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Mission in Kosovo

6

YEARS ONWARDS

Putting the Helsinki Final Act into action



HUMAN RIGHTS AND DEMOCRACY FOR ALL!

IMPRESSUM



Mission in Kosovo

6 years onwards - putting the Helsinki Final Act into action

Publication by the OSCE Mission in Kosovo, December 2005

Editors:

Sven Lindholm, Spokesperson, and Nikola Gaon, Senior Public Affairs Officer

Photos:

OSCE Mission in Kosovo and Lubomir Kotek

Design and layout:

Shpend Kada

Contributors:

Christopher Decker, Jose Arraiza, Melissa Stone, Michael Frahm, Michael Schuetz, Radostina Nedeva, Susana Martins, Annett Gerber, Bujar Maxhuni, Jaime Valles, Mohamed Sagdati, Jonathon Milligan, Matthew Minns, Zilha Nurkollari, Ardian Spahiu, Hasan Sopa, Alexandra Simpson, Franklin DeVrieze, Katja Salsback, Angela Tenbruck, Milosava Banašević, Ženet Mujić, Nderim Pasuli, Aurelie Hugot, Mitchell Moran

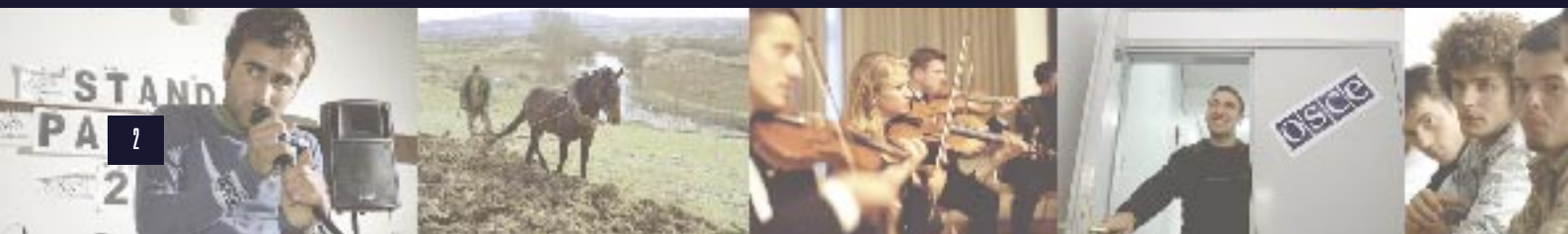
Special thanks go to Mevlyde Salihu, Fatime Lepaja, Danijela Mitić, Slavisa Mladenović, Edita Bučaj and Armend Tahirsylaj for their patience and assistance with translation and proofreading

OSCE HQ Prishtinë/Priština

Tel: +381 38 500 162 Fax: +381 38 500 188

E-mail: press.omik@osce.org

<https://www.osce.org/kosovo>



INTRODUCTION

Structure of the publication

Dear readers,

This publication provides an overview of the OSCE Mission's evolving work in Kosovo over the last six years.

It also looks into the history of the Organization for Security and Co-operation in Europe, from the adoption of the Helsinki Final Act to the establishment of the first Missions in the parts of former Yugoslavia and explains the greater context in which the Kosovo Mission functions.

Divided into eight thematic chapters it illustrates the role the Mission has in helping to normalize the situation and create conditions conducive to the social and economic well-being of the people of Kosovo.

This publication presents these developments in some detail in relation to the OSCE Mission's work. It features a number of representative programmes and projects, ranging from the creation and development of public institutions to creating a human rights curriculum for primary school students and police training.

We hope that you will enjoy reading it and get to know our Mission a bit better. If your information needs and interests extend beyond this publication, we encourage you to contact us.

*OSCE Mission in Kosovo
Press and Public Information
Office*

OSCE HQ Prishtinë/Priština

Tel: +381 38 500 162

Fax: +381 38 500 188

*E-mail: press.omik@osce.org
<https://www.osce.org/kosovo>*

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Foreword by the OSCE Head of Mission Werner Wnendt

In 2005 we marked the 30th anniversary of the Helsinki Final Act. This agreement adopted by the Conference for Security and Co-operation in Europe (CSCE) on 1 August 1975 initiated a dialogue between the East and the West; and with that alone it provided a foundation for a more united and secure Europe.

Through the Conference, the agreement helped to ease tensions and mistrust between states and eventually played a part in ending the Cold War while substantially contributing to peace and democracy building. Thirty years later the letter and spirit of the agreement are still governing our work.

Ten years ago, the CSCE was transformed into the Organization for Security and Co-operation (OSCE). This made it more operational and able to act on the ground directly in places of conflict.

In the course of this transformation, the OSCE faced some real challenges. Most notable were the break-ups of Yugoslavia and the Soviet Union. Yet throughout this period the OSCE has helped prevent potential conflicts and worked with governments to help stabilize and democratize societies.

Unfortunately, some conflicts, like the one in Kosovo, could not be prevented using political tools. The OSCE, being committed to human security, nonetheless, worked to first ease tension and resolve the conflict and is now working on post-conflict rehabilitation.

For us, the OSCE Mission in Kosovo – the Organization's operational arm – post-conflict resolution includes building democratic institutions and promoting human rights and the rule of law. We perform these tasks under the umbrella of the United Nations Interim Administration and serve as its third Pillar.

Following the Helsinki Final Act and our Mandate, the OSCE's activities in Kosovo span from police education and development to capacity building of governmental and non-governmental sectors to media development and elections. They are all geared towards the establishment of normal living conditions for all the people in Kosovo.

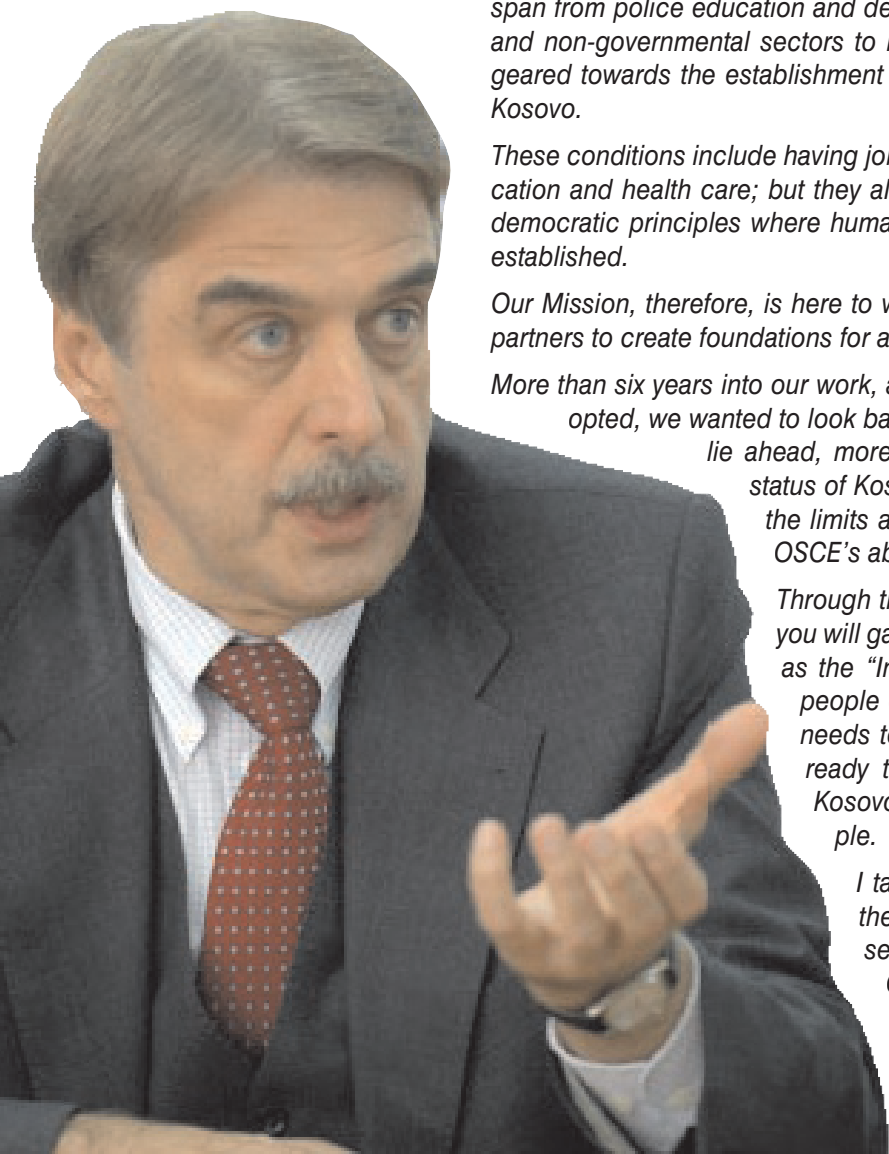
These conditions include having jobs, and access to public services including education and health care; but they all require an existence of a society that upholds democratic principles where human rights are protected and where rule of law is established.

Our Mission, therefore, is here to work with people of Kosovo and its international partners to create foundations for a prosperous society.

More than six years into our work, and 30 years after the Helsinki Final Act was adopted, we wanted to look back on what has been done and what challenges lie ahead, more so since the process to determine the future status of Kosovo has begun. This publication does so within the limits and constraints of its volume and underlines the OSCE's ability to adapt to the challenges of the day.

Through the words and pictures of this report. I hope that you will gain an appreciation for efforts taken by the OSCE, as the "Institution-Building Pillar" of UNMIK, to help the people of Kosovo secure a more peaceful future. More needs to be done to reach this goal and OSCE stands ready to support those politicians and institutions in Kosovo that are responsible for the future of the people.

I take this opportunity to thank all our partners for their support, in particular the UN Special Representative, Søren Jessen-Peterson. I also thank the OSCE Mission staff for their hard work, of which I am particularly proud.



STRUCTURE OF THE OSCE MISSION IN KOSOVO AND INTER-PILLAR CO-OPERATION

The OSCE Mission was established on 1 July 1999, through a decision of the United Nations and the OSCE, as an integral part, yet distinct component, of the United Nations Interim Administration in Kosovo (UNMIK). The four pillar operation is the first such ever established by the UN. The UN is responsible for Police and Justice, or Pillar I, and Civil Administration, which was Pillar II until recently. The OSCE, Pillar III, is responsible for Institution Building, and Economic Reconstruction, Pillar IV, is the responsibility of the European Union.

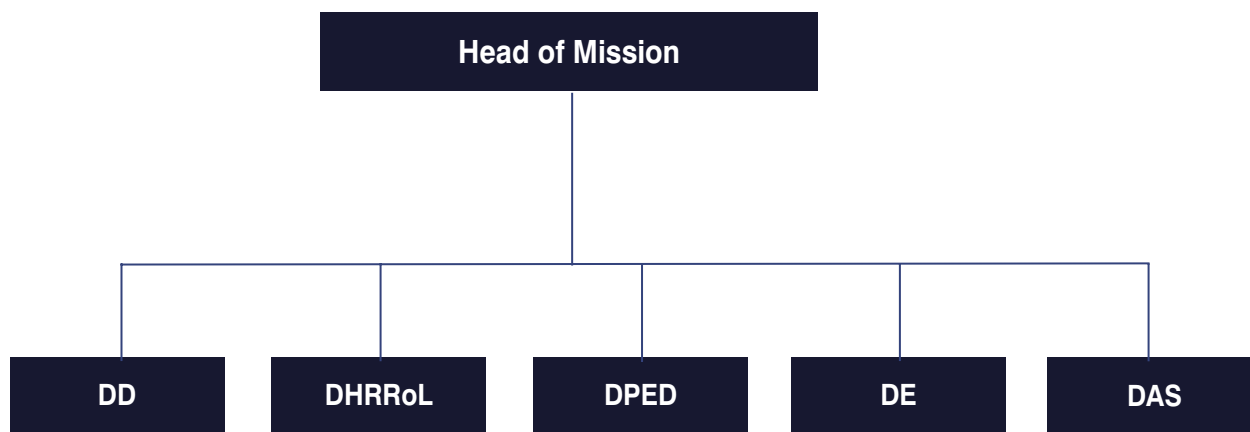
Tasked with institution and democracy building, the OSCE Mission is engaged in issues relating to development of local institutions – the Provisional Institutions of Self-Government (PISG) - at central and municipal levels; development of civil society and media sectors; overall development of the legal sector and of human rights compliant governmental practices; police education and development; and, decreasingly, election administration.

Its current structure, therefore, includes four programmatic departments:

- Department of Democratization (DD);
- Department of Human Rights and Rule of Law (DHRRoL);
- Department of Police Education and Development (DPED); and
- Department of Elections (DE).

Each of the department has expertise in their particular fields and manage their own programmes. The Mission also maintains a numbers of offices throughout Kosovo to work with institutions and people at a more local level. However, the overall responsibility for the conduct and activities of the Mission lies with the Department of Head of Mission which provides direction for all activities.

The Department of Administration and Support (DAS), on the other hand, supports the functioning of the Mission and its activities.



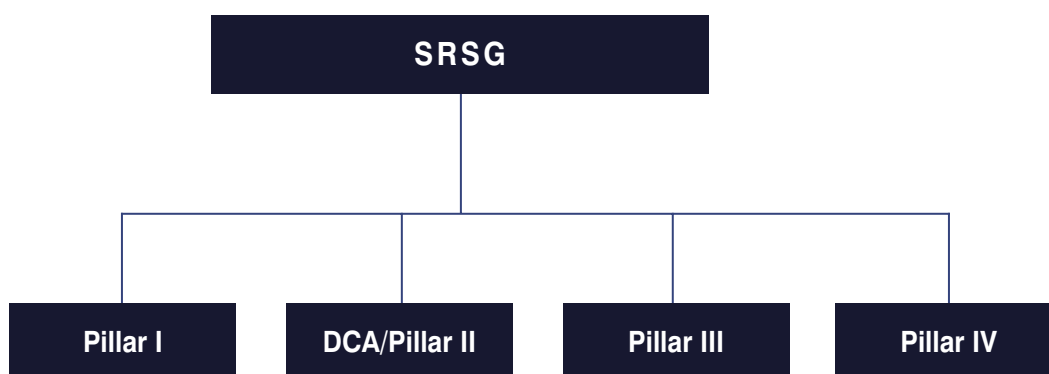
Inter-Pillar co-operation

In the Pillar structure the Mission’s activities are closely co-ordinated with its partners in UNMIK. It co-operates with Pillar I on issues pertaining to policing and conduct of the courts.

Co-operation with the Department of Civil Administration - which has just recently evolved from Pillar II - focuses on good governance issues at all levels of public administration.

Pillar IV is the Mission’s partner in the area of local economic development.

The office of the UN Special Representative of the Secretary General steers the co-operation between pillars ensuring that their activities are complementary and not overlapping.



30 years of the Helsinki Final Act and six years of the OSCE Mission in Kosovo

The history of and reasons for OSCE's involvement

The Helsinki Final Act, in the simplest possible terms, is an agreement that initiated the end of the Cold War and the start of a new phase in the development of a wider European region, rooted in respect for human rights and fundamental freedoms.

A Conference on Security and Co-operation in Europe (CSCE) opened in July 1973 in Helsinki. After two years of diplomatic negotiations, the CSCE Final Act was adopted on 1 August 1975 by the heads of the 35 participating states. The location of the ceremony, a bridge between the east and west, gave the Helsinki Final Act its name.

Basic principles

The Final Act opened a process that led to a phased stabilization of relations between the states that participated in the Conference and rapprochement

These basic principles included:

1. Sovereign equality, respect for the rights inherent in sovereignty;
2. Refraining from the threat or use of force;
3. Inviolability of frontiers;
4. Territorial integrity of States;
5. Peaceful settlement of disputes;
6. Non-intervention in internal affairs;
7. Respect for human rights and fundamental freedoms, including the freedom to thought, conscience, religion or belief;
8. Equal rights and self-determination of peoples;
9. Co-operation among States; and
10. Fulfillment in good faith of obligations under international law.

With the signing the Final Act the participating States took on an obligation to respect and put into practice each of these ten principles.

