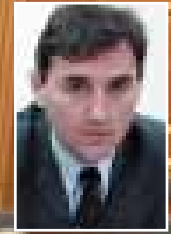
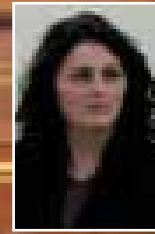
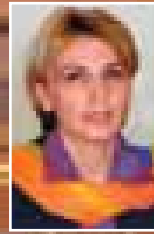


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NEWSLETTER

June 2005, No 17



**“Parliamentarians are  
not from Mars but from Kosovo”**

**Debate with the Heads of the Parliamentary Groups**

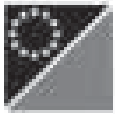


## Welcome Ambassador Werner Wnendt

UN Secretary-General Kofi Annan has appointed Ambassador Werner Wnendt as the new Deputy SRSG in charge of UNMIK's institution-building pillar, Pillar III, led by the OSCE. Ambassador Wnendt, born in 1952, is a career diplomat who joined the German Foreign Service in 1980. Before assuming the position of Head of the OSCE Mission in Kosovo on 28 April 2005, Ambassador Wnendt was the Senior Deputy High Representative in the Office of the High Representative in Bosnia and Herzegovina, a post he took up in 2003.

# The Assembly of Kosovo and the Stability Pact for South-East Europe

Doina Ghimici, *OSCE Mission in Kosovo*



**STABILITY PACT**  
FOR SOUTH EASTERN EUROPE

Parliamentary cooperation was reconfirmed as a core objective at the Stability Pact Regional Round Table held in Portoroz, Slovenia, in June 2004. Under the Stability Pact initiative, members of legislative bodies throughout South-East Europe are encouraged to enhance their cooperation in dealing with common challenges such as increasing the effectiveness of parliamentary work and strengthening the role of parliaments in policy-making and oversight. Also, exchanges between the parliaments of the region and the EU parliaments in Euro-Atlantic integration processes are promoted in the Stability Pact framework. Bringing beneficiaries and donors together, the Stability Pact plays an instrumental role in setting priorities, avoiding duplication and maximizing the efficiency of various donor programs, including through effective coordination of international donors.

The Stability Pact Parliamentary Cooperation Task Force is meeting twice a year, approximately one month before the meeting of the Stability Pact Working Table I within which it functions, in order to review the needs expressed by South-East European parliamentarians and the Task Force's work programme that always takes into consideration the initiatives already undertaken by other institutions and governments, in order to identify programming gaps and attempt filling them. In addition to donors and implementing agencies, parliamentarians from the region are invited at the Task Force's meetings in order to strengthen the Stability Pact's regional ownership.

The last meeting of the Parliamentary Cooperation Task Force took place on 15 April 2005 in Brussels. The Assembly of Kosovo was for the first time represented in such an event. Upon the invitation of Goran Svilanovic, Table I Chairperson, Assembly Member Enver Hoxhaj attended and in an objective and professional manner briefed the meeting on current developments in Kosovo, the priorities, efforts and main achievements of the Assembly of Kosovo, and also mentioned the principal challenges that Kosovo's legislature is facing along with the entire society. He pointed at the urgent need for a mentality change, first and foremost for Assembly members. Enver Hoxhaj also stressed how important was for the Assembly of Kosovo, as a young parliamentary institution, to intensify contacts with and learn from the experience of the other legislatures in the region. Kosovo AM's presence in the Stability Pact meeting was broadly welcome and his contribution very appreciated. It is expected that the inclusion of the Assembly of Kosovo into the Stability Pact network of cooperation will become permanent.

On the same occasion, the OSCE Mission presented its initiative to organize, in cooperation with the Assembly, a parliamentary roundtable that would offer MPs from South-East Europe the opportunity to visit Pristina and familiarize themselves with the Kosovo reality, while offering Kosovo Assembly members the possibility to share experiences and best practices with their more experienced colleagues from the region on issues of common concern. Both the Chairman of the Working Table I and the Task Force Coordinator welcomed the initiative and agreed to include the upcoming event in the Stability Pact framework. The envisaged date for the roundtable is 10th of June, which coincides with the sixth anniversary of the Stability Pact.

# “We need more dynamism in the Assembly”

*In the current edition of ASI Newsletter, we focus on the role and the opinions of the Parliamentary Groups in the Assembly of Kosovo. We interviewed Ms. Gjylanze Sylja, Head of the AAK Parliamentary Group.*

*Interview: Edita Bucaj, OSCE*

**What is the main objective and approach of the AAK parliamentary group in the current mandate of the Assembly?**

Being partners in the Government coalition, we aim at fulfilling our aspirations and protecting Kosovo citizens' interests through the Government Programme. We shall provide full support to the Government's priorities and its defined strategy, implementation of its agenda, as well as to the promotion of governmental policies.

We implement an overall inclusive, rather than exclusive, policy. We want to cultivate a political culture and do everything possible to avoid an aggravated relationship with the opposition. We encourage constructive co-operation and tolerance. We are advocating participation in Kosovo's processes and in the institutional life in general.

