

DETAILS

Newsletter published by the OSCE Mission in Kosovo

Volume 8 - Edition 4 - December 2004

The CEC Secretariat – a success story

“Well organized. A successful transfer of substantial responsibilities for election organisation to Kosovo institutions, and conducted in a peaceful and friendly atmosphere”. With these words the Representative of the Congress of Local and Regional Authorities of the Council of Europe complimented the main player in the 2004 Kosovo Assembly Election, the CEC Secretariat, on 24 October 2004 in an official statement. Similarly, the delegation of the European Parliament underlined “that a very efficient election management body was set up for these elections, able to conduct all operations in a remarkable way, even compared to other countries in the region where inter-ethnic issues are less relevant.”

Alexandre Benz and Karin Marmsoer, OSCE

New local election management body

This year the CEC Secretariat as the operational arm of the Central Election Commission was responsible for most of the electoral operations including the field co-ordination and planning, the certification of the 33 political entities listed on the ballot as well as the accreditation of over 13,000 local and international observers. In addition, the new local election management body ran an extensive public information campaign, organized all ballot and material production and the training of the staff employed on E-day in all of the 1600 Polling Stations throughout Kosovo.

OSCE retained some competencies

A number of sensitive tasks were however still retained by the OSCE: in particular the management of the voters list, the out of Kosovo voting programme as well as the



Ballots ready to be counted on 23 October Elections 2004 at the Ali Sokoli polling Center, Prishtinë / Pristina.
Photo: Hasan Sopa/OSCE

IN THIS ISSUE:

Peoples' expectations pg. 3

Agenda of the newly elected Assembly of Kosovo pg. 5

The main goals – security and return pg. 8

Human rights in Kosovo in the mid-March aftermath pg. 10



counting of the votes and the delivery of the results. Under the general approach of transferring competencies, consideration will be given for the full hand-over of the remaining activities before the municipal elections currently scheduled for 2006.

In addition, the OSCE was in charge of advising and mentoring the staff members of the CECS, thereby facilitating the overall election operation.

Challenges for the CECS

Field activities – involving the management of approximately 10,000 people - proved to be a real challenge for the Secretariat. How-

ever, with the support of the OSCE and its field staff, all preparations and E-Day activities ran smoothly and in an organized manner. On 23 October, in the early morning, the ballots were delivered to the 566 Polling Centres, the voting process in the Polling Stations was conducted according to internationally recognised procedures and – following the close of the polls - the ballot boxes were transported to the municipal warehouses and finally to the Count and Results Centre. To conduct these various operations, the CECS relied on thirty Municipal Election Commissions and 1.622 Polling Stations Committees, recruited and

Continues on pg. 2



Bernard Vrban

Deputy Spokesperson, OSCE Mission in Kosovo

Standards to be met by those who want the responsibilities

Those of you who have followed the OSCE's newsletter, *Details*, probably recall that the Standards were mentioned often in previous editions of this publication. The Standards on Functioning Democratic Institutions and Property Rights, for instance, were given special attention earlier this year during the joint Standards campaign. At that time, we focused on specific issues which fall into these categories. In our last edition, which came out just before the Assembly election of 23 October, we informed you of the Standards that you should have given serious consideration to before going to the

polling centres to cast your ballot.

Now, we once again remind you that it is the Kosovo Standards Implementation Plan (KSIP) which should be first and foremost in the minds of all new Assembly members, ministers and staff in the new Provisional Institutions of Self-Government (PISG)—as well as the people of Kosovo. Now, the real work begins and all promises are put to the test. Political campaigning brought up the question of independence, but this is not within the competency of the PISG. What the political entities should have been doing is making realistic plans to tackle the issues that affect the people of Kosovo most. Action on the standards where the PISG has competencies are promises which can be made and kept.

Without movement or progress on the KSIP, the United Nations Security Council will not, and cannot, table discussions on Kosovo's future status. This territory and its residents will only have themselves and their leaders to blame for a prolonged period of uncertainty, isolation and economic stagnation. Any March-like violence stemming from this impasse would be the fault of those that want the responsibility for taking Kosovo forward ... but are unable to do so.

Everyone knows the phrase, "with power comes responsibility" and it is this which the ruling coalition must now incorporate into its policies and work. The coalition will be looked at closely, not just by the

opposition (which has promised to work hard to keep this government "honest"), but by the international community and Europe, which Kosovo wants to become a part of one day. Most of all, however, it should be held accountable by the public.

The EU's High Representative for common foreign and social policy, Javier Solana, has often reiterated the stance that "first come Standards", then comes talk about status. At the end of November, Mr. Solana made it quite clear that only a positive evaluation on the implementation of Standards would lead to discussion about the future—the next step cannot be taken without progress. Only by seriously taking on the job at hand vis-à-vis the Standards, especially those priorities conducive to building stable multi-ethnicity in Kosovo, will the PISG leadership gain any sort of international support.