Diplomatic negotiations that preceded and succeeded the Helsinki Final Act adoption led to the opening of the Iron Curtain, the creation a more integrated economic area, a series of disarmaments and the establishment of military co-operation and exchanges of information, joint scientific and environmental protection programmes, and greater respect for human rights.



The decision to transform the CSCE into the OSCE was reached at the Budapest Summit in December 1994 by heads of all the participating states.

Transforming the Conference into the Organization

Over the years, the work of the Conference was becoming more and more structured. In November 1990, the Paris Charter for New Europe was signed by the Participating States, calling on the CSCE to actively engage in managing post-Cold War changes.

The CSCE's main role was to serve as a conflict prevention, conflict resolution, and post-conflict rehabilitation mechanism.

To respond to these challenges, CSCE created permanent institutions and acquired operational capabilities. At the CSCE Budapest Summit in December 1994, participating states concluded that the Conference had long ago become more than a conference and that its name should be changed to reflect the present needs and reality. They decided to turn the Conference into an Organization, and the Organization for Security and Co-operation in Europe (OSCE) was born.

First missions

Responding to the breakup of Yugoslavia and conflict spreading throughout its former republics, the CSCE deployed in 1992 its first Missions of Long Duration to Kosovo, Sandzak and Vojvodina. The purpose of these Missions was to monitor security developments, seek ways to improve human rights situation and keep OSCE's Permanent Council (comprised of Participating States' Ambassadors to the OSCE) informed. This Mission closed down one year into its existence as Yugoslav authorities were not willing to agree on its extension.

Political instability and conflicts in the years to come led to OSCE field operations (missions and offices) being established in the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Croatia, Albania, Kosovo, Yugoslavia (later renamed the State Union of Serbia and Montenegro) in South-East Europe; Estonia, Latvia, Moldova, Ukraine and Belarus in Eastern Europe; Georgia, Armenia and Azerbaijan in Caucuses; and Tajikistan, Turkmenistan, Uzbekistan, Kyrgyzstan, and Kazakhstan in Central Asia.



The OSCE Spillover Monitor Mission to Skopje was the second field operation to be established under the CSCE in 1992. It monitored the borders to try and to prevent the spread of conflict.

Participating States in 1975:

Austria, Belgium, Bulgaria, Canada, Cyprus, Czechoslovakia, Denmark, Finland, France, the German Democratic Republic, the Federal Republic of Germany, Greece, the Holy See, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, the Netherlands, Norway, Poland, Portugal, Romania, San Marino, Spain, Sweden, Switzerland, Turkey, the Union of Soviet Socialist Republics, the United Kingdom, the United States of America and Yugoslavia.

35 states in total.

New Participating States

Most of these operations were established in the newly created states – 18 of them (with the exception of the Kosovo Mission) – formed from the dissolution of the Soviet Union and Yugoslavia. All these states became OSCE Participating States, thus enabling deployment of missions or offices to their territories, as well as their adherence to OSCE principles.

With the split of Czech and Slovak Republics, the unification of Germany, and Lithuania, Albania and Andorra joining the OSCE, the Organization became 55 states large.

It is now known as the world's largest regional security organization.

The Organization's role

The aim of the organization is to prevent conflicts in the area of its participating States – an area extending from Vancouver to Vladivostok. If this turns out not to be possible and if the political will to do so is missing, the Organization engages in conflict resolution. The last step it takes is post-conflict rehabilitation.

Depending on its mandates that have to be agreed with the host country (in case of Kosovo, this was done with the United Nations in accordance with the UN Security Council Resolution 1244 that established UN's Interim Administration over the territory), the work of the OSCE missions and offices may encompass three dimensions – human dimension, economic and environmental dimension and politico-military dimension.

Institutions

To provide a know-how for the field operations and to develop expertise in specific fields of work or with specific issues, the CSCE began establishing institutions that form permanent parts of the OSCE structure: the Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Representative on Freedom of the Media, the High Commissioner on National Minorities, and a Secretariat with conflict prevention, anti-terrorism, anti-trafficking, economic and environmental activities and police matters units. The organization is politically led by the Chairman-in-Office – who is the Minister of Foreign Affairs of a country that chairs the Organization over a year-long period commencing every January.

Kosovo

History

The deteriorating security situation in the former Yugoslavia called for the CSCE's involvement in line with the obligations given to it at the Paris Summit (1990). The CSCE moved to stop further spreading of conflict using all political means at its disposal.

Flags of the 55 Participating States are displayed at the entrance to the Hofburg conference center, Vienna, home to the OSCE Permanent Council.



HISTORY

The reluctance of the Yugoslav authorities to co-operate with the CSCE led to the suspension of its membership in the Conference on 8 July 1992 (the suspension lasted longer than initially expected and ended on 7 November 2000).

In September 1992 the Missions of Long Duration to Kosovo, Sandzak and Vojvodina were deployed, as was the Spillover Monitoring Mission to Skopje.

The Yugoslav regime, in 1992, reluctantly agreed to have impartial CSCE observers on its territory. Their task was to examine the human rights situation and provide suggestions on its improvement. They were also to help establish dialogue between populations from these three regions with the governmental bodies. Once Yugoslavia refused to extend the Missions, they were pulled out in June 1993.

From that time until the establishment of the Kosovo Verification Mission (KVM) in October 1998, the OSCE was engaged in a number of diplomatic negotiations geared towards lessening tensions and improving living conditions for the local population.

Notably, in March 1998, the OSCE Permanent Council in its decision to support a new mission by Mr. Felipe Gonzales, as the Personal Representative of Chairman-in-Office for the Federal Republic of Yugoslavia, stated that crisis in Kosovo was not solely an internal affair because of violations of the OSCE's human rights principles and commitments and its serious affects towards regional security. The Permanent Council also called for the return of Long Duration Missions to Kosovo, Sandzak and Vojvodina.

Mr. Gonzales had had one mission in Yugoslavia before to assess election related matters, such as legitimacy of elections and media conduct.

KVM – the first OSCE Mission established in support of a UN Security Council Resolution – was to verify compliance with a cease-fire, monitor movement of forces and promote human rights.

The OSCE once again had an operational hand in Kosovo and its unarmed verifiers were very active, to bring an end to the conflict and ensuring that human rights were being respected. The daily work of KVM included activities such as monitoring movement of troops, assisting refugees and wounded and negotiating cease-fires and releases of hostages.

Oftentimes the sides in conflict were not happy with uncompromising positions on human rights violations the Mission was frequently voicing. The OSCE was also insisting on full implementation of the agreements Yugoslav authorities had signed with the OSCE. As a result, the Mission

During its brief existence, KVM took efforts to speak out against human rights abuses of the Yugoslav military and police forces, as well as the Kosovo Liberation Army. Such abuses included harassment, intimidation, destruction of property, abductions and hostage taking and expulsion.

Due to these efforts, in January 1999, the OSCE Chairmanship found the declaration of the KVM Head of Mission as “persona non grata” by Yugoslav authorities unacceptable and extended its full support to the Mission together with the OSCE Permanent Council of 54 Participating States (Yugoslavia's membership in the OSCE was still suspended at the time).

Nonetheless, with the deteriorating security situation and the end of peace talks in Rambouillet, in March 1999, the OSCE Chairman-in-Office, Norwegian Foreign Minister Knut Vollebaek, decided to withdraw OSCE international verifiers from Kosovo.

The KVM continued to function for a while from locations in the former Yugoslav Republic of Macedonia and Albania, as hundreds of thousands of people were expelled from Kosovo. From KVM's work and interviews with refugees, ODIHR published a two-volume report, *As Seen, As Told*, which presented an extensive and systematic survey of human rights in Kosovo. Volume I examined actions of both sides to Kosovo's internal conflict in the first half of 1999; Volume II examined human rights violations in the latter half of 1999 following the return of refugees.

In June 1999, OSCE's Transitional Task Force for Kosovo was created to help with planning and preparing for a new mission in Kosovo and to co-operate with the UN and other international organizations while continuing to assess the human rights situation in Kosovo and register and document the movement of refugees.



Conflict in Kosovo left many properties destroyed. Hundreds of families lost all their homes and were forced to become refugees.



In the most extreme situations, military actions in 1999 ended with civilian life lost.

OSCE Mission in Kosovo

Following NATO's military intervention in 1999, the UN Security Council adopted Resolution 1244. It called for the establishment of an interim international administration in Kosovo that would stay in place until a future status for Kosovo was determined. The administration was given responsibility to re-establish a judicial system, civil administration, build democratic institutions and support reconstruction and economic revitalization in Kosovo.

The OSCE was called upon to assist with the institution building efforts as well as with human rights and rule of law promotion.

On 1 July 1999, the OSCE's Permanent Council decided (Decision 305) to establish the OSCE Mission in Kosovo. Its primary tasks included development of a new and democratic police force, organization of free and fair elections, development of responsible and professional media, development of functioning governmental institutions at municipal and central levels, development of political and non-governmental sectors, monitoring the judicial system and professional development of legal professionals, promotion of democratic and human rights values, and improving position on ethnic minorities, and other disadvantaged groups including women and youth.

In practical terms, for Kosovo's population this meant:

- **enjoying greater public safety;**

The OSCE established the Kosovo Police Service School and has trained 7,500 police officers of all ranks to support the rule of law.

- **being represented by officials placed in power through free and fair elections;**

The OSCE ran four elections and has established and trained a local Central Election Commission and its Secretariat that are now close to being ready to administer elections on their own, including developing a legal framework for elections.

- **receiving information from a number of media houses that strive to be professional and responsible;**

The OSCE established, trained and equipped Radio Television of Kosovo (RTK), the public broadcaster that now enjoys public trust and continuous OSCE's support. The OSCE is also helping professional development of local media. It has also established and supports the functioning of the Temporary Media Commissioner's Office that will soon become the Independent Media Commission.

- **being served by a public administration that is becoming more effective and efficient;**

The OSCE provides extensive training to appointed and elected officials both in the executive and legislative branches to improve their performance. Furthermore, it coordinates international assistance to the Assembly of Kosovo, and is helping to build the capacity of the Kosovo Institute for Public Administration.

- **having more mature political entities and NGOs to represent their interests;**

The OSCE has assisted political party development, as well as the establishment and functioning of domestic non-governmental organizations. It is also facilitating citizens' participation in work of the governing authorities.

- **counting on a justice system that will protect their rights;**

The OSCE monitors the conduct of law-enforcement and judiciary sectors for human rights compliance and reports on observations. It trains legal professionals and has established the Kosovo Judicial Institute, the Kosovo Law Center, the Criminal Defense Resource Center, as well as the Ombudsperson Institution. All these institutions have either become, or are in the process of becoming, independent domestic bodies.

- **living in a society that is starting to implement principles of equality; and**

The OSCE works with local institutions to ensure that their practices are human rights compliant and take into consideration specific needs of minority and disempowered groups. The OSCE assists minorities in gaining access to public services, primarily education and health care, and helps develop their own organizations that would provide for their needs, including information sources. Helping women and youth participate in public life is also one of the OSCE's priorities.

- **ensuring that future generations are well aware of the meaning and impact human rights and democracy have on their lives.**

The OSCE supports inclusion of human rights and democratic principles in formal and informal education.

All of the above activities fall under the rubric of post-conflict rehabilitation, but at the same time work towards preventing future conflict, as well as economic development. However, the size of change that is needed in Kosovo, in comparison to the pre-1999 period, is tremendous. Six years of international presence in Kosovo has brought it to the beginning of the status discussions. Once the status is decided Kosovo may well need further assistance that will help its people become fully-fledged members of a European society.

The Organization for Security and Co-operation in Europe is likely to be one of the agencies to continue providing support to the people of Kosovo.



The end of conflict and beginning of post conflict rehabilitation activities yielded results. People were able to start exercising their traditions.

HUMAN RIGHTS PROMOTION

Much has changed since the CSCE Participating States agreed 30 years ago in Helsinki that they “will respect human rights and fundamental freedoms”. However, it took another 15 years to open the Iron Curtain.

When the OSCE Mission in Kosovo was set up 24 years after Helsinki, it was crystal clear that violations of human rights need to be addressed in a substantial way. The first problem the Mission encountered was the total lack of functioning judicial, police and administrative systems. Many of those individuals who would soon be placed in these positions had to learn new skills demanded by a democratic society.

As newly established institutions progressively began to function, the OSCE was faced with court trials where fundamental human rights were disregarded and with police officers often being overwhelmed by situations and not reacting appropriately, thus infringing upon people’s human rights.

There were people knocking on the Mission’s doors complaining that strangers were now living in their flats, as well as those who testified that their properties had been completely burned down. Kosovo’s minority communities informed the Mission that they could not move freely, which also hampered their access to basic public services such as schools or healthcare facilities. Victims of crime, especially of sexual or domestic violence, often did not get the appropriate response compliant with international human rights standards.

To address these deficiencies, the OSCE monitored and reported on the justice system, built capacity within the local government - in both the executive and legislative branches - so that officials understand and apply human rights; and trained civil servants, judges, prosecutors, lawyers and youth to understand and apply human rights standards. It also helped in drafting a number of laws addressing human rights issues, many together with local counterparts.

In the field of victim advocacy support for example, the Mission has played a key role in drafting new laws (“Regulations”) on the prohibition of trafficking and on protection against domestic violence, and supported their implementation. During the drafting process for new criminal laws, the Mission has successfully lobbied for an institutionalised role of victim advocates in the new criminal procedure code whose function is to assist injured parties in safeguarding their rights.



Civil registration is crucial in establishing a system whereby people can exercise their individual rights. The OSCE helped the process and has assisted many individuals whose identification documentation was destroyed in an attempt to deny them right to return to Kosovo.

More recently, the OSCE Mission has increasingly devoted its attention to the local authorities, a change necessary in view of the increased transfer of powers from the United Nations Interim Administrative Mission in Kosovo (UNMIK) to the Provisional Institutions of Self-Government (PISG) and their subsequent responsibility for the protection of human rights. Mission experts and advisers have been placed within different central and local governmental offices. The Mission envisages deploying human rights officers throughout the region in 2006 to monitor the local authorities’ performance as they assume more and more responsibilities.

Having initiated and actively accompanied legal and policy reforms as well as institutional changes and - through monitoring, reporting, advising and training - built sustainable capacities among the local public officials, it can be hoped that the goal of creating and leaving behind a functioning system which ensures that human rights and fundamental freedoms of all are respected will soon be achieved.

Ensuring a right to a fair trial in Kosovo – monitoring the legal system

In the aftermath of the conflict, UNMIK was faced with a collapsed justice system and with the difficult task of creating a completely new one. As part of its institution-building role within UNMIK, the OSCE Mission took part in this process from the very first day. The Mission created the Legal System Monitoring Section (LSMS) to monitor the Kosovo justice system and assess its compliance with international human rights standards and domestic legislation. Its findings were used as a basis for improvements in court practises.

The Mission has followed the establishment and development of the Kosovo justice system since its re-introduction. It monitored the first trial held after the conflict in October 1999, a murder case handled by the District Court in Prizren. “From that moment on, as the judicial system developed so did the work of the Mission. Each year we focused on different topics and have issued reviews on those matters noting the main concerns and giving recommendations on how to overcome them,” says Henry McGowen, Director of the Mission’s Human Rights and Rule of Law Department.

At the outset of 2000, several categories of sensitive cases were identified as monitoring priority areas. These included war crimes cases, cases involving ethnically motivated crimes, and trafficking in human beings.

The Mission’s first Review on the Criminal Justice System was made public in October 2000, covering the first half of that year. The report displayed the major areas of concern, such as the violation of the right to counsel, a lack of impartiality within the judiciary and problems in regard to detention issues. Since then, regular public reports have been produced focussing on different issues affecting the criminal justice system in Kosovo, such as illegal detention, witness intimidation, the quality of sentences and the administration of

justice in the municipal courts. All these issues were approached in light of the standards set by international human rights treaties regarding the content of the right to a fair trial and the right to personal liberty.