**What has been achieved in the work of the Assembly and what can be improved?**

The capacity of the Assembly to provide the necessary space and working conditions for the Members has increased. The Assembly administration is better trained and the work of the Assembly Committees has been empowered. The committees are more active and they often hold public hearings, which increases the transparency.

The work in the Assembly could be more dynamic, plenary sessions more frequent and the role of the committees strengthened through addi-



tional competent staff. Assembly Members need to become experts in a certain field and efficiently use the mechanisms to monitor the work of the Government.

However, in Kosovo as well as in other countries, we are faced with limited resources. Therefore, co-operation with civil society should increase in order to benefit from the information they possess as well as their recommendations.

**Is there sufficient debate in the Assembly?**

The Assembly is the place to have debates, agreements and disagreements, compromises or consensus. As I said, the Assembly's work should be intensified, which will mean more meetings, more opportunities for debates, and as the result we will have frequent and closer co-operation between the Members of Parliament (MP).

This is crucial at a time when many important decisions on the future of Kosovo have to be made. We think that for the development of a sustainable democracy in Kosovo we need more sessions per month than is currently the case. A preliminary planning of the plenary schedule, at least six per month, would also increase the efficiency of the Assembly's work.

**How do you assess the level of implementation of legislation?**

Reasons for non- or partial implementation of laws are manifold. Bearing in mind the urgent need for many laws, the Government was under time pressure to draft them and the Assembly to approve them. A shortfall was when the cost estimate for any draft law was not foreseen. Consequently, we lacked monitoring of the efficiency of the law. One reason for that is the lack of

consultations with municipal authorities during the process of drafting laws. In doing so, we could have avoided many difficulties in implementing the laws by the municipalities. Secondly, there is lack of regular contact with our constituency. The parliamentary group of AAK will conduct field visits to see how the Government programme is being implemented. This will enable us to discover the problems in implementing the laws, to try to respond and give our feedback.

**What is your stance on a possible meeting of Kosovo's President and Prime Minister with Serbia's leaders?**

Kosovo wants peaceful relations with neighbours, including Serbia. Meetings between senior leaders of Kosovo and Serbia can be developed at the level of good neighbourly and constructive co-operation. All of the issues of common interest for both parties can be discussed, such as the issues of the kidnapped and missing persons, stolen pensions, war damages, cadastral records and documentation, etc. or implications deriving from the independence of Kosovo, but not for the final status of Kosovo.

**What is your stand on the file submitted by PDK about part of the government?**

My conviction is that this is an issue for the courts. Decisions must be taken by courts. We must all be responsible for our actions and for the consequences of these actions.

# “Parliamentarians are not from Mars but from Kosovo”

*It doesn't happen so often that the Heads of Parliamentary Groups are sitting together to talk – on the record – on the work of the Assembly and current political developments. On 9 May 2005 Prof. Alush Gashi (LDK), Mr. Jakup Krasniqi (PDK), Mrs. Teuta Sahatqija (ORA) and Mr. Mahir Yagcilar (6+) met for a debate, organized by the OSCE and the Kosovo Daily Newspaper Express. Following is the transcript of the lively discussion.*

Interview: Edita Bucaj and Arlinda Desku.

*How satisfied you are with the way the Assembly of Kosovo functions and is there anything that doesn't work?*

Jakup Krasniqi: We can say that the Assembly has only functioned in one segment: passing laws. Although this is a very important matter, it's not the only one. The Assembly should also deal with creating different groups of control. It has to control the Government. It has to have a stronger control over the Kosovo Budget. The Assembly is the place to do politics. In fact, the Assembly is not accomplishing a very important task – taking care of the security of the place and citizens. Although security and justice are reserved

competencies, this would not hinder the Assembly to deal with these issues. I don't know if the Assembly manages to do 15% of the tasks it has.

*Does the LDK share the same opinion? Has the Assembly turned into a machine of passing laws?*

Alush Gashi: During this phase of building democratic institutions in Kosovo, it is very obvious that there is progress. But of course, the fact that we are still called provisional institutions shows that there is need to develop this process. I think that our society needs debate.

*Which does not exist in the Assembly...*

Alush Gashi: I think that there is debate with enviable culture in the Assembly about the issues that are in the agenda. Deputies debate seriously. There's a culture of communication in plenary sessions. We have many issues for which, fortunately, now we have institutional capacity to debate. I hope there will be more sessions and more debate in the assembly.

*The opposition criticizes the Assembly for lack of debate, even calling the Assembly speaker Nexhat Daci an usurper of free speech. Meanwhile, Alush Gashi says that there is culture of good communication in the Assembly. Mrs. Sahatqija, what's your opinion?*

Teuta Sahatqija: Each party and each deputy should have its place and time to present its opinion. Since I belong to the group that is in the opposition in this legislation, I think that we should have this space. It is another issue if that opinion is accepted or not. But at least, there should be enough space for us to talk.

*Do you have this space?*

Teuta Sahatqija: We don't have enough space. Most of the time we talk about why we can't talk, rather than about the issue that we want to talk about.