So, there is a great deal of work to do since, as Carne Ross (former UNMIK Standards Co-ordinator) stated before his departure this summer, none of the Standards have been fully met. They can be met, as we saw with the elections in October, but it is now up to the people's representatives to ensure that there is progress. Again: it is completely within their power to ensure forward momentum. It is their responsibility to the people—one that they have agreed to take up. Mid-2005 is coming fast and what happens then will be a result of their success or failure.

Continued from pg. 1

trained during the last two months before the Election day.

Forging local ownership

Importantly, for the first time the Polling Stations Committees were fully in charge of the electoral process in their respective Station without being assisted by international supervisors. Similar to the transfer of responsibilities from the OSCE to the CECS, this was in line with the overall approach of these years' elections, namely to forge local ownership of the process at a central and municipal level. Indeed, the Municipal Administrations not only provided personnel for the establishment of the Municipal Election Commissions, but offered support in terms of logistics, warehousing and transportation.

At the central level, the CEC Secretariat worked closely with the Ministries of Public Services, Education and Finance especially with regards to ensuring the drawdown of financial allocations as well as the material and human resource support for the Election Day. The close co-operation between the Secretariat, the Government and the Municipalities in the October elections has laid the foundations for future sustainable elections.

Without doubt, the CECS was able to build on the legacy of free, fair, inclusive and democratic elections from the three previous cycles and keep up with the high expectations raised by the Kosovo society as well as the international community with regards to its performance. However, there is still some way ahead and new challenges to be addressed in order to properly prepare for the next – hopefully – entirely locally managed elections.



DETAILS

Newsletter published by
the OSCE Mission in Kosovo

OSCE HQ, 38000 Prishtinë / Priština, Kosovo
Tel: +381 38 500 162, Fax: +381 38 500 188

E-mail: press.omik@osce.org
Web site: www.osce.org/kosovo

Publisher:
Sven Lindholm

Managing Editor:
Nikola Gaon

Senior Editors:
Hasan Sopa, Armend Tahirsylaj (Detaje)
Slaviša Mladenović (Detalji)

Layout & drawings:
Shpend Kada

Contributors:
Edita Bučaj, Franklin DeVrieze, Arben Hajredinaj,
Magdalena Hejzyk, Rexhep Krasniqi, Fatime Lepaja,
Antoanela Pavlova, Gëzim Rexha, Halide Sadiku,
Mevlyde Salihu, Ardiana Sejdiu, Mustafa Skenderi,
Vasilija Stanić, Bernard Vrban

OSCE

Mission in Kosovo

Disclaimer:

The views expressed and the presentation of the material published do not necessarily represent the policies, opinions or positions of the OSCE Mission in Kosovo.

Peoples' expectations

Most people have come to understand that those elected have responsibilities towards them and must work to make their lives easier and their future brighter. They have more realistic expectations from the second mandate government and want solutions to their everyday problems.

Mevlyde Salihu, OSCE

People of Kosovo exercised their fundamental right on 23 October 2004, casting the ballot to elect their central representatives for the second time. Elections were considered free, fair and democratic and were held in a peaceful atmosphere.

The local body managing elections, the CEC, was praised for a job well done. Being one of the standards set by the international community and the PISG, successful elections are a great step forward on the path to meeting the standards, as well as a sign of progress in Kosovo.

However, the difficult part for the elected representatives starts now. Hard work and solutions to concrete problems will change the feelings of many who are not satisfied with what the first government has done over the last three years, and are not enthusiastic about the next one to be created soon.

"I'm offended by their effort to fix roads just before the election, they're trying to fool us, they didn't care until now," says Eli Krasniqi, a citizen from Prishtinë/Priština.

"I'm not enthusiastic about new or old promises, I want to believe them, but I can't," she added.

But, most people have come to understand that those elected have responsibilities towards them and must work to make their lives easier and their future brighter. They have more realistic expectations from the second mandate government and want solutions to their everyday problems.



OSCE's counting centre in Prishtinë / Priština. Photo: Chris Cycmanick/OSCE

"I expect the new government to work harder in solving internal problems, to decrease the unemployment rate, to work on improving the economy and provide more water and electricity," said Kujtim Bytyqi from Prizren, student at the University of Prishtina.

"I want more reforms in the education system, so I expect the government to work more on this," said Burim Kokollari, a student of Political Science, adding "but the government should also focus in creating more jobs and developing the economy."

The unsolved status of Kosovo is one of the issues that people think is an obstacle to solving many of the issues that aggravate their lives.

"The government should consider the issue of the status as a priority, because there is stagnation in internal and external developments because of it," says Kujtim Bytyqi. "Yes, the government should consider the solving of Kosovo's final status a priority," adds Burim.

But for some people, the government should first of all, try and understand problems on their core.

Muhamet Azemi says, "the government should try to understand the problems of this society and then start solving them," adding "it should offer better services to its citizens and protect their interests." "I hope that the government-to-be-created will work harder than the previous one and will work on the issues that are of crucial importance for Kosovo's citizens," said Blerta Gashi, citizen of Prishtinë/Priština.

The new government will have four years to prove itself. People seem to be tired of words and want concrete results. Five years after the conflict, and with the second government to be in place soon, those elected will have to prove they deserved the votes people gave them by solving issues that concern them and work in the interest of all Kosovo inhabitants.



