The Advocate

Volume 2 • Special Edition • April 2004

A Note on the Contents of this Issue

The recommendations presented here are the result of a series of interviews with representatives from local and international governing institutions, the economic sector, civil society and foreign offices. We thank the British Office, Delina Fico (Country Coordinator, Star Network of World Learning), ECO-99, Editta Tahri Frön Nazi, Gordana Igric, Hashim Thaci, Kosovo Women’s Network, Kosovo Women’s Business Network, Kosovo Development Center, Kosovo Documentation and Research Institute, Kosovo Police Service School, Kreshnik Berisha, Lüfti Haziri-Mayor of Gjilan, the Organization for Security and Cooperation in Europe (OSCE), the Prime Minister’s Office, UNMIK and USAID for providing their recommendations for this publication.

INSIDE THIS ISSUE

Recommendations for Civil Society
Albanians Lose the Plot
Recommendations for the PISG
Independence Brings Stability
Recommendations for the International Offices
Recommendations for UNMIK
The Need for Accountability
Recommendations for the United Nations
Let’s Move Forward

UPCOMING EVENTS

“The Advocate” extra edition presentation and discussion........April 28, 2pm

“New Money Laundering Regulation” Public Discussion........April 29, 2pm

By Kreshnik Berisha, Director

The March riots left dozens of our fellow citizens killed; homes, cultural and religious monuments in ruins; and pictures reminiscent of the ‘98-’99 war in our minds. The pretentious international governing institutions, unaccountable to Kosovars, and the inexperienced local institutions, supported by more than 18,000 NATO troops, were caught totally off guard.

Despite disagreements regarding the real causes and ways to prevent it from happening again, everyone seems to agree that these events represent a setback in Kosovo’s path towards becoming a true democracy. How costly a setback? Perhaps too costly for Kosovo’s fragile society to pay.

All of us are responsible for failing to foresee, prevent or stop these damaging events. We allowed extremist groups an open door to use people’s frustration with Kosovo’s current political and economic situation to seriously damage Kosovo’s democratization processes.

We at ATRC have worked with local and international partners for two years to bring the decision-making process closer to the people. Yet, the latest developments put to question the “progress” we so proudly claimed had happened in Kosovo since the war.

Now, we consider even more significant our mission of creating a government of the people, by the people and for the people.

A Message from ATRC

Igballe Rogova (KWN) and Sevdie Ahmeti (CPWC) deliver the organizations raised for a Serbian family whose house was burnt. CPWC also raised funds for two Serb NGOs.

“This have we slept enough?” An art student asks Kosovo society and its institutions a hypothetical question regarding their apathy to react.

The ideas and recommendations herein are not necessary the ideas of ATRC, USAID, CARE or IDEA.
Recommendations for Civil Society

Show the "Real" Kosovo
Most of the international community -- inside and outside of Kosovo -- has attributed the March violence to Kosovar Albanian society. According to official numbers, only 1% of the population participated. Yet some internationals believe that non-participation does not mean Albanians were against the violence. Unless Kosovar Albanians want the international community to believe that theycondoned the violence, they should condemn it by writing a statement of their beliefs (including protection of property, peaceful dispute, the right of all parties to live in Kosovo and non-violence). NGOs should collect signatures and widely circulate this statement both locally and internationally. This will improve Kosovo's current image.

Civil society should actively help displaced people return and involve local communities in providing aid, donating materials and welcoming them back.

NGOs should write a letter to the Security Council demanding that an independent group thoroughly investigated UNMIK's performance. Findings should be publicized in a report that details what happened and recommends how to prevent it from reoccurring. This report should include citizens' input, especially regarding potential failures of the international governing institutions. NGOs should solicit support from the quinit offices for this

Civil society should speak publicly against violence and promote integration. They should raise awareness as to why violence is the wrong approach. Civil society could also organize a candlelight vigil at all of the places destroyed in the recent violence.