After five years of monitoring criminal cases, in September 2004 an agreement was signed between UNMIK's Department of Justice and the OSCE Mission granting the OSCE monitors access to all court proceedings in civil and administrative courts. Following this agreement, in January 2005, LSMS began to monitor both civil and criminal cases. Among the civil proceedings a number of priority areas were identified, such as property disputes between members of different ethnic communities, family and labour law cases as well as executive proceedings. Monitoring in these areas will result in an annual review addressing the main problems and will affect future handling of those cases by the courts in Kosovo.

"Without intervening in the proceedings, the OSCE Mission follows a strategy of pro-active monitoring and has a corrective function within the justice system," adds McGowen. The implementation of concrete recommendations put forward in the reports is followed up through meetings between the Mission and the members of the judiciary as well as UNMIK counterparts.

Close co-operation between the Mission and the Kosovo Judicial Institute allows for a better dissemination of the concerns found during the monitoring activities through training of judges and prosecutors on areas which need improvement.

While the Mission acknowledges that much has been achieved since the re-establishment of the Kosovo justice system in 1999, the work is far from over. Soon, a number of competencies within the administration of justice will be transferred to the local authorities. The Mission will monitor this process and continue to ensure that the administration of justice in Kosovo is in full compliance with the applicable international human rights standards.



As a follow up to trial monitoring, the OSCE Mission issues recommendations and advises the judiciary on how to improve their functioning and provide for greater protection of human rights.

Human Rights Experts within the Police

In 1999, UNMIK deployed an international police force (UNMIK Police) and, in parallel, began building a new Kosovo Police Service (KPS). The OSCE Mission, on the other hand, began training the new police force at the KPS School as well as closely following developments related to policing and human rights.

From the outset, the Mission monitored law enforcement agencies and addressed individual cases from a human rights perspective. Later on, it took a more thematic approach, wherein reports on various human rights issues were produced and presented to police authorities to draw their attention to issues of concern.

In 2005, to create and foster a culture of human rights within the police, the Mission initiated the implementation of the Human Rights Expert (HRE) programme and an agreement on the Terms of Reference for HREs was concluded with the UNMIK Police leadership.

The HRE teams were placed within the main police headquarters in Prishtinë/Priština and six regional police offices. They advise KPS and UNMIK Police on the development of human rights compliant policies and actions. At the same time they build the capacities of police officers to perform their duties in a human rights compliant manner. D. Christopher Decker, the Mission's Senior Human Rights Advisor on Security Issues said that this approach allows the Mission to influence the decision-making of the police at an early stage, and makes the changes sustainable in the long run.

"The HREs work closely with senior and junior police officers. In the interest of good co-operation they are attached to the offices of police commanders and conduct their work from police premises," he added.

The HREs focus their activities on areas such as: arrests and custody; the rights of vulnerable arrested persons (such as juveniles, the mentally ill, and those in need of medical

treatment); the rights of victims, especially victims of domestic violence and trafficking; and transparency and public confidence in the police, including internal complaints and oversight. They also identify capacity-building needs and assist the police in organizing trainings.

The successful implementation of the programme largely depends on mutual trust between police officers and the HREs. It is also subject to the commitment of all parties involved to embrace human rights protection as a foundation of and as a reason for their work.



A police force plays a very important role in securing the rule of law and protection of human rights. Their education and compliance with human rights practices are therefore one of the OSCE Mission priorities.

HUMAN RIGHTS PROMOTION

Strengthening the right to property in Kosovo

The respect for property rights largely depends on public adherence to the letter of the law and the effectiveness of authorities in implementing property legislation.

In Kosovo, the protection of the right to property is at an extremely low level. The root causes of such a situation lay in the legacy and abuse of a system based on social ownership, a decade of discrimination against Kosovo Albanians by the previous regime, an armed conflict and removal of property records, as well as the post-conflict destruction of properties owned by both ethnic minority and majority groups.

In addition to all of this, weak attempts to reform legislation and creation of insufficient *ad hoc* mechanisms to resolve property disputes, as well as the overall climate of instability and irregularity



The right to property is a basic human right. In most cases, illegal construction or illegal occupation hampers someone's ability to exercise his/her property rights. The OSCE Mission is, therefore, assisting local institutions implement property legislation.

prompted the OSCE Mission to make the protection of the right to property into one of its core priorities.

Mentioning a few figures will be enough to describe the size of the problem. In addition to thousands of other cases, close to 20,000 conflict-related property claims remain unresolved in the regular courts. Furthermore, it is estimated that some 11,000 thousands of potential claims to agricultural and commercial property are still to be lodged. The Housing and Property Directorate, in charge of conflict related residential property claims, has thus far implemented only 52.3 percent (15,864) of its 28,431 decisions. 6,950 of the implemented decisions relate to destroyed properties.

“To address these issues the OSCE works with both central and local level institutions and provides advice on how to remedy existing and prevent future violation of the right to property,” said Jose Maria Arraiza, Senior Human Rights Advisor on Property Issues. The Mission also advises the government on related rights, such as due process of law, the right to an effective remedy, and the right to return for all displaced persons.

Providing advice, however, is not sufficient. Governmental bodies must develop their own capacities to deal with these issues. The Mission is helping in this respect too by providing training and assisting with drafting of the laws and raising public awareness about negative effects of illegal occupation. It also supports the development of a property related legal reform action plan based on successful regional models, like Slovenia.

In addition, the Mission has helped the PISG and UNMIK to improve the system by issuing public reports recommending concrete targeted measures to be implemented, such as the elaboration and full implementation of a property related legal reform and action plan, the establishment of effective conflict-related property disputes mechanisms, the adherence of municipal authorities to the legal procedures related to expropriation, construction and spatial planning, the integration of parallel administrative structures and the regularisation of informal housing areas.

It has also proactively co-ordinated the ‘Standards Implementation Plan’ related to property: a strategic master plan to reform the property rights mechanisms and ensure the protection of rights, in particular by the local authorities.

Moreover, the Mission is concentrating on the protection of those most affected by a dysfunctional property rights system. For example, one of its focuses has been to ensure the protection of the rights of persons who for decades lived in informal residential areas. The Mission advocates the right to housing for all and it will therefore continue to proactively monitor the situation and help local institutions – municipalities, ministries, courts, and police – to build effective tools to manage property issues in accordance with international standards.

Paving the Long Road to instill Anti-Discrimination Standards

Considering that the discriminatory practices of government against a perceived minority led to the most recent and devastating conflict in Kosovo, the OSCE Mission has devoted significant attention to preventing the recurrence of such conflict-prone conditions.

The Mission initiated the drafting of the Anti-Discrimination Law (ADL) in 2002 following a year of consultations with numerous stakeholders. It took another two years for the Law to become effective, in September 2004. Despite the three years needed to bring it into force, Kosovo now has one of the most progressive and flexible laws of its type in Central and Eastern Europe.

Since its adoption and promulgation, a plethora of government actors and international donors, including the OSCE as a key interlocutor, have been working together to craft a Comprehensive Implementation Plan, to enact the law's core principle of “equal treatment” in every aspect of public life.

While human rights laws in a number of countries apply only to acts of persons exercising government authority, the ADL is progressive in that it also requires equal treatment in the acts of private persons. Further, it shifts the burden of proof from the claimant to the respondent. Although various forms of discrimination occur in every society, the ADL's definition of equal treatment is flexible because it aims to address the unique forms of discrimination known to occur in Kosovo. The equal treatment definition in the ADL distinguishes between:

Ethnic origin, nationality and race;

Essentially the ADL replaces the former Yugoslav legal distinctions between constituent peoples, nationalities and ethnic groups. In the ADL **ethnic origin** is meant as a self-determined combination of ancestry, language, religion, customs, etc. For example, any child refused access to primary education because he/she is from a different ethnic group means that classmates and teachers would be discriminating on the basis of ethnic origin. **Nationality** refers to association with, particularly citizenship in, a specific nation state. Thus, persons of differing ethnic origins can share the same nationality, and according to the ADL should have the same right to equal treatment by their government. **Race** refers to genetic attributes historically used to distinguish groups by their outward appearance, such as color, although it has no scientific basis for predicting human potential. For a family with darker skin than the majority population to have their application for a rental apartment in Kosovo declined because of their physical appearance would be racial discrimination.



Vulnerable social groups, women and children, are often subjected to various forms of discrimination. Sheltering them is sometimes the only solution. The OSCE Mission supports the work of a number of shelters.

Sex and gender;

While **sex** is determined by biological differences between males and females, **gender** refers to the cultural constructions of gender roles, privileges and exclusions. For example, refusing to hire a woman as a server in a restaurant because social norms dictate that serving food and drink in public is a “male” profession would be gender discrimination.

To introduce these principles of equal treatment into the culture of Kosovo, the latest draft of the two-year ADL Comprehensive Implementation Plan brings together expertise from every sector of government, from the judiciary, the Ombudsperson Institution and civil society.

“The principle of equal treatment shall mean that there shall be no direct or indirect discrimination against any person or persons, based on sex, gender, age, marital status, language, mental or physical disability, sexual orientation, political affiliation or conviction, ethnic origin, nationality, religion or belief, race, social origin, property, birth or any other status.”

Article 2(a) of the Anti-Discrimination Law

The OSCE Mission will remain a dedicated participant throughout the implementation of the plan. It offers strategic and well-focused human resource support, including continued and extensive technical assistance and training for government officials so that they can, in turn, contribute to the mainstreaming of anti-discrimination principles in the development of subsidiary legislation, policy and practice in their respective fields.

For example, “positive action” including measures “to prevent or compensate for disadvantages linked to one or more grounds such as those stated in Article 2(a)” may be necessary in particular sectors, such as health, education, transport, spatial planning, etc. Further, the plan proposes a long-term public information campaign (for which the Mission has already begun funding the production of posters and brochures) and additions to the public school curricula.



Due to ethnic discrimination many of Kosovo's children are denied the rights to basic education.

RULE OF LAW SUPPORT

The rule of law is a basic precondition for political, social and economic development. A legal system based on the principle of rule of law is reliable and consistent. Both reliability and consistency are necessary for the creation of an economic system where property is protected and investments are safe. Furthermore, the rule of law makes a society more stable and secure as criminality is prosecuted and human rights are respected.

Over the last six years the OSCE Mission has been responsible for helping to establish the rule of law in Kosovo by developing its legal and judicial systems. The first steps taken in 1999 included providing assistance to the re-establishment of the judicial system by identifying judges and providing necessary technical and logistical support to the establishments of courts.

Likewise in 1999, the Kosovo Chamber of Advocates (KCA) was in a state of disarray. The KCA lacked physical structures and the General Assembly of the KCA did not convene between 1992 and 2000. The Mission initially supported the KCA by completing a detailed assessment of the legal community in Kosovo and assisting in the convening of the KCA's General Assembly in 2000. Since then, the Mission has continued to provide the KCA with assistance through educational programmes, capacity building and technical support.



Rule of law is a key guarantee to peoples well being. Outburst of violence and other illegal activities harm the whole society. Violent riots of March 2004 were an example. They resulted with the death of a number of Kosovo Serbs and Albanians.

Throughout the last six years, the OSCE has also worked to develop independent institutions which promote the rule of law. These institutions include the Ombudsperson Institution, the Kosovo Judicial Institute, the Criminal Defence Resource Centre and the Kosovo Law Centre.

Today, the Mission continues to implement its mandate – to promote the development of institutions that ensure human rights and rule of law principles are respected. It is continuing to implement capacity building projects designed to empower legal professionals and professional institutions, which in turn enable them to better serve the community. These include: supporting the KCA through projects such as continuous legal education; supporting the work of NGOs involved in the delivery of legal services; and supporting the development of the Judicial/Bar exam.

Additionally, the Mission continues to monitor, analyse and report on the rule of law situation in Kosovo, while developing concrete strategies and recommendations to address problems. Recent focus areas include alternative dispute resolution, legal aid, and the implementation of Kosovo Assembly laws. The OSCE also provides technical legal support to the PISG, by reviewing draft legislation in terms of legislative clarity and rule of law principles.

Implementation of Kosovo Assembly Laws

The Kosovo Assembly passes laws but their implementation and application is often delayed. The root cause is lack of subsidiary legislation.

The Provisional Institutions of Local Self-Government (PISG) are relatively new and there is a concern that the Government and its ministries are not always properly implementing or applying the laws passed by the Assembly. In turn this could lead to an ineffective system of laws and lack of public confidence in the PISG.

To assess the level to which laws passed by the Assembly are implemented in practice the OSCE Mission recently monitored the destiny of 24 laws that were promulgated in 2003.

The first phase of the research focused on determining which subsidiary acts needed to be drafted to implement the laws, who is responsible for adoption of these acts, and what organizational units needed to be set up in order to have functioning institutions. "A matrix with relevant provisions from all 24 laws was put together and used in continuation of research," said Henry McGowen, Director of Mission's Human Rights and Rule of Law Department.



While the Kosovo Assembly adopts the laws their implementation is often stalled due to lack of subsidiary legislation. The OSCE is assisting both legislative and executive branches in their effort to remedy this shortcoming.

Interviews were made in the second phase, including with officials from the institutions responsible for the implementation of the laws. The matrix served as a tool for verifying which provisions of the law have been implemented by which subsidiary acts.

The general assessment of the first report, released in February 2005, was that the implementation of Kosovo Assembly laws has started with certain delay, after which most of the responsible institutions have managed gradually to overcome the initial difficulties. "They have currently achieved considerable success in the implementation process," added McGowen.

The research also identified the shortage of sufficient resources in the ministries' legal offices, as well as concentration on drafting new legislation instead of implementing the laws already in force as the

two main reasons for the delay in laws' implementation.

A major recommendation of the first report has been to strengthen the accountability of the executive branch of the PISG in passing subsidiary legislation. This should be achieved by the establishment of an oversight mechanism for the implementation of laws within the Office of the Prime Minister and by increased periodic parliamentary oversight over the activities of the executive.

A follow up report to assess implementation of the laws passed in 2004 was just released. While it echoes previous recommendations it also notes progress made in drafting subsidiary legislation. The report does, however, indicate that delays in adopting subsidiary legislation are further impeding the actual implementation of the laws.



Marek Antoni Nowicki is the first Ombudsperson in Kosovo. He will hand over his responsibilities to his local colleagues in 2006.

Ombudsperson Institution

As part of its mandate to build and support domestic institutions in Kosovo, the OSCE Mission helped establish Kosovo's first Ombudsperson Institution (OI). Inaugurated on 21 November 2000 as a multi-ethnic body it started operating independently as of May 2001.

"The Ombudsperson Institution is a key defender of people's rights in many Western European societies," said Henry McGowen, Director of the Mission's Human Rights and Rule of Law Department.

The OSCE in Kosovo initially supported the OI through its Ombudsperson Support Section that helped to draft the Rules of Procedure of the OI and provide human rights training for the Institution's staff. It also conducted public information campaigns to raise awareness about the role of the Ombudsperson.

The most important task of the OI is the investigation of complaints made by any person or entity in Kosovo, concerning human rights violations and action constituting an abuse of authority by the interim civil administration as well as any emerging central or local institution.

The OI in Kosovo accepts complaints regarding alleged abuses by authorities. "It works in an atmosphere of transparency, while keeping confidentiality where necessary to protect applicants, witnesses or others involved in cases," added McGowen.

During or following an investigation, the Ombudsperson may make recommendations to the relevant administrative authorities and officials on the appropriate measures to be adopted, including interim measures if necessary. "If the addressed authorities do not take the requested measures, or if they do not provide acceptable reasons for not respecting the recommendations, the Ombudsperson may draw the SRSG's attention to the matter and may make a public statement," concluded McGowen. To be able to conduct proper investigations, the Ombudsperson has full access to files and documents and offices of the PISG and the interim civil administration.

Currently, the OI is scheduled to become a fully local institution by 1 January 2006. The OSCE works with other organization and institutions to ensure that the process of handover happens smoothly. The Mission will continue to support the work of the OI in 2006 through the placement of advisors.

RULE OF LAW SUPPORT

Kosovo Judicial Institute

The Kosovo Judicial Institute (KJI) was born out of the OSCE Mission's role in training judges and prosecutors during its early days. In August 1999 the Mission established a Judicial Training Section that gradually developed and in February 2000 became the Kosovo Judicial Institute. The vision of the Institute is to become a full fledged magistrate school situated within the overall governmental structure of Kosovo.