*Is there debate in the Assembly and how much space the PDK has to talk?*

Jakup Krasniqi: There's no Assembly in the world with less debate. There is no debate in the

Assembly of Kosovo. I've told my caucus, since I lead a group of 30 deputies, not to throw in words while somebody is speaking, because there's the podium and opinions should be expressed openly and not with a closed microphone. In other countries, the opposition is more impolite towards ruling parties activities. It's the opposite here. The ruling party is impatient towards the opposite opinion. There are different reactions, words. So, there is no readiness to listen to the other opinion. Therefore, seeing this impatience of the majority, Daci in a way suffocates the debate.

*As far as this issue is concerned, the opposition has a different position from yours, Mr. Gashi.*

Alush Gashi: We are currently working based on few regulations. We are putting in efforts so that the Assembly of Kosovo has a better regulation and I think that this regulation has chances to eliminate defects, if there are any. But certainly, it will offer more space for debate.

*ORA and PDK gave a direct answer and said that Assembly Speaker Daci is killing the debate. Can you also give a direct answer. Is this true?*

Alush Gashi: I think that the issue of managing the sessions requires talks and debates. The commitment of our caucus is that the Assembly respects procedures, based on which it functions. But, currently we're working with more than just one regulation. I hope that once



the new regulation is approved, there will be opportunities for deputies to have more minutes than they currently have.

**Mr. Yagcilar, Do you think there is good debate in the Assembly?**

Mahir Yagcilar: From the aspect of our Parliamentary Group "6+", we have always been careful/prudent with the chairman Daci regarding the debate, so we have always had the chance to express our opinions.

**Assembly Speaker Daci asked for the parliamentary sessions not to be monitored by the OSCE. Is this a just request?**

Teuta Sahatqija: I don't think it is a just request. If we look at the OSCE reports, we see that there were irregularities. Also, considering that we are new in this job, a monitoring to show us the way is very welcomed.

Jakup Krasniqi: I think that Daci shouldn't have asked for remov-

ing the monitoring, but with his work during this period should have convinced the OSCE, the opposition and the other that he works in a democratic way and that really there is no need for the OSCE to monitor.

Alush Gashi: I'm glad that the work of the Assembly is transparent. I'm not aware that our caucus has asked that the OSCE does not monitor the sessions...

**Nexhat Daci asked this from Soren Jessen Petersen.**

Alush Gashi: Maybe in a form of a statement, but I don't know anything more on this. If Daci talked about the progress made and that there is no need for monitoring, progress is clear. Personally, I'm happy plenary sessions are transparent. I'm committed to having more observers in the work of the commissions. Therefore, it was LDK's initiative, accepted by the OSCE, to have students of the 3rd and 4th year from the Law

Faculty to help the work of the commissions.

**Functioning democratic institutions is one of the standards that has to be fulfilled. How much has this standard been fulfilled by the Assembly?**

Jakup Krasniqi: It is very difficult to say that the Assembly has fulfilled this standard in the merited dimensions. Since the beginning of this mandate, it has dealt mainly with the laws, suffocating the debate in all other forms. This is a pity.

Teuta Sahatqija: A lot more should be invested in democratization, so that the Assembly is democratic. I think that there should be immediate debate about the issues that have to do with the citizens' worries, and not obstruction of initiatives in the Assembly Presidency. I think that we have a major clash here. We have the decentralization case, which was asked to be debated for a long time, but it didn't happen.

**Why has the debate on decentralization been delayed so far?**

Alush Gashi: We've supported the request for debate in plenary session since day one.

**But it didn't happen.**

Alush Gashi: I hope this will happen. As you know, it's the issue of changing the government. However, with more efforts, perhaps it could have happened last week.

**Why does the Assembly gather only once a month? Even Jessen Petersen complained about this recently. What are you doing?**

Alush Gashi: I believe that capacity building in the Assembly and Government for preparing sessions is better now.

**So, you're satisfied?**

Alush Gashi: Capacity building in Kosovo institutions is better now than it used to be in the previous legislation. Now,



all preconditions exist for the Kosovo Assembly to have more frequent sessions, and for debate about Kosovo citizens' needs to be discussed in these sessions. I believe this is going to happen.

***But it's not happening at the moment.***

Alush Gashi: The preparation, the capacity of drafting laws in the Government of Kosovo is the one that it is. The capacity of processing of documents in the Kosovo Assembly is better than in the past. So, now we are in the phase that we can debate the issues that are important, except for passing laws.

***Mr. Krasniqi, earlier you said that there is no good culture of communication in the Assembly, but you have also been accused of misusing the podium.***

Jakup Krasniqi: I wish I was told, "this is the word you said...and with these words you ruined it ..."

***You've been criticized about your accusations in the Assembly, saying that one part of the government cabinet is incriminated, meanwhile this has not been confirmed.***

Jakup Krasniqi: I didn't accuse. I raised mine and citizens' concerns. I've asked the Assembly to create an investigation commission about the concerns I've expressed.

***Why didn't the LDK vote the creation of this investigation commission, Mr. Gashi?***

Alush Gashi: Before the investigation commission is created, we want the Assembly Presidency to have at least a material, based on which it will estimate if it's worth creating such a commission or not. We do not consider it a refusal, but respecting a procedure.