Be The People's Voice
Civil society should become actively involved in making Kosovo voices heard, especially by internationals in Kosovo and abroad. Civil society should build a relationship with internationals to share Kosovars' thoughts and ideas. First, civil society should constantly publish articles on issues such as Kosovo's positive activities, peaceful citizen movements, steps towards status, PISG performance, UNMIK accountability, etc. They should involve competent journalists in writing these articles. The media can be used to share information and to mobilize people for positive actions. The international press can also be used as a tool for internationals to hear local people's needs, especially to demand UN accountability.

Third, civil society should utilize its connections with outside governments and NGOs to gain support.

Fourth, through letter-writing and e-mail campaigns Kosovars can express their opinion and lobby for certain issues. Letters can be sent to individuals or organizations of influence such as SRSG Holkeri, the quint offices, OSCE, UN Security Council, Kofi Annan, US congress and individual governments abroad.

Fifth, NGOs should invite all sectors to talks, both closed and televised, to discuss all parties' wants and peaceful solutions. Such talks should include war veterans, religious sects and parallel structures.

Joint Declaration of Kosovar Civil Society
A Statement written by NGOs following the March violence.

We are gathered today as representatives of civil society for an immediate reaction to the events of the last few days in Kosovo. The result of today's meeting, attended by 57 non-governmental organizations and networks, is the following statement:

1. As representatives of Kosovar civil society, we are united in condemning all acts of violence of the last few days. We ask all citizens to immediately halt all protests and violent acts. Your grievances should not and can not be addressed through the destruction of Kosovo.

2. We ask from the responsible institutions to work actively and effectively on raising the level of the security for all citizens of Kosovo, especially for the Serb population in Central Kosovo and Albanian population on the north of Iberibar River.

3. We ask Kosovar institutions and UNMIK to end mutual accusations. Your immediate responsibility is for the security and the life of citizens of Kosovo. As members of civil society we pledge to do our utmost to support the KPS, CIVPOL, and KFOR.

4. We express our deepest and most sincere condolences to all the families of the victims of disturbances of the last few days. We are aware that our words cannot substitute the loss of your loved ones. However, we hope that you know that your pain is felt by the entire civil society of Kosovo.

5. In this meeting, a special "ad-hoc" group has been created by the representatives of 15 organizations and non-governmental networks, in order to coordinate and plan the emergency activities of the civil society. The information about the next planned activities will be available after the first meeting of this coordinating body.

Continued on pg. 3. Full article on IVPR.

Letter-writing and e-mail campaigns can be an effective tool for making Kosovo voices heard and lobbying for certain issues.
**Civil Society Recommendations II**

**Be Accountable**
NGOs should form coalitions, design long-term strategies and undertake joint campaigns. They must hold themselves accountable to higher standards of transparency, accountability and self-evaluation. If civil society claims to represent the people, then they should really represent the people. Their activities should not be for media show or to attract donors.

**Improve Communication**
Civil society needs to delve into the population, organizing town hall meetings, roundtables to raise "moral" awareness and public debates. NGOs should help citizens find solutions to community problems and empower moderates by being their "mouthpiece". This includes transforming the ideology in all sectors from a "victim" and complaining approach to a proactive approach and finding positive ways to channel people's energies towards initiating real changes, peacefully. Civil society should work directly with and involve viable communities like youth, the unemployed and families on social assistance. For example, NGOs could establish community public commissions outside the government; these commissions would be responsible for delivering the community's voice and holding governing institutions accountable.

Civil society should build relations and develop a homogenous approach with UNMIK and the PISG. They should request more meetings with the SRSG and decision-making bodies.

Civil society should do more joint projects with majority and minority members organizing and partnering together. More specifically, NGOs should work to improve communication with the Serb community, both locally and regionally.

**Apply Pressure for Progress**
Civil society should be actively involved in helping the PISG design a long-term strategy to present to the international community. This strategy should address status, achieving standards, improving public relations, etc.