The mandate of the KJI is to train judges and prosecutors to increase their professional and technical competence. These days it is implementing two main training programmes: the Continuous Legal Education Programme (CLEP) and the Initial Legal Education Programme (ILEP).

"The CLEP includes training activities for sitting judges and prosecutors both in and outside of Kosovo," said Katya Dormisheva, who serves as the International Co-Director of the Kosovo Judicial Institute. According to its newest training strategy, the KJI organizes regular seminars, workshops and round table discussions in all the regions in Kosovo, as well as study visits to other countries.



The Continuous Legal Education Programme aims to permanently increase professional and technical competencies of judges and prosecutors.

In early 2005 the Kosovo Judicial and Prosecutorial Council (KJPC) mandated KJI to conduct the first Initial Legal Education Programme (ILEP) as a three month pre-appointment pilot module for judicial candidates. Many distinguished legal professionals from all the levels of the judiciary and prosecution in Kosovo were involved as trainers in the ILEP.

"After the completion of the entire course, 57 of the initially selected 60 candidates were successful," said Dormisheva.

Currently, the KJI is still part of OSCE Mission but, in compliance with the Standards Implementation Plan, a draft law establishing the KJI as an independent institution is about to be adopted by the Kosovo Assembly.

"While awaiting its full institutional independence, the KJI is targeting the highest standards of professionalism in training of judges and prosecutors and aims to establish itself as one of the most efficient and self-sustainable new institutions in Kosovo," Dormisheva concluded.

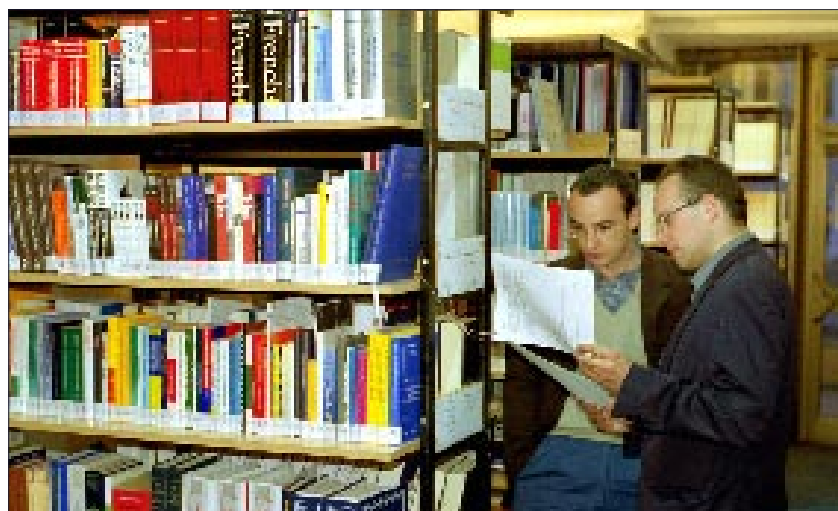
Kosovo Law Centre - cultivating legal skills

One of the first questions raised by the international community upon the UN interim administration's establishment was how to develop a modern civil society, based on respect for human rights and the rule of law in Kosovo.

One of the answers was by cultivating the skills of local legal professionals.

In June 2000, the OSCE Mission established the Kosovo Law Centre (KLC) with the vision of developing a professional and independent NGO that would promote democratic principles, multiculturalism, ethical standards, the rule of law and respect for human rights. The KLC now implements a range of programmes that vary from legal research and analysis to raising public understanding of law and legal processes.

"At the beginning we supported the functioning of the KLC with providing for their staffing needs and staff training as well as with logistical support," said Henry McGowen, Director of Mission's Human Rights and Rule of Law Department. "As we built their



The Kosovo Law Center facilitates and conducts legal research and raises public understanding of laws and legal processes.

capacity we passed onto them more and more responsibilities and as of this year they function as an independent and genuine Kosovan NGO," added McGowen.

The KLC undertakes legal research and analysis, publishing materials such as the Kosovo Legal Studies journal, the Bulletin of Kosovo Supreme Court case law, and the Compilations of Applicable Laws. The latter is of utmost importance as there is a general problem of access to legislation. The KLC also translates, publishes and disseminates important selections of the applicable law.

To address different target groups the KLC has designed specific programmes. One example of this has been its "Street Law" programme which has raised awareness about the rule of law and democracy with the most vulnerable groups of society, such as women, minorities, juveniles and prisoners. On the other hand, the continuous legal education programme for legal professionals has aimed at regularly updating Kosovo's jurists on selected legal issues. As of late, the KLC also implements a similar programme for civil servants in municipalities throughout Kosovo.

The Mission's current support consists of funding the publication of specific legal materials and compilations of applicable laws.



Defense lawyers from throughout Kosovo attend and benefit from CDRC's activities.

Criminal Defence Resource Centre

To achieve "equality of arms" for defence lawyers working alongside judges and prosecutors, the OSCE Mission in 2001 created the Criminal Defence Resource Centre (CDRC). The Centre became independent of the OSCE's support and registered as a public benefit NGO in January 2004. It now assists Kosovo defence lawyers in their representation of persons accused of violating criminal laws and works to ensure that the rights of the accused are protected throughout the legal process.

The CDRC acts as a resource centre for defence counsel and focuses on providing direct case assistance to defence counsel who represent persons under investigation or charged with the offences under international humanitarian law and other serious ethnic or politically motivated crimes.

The CDRC strives for the protection of the rights of the accused at every stage of the legal process. The CDRC also focuses on other cases involving serious and systemic breaches of international standards in the course of the investigation, prosecution and/or judicial proceedings. These cases may include unlawful or arbitrary detention, judicial or prosecutorial bias or corruption, third party interference with the independence of the judiciary, and gross miscarriages of justice.

In addition, the CDRC also undertakes legal research on general topics of criminal law and issues of general concerns to defence counsel. The results of this research are then applied to individual cases and/or form the basis of training modules on these topics. Furthermore, the findings from these research projects are disseminated to the local defence counsel, as the primary targets and are also made available to partners serving other members of the Kosovo legal community (i.e. judges, prosecutors and law professors).

Finally, the CDRC, in co-operation with the Kosovo Chamber of Advocates, has assisted in providing training and legal education seminars to defence counsel. The main training programmes have been skills oriented and focused on practical aspects such as case preparation and strategies, legal research and interpretation skills, and structuring and presenting arguments through oral or written submissions.



The Criminal Defense Resource Center assists in providing training and legal education seminars to defense lawyers.

CIVIL SOCIETY SUPPORT

Non-governmental organizations (NGOs) and other civic entities in a society act as a counterbalance to governmental activity. Their role is to observe the

work of governmental bodies and intervene as needed to advocate and ensure that the interests of common people or specific social groups are promoted or protected.

From 1999 to 2003, in parallel to helping establish the Provisional Institutions of Self-Government, the OSCE Mission in Kosovo was also nurturing new NGOs and civic initiatives, as well as supporting those already active. For the last two years this has shifted to encouraging and advising established civic entities that hold potential and willingness to take an active part in Kosovo's social life.

"Our core activities are geared towards elevating capabilities of civic actors to influence public policy and decision making processes at both the central and local government levels." Bujar Maxhuni, the Mission's Assistant Democratization Programme Officer, further said that inter-ethnic reconciliation and gender equality principles are integrated in all these activities.

Special programmes were designed to encourage the re-integration of minority communities into mainstream society and give them an opportunity to have an equitable say as governments formulate policies which affect the public. A Kosovo-wide network of NGO Resource Centres and Community Centres was established to facilitate the development of an active civil society and to stimulate citizens and community participation in public life and the decision-making process across ethnic lines.

Furthermore, the Mission supports dialogue between active civic groups within Kosovo and with neighbouring societies, including Serbian, Montenegrin, and Macedonian, who share similar goals and challenges.

Civic Dialogue

Political discussions are often held in secret or away from the public eye. Nonetheless, agreements reached most certainly affect common people's lives.

For a long time there was no public dialogue going on between Pristina and Belgrade. More recently, such dialogue is finally getting its official face. However, dialogue between common people from Serbian and Kosovan civil societies began developing and taking form much earlier.



"We strongly believe that time has come for us to integrate in the Kosovo society," said Mileva Pešić, primary school teacher from Janjevë/Janjevo, Kosovo Serb. People like her are a reason more to continue Civic Dialogue activities.



Young people are an important part of civil society. The OSCE places great emphasis on their constructive mobilization in social processes.

Dealing specifically with youth, the Mission initiated the creation of municipal Youth Assemblies that work to ensure that young people have a say in decision-making processes at municipal and central levels of government.

In 2005 and beyond, the OSCE continues to support the non-governmental sector as it will have a crucial role in ensuring normalisation of relations between Kosovo's ethnic groups, facilitate the inclusion of minorities in mainstream society, advocate for transparent and responsive governments, and finally in improving the quality of dialogue between Pristina and Belgrade.

In mid-2002, the OSCE Mission in Kosovo, in co-operation with the Mother Theresa Society from Prishtinë/Priština and the Centre for Regionalism from Novi Sad, established a non-partisan, multi-ethnic initiative of non-governmental organizations named Civic Dialogue. The aim was to re-establish and strengthen links between the two civil societies and help ease feelings of anxiety created by violent conflicts in the former Yugoslavia. "The Civic Dialogue initiative is a complex and delicate but, above all, a challenging process that requires commitment and energy," said Don Lush Gjergji, well known Kosovan religious figure and biographer of Mother Theresa, who also serves as a co-president of the board of Civic Dialogue.

Since its beginning, Civic Dialogue has engaged more than 700 individuals and around 250 NGO's from the region (primarily Kosovo and Serbia proper) working mainly on youth, gender and media issues.

Their project, like the ones named "Women in Business", "Youth and Peace" and "Journalists can do it" are all geared towards finding common ground for co-operation and resolution of similar problems such as discouragement of women and youth participation in political and commercial life or fighting stereotypes through mass communication media.

“I am truly amazed by the meetings held under the umbrella of Civic Dialogue. For the first time after the conflict, I can see youngsters from Kosovo and Serbia talking and planning joint projects. They know what they need and how to address common issues of concern,” said Jovan Komsic, professor of sociology at the University of Novi Sad, who attended several of these events.

Initially, through public discussions, international conferences and regional meetings, and later on through small grant project funded by other external donors, Civic Dialogue has developed grass-roots co-operation and partnerships between non-governmental sectors in Kosovo and Serbia proper and between different ethnic communities within Kosovo.

Over the last 4 years, Civic Dialogue’s activities have drawn the attention and gained support of a larger number of external organizations and foundations engaged in the democratization processes. In the future, Civic Dialogue is looking to support most innovative NGO projects that would deal with freedom of the media, youth participation in public life and women’s rights as well as inter-ethnic reconciliation.



Developing appreciation for cultural diversity helps accelerate inter-ethnic reconciliation.

Civic Bridge

The young municipal and central level governments in Kosovo are gradually moving towards establishing themselves as mature political bodies.

Mature governments in developed countries invest a lot of energy in maintaining communication with citizens and knowing what they think. They conduct surveys to find out how the public feels about government policies, such as taxation and health care, or hold local meetings to discuss issues of particular concern, such as local infrastructure and utilities.

Pre-1999 policy and decision-making in Kosovo tended to be centrally driven and did not foster a culture of proactive interaction between governments and citizens. The influence citizens could exercise was often limited to the initiatives taken by labor unions. Other initiatives were mostly disregarded.

As a result, notions such as advocacy, participatory planning or public consultation are still new concepts.

Acting as a catalyst in establishing a working relationship between the municipal governments and its local population, the OSCE Mission in Kosovo in October 2004 began the “Civic Bridge” project.

“Civic Bridge aims to increase interaction between people and local officials as well as to improve transparency and quality of services provided by the municipal governments,” said Jaime Valles, Democratization Team Leader at the OSCE Office in Pejë/Peć.

First implemented in Deçan/Dečani municipality, the project was soon replicated in two more municipalities in the region, Pejë/Peć and Istog/Istok. Three local NGOs from these municipalities are engaged in the project and take the lead as implementing partners.

“The goal of the Civic Bridge is to establish a mechanism that would ensure effective practice of democratic principles and allow the citizens to influence municipal decision-making processes,” said Adem Lushaj of the Association of Independent Intellectuals from Deçan/Dečani – the local NGO involved in development of the project.

Under the project, Civic Bridge Steering Groups were established in each of the three municipalities. Comprised of up to eleven members - prominent figures from non-governmental sector and local educational, media, and governmental institutions - these groups identify and address issues of concern at municipal level, such as quality of health care, primary and secondary education, or collection of property taxes.

Their work is aided by Civic Bridge Working Groups comprised of young activists who bring extra energy and enthusiasm to the project. They examine issues from three different aspects: adherence to municipal legislation, quality of services provided by the local authority, and transparency in decision-making and execution. The groups then produce analytical reports which are then reviewed and used to formulate recommendations to the respective Municipal Assembly. They also lobby for the carrying out of their recommendations using media and public as advocacy tools.



Acting as a catalyst in establishing a working relationship between the municipal governments and its local population, the OSCE Mission in Kosovo in October 2004 began implementing a “Civic Bridge” project

CIVIL SOCIETY SUPPORT

According to Lushaj, implementing NGOs cater for the meetings of the Steering Groups and support the conduct of researches. The OSCE Mission, on the other hand, mainly provides financial support and advice.

As a result, municipal officials learn about the benefits of participatory policy-making while citizens develop their capacity to act as watchdogs and advisors to government. Moreover, both parties became much more aware on the issues raised by the analytical reports.

Most importantly, local officials started taking action. Following up on a recommendation in Deçan/Dečani, for example, municipal health institutions improved their approach to providing services,

their compliance with working hours, as well as the procedures for budget planning and approval and oversight of expenditures in clinics and ambulances.

Furthermore, recommendations issued by the Civic Bridge Steering Groups are often referred to during Municipal Assembly sessions, as well as by people who are requesting services from the municipalities. According to Mehmet Bojkaj, a member of the Deçan/Dečani Municipal Assembly, authorities should perceive the Steering Group recommendations as a constructive aid tool rather than as criticisms. He further added: "Civic Bridge in Deçan should not be just a project but a permanent running body."

Thanks to the Civic Bridge, citizen participation and advocacy are no longer unknown concepts in these municipalities. In 2006 the OSCE Mission will support the implementation of the Civic Bridge project in a number of municipalities Kosovo-wide.



HAREJA helps build womens' self-confidence by providing them with educational opportunities.

Multi-ethnic Women's Network

HAREJA – a women's organization from Rahovec/Orahovac that was re-established in 1999 – has developed into a strong advocate for women's empowerment and the participation of all communities in all fields of social life. It is active in the education and health sectors, implementing small income generation and agricultural development projects for vulnerable women and their families. It also offers capacity building trainings to women and girls from the municipality's urban and rural areas.

In 2003, HAREJA approached the OSCE Mission with an idea to establish a multi-ethnic local women's network. A viable project concept was developed in close co-operation and co-ordination; and the network consisting of two Kosovo Serb, one Kosovo Albanian and one Kosovo Roma women's organizations was founded.

The Local Women's Network soon raised funds necessary to build a new centre for women, offering a variety of informal education activities for women and children, a kindergarten and gynaecological and family health service. "Women from all ethnic communities in the region use the centre's services and attend events we organize," said Judith Brand of the German NGO AMICA, a member organization of the women's network that has helped re-establish HAREJA.

In addition to a number of NGOs from Kosovo, HAREJA also networks at a regional level and has good co-operation with NGOs from the former Yugoslav Republic of Macedonia and Bosnia and Herzegovina.

To raise awareness among women about their rights and to contribute to strengthening their position in Kosovo society, in 2004 HAREJA and the OSCE Mission implemented a Women's Voices project. A series of radio shows presented both prominent local and international women holding responsible positions in municipal administration. The shows covered topics such as the role of women in the local community and municipal administration.