***If you are given that document***

***with accusations, will you vote for the creation of the investigation commission?***

Alush Gashi: If the document is given to us, then we will review that document, and then we will come out with a public position on a plenary session.

***Why PDK does not submit the document to the Assembly?***

Jakup Krasniqi: Things should not be put like this. We have submitted a document where we're supposed to. It's not for the Assembly. But, the Assembly should deal with this issue even without that document, because parliamentarians are not from Mars but from Kosovo. And, it has been talked about and written about these issues in Kosovo, in TV and newspapers. This should have been enough to establish investigation commissions, control the wealth of people in power, and verify if that wealth is legal or not. There are different accusations. If the investigation commission is created, deputies will certainly receive the material. I've asked that the investigation commission co-operates with the investigation police and courts besides having that material.

***Do political parties have secret services?***

Jakup Krasniqi: It's not my job to verify if political parties have secret services. Certainly, parties have different services that they need. The point is not where we got these documents, but rather if what is raised in those documents stands.

***Is SHIK PDK's secret service?***

Jakup Krasniqi: No. We're not a body or people that deals with secret services in Kosovo. There are many secret services in Kosovo, perhaps even outside political parties. We are a caucus that asks for the security of citizens and justice system to be at the desired level.

***Mr. Gashi, is Homeland Security LDK's secret service?***

Alush Gashi: I beg your pardon?

***Does LDK have a secret service that is called Homeland Security?***

Gashi: I am the chairman of LDK caucus. We are not aware of such a service. As a member of the LDK presidency, I'm not aware of such a service.

***What about ORA?***

Teuta Sahatqija: No, it doesn't. We think that our police and institutions should be more vigilant and shed light on them. Not solving these cases can create the possibility of creation and their existence.

***There's a pressure from the international community for a Rugova-Tadic meeting. What do you think, should this meeting happen?***

Alush Gashi: What will President Rugova decide, that will be his legitimate decision. But, I'm

convinced that issues cannot be solved between Prishtina and Belgrade.

***What's LDK's position on this?***

Alush Gashi: We haven't discussed this issue in a formal meeting. Rugova is the President of Kosovo's citizens and I think that this is not an issue of our party's decision only, but I believe that the president will have this into consideration before taking the decision. LDK has a clear position when it comes to relations with Serbia. We think that making official the independence of Kosovo is needed, that this issue cannot be solved between Serbia and Kosovo.

Jakup Krasniqi: The decision to talk to Serbia should be taken in the Assembly of Kosovo. I think that without discussing this issue in the assembly, the meeting should not happen. But, the debate is not only suffocated in the Assembly, but also within political parties.



# Assembly of Kosovo at the NATO Parliamentary Assembly regional seminar

*For the third time in a row, Kosovo Assembly members took part in NATO Parliamentary Assembly events, following active media-tion and involvement of the OSCE. The Assembly of Kosovo needs additional support in establishing a network of regional contacts and developing mechanisms for international cooperation. Assembly members Gjylnaze Syla and Oliver Ivanovic were present at the 59-th Rose-Rose seminar "Towards Euro-Atlantic integration: Progress and challenges in South-East Europe", organized in cooperation with the Croatian Parliament in Dubrovnik from 12-14 March 2005. More than 60 members of parliaments from most NATO countries and partners, including the NATO Parliamentary Assembly President Pierre Lellouche, were in attendance. Ms. Syla and Mr. Ivanovic contributed as panelists on the discussion on Kosovo.*

Doina Ghimici, OSCE Mission in Kosovo



NATO Parliamentary Assembly  
OSCE Mission in Kosovo

The prospect of integration into the European Union is a powerful incentive, concluded participants, and provided a general framework for stabilization and transition for countries that emerged from the former Yugoslavia. The general situation in South-Eastern Europe has substantially improved compared to ten years ago, but at the same time, various problems persist. These problems and the processes likely to develop in the coming period - in particular for Kosovo and Serbia and Montenegro - call for a mid- to long-term commitment to the region by the international community, and in particular of the EU and NATO. Both the international community and the region itself will face a great challenge: to manage future developments so that the hard won stability in the region is not harmed.

Despite a variety of interests and opinions, the majority of seminar participants agreed that the unresolved question of the status of Kosovo was a major concern for the IC as well as a complicating factor for the situa-

tion in Kosovo and in Serbia and Montenegro. It appeared that the debate, even in Serbia, has already shifted from should we discuss final status, to in what format to begin future status negotiations. NATO parliamentarians and their regional interlocutors agreed that Belgrade and Pristina should be included into the negotiating framework, as should the Kosovo Serbs, but if negotiations are to succeed, renewed effort is needed in stimulating cross-ethnic dialogue, and rebuilding trust between Serbs and Albanians in Kosovo, as well as improving communication channels between Belgrade and Pristina. In addition, Europe should clearly stress the EU perspective for both Serbia and Kosovo, i.e. indicate two separate but parallel EU tracks.

In the panel discussion on the future of Kosovo, Joaquin Molina, who is responsible for Kosovo within NATO Crisis Management Division, presented the stance of the international community from a security perspective. Speaking about the emergence of a more comprehensive approach to security in Kosovo, especially in view of the mid-year Standards review, Mr. Molina pointed at the improved UNMIK-PISG and UNMIK-KFOR co-operation, and better KFOR operations.