Since it has the relevant expertise, civil society should engage itself more in building new institutions and influencing economic, social and political issues through advocacy. Civil society should be more proactive in writing strategies, policy papers and regulations. It should offer more consultation to the PISG in drafting legislation. More specifically, civil society should support standards (before or after final status) as human rights for Kosovo to work towards achieving.

Civil society should educate the public to elect better governmental representatives and to hold current and future representatives accountable. For example, in the upcoming elections, civil society should make politicians publicly present their platforms. If politicians do not follow these platforms, civil society should publish articles in the media showing specific representatives' and parties' failures. Civil society needs to actively promote progressive causes and values. At the same time, NGOs need to channel their efforts and energies to areas where concrete changes can be made. For example, civil society can lobby for UNMIK to increase taxes on imports that compete with local products; lower costs on importing raw materials; for a transparent and speedy privatization process with citizen involvement and monitoring; and for passports and travel documents to be accepted.

Civil society should be more persistent and follow through with its advocacy campaigns; advocacy involves long-term dedication to finish what one starts.

“Advocacy is not a project. It’s a long-term process that requires persistence.”

**Educate Society**
Civil society should speak with parents, teachers and the Ministry of Education to better educate society about the positive aspects of a multi-ethnic society. UNMIK’s role in Kosovo and how to hold elected officials accountable. One point to clarify in these meetings is that returning Serbs does not mean returning the Serbian regime.

"Albanians Lose cont’d"

Northern Mitrovica are there to combat Albanian extremists or to block the Serbs from leaving - which would confirm the final failure of the international community. [...] Belgrade dreams of a Bosnian solution here, with a Kosovo Serb entity created on the same lines as Republika Srpska. This strategy is already being discussed, with a cantonisation plan floated a couple of weeks ago by the Serbian prime minister Vojislav Kostunica [...]. Belgrade will do everything to keep the remaining Serbs in the north. The strategy of building parallel institutions that was already in place in northern Mitrovica, and which has infuriated the Albanians over the last few years, will continue. The Serbian state will continue to issue documents to the people of the northern Serbian enclave, building up a Serbian health and educational system there, paying pensions and so on. [...] UN officials in Kosovo have refused to give the press any logical explanation for these latest events, which tells a lot about the confusion and disarray in their ranks. In the short term, UN officials in Kosovo will try to downplay recent violence, to calm the situation and boost their own morale. [...] But in the long term, the UN is in a bind. [...] What about the Kosovo Albanians who suffered so much under Milosevic, a suffering that Serbia systematically refuses to acknowledge? They might perhaps be best described in the same terms that Serbia’s nationalist writer Dobrica Cosic once employed for the Serbs: a nation that wins the war but loses the peace.

*Printed with permission from IWPR*
Independence Brings Stability
By Edita Tahiri in Pristina
In five years, international governing structures have moved things forward in many respects, but the overall stagnation is becoming increasingly visible. On the one hand, Kosova has established its elected institutions while on the other hand these institutions are late in meeting people’s requests. Kosova’s emergency phase has ended, but the development phase has just begun. People are waiting for independence and a normal economic life, but a stable political and economic future are nowhere in the immediate horizon.

Leading international analysts have observed that as long as Kosovo’s status is unresolved, tensions and insecurity will continue. The International Crisis Group and the International Independent Commission for Kosovo suggested “conditioned independence”. Other models are “independent status plus protectorate, according to East Timor” or “independence and standards in one package”. These models offer solutions for Kosovo as a protectorate, as well as an exit strategy for the international community.

Some recommendations that I believe will contribute to a way out of the current situation as well as the realization of a sustainable solution for Kosovo are as follows:
• The international community should recognize the independence of Kosovo as a stability factor for Kosova and the region.
• The international community should change its current strategy “standards before status” and implement strategy “standards and the region.”

Build Capacity for the Future
Members of the PISG need to develop their capacity and improve their performance so that international governing bodies consider them viable partners. If the PISG can prove that they are capable of managing their current responsibilities, then the international community will be more convinced to hand over additional competencies. By working as a team, the PISG will be more able to proactively make serious demands for Kosovo’s future.

