalities.

Besides this, ECMI Kosovo finalised its analysis on the impact of last year's 'Building sensitivity' project in the three pilot municipalities. The report contains areas of notable achievement and recommendations for future similar initiatives.

In October, workshops will be organised in the target municipalities, aiming at building cooperation among teachers, parents, education officials and civil society representatives to promote the inclusion of Roma, Ashkali and Egyptian children.

Improving the Delivery of Roma, Ashkali and Egyptian Education

ECMI Kosovo continued with the implementation of the project 'Improving the Delivery of Roma, Ashkali and Egyptian Education in the Municipality of Fushë Kosovë/ Kosovo Polje', funded by UNICEF.

In September, ECMI Kosovo started a capacity needs assessment of the municipal officials to implement the education component of the Municipal Action Plan on Integration of Roma, Ashkali and Egyptian Communities, as well as a baseline study on the current situation in delivery of education to the three communities.

ECMI Kosovo also recruited a technical assistant who, as of October, will provide technical assistance to municipal structures in the form of on-the-job training and mentoring.

The project shall continue with assisting the municipal officials on operationalising the municipal action plan and on establishing a task force on RAE education, which will be responsible for monitoring implementation of the action plan's education component.



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Consultative Council for Communities

During September, ECMI Kosovo continued with the implementation of the project 'Institutional Support to the Kosovo Consultative Council for Communities 2011', funded by the Norwegian Ministry of Foreign Affairs and the UK Foreign & Commonwealth Office.



On 20 September 2011, the CCC held a plenary session, wherein the Chairman of the Kosovo Assembly Committee for Amending the Constitution, Dr Arsim Bajrami, informed the CCC on the work of the Commission thus far and invited the CCC to provide comments and feedback on the proposals of this Committee. The CCC members were mostly interested in changes that would affect representation of communities in the Assembly and the necessity to maintain the guaranteed seat system regime, to which Dr Bajrami responded that his mandate is to look only at changes related to election of the President, while the rest will remain as it is currently in the Constitution.

A major development during the reporting period was adoption by the Government of Kosovo of its own Rules of Procedures. The new Rules specifically stipulate the consultation process with different institutions. *Article 7* sets out that prior to submitting "a concept document, explanatory memorandum, draft law or sub-legal act, strategic plan of a ministry or sartorial strategy for deliberation by the Government",

each government body ("originating body"), is obliged to ensure a due consultation process with all other state institutions, as foreseen in the Constitution.

One of these institutions is also the CCC (*Constitution, Article 60, paragraph 3, point 2*), which is given 15 working days to comment on the proposal with the possibility to extend the deadline if the nature of the material justifies it. The "originating body" is then required to present to the Government comments received from the CCC, as well as other state bodies, indicating whether such comments have been incorporated in the document or if they have been omitted. In the case of the latter, the body will have to provide the grounds why they were left out (*Rules of Procedures of the Government of Republic of Kosovo, Article 7.40*).

This development was discussed thoroughly during the one day training to the CCC Steering Committee members on "How to Chair a Meeting" that was conducted on 30 September 2011, at Rings Restaurant in Prishtinë/Priština. The workshop was attended by the Secretariat and members of the CCC Steering Committee. In addition to training on technicalities of conducting an effective meeting and following the CCC Statute and Rules of Procedures, it was agreed that ECMI Kosovo will continue its support to the CCC in order to increase the capacities of the CCC to organize itself so that it can deliver comments on Government draft legislation, strategies, etc, within the 15-day period as foreseen in the Rules of Procedure of the Government.

ECMI Kosovo designed the CCC website, which is planned to be online from the first week of October, pending approval of the Office of the President. The website will be available in 5 languages (Albanian, Serbian, English, Romani, and Turkish).

The CCC Secretariat received 17 applications for two Legal Officer Posts during September. During the first week of October, the Secretariat will form a commission to review applications, with recruitment to begin with a written exam. The CCC Secretariat foresees that the process will last two weeks.

Support to Minority Communities during and after the Decentralisation Process

During September, ECMI Kosovo started with actual implementation of the extended project 'Support to Minority Communities during and after the Decentralisation Process', funded by the Finnish Ministry of Foreign Affairs.

Following finalization of the Project Activities Plan covering the first phase of the project, ECMI held orientation meetings with political representatives of the five beneficiary Municipalities (Gračanica/Graçanicë, Klokot-Vrbovac/ Kllokot-Vërboc, Novo Brdo/ Novobërdë, Parteš/Partesh and Ranilug/Ranillug). In these meetings, they were informed in detail of the project, and agreed in principle on further cooperation. ECMI Kosovo also had an orientation meeting with the relevant stakeholders within the Mitrovica/Mitrovicë North project component.

Key activities planned for October include signing of MoUs between ECMI Kosovo and each Municipality, carrying out more detailed initial consultations with the local business community, local civil society actors and other relevant stakeholders, as well as hiring the research team and developing the research methodology and tools.

ECMI Kosovo on media

In September, Koha Ditore and Klan Kosova reported on the language courses organised by ECMI Kosovo in Štrpcë/Shtërpçë.