He also pointed at the necessity to address perceptions on security. Recalling that NATO's profile in Kosovo has increased, the NATO official confirmed the Alliance's long-term engagement in South-East Europe and Kosovo. Although NATO is not the responsible organization for defining the future status of Kosovo, NATO will play a political role in the expanded Contact Group framework in the political discussion "in the benefit of people and for a better coordination of the IC and PISG". Mr. Molina requested from NATO parliamentarians to support any constructive initiatives on Kosovo; from Kosovo Serbs to participate in institutions, including the High Advisory Council on Security, making clear that informal contacts are not a substitute for participation; and from the PISG and people in Kosovo to work to improve the feeling on security and mobility for minorities, and fight corruption and organized crime.

For the first time speaking before an inter-parliamentary assembly, Gjylnaze Syla, AAK caucus leader, delivered a well-received presentation entitled "The Road Ahead". Pointing at the uncertainty about the future of Kosovo, Ms. Syla spoke first on behalf of all Kosovo people, irrespective of their ethnicity,

who seek economic prosperity, education and security. Noting that the road to these targets passes through strengthened democracy and rule of law, better regional relationships, European integration and membership in organizations like NATO, the Assembly member pointed at the impossibility to achieve these objectives in absence of a decision on the final status of Kosovo. Ms. Syla argued that the PISG make efforts to fulfill the Standards as they "are necessary to be a state", and gave an overview of PISG's efforts, including in reaching out to minority communities and handling with dignity Ramush Haradinaj's indictment. She also mentioned several roadblocks and the negative influence that the uncertainty of status has particularly on Kosovo's economy, and spoke about the contribution to regional stability and development that an independent Kosovo would make.

Following Ms. Syla, Oliver Ivanovic, already familiar with the NATO PA owing to his past contributions before NATO parliamentarians, gave a presentation entitled "Present stuck in Past". While his Kosovo Albanian colleague pointed out successful efforts, Mr. Ivanovic pointed mainly at flaws, highlighting

*continues on page 19*

## Recent developments in Kosovo's institutions



### New government elected on 23 March 2005

Following the resignation of Mr. Ramush Haradinaj as Prime Minister on 8 March 2005, the Assembly of Kosovo elected a new government on 23 March 2005. The Assembly elected AAK Deputy chairperson Bajram Kosumi as Prime Minister together with his proposed cabinet, which contained very few changes from the previous cabinet. Prior to the Assembly vote, an extensive debate took place. Members from the coalition spoke of their support for the new government as a continuation of the successful government led by Mr. Haradinaj, while those from the opposition criticized the government for presenting a vague program. The Assembly endorsed the government with 71 votes in favour and 36 in opposition.

### Ministers visit Kosovo IDPs in Montenegro

A joint UNMIK-PISG delegation visited Montenegro on 8-10 April 2005 in order to examine the situation of Kosovo IDPs housed in collective centres there. Minister for Returns and Communities Slavisa Petkovic, Minister for Local Government Administration Lutfi Haziri, and the Deputy Director of the Office for Returns and Communities talked to IDPs in the Berane and Konik collective centres, in Podgorica, as well as with representatives of the Ministry for Labour and Social Welfare and the IDP Commissioner in Montenegro. It was agreed to continue talks on future cooperation regarding returns to Kosovo.

### Contact Group meeting held in Pristina

On 12-13 April 2005, the Contact Group (CG) meeting was held in Pristina. Political directors of CG countries held meetings with UNMIK officials and Kosovo political and institutional leaders. This was the first time the CG had been convened at this level in Kosovo. CG stated that they were encouraged by progress on some Standards and had perceived a "new sense of willingness" to engage in dialogue between Serbs and Kosovo Albanians. They stressed that results on decentralisation in Kosovo were the best

way to cement multi-ethnicity and warned that both sides needed to be ready to compromise in status talks. In this context, dialogue was key to creating a "framework of confidence" ahead of status talks. Prime Minister Kosumi underlined the government's readiness to engage only in technical dialogue with Belgrade for now and insisted independence was the only option in status talks. Opposition leaders were strongly critical of the decentralisation process as currently envisaged and what they see as the "non-functioning" of democratic institutions in Kosovo. Serb List for Kosovo and Metohija (SLKM) leaders announced their intention to re-engage in decentralisation working groups and rejoin the Assembly and the Government. They expressed support for more decentralization pilot projects.

### Turbulent Assembly session on 21-22 April 2005

The 21-22 April plenary session of the Assembly of Kosovo saw walkouts by both main opposition groups, PDK and ORA, after their proposals for the agenda were overruled. PDK proposed that, in addition to the items already foreseen on the agenda, the Assembly should include discussions of decentralization, the formation of an ad-hoc committee to investigate alleged criminal activities of certain members of the Government, and the ORA motion citing



procedural violations at the previous plenary session. PDK likewise proposed the postponement of the adoption of the Law on the Independent Media Commission (IMC) and the Assembly's new Rules of Procedure, stating that neither should be adopted in its current form.