The PISG should request and undergo training on management; finances; developing and implementing a strategic plan; and hiring and firing personnel. Transparency in the hiring process and job descriptions and must be established.

The PISG should use civil society as a resource. For example, civil society can provide expertise and objectivity in policy papers.

Develop a Strategy
The PISG should bring in a strategic planning specialist to develop a strategy and implementation plan. OSCE, civil society and public monitors should participate in this transparent process. The strategy should specifically address issues related to the role of the international community, privatization, minorities, parallel structures, relations with the Serbian government, Mitrovica, crises management, missing persons, standards, travel documents, license plates, unemployment, electricity and water. As progress is made towards achieving the goals set out in the plan, this information should be made available to the public so that they can see progress being made.

Work Directly with Serbia
For final status, the PISG needs to negotiate directly with Serbia because the international community will not simply hand over independence. Doing so would set a precedent to which the UN will not commit. The PISG must initiate an open dialog with Serbia, especially to negotiate on delicate issues such as missing persons, parallel structures and Kosovo’s final status. The PISG must cooperate to devise a serious proposal for Kosovo’s final status to present to Serbia and the international community.

Improve Information-Sharing
The PISG should build relationships with the people, KFOR and UNMIK. All elected and appointed officials need to create mechanisms for gathering information from the public, especially dependable objective information outside the media. The PISG should work directly with and involve viable communities like youth, the unemployed, and families on social assistance. The PISG should also:
• Establish information-sharing offices so that people can easily access information without spending hours in government buildings waiting for documents.
• Establish a central intelligence agency that provides accurate information and that takes preemptive steps against potential outbreaks of violence in the future.
• Open liaison offices abroad to promote the PISG’s and Kosovo’s interests, especially in international centers of power like Vienna, Brussels and New York.
• Create mechanisms to better publicly communicate the PISG’s stance on
Recommendations for the PISG II

A Positive Example

All municipalities should follow Ferizaj’s example, calming the community and publishing requests for Serbs to come back. Municipality leaders need to have more public courage and responsibility to protect all members of their community. This would show the international community that Kosovars want a multi-ethnic society.

In the future, the government must build a relationship, both publicly and internationally with minorities in Kosovo. The government should work with Kosovo’s minority communities to draft an "integration plan". This could include community-based and local police mechanisms for Kosovars to protect minorities. The PISG should take the initiative to end parallel structures, and the Ministry of Education should immediately initiate an intensive multi-ethnic curriculum.

Recommendations for the International Diplomatic Offices and Quint Group

The international diplomatic offices should be more active and decisive. Each office and/or a coalition of offices should devise a strategy on at least two or three issues on which they are capable of making a difference. The offices should make this strategy public.

International offices should provide support for local civil initiatives by pressuring independent governments, UNMIK and the Security Council to listen to civil society’s and citizen’s requests. For example, in the election system reform campaign, international offices voiced support for changing the electoral system, but they did not take any further initiative. They should use their own means to apply pressure towards UNMIK and the UN Security Council on issues that they support.

The international offices should provide more leadership and advice to local people. They should increase direct communication with locals through seminars and discussions. More of the local people’s and experts’ ideas should be incorporated in their strategies.

More specifically, the international offices should take a stance on supporting issues towards democratization in Kosovo. This should include devising a common strategy regarding UNMIK’s future role in Kosovo.

A Recommendation for a New Reconciliation Strategy

Kosovo’s reconciliation process needs an honest, pragmatic human rights approach. The strategy for reconciliation cannot involve blaming the majority or socially blaming the minority. The PISG and internationals should issue a statement that they are working to make human rights available to all. A human rights approach would be more beneficial to the community than the current ethnic based approach.
Hold People Accountable
The overall functioning of UNMIK needs a thorough review. Those responsible for failures, either immediate or indirect, should resign or be dismissed. KFOR and UNMIK police need to deeply evaluate their performance, and those who failed to perform their jobs should resign. UNMIK should use the rule of law, publicly investigating and arresting members from AKSH, underground networks and religious fanatics that were involved in the March violence.