While waiting in line to cast ballots voters hope that the new government would work harder than the previous one. Photo: Hasan Sopa/OSCE

Platforms for the Kosovo's political programs

Nikola Gaon, OSCE

Meaning of the platform

Looking up the word "platform" in the dictionary one can come across the following definition: "the declared policy or program of a political party" – Oxford American Dictionary.

These policies and programs create a foundation, "the lowest load-bearing part of the building" – Oxford Dictionary, on which a political party structure is build, and on top of that structure usually comes superstructure.

So, in short, political platform is the very essence of a party that explains what it stands for.

Party platforms

To create and build a party, its structure and programmes, one has to have a platform. There has to be a set of beliefs, and programmatic orientations to follow. Furthermore, having a platform is a legal prerequisite to forming a party.

Through platforms, parties communicate to the electorate their specifics, their uniqueness in approach to political, economic, and social issues. With the platform parties show to citizens what they are made of and, once again, what they stand for.

In Kosovo

The assessment of many political experts is that Kosovo parties have rather similar plat-

forms. You wonder - How is that possible? Well, this how it goes!

"Most mainstream political parties cite following priorities: independence for Kosovo, more independence from UNMIK, implementation of standards, and at times, privatization," said Ardiana Gashi, OSCE Political Parties Registration Officer. She further adds: "However, all these priorities and commitments are declarative. Party programmes do not contain specific action plans or timeframes."

Now and then

So if major political entities have the same goals, what are they arguing about, where is the difference, what do voters vote for?

"I listened to people and what they are saying about different party leaders, about their personalities, and that is how I decided whom to vote for," said Arben, 23 year old waiter from Prishtinë/Priština.

It seems that it is charisma, a strong conformity with the known, remembrance of the hard days when the "new" old leaders delivered expected results. This is not surprising; it is a pattern in many places with harsh past and tense present.

The question is - what is the way forward? Will the elected political entities find their unique way of taking Kosovo forward, making it a better place for its people?

Some positive indicators do exist. One of the new political entities did set a one-year deadline for the adoption of the new Kosovo constitution that should be a base for all other legislation.

And differences?

However, it can not be said that there are no differences in political party platforms. There are some and they are mainly between Kosovo Albanian and Kosovo Serb political parties. The former worry most about the independence, while the latter cite return, safety and decentralisation as their priority. There is very little talk about everyday concerns of basic living.

Jobs and education can wait!

So jobs, education, and health care can still wait. This is, of course, under the assumption that life stops and people hibernate while political issues are being discussed.

This does not go to say that very issues of Kosovo status and decentralisation are not of great importance, but life does go on while they are discussed - parents need jobs, children need education, elderly need pensions.

Now let's take party platforms and elections programs and try and find out where all these will come from?!



Agenda of the newly elected Assembly of Kosovo

As the inaugural session of the Assembly of Kosovo proceeded on 3rd of December 2004, new challenges for the Assembly during the second mandate of the PISG became obvious. The election of a coalition government under Prime Minister Ramush Haradinaj, counting on the support of the majority parties in the Assembly while being faced with a parliamentary opposition, marks a new phase in the development of the political process in Kosovo. What does it mean for the Assembly of Kosovo and its functioning during the years ahead?

Franklin De Vrieze, OSCE

First come the laws

One of the first and major tasks of the Assembly is to pass legislation as proposed by the government. Based upon consultations with Assembly Members one can conclude that prioritisation of the type of legislation to be passed is needed to ensure that most vital legislation is adopted first.

During the first mandate of the PISG, the Assembly ensured input of experts and civil society in the legislative process through the organization of public hearings. During the address to the Assembly on 3rd of December, SRSG Soren Jessen-Peterson encouraged the Assembly to continue working in this way and build upon the emerging tradition.

Secondly, it is vital that laws adopted and promulgated are also being implemented. It is the Assembly's task to control the government in its attempts to progress on implementing the laws as adopted by the Assembly.

But that is not the end. A soon to be issued report by the OSCE Mission in Kosovo reveals serious shortcomings, related to lack of subsidiary legislation needed to implement the laws, inconsistency between various laws and other parts of applicable law or problems in relation to translation and publication of legal acts. Assembly Members from various groups intend to put this issue on the agenda of the functional Committees, once they are constituted.

Second is to hold government accountable

The second main task of the Assembly is to hold the government accountable. Not only on the issue of legislation and its implementation, but also in the areas of policy development, issues of specific concern for regions or towns of Kosovo, as well as in relation to good governance practices and transparency of the executive bodies. In all these areas, Assembly needs to exercise its right of "executive oversight".

During the first mandate of the PISG, members of the three main Kosovo-Albanian parties held key positions in both govern-



"The new dynamic at the Kosovo Assembly might generate more extensive policy debates and voting on particular issues." Photo: Hasan Sopa/OSCE

ment and Assembly and this resulted in rather weak exercise of the parliamentary control function. Now, one can expect that the parliamentary opposition would use all the instruments foreseen within the Constitutional Framework and Rules of Procedure to scrutinize the government's work. The instruments include oral and written questions to Ministers, creation of inquiry commissions, tabling motions and interpellations.