The Assembly passed at the second reading the draft law on Social and Family Services and the draft law on the Independent Media Commission. The Assembly also passed at the first reading the draft law on Adult Training and Education, the draft law on Establishing the Judicial Institute of Kosovo, the draft law on Agricultural Land and the draft law on Administrative Procedures. Assembly members postponed for the next Assembly session the second reading of the draft law on Housing. The Assembly also reviewed and adopted remarks of the Assembly Committees and UNMIK on the Law on Trade of Petroleum and Petroleum Products, endorsed on 17 April 2004, and the Law against Corruption, endorsed on 8 September 2004.

### **SRSG expresses concern over April session of Assembly**

On 29 April, the SRSG sent a letter to the Presidency of the Assembly expressing his concerns about the events of the 21-22 April plenary session, after receiving an OSCE Assembly Monitoring report on the session in question. In the letter, the SRSG called on the Assembly Presidency, in particular Assembly President Nexhat Daci, to make a greater effort to take into account the interests of all political entities represented in the Assembly. He wrote that recent actions such as denial of the right to speak during a debate, unilateral decisions to delete Assembly Members' statements from the records of the proceedings, and threats to remove Assembly Members from future plenary sessions could harm the institutional credibility of the Assembly. The letter made reference to OSCE proposals to strengthen the Assembly's internal corrective mechanisms, by holding regular meetings with the Assembly Presidency and working with the legislative committee, which has a role in resolving procedural disputes.

### **Discussion on creation of "Kosovo Forum"**

On 29 April, the SRSG hosted a lunch for the main Kosovo Albanian political leaders. Discussions focused on improving relations between the Government and the opposition and on the formation of an inclusive political forum that would tackle key issues such as standards, dialogue with Belgrade, decentralisation and status talks and where all major political factors in Kosovo would be represented. According to the SRSG, "It will not be a substitute for institutions but support existing institutions and dialogue on key issues". The SRSG subsequently sent a written proposal on the forum for approval to the leaders. Initial reactions to this idea reveal the difference in perception between the LDK and the PDK about the role of such a forum, with LDK supporting an advisory role and PDK a decision-making role for it. The SRSG met with the Contact Group (CG) Plus in Pristina to discuss the goals of the "Kosovo Forum" initiative; full support to the initiative was expressed by the representatives of the CG Plus.

### **Ministers reach out to Serbian Orthodox Church**

On 25 April, the SRSG issued an Executive Order declaring a special zoning area the Deçan/Deçani canyon, where the Visoki Deçani Serbian Orthodox Monastery is located, designated by UNESCO as a world heritage site. Under the Executive Order, to be in effect for six months with possibility of renewal, no construction or industrial or commercial activity will be allowed in the canyon without authorisation approved by UNMIK. Owners and users of land in the area must follow Kosovo laws and UNESCO standards on the preservation of cultural and natural heritage. On 1 May, the SRSG together with the Minister of Environment and Spatial Planning Ardian Gjini and the Municipal Assembly President, responded to the invitation of Bishop Teodosije and attended the Orthodox Easter Lunch at the Visoki Deçani Monastery. It was the first time since the conflict that Kosovo Albanian officials attended such an important religious celebration in the Monastery.

On 10 May, the Minister of Culture, Youth and Sports, Astrit Haraqija, announced the establishment of an Implementation Committee for Reconstruction of Religious Sites. The mission of the committee is based on the Memorandum of Understanding on general principles for the reconstruction of Orthodox churches and other religious sites damaged during the March riots, signed by Patriarch Pavle on behalf of the Serbian Orthodox Church and Minister Haraqija. The committee will implement the recommendations contained in the Council of Europe and UNESCO technical assessment report for the reconstruction of 35 churches and other sites.

### **Assembly debates local government reform**

On 19 May 2005 the Assembly plenary session conducted its long awaited debate on decentralization and the local government reform process. Prime Minister Bajram Kosumi and Minister for Local Government Lutfi Haziri gave introductory statements. They outlined the concept behind the current process for local government reform, the key objectives and their development since the start of the process under the previous government of Prime Minister Rexhepi. The Minister also elaborated on the content and time-line of the current government proposal, the meaning of the pilot municipalities and the importance of the project for good governance in Kosovo. The Heads of all Parliamentary Groups took the floor and commented on various aspects, such as the financial sustainability of the new pilot municipalities, competencies of the local administration, role of the Assembly in the future decision making process. More than 100 (of 120) Assembly members attended the session. The Serbian Members of SLKM were absent, continuing their boycott of the PISG.





## “Serbs shall have a secure future in Kosovo”

Extract from Prime Minister Bajram Kosumi's address to NATO Ambassadors visiting Pristina on 13 May 2005

“My Government would like to present today the achievements and challenges facing us in the political process. The Government of Kosovo has received the last technical evaluation on Standard implementation, which highlights positive development and the tangible results in implementing the standards.

“The Standards should not be perceived as being imposed by the International Community. They should reflect the scale of development of our society. The more we implement the standards the higher the level of democracy shall be in Kosovo. We are optimistic, as the process is in its right track and the mechanisms to move forward the process are in place. In the last couple of months we have organised numerous debates with communities in almost all municipalities of Kosovo. These debates facilitate a better understanding and awareness among all citizens on the importance of standards. Debates also allow a better and a direct communication with all communities.