In the future, UNMIK must be more transparent and accountable. The current approach, where society feels that UNMIK is more of a dictatorship than an exemplar of democracy, leads to public frustration and sets a bad example for Kosovar institutions by not responding to locals' requests. More specifically, UNMIK should improve its accountability and transparency in relation to reserved powers, especially KEK, PTK and privatization.

Reevaluate Strategy
UNMIK has different agendas within itself; it needs a homogenous approach for Kosovo. The current lack of clarity and vision leads to discontent and rumors. UNMIK needs to communicate a clear strategy and deliver it. This strategy should clearly address parallel structures. UNMIK should also consider redesigning benchmarks or at least pushing harder for fulfilling the current ones.

“[The PISG] can’t learn to swim by just being taught the theory.”

Stimulate the Economy
UNMIK needs to focus especially on stimulating the economy. First and foremost, Kosovo needs a speedy, transparent privatization process. UNMIK should conduct an analysis of the privatization process thus far and make this information public. In the future, the public should be more involved in the process, especially in monitoring for transparency. Changing the fiscal policy would also encourage investors to enter Kosovo. Encouraging European countries to recognize UNMIK travel documents and Kosovan license plates, allowing more taxes on imports that compete with the local economy and lowering costs on raw material imports would further stimulate the economy.

Transfer Powers
UNMIK’s strategy should include a specific implementation strategy for the urgent transfer of powers. UNMIK needs to work more closely with the PISG. Giving more power to the PISG in decision-making would speed the transfer of power process, provide the PISG with more ownership and make them more able to successfully implement standards. UNMIK should remain available to provide assistance and mentoring to the PISG as powers are transferred. UNMIK should steadily provide concrete progress reports to the public so that they can see changes occurring.

“Transfer Powers
UNMIK’s strategy should include a specific implementation strategy for the urgent transfer of powers. UNMIK needs to work more closely with the PISG. Giving more power to the PISG in decision-making would speed the transfer of power process, provide the PISG with more ownership and make them more able to successfully implement standards. UNMIK should remain available to provide assistance and mentoring to the PISG as powers are transferred. UNMIK should steadily provide concrete progress reports to the public so that they can see changes occurring.

Recommendations for UNMIK
By advocating for election reform, NGOs demand that the first standard, democracy, be achieved.

UNMIK. UNMIK should also make itself accountable. But the role of UNMIK is to make itself unnecessary.

Continued on pg. 7. Full article on IWPR.
Recommendations for UNMIK II

Assess UNMIK
As the only body responsible for holding UNMIK accountable, the United Nations Security Council has a duty to investigate precisely what led to the March events and to reevaluate UNMIK's strategy based on those findings. The Security Council must establish an independent body to investigate the recent events in Kosovo and to make public its findings, replacing the fast-multiplying rumors with facts. Those individuals within UNMIK who failed to perform their jobs should resign or be dismissed.

Assure UNMIK Functions
The Security Council needs pressure UNMIK to resolve conflicts related to approach, mistrust, lack of clarity and power-sharing both within UNMIK as well as with the PISG. Teamwork is necessary to move forward and to increase the efficiency of UNMIK and the governing of Kosovo. This should include citizen involvement in decision-making processes, at least as monitors or consultants. The Security Council should encourage UNMIK to listen more to citizens’ requests that are currently often ignored, which leads to frustration among the people. If necessary, as related to this or other issues, UNMIK should put together an evaluation committee to consider making changes to UN resolution 1244.

For the remainder of the mission, the Security Council should establish a permanent local monitoring body that assesses the progress and job performance of UNMIK and OSCE. This information should be made public so citizens see progress being made.