This new dynamic might generate more extensive policy debates and voting on particular issues. In this respect, the challenge ahead is to develop a culture of responsive government and constructive opposition.

A responsive government, one can estimate, will continue working to develop transparent and democratic decision making processes and continue working to realize Standards. Furthermore, a responsive government is responsive to the needs of the population to improve its living conditions.

From a constructive opposition one can expect to watch the government's adherence to rules of procedure and a policy of good governance. A constructive opposition evaluates the governments work based upon its merits and offers its policy alternatives.

Budget comes in third

The third task of the new Assembly is reviewing and adopting the Kosovo Consolidated Budget. The new Minister of Finance, Haki Shatri, was chairperson of the Budget Committee during the previous Assembly Mandate. New challenges are laid out in terms of developing a transparent process in allocating the budget surplus and effective control of each of the budget organizations through, amongst others, mid-year budget reviews.

And of that for status

Talks on the future status of Kosovo are expected to start in mid-2005 and one can assume that this will absorb a lot of energy of the Assembly of Kosovo. As the achievement of Standards has the support of all major political forces in Kosovo, also for the future status Kosovo needs to have a negotiating team that would include parties represented in the Assembly. As some analysts compare the formula of the negotiating team with the process in negotiating the Ohrid Framework Agreement, the inclusion of government and opposition for Kosovo's final status team would ensure the sustainability and implementability of the final status settlement.

Kosovo Assembly

Mustafa Skenderi, OSCE

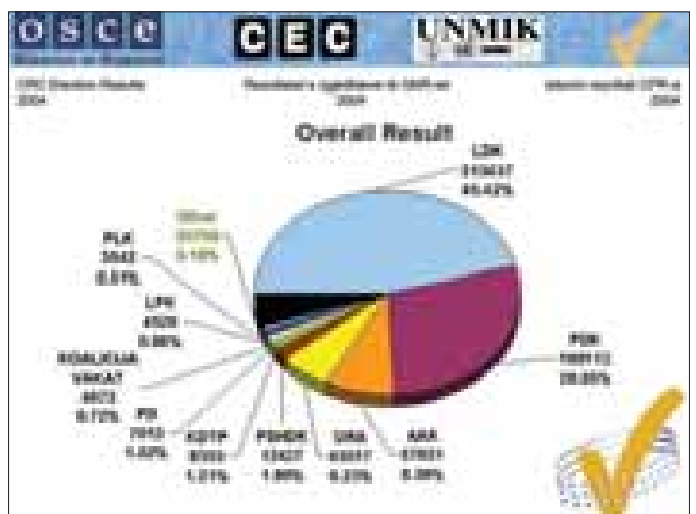
After the recount of votes that constituted an example of transparency of the electoral process, the UN Special Representative of the Secretary General for Kosovo, Soren Jessen-Petersen certified the 2004 Assembly Election results and the allocation of 120 Assembly seats.

According to the Constitutional Framework

for Kosovo, one hundred seats were allocated directly to the political parties using the proportional representation system, while 20 seats reserved for minority communities were allocated to their political entities, in accordance to the proportional representation system as well. Ten out of twenty set aside seats are allocated to Serbs,

four to Roma, Ashkali and Egyptian communities, three to Bosniaks, two to Turkish and one to the Gorani community.

Graphics below show the Election results by the percentage of votes won by each political entity, as well as the number of seats each political entity won.



Regular Seats

Party	Seats
LDK	47
PDK	30
AAK	9
ORA	7
PSHCK	3
KDTP	1
PD	1
KV	1
LPK	1
PLK	1

Set-Aside Seats

Party	Seats
CRDM	8
KDTP	2
IRDK	2
URRANDEKA	2
INDUKTIVA SIBLLJA	2
KOALICJJA VAKAT	2
PCAK	1
SCA	1
DIG	1
PREBK	1

Streets of Prishtinë/Priština

Photos: Hasan Sopa/OSCE



Photo 1, 2.
Political party posters still hang on construction fences, leaving unresolved problems behind!

Photo 3.
This is one of the good examples that should be followed.

Photo 4.
Mind the hole! There is no proper hazard sign.

Photo 5.
Road repairs that started before the launch of the election campaign, still unfinished!

The main goals – security and return

Vasilija Stanić, OSCE

Amongst the competitors for the Kosovo Assembly election were two political entities from the Serbian community. However, as only a very small number of Kosovo Serb voters chose to cast a ballot, the two entities were limited to the ten set-aside-seats entitlement. The seats are shared among the two entities proportionately to the number of votes each received - the Serbian List for Kosovo and Metohija (SLKM) will have eight seats, the Citizens' Initiative of Serbia (GIS) will get two.

Low turnout has opened another question among the Kosovo Serb community, as well as among their leaders. This can be summarized in one question. Do these Kosovo Assembly members have the legitimacy to represent the Kosovo Serb community?