“One of the main priorities for the Government is a proper and full participation of minority

communities in the Kosovo democratic institutions. The most positive sign in this direction is the decision of some Serbian political parties to participate in the Kosovo institutions despite the opposition from Belgrade. The Government has welcomed this very much.

“Concrete steps were taken and implemented for employment of minority representatives, especially Serbs, within Kosovo Institutions. They now hold senior civil service positions and the strategy is now in place for the increase of minority employment percentage which at the moment is at 10.2%; 2600 minorities, the majority of which are Serb, are presently employed in the central Government structures. A decision was recently taken to appoint a political advisor (from a minority community) to the Minister of Education who will primarily be responsible for minority educational policies.

“In the area of inter ethnic relations, special engagement has been towards integration of ethnic communities, improving freedom of movement and the return of refugees. The Minister

of Local Governance Mr. Haziri and the Minister for Returns and Communities, Mr. Petković recently visited the Kosovan refugees in Montenegro and Macedonia. Municipal mayors have achieved great success in improving inter ethnic relations, and especially in return, property rights, freedom of movement and language use. Couple of days ago, respectively on 3 May 2005, The National Theatre in Prishtina hosted a Theatre Play from Belgrade. This was an evening show and the auditorium was full, the majority were Serb. This might seem a very simple example, but it shows that we are moving towards normality.

“Freedom of Movement is satisfactory in most of the areas in Kosovo. The biggest challenge facing us is the northern part of Kosovo. This is a challenge we need to face and solve very soon.

“The Government is in the process of approving the Law on Official Languages in Kosovo. Minorities are using their languages in public administration structures and Albanian and Serbian are equally official languages in Kosovo. Minorities are educated in their own languages (supported by textbooks in their own languages) and are free to use their national symbols and practice their own customs and religions.

“Two offices which will monitor the bilingual compliance were established (one at central level – with the Ministry of Public Services and another at local level – with the Ministry of Local Government Administra-

tion). We have now also secured funding for the purchase of simultaneous translation for all municipalities in Kosovo. This is a jointly funded project between the British and Kosovo Governments.

“Decentralization represents only one segment of the overall local government reform. You are probably aware that the Government has adopted the project of pilot municipalities, and here I wish to reassure you that the decentralization process is going to be implemented despite few disagreements by opposition parties. I have been personally engaged in talks with the opposition leaders. We have now scheduled the 19th of May as a date for the debate in the Parliament. I am very much committed to take into account the recommendations from the opposition parties and incorporate them in the decentralisation project. In the beginning of July, The Government will be in a position to disclose first concrete results in implementing pilot projects involving 5 municipal units.

“These five pilot projects represent the Governments' offer to the Serb community: as you might know Serbs are the majority in some of the pilot municipalities. Through decentralization, they will have the majority in municipal assemblies; they will have their Serbian mayor, and will be able to take decisions related to their everyday problems they face in their communities. Along with this process, we want to send our message that Serbs shall have a secure future in Kosovo. “

# “Standards have been discredited by connecting their fulfilment to the status discussion”

*Priority standards, focussing on minority rights, have become centre stage in the political process. We interviewed Mr. Oliver Ivanović, Head of SLKM, to find out what are his views.*

*Interview by Vasilija Stanic.*

*To what extent, you believe, have the priority standards been fulfilled?*

The idea of standards has been discredited. Standards of life mean that something should last for a long time and that should give direction towards European values. As a result standards should provide better living conditions to the citizens. But fulfilling of standards is not a kind of a test that we would need to pass now and get a mark for it, and then it's over. It is sad, but standards have been discredited the moment when it was decided to connect fulfilment of standards with talks on status. Now we have the situation that implementation of standards is becoming insignificant because the focus on status discredits standards. This discredits to some extent also the international community, because nobody will believe whatever similar stand they express in the future.

*You believe that it is not important whether the standards have been implemented or not?*

I am absolutely sure that the talks will start in October. I am absolutely sure that the priority standards can not be even close to fulfilment by then or by June, when it is planned to evaluate fulfilment of standards. Based on this evaluation they want to bring the decision about starting the talks. If we only analyze the first standard, functioning

democratic institutions, it is clear that it has not been met. I picked this standard on purpose as it is often connected with our participation in the institutions. I must say that the participation is definitely our aspiration. We believe that the only way to try to protect interests of Serbs is to participate in institutions. However, one could misuse our future participation in institutions by saying “now they are in, so the institutions are multi-ethnic” and to automatically add “and democratic”, which would not be good.

*Do you speak about possible involvement in the Assembly or also the Government?*

We are considering participation in the Government too, but not at any price. We are going to insist that we get what we are entitled to. According to the Constitutional Framework we represent the Serbian community and we have the right to all those positions that are set aside for the Serbs. We need to sit and to talk with representatives of ruling coalition, LDK and AAK. Mr. Petersen should also participate in the talks, and we should try to come to an agreement. There are three possible solutions for me: to participate in all institutions, to get into the Assembly where we function as a full-fledged opposition or not to participate at all. Everything depends on the results of the talks.