Make Real Decisions
As people inside and outside UNMIK have commented, the institution is too soft. The UN itself has been described by its own employees as well as citizens as a "weak, ineffective dysfunctional bureaucracy." The UN Security Council needs to overcome its differences to make some real decisions. It needs to uphold democracy within its own institution and among its members before reaching the idea of democracy to the rest of the world. The UN must start making real decisions in a timely manner. These decisions should be made after acquiring a better understanding of what is happening on the ground. Overall, the UN must change its role from an arbitrary to a proactive and facilitative institution, so that its missions may do the same.
Comment: Let’s Move Forward
We have seen how hatred can destroy us - now Serbs and Albanians must work together to rebuild Kosova.

By Hashim Thaci in Pristina

[...When] I discovered [what] had been going on in Kosova that day: people demonstrating, shooting and killing; burning houses, churches and mosques; mobs on the rampage, [...] I came home immediately to help end the violence. I spent the next few days going out in Kosova, asking Albanians to get off the streets [...] and reassuring Serbs that it was safe to return. I was not alone; many people from the Democratic Party of Kosova went calming people down. Both Prime Minister Bajram Rexhepi and Minister Jakup Krasniqi took on angry mobs and calmed them.

I absolutely condemn the violence. It was wrong and has brought us down in the eyes of the world and allowed them to accuse us of being oppressors. Any Kosovar who believes this is the route to independence is wrong. [...] It is important to move forward. However, first we must understand why the violence happened. [...] The flammable situation has been steadily growing. For five years, the people of Kosova have waited for the international community to proclaim our final status; for five years nobody in the country has known their future. This uncertainty has led to instability for all of us, whatever our ethnicity. And it has led to fear. It is difficult to underestimate how frightened the Kosova Albanians are of being ruled by Belgrade.

Kosova. Cantonisation is about keeping people apart. We want to bring people together. Quite simply, a cantonised Kosova where the different ethnic groups live different lives in their own protected area is not sustainable. And once it is introduced it cannot be ended. [...] There has been little ethnic integration. Everyone should own up to their responsibility for this. Albanians must take some of the blame. Enclaves breed myths and distrust. Anger has accumulated and illegal parallel structures have stopped local Serbs from integrating. Parallel Serb security and judicial institutions supported by Belgrade operate unhindered in north Mitrovica, under the rule of thugs - which is bad for Serbs living there. A genuine debate between Kosovars and UNMIK has been missing and a huge gap has grown up between Kosovar and international institutions. UNMIK needs to trust locals more; we understand the terms of resolution 1244 but cannot remain in limbo forever.

So far, UNMIK’s plans extend only to disciplining society and not democratising it. Almost all requests by Kosovars for more responsibility for their people and country have been blocked by UNMIK.

Now we have to build for the future - a future for all Kosovars. We have seen how hatred and division destroy us and we must work together - literally. Albanians will help to rebuild the Serb homes and churches that were destroyed and so begin to rebuild a divided country. [...] All of us must condemn the violence on both sides unequivocally. In doing so honestly, we must not let this be used for political gain. Those who carried out the violence should be charged. It is important not to punish Kosova’s collective will to have an independent and sovereign state.

We must prevent this from ever being repeated. This does not only mean KFOR being better prepared, but involving Kosovars in the fields of security and judiciary, especially in intelligence-gathering, so that extremist trouble-makers on all sides can be stopped. We need to engage in a true dialogue with the international community on how to keep the trust of the people in the political process. Kosova politicians also need to engage properly with the people and be seen to be working for the country, not just scoring political points.

We have to confront Belgrade with a clear choice: you either support the integration of local Serbs and be part of the solution or be prepared to be part of the problem and face consequences from the international community.

The ideas and recommendations herein are not necessarily the ideas of ATRC, CARE, IDEA or USAID.

Printed with permission from IWPR

Prizren one of the oldest and most beautiful cities in Kosovo was badly burnt in the latest outbreak of violence.

photo taken from www.besimi.com

The ideas and recommendations herein are not necessarily the ideas of ATRC, CARE, IDEA or USAID.

Printed with permission from IWPR