Oliver Ivanovic, SLKM representative, believes that the legitimacy is not in question as it derives from the rules set before the elections, and were equal for all. He thinks that SLKM actually might have a problem with credibility which is, as elections had shown, is at a low; so in this situation it is best for them to stay aside, he says.

However, Ivanovic is leaving the space for this decision to be changed and explains under what conditions it would be possible: "With such a small number of votes it is not possible for us to undertake any serious move unless our credibility would be improved, that is if the people's trust in us would increase based on what the International Community would do reacting to our initiatives; it is also important that Serbian Government realizes that we are their partners concerning the issues they want to achieve here," says Ivanovic.

He continues: "We are not going to use our mandates in the Assembly waiting for further developments, waiting to see if Mr. Jessen-Petersen will make the Regulation on Decentralization and whether the Regulation will satisfy the basic needs of the Serbian community. In other words, will the rights and obligations given to municipalities by the Regulation satisfy at least the minimum of Serbian requests. On the other hand, we would also like to see what would be the general policy of the new Provisional Institutions, as every change on the top usually causes change of politics, especially in areas where democracy is not all that developed, like in Kosovo."

Nevertheless, once these conditions are fulfilled Serbian List for Kosovo and Metohija's Assembly members intend to use their mandates and to contribute to the work of Kosovo Assembly: "Our function should be

to monitor the Assembly and Provisional Institutions and point out any irregularity, whenever we notice it. We should also be a kind of barrier for mistakes, meaning that every time we suffer any injustice or unfairness from the institutions it should influence relation of International Community towards those institutions," says Ivanovic.

"After 17 March, certain changes in attitude happened and I think that from now on we will get more attention, so every unfairness or violation of Constitutional Framework or The Operating Procedure should cause consequences as only monitoring without consequences means nothing. You know, if the SRSG had dismissed for example the president of the Assembly, or a minister, or a president of the Municipality then a lot of bad things could have been prevented."

Once they are in the Assembly, SLKM members will work on fulfillment of the political entity's programmatic aims: "As for our programmatic aims, we will be in contact with both the Provisional Institutions and the UNMIK to work together to improve security and aid return of IDPs, and these were also our priorities so far. The issue that is new is internal dialogue, primarily between Serbs and Albanians, as the problem at the beginning occurred among these two communities and that's where it should be solved. Anyway, we'll try to be constructive from the moment we become a part of the institutions," concludes Oliver Ivanovic.

The second political entity that should represent the Kosovo Serb community in the new Assembly is Citizen Initiative of Serbia (GIS) whose representative Slavisa Petkovic believes that a new quality should be brought into the work of the Assembly:

"That new quality should be clear division between the ruling position that has majority of members and the opposition, whose role is to criticize the work of government. At the same time the division should not be made according to ethnicity in a sense that only Albanians are in the government and



Oliver Ivanović, Head of Serbian List for Kosovo and Metohija
Photo: Magda Hejzyk/OSCE

all the others are opposition. Parties that made previous parliament had their representative within the government and that caused that there was no criticism during three years of work, everybody kept silent."

The issues that GIS members of are going to bring up by participating in the work of the Assembly, security and return, basically coincide with aims of SLKM as well as with the standards set up to be implemented before the talks on the final status of Kosovo could start.

Petkovic believes that fulfillment of these two issues is the precondition for any other discussion including the one on decentralization: "It is important that the Albanians who are majority in the Assembly realize that they do not have exclusive right on Kosovo and Metohija. They even have to contribute, much more than the others, to security and enable Serbs to return. If there is no will among the Albanians and within the International Community it wouldn't help much even if we had 52 seats in the Assembly. Of course Citizen Initiative of Serbia with two Assembly members can not change a lot, but at least wishes to start all these processes," says Slavisa Petkovic.

Interview with Adnan Merovci - Chief Executive of CEC Secretariat

We did our best

“On 23 October 2004, for the first time after the conflict, Kosovo voters did not meet even a single international representative officially engaged at a polling station on the E-day. This means that the whole staff managing elections in the field was local”, said Adnan Merovci, Chief Executive of CEC Secretariat.

Hasan Sopa, OSCE

The last Assembly Elections in Kosovo were considered, by both local and international institutions, to be successful. The merit, first and foremost goes to the Central Election Committee Secretariat (CECS). The CEC Secretariat was responsible to implement the Central Election Commission rules on the elections which mainly dealt with operational activities in the field.

“The CEC Secretariat, including myself, did our best to ensure that elections procedures met all criteria foreseen by the Constitutional Framework,” says Adnan Merovci. The elections, according to him, were free, fair, transparent, democratic, all-inclusive, and in conformity with the international standards.

“All-inclusiveness was my main concern and by that we meant participation of all ethnic groups in the elections, in particular participation by the Kosovo Serbs,” emphasizes Mr. Merovci. “Me and my deputy, Mr. Bogoljub Staletović did our best to ensure that all-inclusiveness becomes a reality. And, I believe that from the operational aspect we managed to achieve this, despite the fact that we are not happy with the extent of Serb participation.”