Currently the Mission is supporting HAREJA with the implementation of a project that aims to raise awareness among rural women from different ethnic communities about how municipal institutions function and their rights and responsibilities as citizens. The project also includes municipal authorities and raises their awareness about the needs and concerns of local population and the need for officials to interact with rural population, women in particular.

This project, scheduled to end in December 2005, includes seven workshops organized for women from rural areas in the Rahovec/Orahovac region. "The workshops will be followed with a roundtable that will provide women with an opportunity to discuss their common concerns identified through the workshops with the municipal officials," said Annett Gerber, Democratization Officer from the OSCE Office Rahovec/Orahovac. "They will also have an opportunity to propose concrete steps to address those concerns," she added.

"Supporting the work of a committed, independent and responsible civic society partner yields constant results. I am privileged to have worked with HAREJA and I am certain that they will bring about a lot more positive changes," Gerber concluded.

Democratic Education Programme

Currently, more than half Kosovo's population is under the age of 26 and more than 70 percent is under the age of 35. Overall, Kosovo is a very "young" society where youth hold a great potential to define the environment they want to live in.

Education, nonetheless, has a crucial role in young people's development. In addition to morals and values young people inherit from their families, much more is gained by attending schools and other educational institutions.

The OSCE Mission, the Institution and Democracy Building Pillar of the UN's Interim Administration in Kosovo, therefore strives to instil democratic values with young people by assisting educational institutions in delivering quality democratic education programmes.

That, however, may not be sufficient since the lack of awareness and prejudice that members of different ethnic communities have about each other result in segregation and discrimination. This has a particularly negative effect on youth and communities that constitute minorities in different regions of Kosovo (mostly Kosovo Serbs and Roma but also Kosovo Albanians).

The Mission, therefore, addresses the issue of education from several angles and is trying to get all stakeholders involved - starting from the Ministry of Education, Science and Technology (MEST) and Parents and Teachers Associations to school teachers and professors and, most importantly, the youth themselves.

"Our Democratic Education Programme is designed to counter discrimination, promote tolerance and ensure equitable access to the education system for all Kosovo's communities," said Mohamed Sagdati, a Mission Democratization Officer who manages the Programme.

The Programme is also looking to solicit active involvement of parents and teachers and turn them into an implementing partner. The pilot phase commenced in Prizren, in early March 2005. Some 40 high-school students, professors, parents and school managers

were provided with a number of trainings on tolerance building, European models of democratic society, youth involvement in politics, and advocacy skills. Activities were organized to facilitate socialising among youth from Kosovo's Albanian, Serbian, Roma and Bosniak communities.

The next step was organizing a meeting between youth from Prizren and Ferizaj/Uroševac, both multi-ethnic areas, later that month. The OSCE, MEST and Ferizaj/Uroševac Parents and Teachers Association organized a visit by a group of Prizren students to a secondary school in Ferizaj/Uroševac. "The purpose of the visit was to strengthen the intercultural bridge between pupils of different backgrounds, to establish new relationships and friendships and promote tolerance," said Mustafe Beqiri, President of the Association.

Since early 2004, the OSCE has been advising and assisting the Ferizaj/Uroševac Parents and Teachers Association in their effort to enhance co-operation between schools in Kosovo.

The programme extended to more areas in Ferizaj/Uroševac and Kaçanik/Kaçanik municipalities, and from November 2004 to April 2005 the Supplementary Democratic Education Curricula was introduced to eight secondary schools. The target audience were ninth grade students, some 600 of them, who thus far have not received adequate civic education. To enable the effective introduction of the curriculum, separate workshops and trainings for teachers and parents were organized in each of the eight schools.

The broad intention is not to implement a democratic education initiative in the Ferizaj/Uroševac and Kaçanik/Kaçanik municipalities alone, but to support MEST in introducing "good practices" learned from the first eight, passing these to other secondary schools in Kosovo for the long term benefit of today's and tomorrow's youth.

MEST, the partner in this SDE Programme from its initial phases, will be a key player in ensuring that democratic education is brought to all secondary school students in Kosovo.



Parents and teachers are key partners in implementing OSCE's Democratic Education Programme that benefits young people from all ethnic communities.

YOUTH

The outbreak of violence in March 2004 demonstrated that an underlying tension continues to pose a major obstacle toward the development of democracy in Kosovo. Young people from all ethnic backgrounds were witnessed participating in riots and violent demonstrations throughout Kosovo giving very little consideration to democratic and human rights practices.

As a remedy, the OSCE Mission became increasingly involved in youth related activities and projects. Across Kosovo, the Mission has implemented projects which attempt to bring youth into the democratic fold and the tolerance building process.

The Mission is working with the PISG Ministry of Education, Science and Technology to introduce democracy and human rights teaching in primary and secondary education, and had supported the work of Law Faculties in Prishtinë/Priština and Mitrovicë/Mitrovica universities.

The Mission is also helping provide educational opportunities for young people, members of most disadvantaged ethnic groups – the Roma, Ashkali, and Egyptian.

In direct contacts with young people throughout Kosovo, the Mission has made substantial steps forward in the civic education of young people of all ethnicities. It has established 11 Youth Assemblies, as well as eight Youth Human Rights Clubs at the municipal level.

Together with our capacity building efforts with the Municipal Youth Officials, the channels available to the youth for reasonable and peaceful policy discussion have been significantly increased.

At the central level, the Mission supports the work and aids the professional and political development of young people interning at the Assembly of Kosovo and working for their political party caucus.

The Mission has also implemented projects that have seen young members of all communities participating in common trainings and discussions, debates on standards, initiatives to encourage freedom of movement and the integration of RAE children into mainstream education. The general lack of willingness to engage in inter-ethnic dialogue remains an obstacle. Nonetheless, more and more volunteers for civic involvement are emerging to take down many of the remaining barriers.

With both improved democratic understanding and an increased willingness to engage with and listen to other communities, the young people themselves are making Kosovo take real steps towards a peaceful and democratic society.



Kosovo's young people are the best promoters of inter-ethnic tolerance. The OSCE Mission implements a number of projects in their support.



Stand parade organized by Lipjan/Lipljan Youth Assembly in October 2005 presented the Standards for Kosovo in a creative and innovative fashion.

Youth Assemblies

The initiative to create Youth Assemblies is one of the main elements of the Mission's Youth programme. The youth, aged 15 to 20 years, learn about democratic values and processes, and are being taught skills necessary for their participation in democratic society. As such, this goes some way to ensuring both the inclusion of youth in democratic processes (though significant improvement is still required from the institutions) and the integration of communities, as the Youth Assemblies involve members from Kosovo's Albanian, Serb, Roma, Ashkali, Bosniak, Croat, Gorani, and Turkish communities.

The Project's central structure is a body of 25 secondary school students in each of the eleven Municipalities where a Youth Assembly has been established - Dragash/Dragaš, Gjiilan/Gnjilane, Kamenicë/Kamenica, Leposavić/Leposaviq, Lipjan/Lipljan, Mitrovicë/Mitrovica, Prizren/Prizren, Podujevë/Podujevo, Rahovec/Orahovac, Suharekë/Suva Reka and Vushtrri/Vučitrn. Youth Assembly members simulate the workings of a Municipal Assembly and its appropriate committees on a bi-weekly basis. "Over the course of the year, the members vote in a President, Vice-President and CEO and they form committees and working groups that address the most pressing issues for

the youth in their area, such as the environment, unemployment and school standards” said Aleksandar Bursač, OSCE Mission Programme Assistant with the Youth Assembly project.

To facilitate the development necessary to achieve this result with a group of young people who have received almost no civic education, significant capacity building is required. “Some training on the Municipal functions and structures is provided by OSCE staff, others, on public speaking, team building, conflict management, NGO organization and fund raising are provided by domestic experts,” added Bursač.

The Assemblies to date have implemented nearly 20 projects ranging from environmental awareness campaigns to projects which encourage people to vote. There has been a project to encourage tourism in Dragash/Dragaš and currently there is a documentary in production made entirely by the Youth Assemblies to highlight the issues with freedom of movement for all communities.

In addition, 250 Youth Assembly members convened in Žabljak,

Montenegro, from 19-26 August 2005 for the third Youth Assembly retreat in which they discussed and agreed upon the seven main problems facing the youth of Kosovo today – unemployment, lack of youth sporting and cultural space, insufficient involvement in the decision making process, early marriage, lack of access to quality educational facilities, environmental carelessness and restrictions on movement and association. “They formulated recommendations for UNMIK, PISG, local business and schools to address these problems, as well as conceiving projects to be implemented by the Youth Assemblies in the coming year,” said Sehadin Shok, National Programme Officer with the Mission.

All of these activities are central to the development of each individual member’s understanding of democratic procedures and structures, but also to spread awareness of the importance of participation amongst their peers from the region.

More information on Youth Assemblies is available at

www.youthassemblies.com

Catch-up classes and Roma, Ashkali and Egyptian youth awareness project

The right to education is one of the most basic human rights. It is guaranteed by both the Universal Declaration and the European Convention on Human Rights.

However, Kosovo’s Roma, Ashkali and Egyptian (RAE) youth and children are not in the position to fully enjoy this right; partly because they oft□

The OSCE Mission is trying to rectify this situation. Its most recent and large-scale intervention, the Catch-up Class Project, provides an intensive course of remedial extra-curricular education to RAE youth. “A poor standard of written Albanian is a barrier to attendance at school and academic performance. Our project aims to raise the children’s academic level to allow for their integration into mainstream education,” said Saskia Marsh, Mission’s project manager.

In co-operation with the Kosovo’s PISG Ministry for Education, Science and Technology, approximately 950 Roma, Ashkali and Egyptian children aged between six and fifteen have been enrolled in catch-up classes in eight Municipalities -Gjakovë/Đakovica, Istog/Istok, Lipjan/Lipljan, Pejë/Peć, Prishtinë/Priština, Prizren, Suharekë/Suva Reka, and Shtime/Štimlje - since the project’s inception in September 2004. In Prizren Municipality alone, 15 percent of the enrolled students were able to go from having received no education to being able to enter regular classes with their peers from other communities. “This is a major step along the road to the integration and reconciliation of fledgling members of a traditionally marginalised ethnic group,” added Marsh.

In addition to providing for the educational needs of these communities, in 2004 the OSCE Mission carried out the ‘Roma, Ashkali and Egyptian Youth awareness’ project in Prizren. “The aim of the project was to increase Roma, Ashkali and Egyptian youth’s participation in democratic processes, as well as to increase the political confidence of their communities,” said Zilha Nurkollari of the OSCE Office in Prizren.

Roma, Ashkali and Egyptian youth, mainly secondary school pupils, have increased their knowledge on areas of municipal structures, use of media, drafting of project proposals, and gender advocacy to name a few issues. Their communities, on the other hand, had a chance to discuss their concerns with municipal institutions, primarily employment opportunities, access to social welfare, as well as access to mainstream education for their children.

And while there is still a need to increase the level of RAE participation in the work of municipal governments it should be noted that a number of Roma, Ashkali and Egyptian youth who participated in this project are now working with media, as well as with local NGOs, trying to improve the conditions in which their communities live.



Catch-up classes enable Roma, Ashkalia and Egyptian youth to enroll into mainstream education.

Sesame Street

One of the most successful children's TV series in the world, Sesame Street, was brought to Kosovo by the OSCE Mission and the UNICEF Office in Kosovo.

The idea behind bringing the world of Muppets such as Ernie and Bert, Cookie Monster, Elmo and Big Bird to Kosovo was to introduce an educational tool that utilizes TV as its main medium while combining fun and learning.

Fifty-two selected episodes were voiced over in Albanian and Serbian and supplemented with 26 locally produced live action films that describe everyday situations particular to different ethnic communities living here.

In December 2004, weekly shows began airing on the public broadcaster, Radio Television Kosovo (RTK), in both Albanian and Serbian languages, called *Rruga Sesam* and *Ulica Sezam* respectively.

"The Sesame Street series targets three to six year-olds and aims to teach tolerance and respect for ethnic and cultural differences," said Angela Tenbruck, who co-ordinates this project for the OSCE. "This is the first such programme and is more so unique for it has educational goals and is used to complement pre- and early-primary education curriculum," she added.

The educational goals for the series were set in January 2004. At that time, UNICEF, the OSCE Mission, Kosovo Ministry of Education, Science and Technology, Sesame Workshops and a number of local NGOs working on childhood development programmes held a number of working meetings. "What came out of these meetings was a document that represented educational objectives and a specific curriculum for the Sesame Street project," said Lucia Elmi, Programme Coordinator with the UNICEF Office in Kosovo.

According to her, the curriculum relates to human diversity and includes themes that range from the appreciation of ethnic, cultural and religious diversity to human emotions such as happiness and sorrow and social relations.

To reinforce key messages and introduce Sesame Street in pre-primary and early primary education, UNICEF produced some 15,000 student kits as well as some 1,500 teacher kits in Albanian and Serbian languages. Each kit consists of an activity book, flash cards, and height charts

Ms. Besa Shehu, pre-primary school teacher in Prishtinë/Priština said that she appreciated well illustrated materials and that children have by now become familiar with the Sesame Street characters. "These days they are having fun learning with their furry friends," she said.

For the time being the signal of the public service broadcaster RTK does not manage to reach out to all children as it does not cover a number of mountainous areas. "To bridge those gaps, we reached a license and copyright agreement with Sesame Street in New York and local TV stations such as DTV, TV Most and RTV Herc now broadcast the series to the audience outside of RTK's reach," said Ms. Tenbruck.

These three TV stations reach Serbian children in the northern and southeastern areas of Kosovo.

However, some children in Kosovo live in an almost complete media blackout and receive no terrestrial TV signal. The village of Çabër/Čabra, located in the Kosovo Serb-majority municipality of Zubin Potok, and villages in Gora region in the far southern municipality of Dragash/Dragaš are a good example. In these locations the OSCE has organized mobile cinemas that visit villages on weekly basis and screen the series.

The 52 episodes cover twelve months, December 2004 to December 2005. To secure airing of Sesame Street in 2006 the OSCE and UNICEF will provide further financial support.



Kosovo's children play with and learn from Sesame Street characters at school and at home.

Human rights education

OSCE helps the Ministry of Education Science and Technology introduce human rights teaching in civic education classes

Democratic institution building and protection and promotion of human rights are the key tasks of the OSCE Mission in Kosovo (Pillar III of the UN Interim Administration).

These tasks are often perceived as something that has to do with politics and politicians only, yet it is the common people that constitute a society and determine its quality. In other words, politicians and politics, though very important, cannot create on their own a democratic society that upholds human rights. These values need to be embraced by everyday people. In addition, for a human rights culture to be successful, it is necessary for everyone to learn how to use the law in order to have their rights protected.

And rather than embracing these values at an older age, human rights and democracy can best be understood in early stages of life. In fact, human rights learning can begin in pre-school and should continue through primary, secondary and higher education.



Human rights education is best introduced in primary education. The OSCE Mission assisted local authorities in developing a human rights curriculum.

Kosovo's education system and curriculum developed following the 1999 conflict and the establishment of UN's Interim Administration was updated from the former Yugoslav one. However, human rights teaching was not part of it.

In attempt to bring human rights as a subject matter to primary schools, back in 2001, the OSCE Mission, jointly with the Council of Europe, organized a Human Rights Calendar Campaign. OSCE's officers went to schools around Kosovo explaining and leading exercises and discussions about human rights and helping children come up with their own expressions of what these rights meant to them. The most creative ones made it to calendar pages, which were exhibited in schools and cultural and community centers throughout Kosovo.

Yet this attempt was not a sustainable one. Human rights teaching could not be left to OSCE officers.

During school year 2003/2004 a Human Rights Education pilot project was organized Kosovo wide bringing human rights work books for students, teacher's guides and teaching methodology books to 70 schools. All these materials were developed by the OSCE's experts in co-operation and with the approval of Ministry of Education Science and Technology (MEST).

"A year of teaching showed to be effective. Evaluation of the pilot project was positive and with small improvements to the materials MEST decided to incorporate human rights teaching in the civic education curriculum for sixth graders," says Ronald Hooghiemstra, Chief of the Human Rights Capacity Building Section at the OSCE Mission.