Co-operation with the OSCE's Elections Department

In response to our question about co-operation between the CEC Secretariat and the OSCE, Mr. Merovci notes that it was the OSCE that established the CEC Secretariat. “From the very beginning and, over the fairly long period of time, we were trained by the OSCE. Later on, we managed to obtain recognition for our professionalism, and we decided and carried on all the activities together,” confirms Mr. Merovci.

According to him, all joint operations undertaken by the OSCE and the CEC Secretariat took place after precursory consultations. “I think that the co-operation between us was professional and can serve as a model for the future. However, we should also consider the view of my counterpart on this, the head of the OSCE Department of Elections, Mr. Lars Lagergren,” added Mr. Merovci.

Challenges and the experience gained from these Elections

The last elections were a huge experience, according to Mr. Merovci. He reminded us

of an old saying that ‘every experience is paid for’. “Mistakes were done, and they did cost us a lot, but I believe that we learned from them and that similar mistakes will be avoided in the future. Right now I’m compiling a detailed and analytic report. It will highlight all omissions and mistakes of the CEC Secretariat. My fellow workers have already handed in their reports separately and we will investigate reasons of some of the omissions and try to prevent them in the future.

CEC Secretariat's contribution to the success of the Elections

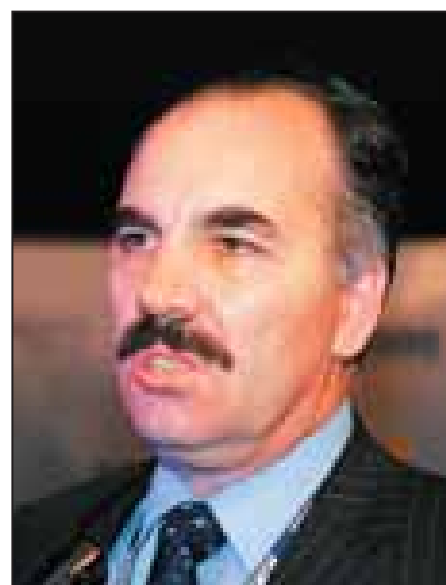
“If we can say that elections were successful, the merit does not go only to the CEC Secretariat. In the first place the merit goes to the voters for their knowledge about the importance of the vote,” says Mr. Merovci. According to him Kosovo voters used the right to cast their vote in a very civilized manner. He also appraises the pre-election campaign and considers it as a very correct. For that he praises political entities that participated in the elections.

Mr. Merovci highly appreciates the contribution of other institutions as well, such as the observers from the Council of Europe, headed by Mr. Andrey Tehov. He also thanks the head of the Election Commission for Appeals and Complaints (ECAC), Ms. Janie Sitton, as well as the Media Commissioner, Mr. Bob Gillette, for their contribution. “The OSCE, especially their regional offices did a great job and I want to thank them for being open and always ready to help the CEC Secretariat and the Municipal Election Commissions (MEC) in all the matters,” he says.

At the end, Mr. Merovci with great modesty added that it is up to others to evaluate the work of the CEC Secretariat.

The experience brought from the Presidential Elections in US

“I was invited to the United States (US) by the International Foundation for Election Systems (IFES) - Washington and their programme on Presidential Elections. I attended a seminar on elections financing and election reforms. On November 2nd 2004, the Election Day, we visited some of the polling centers and observed the election process in Virginia. I can say that it was a valuable visit



Adnan Merovci, Chief Executive of CEC Secretariat
Photo: Hasan Sopa/OSCE

for me and I gained much from that experience,” says Mr. Merovci.

According to him in US there are 50 CEC-s and one commission at the Federal level that mainly deals with financial issues of the elections. CEC-s, he says, are much decentralized and the local level institutions have a lot of responsibilities. During his visits Mr. Merovci also visited the State Department and USAID.

Locals can organize and manage future elections in Kosovo

“I personally think that neither now nor in the future we should be concerned with the ability of locals to manage elections”, underlines Mr. Merovci. “I want to be understood properly when I say that the motto for the future is integration in the international community, but this does not mean that local bodies cannot run elections in the future”.

In the end he says that the OSCE Mission in Kosovo is very active, especially in the elections issues and continuously works to strengthen local capacities and that they are committed to doing this. The CEC is still chaired by the head of the OSCE Mission in Kosovo. The same thing goes for the ECAC. “One day, these responsibilities will be handed over to the locals, but even then we would still need the OSCE’s presence,” concluded Mr. Merovci.

Human Rights in Kosovo in the mid-March aftermath

The March events raised serious concerns over the future security of minorities, severely hampered their ability to live, travel and work in Kosovo and reduced their level of trust in the capability of KFOR, UNMIK Police and the Kosovo Police Service to police effectively and maintain a secure environment.

Antoanela Pavlova, OSCE

On 10 June 1999 the United Nations Security Council resolution 1244 authorised the Secretary-General to establish an interim civilian administration led by the United Nations Interim Mission in Kosovo (UNMIK). One of the main purposes for UNMIK was to promote human rights in Kosovo. More than five years on, the question is asked: what are the main human rights issues in Kosovo today?