The school year 2004/2005 was used for reviewing of the content

and actual production and printing of teaching materials that will be sufficient for two school years yet to come (some 90,000 student books, 2,000 teacher guides and methodology books).

As of September 2005, all sixth graders in Kosovo will learn about human rights and their meaning for their lives and lives of their families. To ensure quality of teaching MEST and the OSCE will train close to 2000 civic education teachers in teaching methodology and substance of human rights curricula using MEST's seven regional training centers.

However, problems in this area still do exist. They derive from a complex political situation and the existence of parallel systems. Schools that deliver education in the Serbian language do not co-operate with MEST and do not use its curriculum (they use curriculum applied in by the Ministry of Education of Serbia).

And although a draft translation of these human rights teaching materials exist in Serbian, the OSCE has not yet been able to arrange to have this approved and finalized for use in classes of schools which teach in Serbian language. Children attending these schools are therefore denied access to human rights classes.

Furthermore, schools that deliver education in Bosnian language may delay human rights teaching until translated books are provided.

An additional outstanding question is what will happen with human rights teaching once books supplies provided by the OSCE for two schools years run out.

These questions will be something for politics and politicians to take care of when discussing and approving future budgets for education of its youth.

POLICE EDUCATION AND DEVELOPMENT

“The police are the people, and the people are the police”

These are the first words every police cadet has seen and read when they entered the OSCE-run Kosovo Police Service School (KPSS). It is the mantra for the training of a new police force based on democratic principles and the highest standards of integrity.

The KPSS was established in September 1999 with an aim to create a modern police force that would restore confidence in law enforcement and effectively apply community based principles of policing. Given that it began its work at a time when no other institution was functional it can easily be considered as one of the greatest successes in post-conflict Kosovo.

KPSS started with little more than the dedication and vision of the early members of the staff. The OSCE's commitment and investment has been significant in terms of results achieved, yet according to Steve Bennett, who has been the School Director from the outset, it is important to recognize the individual role of every KPS officer. “No matter how good your school is and how good your instructors are, if you do not have people with basic integrity and basic capacity, willingness and the desire to learn, you will never get any results.”

The first class of cadets completed their course in October 1999, while class 31 will graduate at the end of 2005 – nearly 7,500 new police officers. In the meantime the KPSS developed re-certification and advanced courses for Kosovo Police Service (KPS) Officers who are now on the streets serving the people. The implication is that every officer one might come into contact with or see in Kosovo has received the OSCE training.

More importantly, thanks to the efforts of the OSCE, today there are men and women of all ethnic communities serving in the KPS. The statistics not only reflect the diversity of the population – 16% from non-Albanian communities; but also demonstrate that female officers can also play a law enforcement role in protecting and serving society – 15% of the KPS are women.

“While basic police training has been our key priority, we are increasingly focused in the areas of management and leadership, as well as advanced and specialized training courses,” said Bennett about the course work which is in direct support of fully developing the KPS into a well organized police service as they carry out more responsibilities.



The specialized training and expertise found at the KPSS includes criminal investigation skills, surveillance, forensics, and combating organized crime. KPS Officers have also been trained in modern techniques to deal with domestic violence, awareness of human trafficking, and community policing.

In a staged process, core training and technical support functions within the KPSS have been passed to over 100 KPS Officers who have returned to the School as trainers in their own right and its own Kosovan staff. Although in greatly reduced numbers, the international staff continue to provide essential support to the on-going process of building long-term capacity. This has proved very successful as it aims at the sustainability of the institution.

Gradually, the KPSS has evolved as an institution that represents a good model for professional education and development of public safety personnel. Over the years it has shared its considerable expertise in police education and development to other OSCE Missions in the FYR Macedonia, Serbia and Montenegro, and Azerbaijan.

Over the past five years, the School has also been providing services to several key disciplines in the public safety system – including fire rescue, corrections, customs and boundary police, as well as court security. Steve Bennett believes that the School and KPS will continue to exist in the future and work for the interests of all people of Kosovo. “I believe the School will evolve into what Kosovans determine is the best solution for public safety education and development.”

Community-based policing

The Kosovo Police Service (KPS) has only been around for 6 years, and this has meant that they are still striving to build confidence in the people they serve. Rather than trust, in Kosovo there is a legacy of mistrust and lack of co-operation. A relationship between the police and the people needed to be built. The KPS is working to demonstrate that it is a professional force and can tackle the issues which face society.

As a measure to help build confidence, in 2003 the OSCE-run Kosovo Police Service School (KPSS), in close co-operation with its local and international partners, developed the first Community Safety Action Teams. Their purpose is to develop new, and promote the existing, relationships between community members, municipal representatives, and the police.

Under the community policing concept, police officers and ordinary people work together to solve a community's problems that relate to crime and social disorder. “Achieving the goals of police working together with community members and local government representatives with the common goal of reducing crime and increasing safety is the essence of community policing,” said Julie Fleming, the Community Policing Co-ordinator at the KPSS.

A human rights oriented police culture underpins the entire philosophy of community-based policing. Its strategy has two core tracks of changing the methods and practices of the police to be more democratic, and establishing strong and collaborative relationships between the police and the public.

Often people think that security and safety are purely police matters. Julie Fleming thinks the opposite: "All local partners must be engaged in community safety." This kind of relationship gives people a sense of ownership in setting policing priorities and how their community is safeguarded.

Changing traditional policing to community policing is not an easy task. To date, teams of up to 35 people have been established in eight municipalities, and more are being trained in an additional four municipalities.

Community Safety Action Teams will continue working to further promote the community policing philosophy through implementation of prevention, partnerships, and problem solving strategies to address concerns recognized by both the people and the police.

An obvious result of this effort has come through the creation of a community safety Handbook called: *Only Facts – Information on Crime Prevention*. In the Prizren region, KPS Officers and the main stakeholders in the municipality worked together to create this handbook, which offers necessary information on how the citizens can give their contribution to prevent the crime. Its publication is an example on how cooperation can be enhanced by involving more than just police in law enforcement issues while also creating a sense of ownership.

According to Ron Schwartz, an instructor at the KPSS and public safety specialist, communication between the police, municipal leaders and communities has increased remarkably. "Since 2003, concrete problem solving projects have taken place in different municipalities including addressing youth and drug problems in schools, landfill issues, traffic safety, stray dogs, border crimes, and many more," said Schwartz

This is just one of the many benefits of community based policing. The reduction of crime and improved safety are another. Greater progress in proactively working to solve community problems is expected in the future.



A core principle of community policing concept is creating a partnership between the police and local communities, especially with young people.

Protecting people's right to protest in Kosovo

Officers from the Kosovo Police Service (KPS) are now better able to handle civil disturbances, thanks to training provided by the OSCE-run Kosovo Police Service School (KPSS).

A first group of 70 KPS officers completed the course in April 2005, which was part of efforts to build police capacity to deal with tense situations such as the March 2004 riots, as well as to ensure respect for the rule of law and human rights.



Following the March 2004 riots, the Kosovo Police Service has engaged in number of riot management trainings. The OSCE Mission supports these efforts with providing European expertise and best practices.

The training offered by the KPSS was based on the Danish 'Force Mobile' tactics that are now being adopted by a number of west European countries.

New policing tactics

Danish National Police Superintendent Kaspar Andreasen, who headed the team of four trainers and also ran the demonstration, explained: "People have the right to protest and express their opinions."

However, he sees the job of the police in such a situation to extract violent protesters, to prevent aggression against others and the destruction of property, and to enable people to speak their minds. "Police need to open a dialogue with representatives of the protesters and agree on the way the protest will be conducted," he added.

The key philosophy of the training was that the police should in no way appear to be hostile towards the crowd of demonstrators. The police - while clearly uniformed law enforcement officers - should not display symbols of force, such as batons, shields or helmets, when dealing with public disorder.

Handling a riot is one of the hardest things police officers have to do, as they may be put in a position where they have no option but to use force against the fellow citizens they are trained to serve and protect.

One of the trainees, KPS Lieutenant Amir Gërguri, commented: "It is hard to be in a situation where one has to confront one's own people. But now we know better. We know we have to remove the instigators of violence from the crowd. We know how to establish communication with protesters and co-operate with them."

POLICE EDUCATION AND DEVELOPMENT

Further developing police capacity

Taking on board the lessons learned from the March 2004 riots, the OSCE Mission in Kosovo also sought ways to further develop police capacity, so as to enable them to take on full responsibility and deal properly with such situations.

One of the main problems during the riots was a lack of co-ordination between the KPS, the UN civilian police and KFOR (the NATO-led international force responsible for security in Kosovo), so the Mission is also working to ensure the exchange of information between all parties.

The Norwegian Ambassador to NATO, Kai Eide, who was invited by the UN Secretary General to report on the riots, made police training and exchange of information a priority in his recommendations.

While both KFOR and the UN civilian police still play a role in maintaining security in Kosovo, it is important that the Kosovo police are capable of acting independently.

“We want them to know what the KPS is capable of, so they will know what to expect and can plan supporting actions accordingly,” said Heinz Schneider, an OSCE international police trainer at the KPSS.

Dialogue with the protestors

After protests in Denmark, noted Superintendent Andreasen, the police invite the protest leaders to discuss what went well and what didn't.

Lieutenant Gërguri added that another unit was working on community policing and conflict prevention. With these two units co-operating to develop dialogue with protestors, the chances of protests or riots having severe negative consequences will be greatly reduced.

The best 15 trainees, who are now qualified trainers themselves, will pass on their knowledge to some 500 KPS officers who will form public disorder teams to deal with such situations. The training they will provide during 2005 will be carried out in co-operation with the KPSS and the KPS's regional support units, created to assist training efforts.

It is for real - Women are making a difference

Involvement of women in the new Kosovo Police Service has been one of the greatest challenges that the OSCE Mission's Department of Police Education and Development has faced since it first opened its doors in September 1999.

Considering the patriarchal mentality still present in the Balkans, it was not expected that the women in Kosovo would be interested in joining the newly created Kosovo Police Service (KPS). The reality turned out to be the opposite.

KPS female officers can do just as good as their male colleagues

Women in Kosovo, like everywhere else in the western world, showed that there is no role or responsibility in society they could not take on. In fact the experience in Kosovo taught us that KPS's female officers can be just as good as, if not better, than their male colleagues, in performing all of their duties.

It is encouraging that all of the KPS female cadets and later graduated officers were strongly supported by their families, friends and the society. Shortly after the 1999, seeing female officer policing streets of Kosovo, for many, was a dream come true.

“My family is very proud of me being a police officer and having a chance to serve the people of Kosovo. I am very happy that I have a chance to prove that Kosovo women can make a big difference in improving the life of all Kosovans,” said Arbresha Bajrami who is serving with the regional police station in Pejë/Peć and was awarded KPS's first Lifesaving Medal.



KPS female officers can do just as good as their male colleagues.

Everyone serves under one flag

KPS is very proud of its multi-ethnic composition. Thanks to the never-ending efforts and contribution of the OSCE and the international community, today there are men and women of all ethnic groups serving under one flag, the flag of the Kosovo Police Service.

Slađana Stojanović, KPS Instructor and mother of two, said: “I am very glad that I had the opportunity to show that women can do difficult and responsible jobs in Kosovo and make positive changes.”

In some way, the OSCE has fulfilled its mandate in this regard. Out of over 7,000 police officers that graduated from education and development basic training programming at the KPSS, 15 percent are female representing all ethnic groups of Kosovo.

Since 16 October 1999, when the first class of 176 recruits graduated from the KPSS, Kosovan female officers were present in each and every class. Class 31 completed basic education programme on 16 December 2005, and now KPS has the following ethnic and gender composition:

Kosovo Albanian	83.5%
Kosovo Serbs	10.5%
Others:	6% Kosovo Roma, Turks, Gorani, Bosniaks, and Muslim Slavs
Male	85%
Female	15%

GOOD GOVERNANCE

To establish good governance that upholds principles of responsiveness to citizens' needs and accountability, one must first create effective government institutions at all administrative levels.

Following the establishment of the UN's interim administration in 1999, domestic bodies governing Kosovo needed to be built from scratch. The only functional domestic body at that time was a self-appointed Provisional Government of Kosovo.

Charged with organizing elections and institution building, the OSCE Mission had a key role to play in setting up new institutions of self-government. The first municipal elections were held in autumn 2000 and the first Kosovo Assembly election took place in November 2001.

The Provisional Institutions of Self-Governance (PISG), the youngest democratically elected and appointed administrative bodies in Europe, had to become familiar with their tasks and develop their own structures and rules of procedures. They also had to become familiar with and apply democratic and human rights compliant practices all while serving the people – the basic principles of good governance.

Providing assistance in all these fields, the OSCE Mission works to bring Kosovo's governmental institutions to a level compatible with developed European societies, and to ensure that citizens are included in decision making processes. The OSCE monitors the PISG's work, providing advice and training to help build their capacity towards better serving the public.

Assistance to the Assembly of Kosovo includes providing technical expertise, support with developing rules of procedure, development of legislative capabilities, co-ordination of donor assistance, and support towards ensuring that all Assembly documents and legislation are consistent in their translation to official languages (in addition to local languages English language versions are also required).

The Government is supported through advisors assigned to the Prime Minister's Office and assistance in implementing the Standards for Kosovo. The Mission also works with municipal governments, building the capacities of their executive and legislative branches by providing professional training and helping establish and make effective both mandatory and non-mandatory committees.

To ensure self-sustainable professional development of public servants, the OSCE Mission also helped create the Kosovo Institute for Public Administration that has now become an independent body which continues to enjoy the Mission's support.



Responsiveness to citizens' needs is the essence of good governance.

Assembly Support Initiative – ASI

Following the first Kosovo-wide parliamentary election in November 2001, the Assembly of Kosovo began its work as the youngest democratic parliament in Europe. Being a new institution it needed to establish its structures, familiarize itself with the basic principles of a democratic parliamentary system, and begin functioning according to these principles. The OSCE Mission, the Institution Building Pillar of the UN interim international administration, was there to help.

A group of bilateral and multilateral donors - ten European, American

and UN-affiliated partner organizations - gathered in the OSCE Mission driven Assembly Support Initiative (ASI) to provide and co-ordinate extensive support to the Assembly.

“Thanks to ASI, many difficulties of the start-up phase were overcome,” said Dr. Friedhelm Frischenschlager, who served as a Director of the Mission's Democratization Department from September 2002 till March 2004. Increased adherence to procedures and established processes has gradually replaced “ad-hocism” and improvisation in the work of the Assembly.

Over the last four years, the Mission has worked with all the Assembly structures (presidency, parliamentary groups, committees and secretariat) to accomplish increased efficiency and compliance with the rules of procedure and democratic practices, and to improve legislative capabilities. It placed special attention on creating opportunities for all members to actively participate in Assembly proceedings and represent the interests of their communities.

According to Franklin De Vrieze, Mission's Central Government Support Team Leader and ASI Coordinator, the OSCE's work with the Assembly consists of monitoring and advising, but also implementing capacity building programmes, such as workshops, seminars and study visits, and technical assistance projects. These activities are to increase the professionalism of Assembly members and staff at the Assembly. The ultimate result would be enhancing transparency and promoting civic society involvement in parliamentary work.



The Assembly of Kosovo is the youngest democratic parliament in Europe.

GOOD GOVERNANCE

With ASI's support the first Assembly of Kosovo became an institution that, despite its objective shortcomings, managed to show progress and achievements in its three years of work such as passing an impressive number of laws, exercising legislative initiative, organizing public hearings on draft laws, and compiling Committee end-of-mandate reports.

In October 2004 the second parliamentary elections were held. ASI partners continued their efforts and now work to further strengthen the elected Assembly and improve its functioning.

"Immediately following the 2004 elections a comprehensive orientation programme was delivered to the new Assembly members while a support programme was delivered for both members and the staff," said De Vrieze. To avoid a long period of stagnation, which occurred in the formation of the first Assembly's mandate, the Mission assisted the new Assembly with setting up its structures and becoming functional in a reasonable time. "The Mission also provided assistance to the Assembly secretariat to fulfill its post-election responsibilities and successfully hand over duties to the next Assembly," added De Vrieze.