On 17 March 2004, a protest started in Mitrovicë/Mitrovica against the deaths of three Kosovo Albanian children who were allegedly chased into the Ibar River by Kosovo Serbs with dogs. The protests rapidly escalated into a campaign of ethnic violence, which lasted for three days, leaving 19 dead, 954 injured and 4100 displaced persons, 550 houses and 27 Orthodox churches and monasteries burnt and an additional 182 houses and two churches/monasteries damaged. Many of those displaced from their homes are still unable to return due to security concerns, destruction of property, and/or illegal occupation of their property.

The March events raised serious concerns over the future security of minorities, severely hampered their ability to live, travel and work in Kosovo and reduced their level of trust in the capability of KFOR, UNMIK Police and the Kosovo Police Service to police effectively and maintain a secure environment.

Limited freedom of movement has been a problem for the effective enjoyment of basic rights for members of minority communities since the end of the conflict in 1999, but the March events erased much of the progress that had been made and deepened the existing problems. For instance, the availability of secure school transport for internally displaced persons (IDPs) and other minority students have an impact on their ability to attend school. Additionally, access to health-care for minority communities is hindered either because of the lack of secure transportation to existing health facilities or because the facility has been burnt or seriously damaged. Lastly, limited freedom of movement exacerbated the inability of the members of minority communities to access the courts.



“Many of the displaced from their homes are still unable to return due to security concerns.”

Photo: OSCE

The issue concerning the use of one’s language in the public sphere continues to be a significant obstacle to the ability of minorities to effectively access essential services.

The illegal occupation of residential and non-residential property has been widely acknowledged as a continuing and widespread problem throughout Kosovo. During and in the aftermath of the March violence, some partially destroyed or forcibly abandoned properties were newly illegally occupied or illegally re-occupied, while many other properties were left vulnerable to illegal occupation when the occupants fled.

The overcrowding of the prisons and detention facilities in Kosovo constituted a serious problem even before the riots broke out (with a prison population of 1,301 persons on 17 March, i.e. 151 more than the established prison capacity). The penal management system has faced and may continue to face problems in accommodating a large number of new detainees and prisoners.

The issue of the existence of parallel structures in Kosovo is one of the most concerning and has various human rights implications. Parallel structures are defined as bodies that have been or are operational in Kosovo after

10 June 1999 and that are not mandated under UN Security Council Resolution 1244. In the majority of cases, these institutions operate under the de facto authority of the Serbian government and assume jurisdiction over Kosovo from Serbia proper, or operate in the territory of Kosovo.

For example, all Kosovan children do not receive the same education because there are two school systems with different curricula. This constitutes a violation of their right to equal education and hinders future education prospects. Individuals driving with licences issued by the Serbian authorities have been arrested and convicted for possession of forged documents, which violates both their right to liberty and their freedom of movement.

Both the Provisional Institutions of Self-Government (PISG) and UNMIK have responsibilities in the field of human rights protection and promotion. The need for all responsible authorities to address the identified problems sooner rather than later remains fundamental to preventing a recurrence of violations in the longer term. The way forward needs to be developed in partnership between local and international actors.

Elections: A real challenge for RTK

Arben Hajredinaj, OSCE



This October, the public broadcaster, Radio Television Kosovo (RTK), faced the challenge of covering yet another electoral campaign. The most important task of the media outlet would be to display to the people of Kosovo and the international community that the public press was capable of accurately covering such a complex issue. Further, RTK had to demonstrate compliance with the electoral rules for media established by the Central Electoral Commission (CEC).

The public media plays a crucial role in shaping the opinion and educating the elec-

torate in providing equal time to the parties and an analysis of their agenda.

According to Sylejman Shaqiri, a senior editor with RTK, "The role of the media is vital during the campaign season, particularly that of a large public broadcaster capable of reaching many segments of the community."

"Media preparations to cover the pre-electoral campaign in a professional way practically began three to four months before the official period," explained Mr. Shaqiri. Airing informative programs, journalists

and editors were in constant and direct contact with party leaders and officials, who held functions in governing institutions in Kosovo.

"The main challenge for RTK was to respect the rules of reporting on election activities," said Mr. Shaqiri.

According to him, some segments that demanded admittance to the dispositions of this rule have resulted in making our programming less interesting.

However, RTK has trained its staff and provided it with the necessary technical equipment so it could professionally cover the campaign issues.

Mr. Shaqiri states that the majority of reports produced during the coverage of the election may seem monotonous as many journalists and editors stick with old election reporting practices. "They do not want to experiment with new forms of reporting, as political entities do want to do experiment with changing previous practices either."

"Among much of the local press, there has been little interest in covering the campaigns. Many have not offered their airwaves to political entities, even though they could have profited," notes Mr. Shaqiri. "This is an independent stance of every medium but political issues always represent the toughest professional challenge."s

Domestic violence – great concern in Kosovo

November 25th has been declared 'International Day Against Violence Against Women' all around the world. In many countries, campaigns to eliminate gender-based violence have been extended to include 'International Human Rights Day' on December 10th. The days between these two important dates have become known as the '16 Days of Activism Against Violence.'

Magda Hejzyk, OSCE

People in Kosovo are already familiar with the concept of human rights abuses; these 16 days of activism are intended to draw attention to specific existing human rights issues in Kosovo.

Domestic violence is widespread. Over the last two years police have received over 2,200 complaints, while local NGOs estimate that the actual number of households affected by domestic violence is much higher.

Forms of Domestic Violence

There are many forms of violence against women – physical violence, psychological torture, rape, trafficking, unequal social or economic standing and lack of equal opportunity – each form is a genuine problem here in Kosovo. Research carried out by UN Development Fund for Women (UNIFEM) has revealed that women in Kosovo suffer violence from partners and family members:

"beatings and rapes by men known to them, including husbands, continue to occur."

In the past, the OSCE in Kosovo and throughout the OSCE region, has supported activities which were to prevent domestic violence, trafficking and forced prostitution of women and girls, as well as cultural habits that threaten health and development of women.

Continues on pg. 12

This year, the campaigns throughout Kosovo promoted the Department of Justice's helpline operated by a Kosovan Victims' Advocates. The OSCE's campaign focused on women and encouraged them to turn to Victim Advocates if exposed to any sort of violence. The main themes of the campaign were the availability of protection mechanisms and the need to seek help and report domestic violence.

The campaign communicated a simple and focused slogan: "Domestic violence can be stopped! – Accept protection, call, (phone number) victims' advocate". It achieved high visibility using indoor and outdoor media, as well as a positive press coverage, and radio and TV programs and advertising.

The campaign also promoted examples of success stories through radio feature stories and radio and TV debates. It tried to partner up with media outlets offering them status of 'media sponsors' who in return got to be advertised on the campaign products such as billboards and posters.

Protection order

Radio Prizreni aired a programme that featured Elita Reshtani, manager of the Safe House for Victims of Gender-Based Violence, and Ismet Berisha, Regional Domestic Violence Unit Coordinator, for Kosovo Police Service in Prizren.

Mr. Berisha, explained to the audience what the primary role of the Domestic Violence investigators is. "In accordance with UNMIK Regulation 2003/12, domestic violence primary investigators inform victims about their rights and their right to protection orders, which are issued by the court, at the initiative of the police, Center for Social Work or a lawyer hired by the victim to handle the case."

"In each police station within Prizren region there are two primary investigators, specialized in domestic violence investigation",

added Berisha encouraging people to trust police and to report domestic violence cases.

Elita Reshtani stated that the doors to their shelters are wide open for those who need help. "Victims of domestic violence, who have no place to go, receive temporary, three months long, accommodation in our Safe House."

The most common form of domestic violence according to her is the psychological one. "This does not exclude physical, sexual, economic and other forms of violence that turn women into ignorant housewives who can only cook and do house work. This is the reason why women become and are isolated from the society," explains Mrs. Reshtani.

TV Dukagjini broadcast a live program with two studio guests, Ganimete Loxha, a Victim Advocate in the Pejë/Peć region, and Violeta Demhasaj, Regional Domestic Violence Coordinator for the police. They discussed the protection order and presented relevant institutions dealing with women issues.

According to Demhasaj the economic situation is the main reason for domestic violence. "In our society mentality and traditions are also factors of domestic violence, while the consequences are also bared by children, who might in turn become aggressive and violent as well."

Protection is only one phone call away

The OSCE has also supported a Kosovo Bosniak NGO, "Equality" from Prizren, and their domestic violence awareness raising project. The project consisted of a survey on domestic violence in the Kosovo Bosniak Community and it also provided an educational training on dating and domestic violence for students from three Kosovo Bosniak high-schools.

The survey showed that out of 277 interviewees only 50 of them knew about the Regulation on Protection Against Domestic Violence. On the other hand, out of 57 per-

sons who have been victims of domestic violence, only 7 of them knew about this law.

"The number of reported crimes rarely corresponds to the number of actual domestic violence cases, because many victims are still reluctant to report their cases and openly speak about them" said Emilija Redzeqi, the head of the NGO 'Equality'.

Changing people's attitudes towards domestic violence victims is not a short-term effort. Victims, victimizers and people who surround them must understand that violence is impermissible.

The first goal, albeit for the short-term, is to encourage victims to make use of protection mechanisms available to them – protection is one phone call away.

Followup report on domestic violence Campaign

On 10 December, OSCE Mission in Kosovo finished a public information campaign to encourage victims of domestic violence to seek help. The message of the campaign – Domestic violence can be stopped – was spread through billboards, posters, and cards, distributed throughout Kosovo, as well as radio and TV broadcasts. The campaign advertised the victim helpline number and other relevant information. The preliminary results of the 16 day-long campaign showed an increase in phone calls received by the Victims' Advocacy and Assistance Unit. While most of the calls were general inquiries, calls did come from persons who identified themselves as victims of domestic violence. The police also noted slight increase of relevant cases reported. Similarly, safe houses have received new victims who asked to be sheltered, including one in an urban area, which alone received four. The OSCE Mission will continue contributing to the fight against domestic violence.