To help address the challenges posed by the legal requirement for the use of two official languages, Albanian and Serbian, and to help facilitate the implementation of the legal acts issued and promulgated by the international administration, in 2005 the OSCE

published a tri-lingual (Albanian, Serbian and English) Glossary of Parliamentary and Legal Terms. The Glossary is also helping absorb the international legal assistance with drafting the laws that is normally delivered in English language.

In June 2005 the OSCE also helped the Assembly organize the first regional inter-parliamentary event in Prishtinë/Priština that focussed on parliamentary oversight of government work. Mr. Peter Vanhoutte, former member of the Belgian Parliament who currently advises the President of the Kosovo Assembly on behalf of the OSCE, said that this event was an historic one. These are hopefully the beginnings of bilateral and multilateral processes between elected governmental bodies that will assist in the region's development.

However, certain institutional constraints remain. Even though there was improvement in areas such as setting the agenda, voting, distribution of documents, interpretation and translation of documents, there was still a lack in the transparent management of the Assembly Secretariat and the endemic lack of quality legal translation capacity in the PISG. Expert staff and institutionalized procedures for establishing and maintaining inter-parliamentary contacts are missing. Continued international support, therefore, remains critical in overcoming the political, procedural and administrative challenges that lie ahead of Assembly.

To reflect on challenges and progress, as well as on the various types of assistance provided to the Assembly of Kosovo and the Government, the Mission issues the ASI Newsletter. Printed in four languages – Albanian, Serbian, Turkish and English – it is distributed throughout Kosovo and forwarded internationally since July 2002.

From OSCE training to a Kosovo Institute of Public Administration

The OSCE Permanent Council in its Decision 305 of July 1999 tasked the OSCE Mission with the education of civil servants in Kosovo.

As new Provisional Institutions of Self-Government were being established and many of its staff had little or no previous experience in administration, their training was imperative. A functioning civil administration was seen as a prerequisite for the development of democratic institutions and the realization of human rights.

"In 2000 the Mission created the Institute of Civil Administration and it initiated the delivery of basic training to municipal and central government employees," said Katja Salsbäck, the Mission's public administration officer.

Accordingly, the OSCE led Institute decreased its engagement. In August 2003 a Kosovo Institute of Public Administration (KIPA) was established as an Executive Agency of the Ministry and ever since it functions from its own premises being headed by a Kosovan Chief Executive Officer (CEO), Naim Rrustemi.

The OSCE intensively supported KIPA in its first days. With new staff being recruited they needed to develop their own expertise in providing training, planning and delivering professional development courses. OSCE experts worked closely with the CEO in developing the institute's strategic vision and programmes. "Our trainers educated KIPA's staff in their respective areas of responsibility," Salsbäck noted.

Through international conferences on public administration, KIPA established regional contacts and was able to further share and absorb expertise. With OSCE's help they also established a rich library of public administration literature depicting the latest international trends.

Today, KIPA is a dynamic Executive Agency of the Ministry of Public Services. A European Commission study showed that KIPA was one of the only two civil service training centres in the Balkans with a well-established management that works with a long-term strategic plan.

In its first year alone, training sessions provided by KIPA were attended by 2,800 participants from the civil administration sector. That number increased over 2004 and 2005. In 2006, KIPA will expand its outreach to civil servants belonging to ethnic minority groups and will aim to further improve the quality of its trainings and strengthen its human resources network. The OSCE Mission will continue to support KIPA in its efforts, both in-kind and with advice.



Professional and knowledgeable public servants ensure the effectiveness of central and local governments. Kosovo Institute of Public Administration is helping build their capacity.

Beginnings of municipal governance

Prior to the first democratically held Municipal Elections organized in October 2000, the OSCE Mission mainly monitored the work of the municipal institutions of the so called "Provisional Government of Kosovo". Its interventions were marginal as these institutions were self-appointed and not democratically representative.

Governance at the municipal level is not a new concept in Kosovo. However, the 2000 Municipal Elections were the beginning of a new era in many municipalities. UNMIK Regulation 2000/45 on the Self-Government of Municipalities in Kosovo, based on the principles of the European Charter on Local Self-Government, gave municipalities a comprehensive range of responsibilities. It was now the role of the OSCE Mission, the Institution Building Pillar, to assist the newly elected Municipal Assemblies in fulfilling these responsibilities.

"Following the first Municipal Elections the Mission launched a training programme called Post-Election Municipal Assembly," said Hartmut Purner, Deputy Director of the Mission's Democratization Department. The programme was carried out in most of Kosovo's municipalities. It aimed to build the capacities of the newly elected Assembly Members in carrying out their responsibilities, as the majority of the nearly 900 assembly members had never held elected office before.

After the second Municipal Elections held in 2002, a more comprehensive training programme, known as the Municipal Assembly Starter Kit (MASK), was designed to build upon experience already present in the Municipalities. According to Purner, the programme encouraged a more effective and representative legislature. Local Mission staff members were the primary deliverers of the MASK. "This allowed a more direct interaction between the trainers and the trainees," he added.

The training was designed to both acquaint the Members with the applicable law and the democratic principles on which it is based, as well as to assist them with the implementation of the law. "This way we could openly discuss some of the key issues, such as the separation of powers, the potential politicization of civil service, access to information, and the role of the opposition," said Arian Dragaçina, an Assistant Democratization Officer at the Mission.

During the period of November 2002 through June 2003, a total of 1,931 participants from all municipalities and all their communities participated in the MASK. The full effect of the trainings is still being assessed. "Many Municipal Assemblies have since shown greater respect for rules and procedures, and they are chaired more effectively," said Dragaçina. According to him, Assemblies are also demonstrating shift towards having a constructive relation between ruling and opposition parties and are consequently enjoying more fruitful debates.

The OSCE has further developed the concept of MASK and has

implemented a successor training programme, covering policy related issues, such as the work of municipal committees and the budgeting processes.

Currently, the Mission is developing its capacity building initiatives that are specific to the need of regions or municipalities.

In parallel to capacity building the OSCE Mission is also playing an active role in the process of devolution of powers from central to municipal level of government. This process is often being referred to as "decentralization", or more precisely, local government reform.

Initially, in November 2003, the Mission organized a conference to, for the first time discuss the decentralization concept with all relevant PISG and UNMIK actors. It also worked in a mixed local-international Working Group that has drafted in 2004 the Framework Document for the Local Government Reform. Once the Ministry of Local Government Administration was created to support the decentralization process the Mission supported its activities, most notably by hosting capacity building sessions for the Provisional Assemblies in the Pilot Municipal Units (PMUs).

PMUs are now being used to test the functionality of municipalities that would in future hold greater competencies in fields of education, health care, and infrastructure, among many powers, and would be responsible for securing their own financial sustainability. Pilot Municipal Units are also being used to test potential changes in the territorial reorganization of Kosovo municipalities. The Mission will remain involved to ensure adequate local capacity is built to carry out the process.



Quick and effective provision of services should be the goal of every administration. Malisheva/Mališevo Municipality created a "one-stop-shop" where citizens can obtain full service.

Local development

In the autumn of 2004 the OSCE Mission, in partnership with the Kosovo based Regional Enterprise Agency, began the implementation of an ambitious project called Participatory Budget and Public Financial Management. It aimed to enhance the capacities of six Municipal Policy and Finance Committees in the Prishtinë/Priština region.

The project catered to both training and technical assistance. It emphasized the need to introduce effective and transparent decision making processes that would provide for citizen participation. "The project's aim was to assist municipalities in managing the challenges of the region's rapid modernization and development," said Michael Walker, Democratization Team Leader at OSCE Office Prishtinë/Priština.

Training modules were designed and delivered from September to November 2004. They addressed the challenges of each particular municipality and included sessions on capital investments, local revenue generation and mobilization of financial resources.

The "Policy and Priorities" roundtable followed shortly after. It allowed participants to promote municipal investments and projects that they believed other municipalities could learn from – a Peace Park in Podujevë/Podujevo and a Business Incubator in Shtimë/Štimlje to name a few. The roundtable turned into a team building exercise and grounds for a more collective approach to regional governance.

GOOD GOVERNANCE

“The project’s final component included creating a public information brochure designed to explain municipal spending in an easy and understandable way,”

said Walker. “The brochure also promoted the importance of paying taxes.”

Municipal Information Officers were engaged in the design, writing and distribution of the brochures. For many of them it was the first time they ever conducted such a campaign.

It was encouraging to see all the enthusiasm and dedication demonstrated by the participants through out all project phases. The PDK Group Leader for Prishtinë/Priština thanked the OSCE for its efforts and said: “We, the Policy and Finance Committee Members are experienced in our own professions but indeed needed training like this one to understand and evaluate the reports forwarded to us by officials.”

It is hoped that the contacts and confidence developed through these trainings will help pave the way for the future monitoring and capacity building work of the OSCE Mission in all Kosovo’s municipalities.



A Participatory Budget and Public Financial Management project aimed to enhance capacity of six municipal policy and finance committees through training and technical assistance.

Listening to people

The interests and needs of all communities and inhabitants of Kosovo must be fully and fairly represented in all government branches and institutions.

To promote this principle the OSCE Mission organized a series of field trips for senior representatives (Assembly Members, senior civil servants, UNMIK officials and media) of Ferizaj/Uroševac, Kaçanik/Kaçanik and Štrpce/Shtërpçë municipal administrations.

“The visits were aimed to give the local politicians an opportunity to see local standards of living, first hand, and also to give citizens an opportunity to express their concerns directly to their local leaderships,” said Marc Kalmbach, Democratization Officer at the OSCE Office in Štrpce/Shtërpçë. The socio-economic situation, municipal services provided to the people, road infrastructure and employment were main issues discussed. The visits mainly targeted the most remote and deprived communities in each of three municipalities.

The visits in Ferizaj/Uroševac specifically included the return area of Babljak/Bablak. According to Kalmbach, Municipal leadership was for the first time confronted with issues troubling the recently returned Kosovo Serb population, as well as the opinions of the Kosovo Albanian receiving community.

“The visits and meetings with local population were well attended and appreciated,” said Mohamed Sagdati, Assistant Democratization Officer who also works at the OSCE Office Štrpce/Shtërpçë. During the discussions, as well as during the site visits, the villagers did not hesitate to voice their concerns, complaints and anger.

“They did show, however, an understanding for limitations posed by insufficient municipal budgets,” added Sagdati.

The politicians as well as the general public agreed that events of the same kind should be organized by municipal officials on a regular basis. As a result of these visits a number of infrastructural projects, such as development of sewage systems and water supply, were implemented, or are in the pipeline.

Experiences for Ferizaj/Uroševac, Kaçanik/Kaçanik and Štrpce/Shtërpçë should encourage other municipal administrations to follow the same example and better serve their population.



The OSCE mission supports municipal bodies in establishing good co-operation with general public.

MEDIA DEVELOPMENT AND SUPPORT

Kosovo in the summer of 1999 was characterised by an almost complete media blackout. Only a few radio stations were left functional. People were

mostly watching satellite TV and broadcasts from Albania. Available information and access to it was insufficient.

At that time a new civil administration was being set up, entire communities were coming back to their places of origin, new economic and political systems, as well as police and justice structures were being created. It was crucial for the international administrators to open channels of mass communication and provide for information needs.

The establishment of the public broadcaster, Radio Television of Kosovo (RTK), in September 1999, was one of the OSCE's first undertakings in its role as the UN interim administration's Institution Building Pillar. To help regulate the media sector the Mission also established the institution of a Temporary Media Commissioner (TMC) in June 2000.

Developing over the years with the Mission's support, RTK has become the media outlet public trust the most. In addition to establishing RTK and ensuring that it provides information and programming in language spoke by different ethnic groups, the OSCE Mission supported development of a number of private media throughout Kosovo. It took the role of a monitor and adviser, providing training as required.

However, unprofessional reporting by a majority of media, including RTK, about the events surrounding drowning of three Kosovo Albanian children in March 2004 fuelled the riots in which dozens of people were killed and two thousand were forced to leave their homes.

It was obvious that journalistic trainings the Mission provided since 1999 were not enough to bring Kosovo's media landscape up to the European level.

Changing its approach, the OSCE appointed an international news affairs consultant to RTK to help improve RTK's news coverage and editorial policy. The Temporary Media Commissioner imposed a fine to all three Kosovo wide broadcasters (RTK, Kohavision, TV 21). RTK had to commit 100,000 Euro for the training of journalists and



The OSCE Mission was instrumental in establishing the RTK, the only public broadcaster in Kosovo.

editors. These trainings are now starting to show the first positive impacts on the broadcaster's performance.

Looking at the current media situation, the biggest problem seems to be that most outlets can hardly be defined as 'media'. They mostly act as entertainment machineries advertising electric blankets and playing turbo folk. Hence, the work of Mission nowadays concentrates on working to reinforce responsible press and identify and support promising broadcasters, journalists and media projects providing Kosovo citizens with high quality information and catering for all communities.

The overall aim is to support professional education of editorial staff and to ensure that all citizens have access to relevant information so that all can actively participate in the decision making and democratic processes.

An additional focus for the Mission will be monitoring media's adherence to newly adopted codes of conduct for print and broadcast media and advising on needed improvements. It will also assist the work of the Independent Media Commission (IMC) which was established as the successor to the Office of the Temporary Media Commissioner. The law on IMC came into force in September 2005.



The Kosovo Press Council, a recently established self-regulatory body of print media, is increasingly taking on the role of monitoring journalists' compliance with the Press Code of Conduct.

MEDIA DEVELOPMENT AND SUPPORT

KOSMA

All beginnings are difficult. This one was witnessed in a ten square meter bakery in a Serbian enclave in western Kosovo. Its village "centre" is composed of a health care centre, one EU sponsored fast food booth that has seen better days, a hairdresser's saloon, the UNMIK regional administration located in a trailer, one radio station and the bakery. All in all, a fairly laid back

place that attracted worldwide attention only after the tragic shooting at children in a river in summer 2003.

In September 2004, the village of Goraždevac/Gorazhdevc, accessible only after passing a rigorous KFOR checkpoint, was again the point of origin for a Kosovo wide - this time rather pleasant - excitement. The radio next to the bakery was broadcasting a Kosovo wide radio newscast in the Serbian language. For the first time after the conflict the Serbian speaking population in Kosovo was listening to a supra-regional news programme transmitted by over 20 other Kosovo Serb radio stations all over Kosovo.



Radio is still the main source of information for many of Kosovo's communities.

The new programme, named KOSMA after the Kosovo Media Association comprised of most of the Kosovo Serb radio stations, is produced by four strategically located broadcasters who are connected in a way that allows them an unlimited exchange of programmes and information.

Shifting duties every week one of these four stations is in charge of the newscast production which then gets fed into a specifically designed microwave linkage structure, picked up by the other broadcasters and simultaneously transmitted all over Kosovo.

It is the only radio news programme in the Serbian language that provides its listeners with local, regional and world news, thus connecting remote and heavily guarded villages like Goraždevac/Gorazhdevc with the outside world, its neighbours and the political and social happenings in Kosovo's capital Prištinë/Priština.

The need for the KOSMA project came about just before the first Kosovo Assembly election in 2001 when the International Community realized that a Kosovo wide radio programme was needed to include the Kosovo Serbs in the electoral information campaign and provide them with sufficient information so that

they could participate in the decision making process.

It was the European Agency for Reconstruction who provided the funds to realise the project and it was the OSCE Mission in Kosovo who was chosen as the implementing partner. For the 2001 election the project launch remained imaginary but was in place and set up just in time for the second parliamentary elections in autumn 2004.

It took more than three years to get the project that cost just over a quarter of a million Euros started. The initial response by the listeners showed however that there was a need for it long before that.

OSCE staff accompanied the first couple of weeks of broadcasting by providing in-house coaching.

While in Goraždevac/Gorazhdevc we could not listen to the programme in the radio station that lacks a separated recording studio and is thus prone to negative acoustic feedbacks, we were lucky to be invited by the baker to his bakery. For him we were random passers-bys. "Have you already heard about this new news bulletin? An excellent idea! You have to listen to it. You have to come in. You will hear news about all the regions Kosovo. I cannot remember when was the last time I heard a proper radio news programme here."

Even though the KOSMA network has yet to be extended into the north of Kosovo it can be called a success story. Today even radio stations in Herzegovina and Montenegro re-broadcast the KOSMA newscast and bring Kosovo closer to its neighbours.

Police and media

Relationships between police officials and media professionals are all too often tense. Strict police practices collide with a very assertive information "hunting" techniques and independence many journalists exercise while conducting their duties.

Nonetheless, co-operation between police officers and journalists is a necessity. Both police and media serve the same public and its interests. Lack of communication between the-se two groups results in poor news reporting. Left without information from the official

police sources, journalists may speculate and therefore misinform public or compromise police work.

The OSCE Mission in Kosovo is responsible for both media and police education and development. "We strive to improve standards of crime news reporting, increase public awareness about important legal and police issues and emphasize the benefit of professional working relations between the police and the media," said Angela Tenbruck, the Mission's Media Programme Officer.

Throughout 2004 and 2005 the Mission ran a programme to better acquaint media with police procedures and to develop police's understanding for the information needs of the media. According to Michael Schulte-Schrepping, Instructor from the OSCE-run Kosovo Police Service School, the Police and Media Relations programme included theoretical as well as practical exercises. These taught journalists about conduct of police investigations and the need to exercise self-restraint to avoid "contaminating" crimescenes or obstructing and compromising investigations. Police on the other hand were thought about importance of providing as much information as possible and helping journalists answer their call of duty.

"At the simulated crime scenes both journalists and the police were able to test the knowledge acquired," said Mr. Schulte-Schrepping.



OSCE developed guidelines provide media and police with a short overview of their basic rights and obligations when interacting with each other.

Under the programme, the OSCE Mission in November 2005 issued a pocket-sized set of guidelines for the media and the police to follow when interacting. Taken from the existing codes of conduct, applicable laws and regulations, these guidelines address police and media workers and briefly explain how to deal with issues such as confidential sources, confiscation of material, access to crime scenes and protection of data, in particular with a view on the protection of minors as stipulated in the Juvenile Justice Code of Kosovo.

More than 13,000 copies in Albanian, Serbian, Turkish and English languages were printed and are being disseminated to police and media outlets in all ethnic communities.

OSCE's programme officers will visit police stations and media houses, to provide briefings on the guidelines. A briefing was already delivered to the KPS Office returning to the Kosovo Police Service School for the advanced professional development courses.

The guidelines as put together by the OSCE Mission will be updated by local stakeholders in 2006 to correspond with newly adopted media laws and codes of conduct. The stakeholders will include Kosovo's Press Council, Association for Broadcast Media, Association of Professional Journalists, Independent Media Commission, the Radio Television of Kosovo and the future Ministry of Internal Affairs/Police Inspectorate.

Multi-ethnic RTV Herc successfully reaching out to communities

Štrpce/Shtërpçë is a rather unique municipality. It has a good geographical location, its institutions have a genuine multi-ethnic structure, and it also has a multi-ethnic media outlet, RTV Herc.

RTV Herc produces and airs two and a half hours of bi-lingual (Serbian and Albanian languages) newscast a day. The initiative to create such a media product came from the OSCE Mission whose intent was to build local media capacity and to promote multi-ethnic programming.

From December 2003 to August 2004 the Mission worked with this Kosovo Serb TV station implementing a media development and reconciliation project. "TV Herc enlarged its editorial office with both, Kosovo Serb and Kosovo Albanian reporters/technicians and it also upgraded equipment and technical working facilities. All of this improved the quality of its programme," said Bojan Mladenović, TV station's manager.

TV Herc's goal is to highlight local events important for all Štrpce/Shtërpçë communities. It is the first local media in Kosovo to take on such a task.

The OSCE educated, trained and eventually enabled TV Herc's multi-ethnic team - 3 Kosovo Albanians and 10 Kosovo Serbs - to collaborate and jointly produce quality news for the viewers from both ethnic communities. According to OSCE's Project Manager, Milosava Banašević, the Mission also advised the television production and business management on how to put together a viable business plan and run a self-sustainable TV station.

The successful model of multi-ethnic interaction and reconciliation that took place at TV Herc is important not only for Štrpce/Shtërpçë inhabitants but for all of Kosovo and different ethnic communities living here. It is filling the information gap and creates an environment conducive to democratic processes.

The OSCE's involvement with TV Herc these days is purely of advisory nature. "Mission staff members visit the station and provide advice as needed," added Banašević.



Former Head of the OSCE Mission, Ambassador Pascal Fieschi, officially opened TV Herc in July 2004.

ELECTIONS

The choice of an electoral system has profound effects on the political life of the electorate and it, therefore, must reflect the social context in which it is developed. In a post-conflict society like Kosovo, where inter-ethnic relations are still a decisive issue, this crucial aspect of institution and democracy building needed to be approached very analytically and with great sensitivity to many different interests. This is where the OSCE Mission stepped in.

The Mission focused on two major challenges: building confidence in the electoral framework and ensuring its sustainability and fairness; and establishing a local independent body, capable of organizing and running elections in the future.

The OSCE Mission has organized and supervised all election cycles in Kosovo – at the municipal level in 2000 and 2002 and at the central level in 2001 and 2004. All have been qualified as free and fair, by both domestic and international observers. The electoral system used was that of simple proportional representation and closed political party lists, where seats won closely reflected the real vote. A gender rule also made certain that women would gain seats. To ensure minimal representation of

ethnic minorities at the central level, twenty out of 120 seats in the Kosovo Assembly were reserved for these groups.

To increase local ownership of the electoral process, the Elections Working Group was created in 2002. It was a consultative forum hosted and chaired by the Mission and composed of representatives of the main political and civil forces. This body recommended to the Special Representative of the UN Secretary-General the electoral framework of closed, proportional lists for the 2004 general election.

For the first time in 2004, the OSCE Mission turned over key operational responsibilities to the newly established local elections authority, namely the Central Election Commission (CEC) and its Secretariat. This marked an important step forward for Kosovo's institutions to take over ownership and manifested the OSCE's commitment to successively transfer the electoral process to the people of Kosovo.

The CEC is now on its way to becoming the local independent body capable of conducting technically efficient operations resulting in credible and legitimate elections. The CEC Secretariat (CECS) is its operational arm, functioning as an apolitical multi-ethnic institution. It will be responsible for managing all operational and technical aspects for the next elections in Kosovo.

To ensure compliance of the elections process and electoral legislation, the Election Complaints and Appeals Commission (ECAC) was established. The role of the ECAC is to adjudicate all election-related complaints and appeals that any stakeholder taking part in elections - voters, political parties, coalitions, candidates, citizens' initiatives, observers, CEC, OSCE and UNMIK - may submit.

Created in the same spirit as the Elections Working Group, an Election Forum was formed in 2005. This advisory body is constituted only by Kosovans. Its aim is to review the existing rules for the municipal elections and adjust them to the specific context of Kosovo through the organization of open and transparent discussions, taking into account the lessons learnt from past elections. Its input will lead to concrete proposals to the CEC on a future electoral framework.

The Mission hopes to take a purely advisory role in the next Elections scheduled for fall 2006. In the space of six years, Kosovo will be inheriting from the OSCE a framework to hold elections, one that is recognized as a stable, inclusive system that has provided the basis for a democratic future.

Increased responsibilities of locals in running elections

The general elections held in October 2004 were the first in which the OSCE started to hand over operational responsibilities to the Central Election Commission and its Secretariat. These included activities related to field co-ordination and planning, political entity and candidate certification, public information, accreditation of observers and distribution of election material.

According to Lars Lagergren, Director of the Mission's Department of Elections, this represented a significant change as the OSCE was now shifting its focus to building up local capacity, in order to make sure this institution is able to organize free, fair and democratic elections in the future.

"There was a shift of responsibility from the OSCE staff to the civil servants. The CEC and its Secretariat were responsible for central level planning, and together with the Municipal Election Commissions performed all operational tasks in the field," he adds.



Running the Count and Results Center was still an OSCE responsibility in the 2004 General Elections.

The Mission has so far been working to enhance awareness of the CEC members on crucial issues, such as gender and minority communities representation, through the organization of trainings. It will continue to do so in 2006 and further build the capacity of the CEC and its Secretariat.

The Mission's Election Department has not, however, fully stepped aside. Besides the expertise it will continue to offer to local institutions it retained responsibility for a few "sensitive" issues. These responsibilities were preparing the voters list, running the voting programme for out of Kosovo voters, and planning and

running the Count and Results Centre. In addition, the OSCE has maintained the political party registration and financial audit office.

However, the OSCE plans to hand over all of these responsibilities to the CEC and its Secretariat and other local bodies. The hope is that the 2006 municipal elections will be fully run by the local election management body.

With regards to election legislation, Kosovo's newly established Election Forum with a wide political and civic representation will make recommendations to the CEC on the best electoral models to be applied for the forthcoming municipal elections in 2006.

Kosovo Election Forum marks new stage in handover of responsibilities

The OSCE-supported Kosovo Election Forum began its work of reviewing election legislation and proposing recommendations for substantial improvements to the electoral system.

The start of activities by the Forum on 22 August marked a new stage in the handover of responsibilities from the UN Interim Administration in Kosovo to the local authorities.

The Forum was set up by the Central Election Commission (CEC) to review the legal framework for future elections. The upcoming municipal elections will be the first to be fully administered by the Kosovo authorities since the 1999 conflict.

Helping local bodies function independently

The CEC and its Secretariat are the two local bodies responsible for organizing elections. The Mission helped establish them both (the CEC in 2001 and the Secretariat in 2003) and has worked to build their capacity to function independently ever since.

"Our goal is not to run the elections but to create local bodies that will do the job in future. We want to hand over responsibilities and assume a purely advisory role," said the Head of Mission, Ambassador Werner Wrenndt, who also chairs the CEC.

Responsibility for the most recent elections in Kosovo - the central administration elections in October 2004 - was shared by the Mission and the CEC.

The Mission handled activities relating to creation of the voter register, out-of-Kosovo voting and the counting and results centre, while the CEC took on all the other operational responsibilities, such as certification of political entities, election observation, public information and so on.

The start of work by the Forum not only marked the opening of a new chapter, but also attracted significant media attention, including from one of the leading daily newspapers in Kosovo, *Koha Ditore*.

"The purpose of the Forum is to discuss the current electoral legislative framework and formulate recommendations to the CEC until March 2006," noted the paper.

"The Election Forum is the only body that will deal with possible changes in the election system. It will make its proposals in due time before the municipal elections," it added.

The Forum is comprised of 15 members: nine domestic representatives from the CEC, one from ORA (a political party with seven seats in the Kosovo Assembly), one from the Ministry of Local Government Administration and four from civil society.

Challenges ahead for the Forum

The Forum is facing a number of challenges, including:

- the introduction of an open list system whereby voters would vote for candidates rather than for political parties;
- direct election of municipal mayors; and
- securing equitable gender representation on ballots and representation in elected and appointed bodies.

The recommendations made by the Forum will be used by the CEC in defining the future shape of Kosovo's electoral system.

With the deadline set for March 2006, the Forum members will be very busy in the coming months. During that period, the OSCE Mission will provide the necessary advice to strengthen the ability of the local institutions to take on their duties in administering elections in Kosovo.



The Election Forum is a fully domestic body with 15 local members in its ranks representing political parties and non-governmental organization.

ELECTIONS



Electoral legislation which is to be developed by the Election Forum and suggested to CEC will largely influence conduct of future elections in Kosovo.

Local bodies administering elections at the local level

Seeking to have transparent and efficient elections with local ownership, the OSCE and the Central Election Commission, back in 2000, established Municipal Election Commissions (MECs), led by a Municipal Executive Officer (MEO), in each of Kosovo's 30 municipalities. These bodies were made up of three to five local representatives who assisted in the administration of election cycles. Although MECs are only constituted during election periods, the MEO is a full-time position within the municipality.

The MECs responsibilities covered a wide range of duties, such as advising political parties and other entities about their rights and obligations and ensuring that activities at polling stations went smoothly. They assisted with appointing and training the polling station staff; took care of all technical arrangements; and ensured the proper conduct of polling, counting and compiling the elections results at the polling stations.

According to Lars Lagergren, Director of the Mission's Election Department, the Municipal Election Commissions proved very successful and worked in coordination with the polling centre.

MECs were mostly non-political. Legislation in place ensured that political representatives or activists were not allowed in Commissions. Furthermore, the CEC had the right to remove MEC members if they had acted in a biased or unprofessional manner.

In certain cases, when determined by the Central Election Commission, the number of people on the Municipal Election Commission increased to ensure fair minority representation.

The MECs represent a vital element in capacity-building, which is at the core of the OSCE mandate. These specialized civil servants will gradually be even more central to the election process in the future.



Municipal Election Commissions are directly responsible for the conduct of polling station committees.



Role of the OSCE Mission in Kosovo in 2006

Kosovo is facing a series of decisions as the process to determine its future status has begun. However, this also implies determination of its political and legal systems, as well as that of a functioning and stable economic system. The year 2006 will be crucial.

For more than six years, the OSCE Mission has operated under UN Security Council Resolution 1244 and OSCE Permanent Council Decision 305. As a distinct component of the UN Interim Administration, it has dealt with issues of institution building, and promoting human rights and the rule of law within the Provisional Institutions of Self-Government (PISG) in Kosovo; it has helped create an electoral system, a public broadcaster, and a police force, as well as advised on legislation – all prerequisites to future status talks.

However, the challenges during status talks and following a political settlement will have an impact on the legislative, executive and judicial branches of government, not to mention society as a whole. These changes will vastly affect people living in Kosovo who will be crafting their new reality, regardless of the outcome of future status talks.

The role of the international presence in Kosovo will also take new shape, which is yet to be determined. And, in each policy area, the OSCE is working very much in partnership with the European Union and the United Nations, as well as the PISG, in future planning.

The OSCE Mission will, more than in previous years, change as well and be required to show flexibility towards meeting the challenges ahead. Its mandate will need to be revised but the OSCE is to expect a shift from establishing and developing institutions and legislation, to take on the role of a monitor and advisor to its counterparts in Kosovo.

From the beginning of 2006, the OSCE Mission will work according to a strategy of pro-active monitoring. This implies that local bodies, in particular the PISG, will be encouraged to take preventive and self-corrective measures in their work to ensure their practices are compatible with practices in rest of the Europe.

We at the OSCE, to be effective in such a monitoring role, must be present in each of Kosovo's 30 municipalities and the pilot municipal units to help institutionalize existing "best practices" of good governance. More concretely, a new component of the Mission's activities will be Municipal Teams, which will work at the local level in partnership with municipal institutions and the UN Department of Civil Administration.

Co-operation with central PISG institutions will continue with no lesser intensity.

Our involvement in Kosovo will represent a more advanced stage of post-conflict rehabilitation whereby the OSCE will increase its engagement with authorities at all levels on issues such as good governance, human right compliance, and rule of law. Such a trend is now observed in places that have with the OSCE's assistance either entered or are entering European integration processes.

European principles are the driving force in the governance of Kosovo. Kosovo needs to continue moving forward on its European agenda which means working on the Standards. The European ideal is that democracy is based in the people and that there is no discrimination between peoples.

In sum, our focus in 2006 and after would be on making the democratic system and multi-ethnic society in Kosovo sustainable and responsive to the needs of its people. This means a transparent, effective and efficient government and judiciary, respect for the human rights of all, and adherence to the rule of law.

The will to extend the OSCE Mission's presence in the post-status phase is a clear indicator of the Organization's commitment to Kosovo and its people. We are confident that if we work together and if the local population and authorities take full advantage of the OSCE's presence that we can make great progress towards normalizing life in Kosovo in such a way that people will be able to concentrate on their work, to create a better well being for their families.

The development of such a situation will require people's active involvement in this time of changes. The OSCE Mission in Kosovo is a ready partner that will not give up on its principles by which human rights and democracy are meant for all - principles that can be found throughout the OSCE area – Vancouver to Vladivostok.

In that respect, OSCE is providing the cornerstone, the foundation, for the European future of Kosovo.