*Related to priority standards,*



*do you see areas where there have been positive developments? For example, the efforts of municipalities to implement language policy or certain development in the Kosovo Protection Corps (KPC)?*

I'm sure that these standards are going to be used to illustrate that there are positive developments. They use figures to show for example that KPC is multiethnic and includes a certain number of national minorities. I simply do not believe those figures. Also, you are not fulfilling the standard by simple involvement of a number of national minorities. KPC needs to become an organization that provides assistance in cases of natural disasters. The fact that this organization quite often, almost every day, is expressing a wish to become an army is a violation of not only standards, but a violation of the Constitutional Framework.

The question of equal usage of languages means that all official languages, Serbian, Albanian and possibly English, should be used absolutely equally everywhere, in every institution and organization. It is not only about traffic signs. Names of towns and villages are being changed. For that reason I claim that standards are not fulfilled. Recently we have sings for Obilić in

Serbian but with Latin alphabet while it should have been Cyrillics as that is our official alphabet. Obilić has never been Kastriot. Kosovska Kamenica is Kosovska Kamenica and not Kamenica, the same as Kosovska Mitrovica. The UNMIK Regulation should prevent these things, but obviously it does not oblige neither company who puts signs nor municipalities. The idea to cut every connection to what was before is bad.

*Recently you have been in Thessaloniki as member of an Assembly of Kosovo delegation. As regional co-operation is also part of the standards, what were your impressions?*

All regional visits have one thing in common: to exchange experiences on parliamentary work and, if I may say, upgrade of our knowledge. All parliaments are dealing with human rights. This is very important to us, because whatever our decision about participating in Government would be, we will always criticize the work of those who do not respect Constitutional Framework, Rules and Regulations and the designed policy. This time maybe we will find a natural ally among Albanian opposition parties in criticizing the work of the Government.

# My Front Row Seat to the Standards Process

By Joshua Black, U.S. Office Pristina



As a United States diplomat in Kosovo, I have said the word "Standards" more times than I can remember. In meetings, on television and in countless conversations with Kosovo leaders I have repeated this word, over and over and over again. But as tired as I get of saying it -- and as tired as some Kosovans get of hearing it -- I am convinced that the Standards represent Kosovo's best hope for becoming a better society.

I learned this lesson over the last seven months working at the U.S. Office in Pristina. While serving on a temporary detail from the State Department in Washington, I was able to see the guts of Standards implementation: the actual meetings, reports, policies and strategies that Kosovo's institutions are applying to the Standards. This experience taught me much about why the Standards matter and why the United States should help Kosovo achieve them.

The focus of the work so far has been a series of Working Groups now meeting at least once every

three weeks. Along with my colleagues in the international diplomatic community, I spent long hours in the Ministry of Public Services second floor conference room observing and participating in these meetings.

I will be blunt: sometimes these meetings were frustrating. Especially in the beginning, government officials seemed to not understand the Standards. Reports on the Standards were often incomplete or assertions made that were not based on facts. Communication between UNMIK and the government or within government ministries was lacking. Most frequently, I saw officials who wanted to do the right thing, but lacked the skills or resources to do it.

But as time went on the Working Groups began to show improvement. Reporting improved and became more fact-based. Presentations became more crisp and focused. Government officials were learning the importance of translating grand phrases of "freedom of movement" or "rule of law" into concrete,

on-the-ground improvements in Kosovo's society. By now the Working Groups have accumulated an impressive record of new measures, policies, programs and, most importantly, new attitudes. Although much work remains to be done, these groups -- and the work habits they have fostered -- speak well for Kosovo's future.

In addition to these results, I also saw a change of tone regarding the Standards. For too long, many Kosovans have seen the Standards as a burden imposed from the outside that had no relevance to their daily lives. In recent months, however, more government officials, both inside and outside of the Working Groups, have challenged this perception.

Kosovo leaders now increasingly describe the Standards as something of intrinsic value for Kosovo society. As one official said to me, "the Standards are not for UNMIK, they are not for the international community -- the Standards are for Kosovo." He realized that this process is about transforming Kosovo into a better place, a more tolerant place and a more desirable place for all citizens -- both majority and minority -- to live. This evolving understanding is more important than checking the over one hundred boxes in the Kosovo Standards Implementation Plan (KSIP).

As I heard this change in tone, I came to realize that these values -- the ideas of tolerance and freedom that comprise the soul of the Standards -- have been the foundation of U.S. policy long before the word "Standards" was ever uttered. The need for these values arose from Kosovo's horror of the 1990s when ethnic

violence prompted the international community to intervene. At the time, leaders like Bill Clinton and Madeleine Albright, as well as their international colleagues, believed Kosovo could be transformed. They believed that a new society could be built where no citizen must ever fear violence or be denied civil rights because of his or her ethnicity. That vision, later encapsulated in the Standards, was the reason we came to Kosovo. It continues to animate our policy today.

The Standards will continue to be important for Kosovo long after the mid-2005 Comprehensive Review and final status. In fact, this work will never end. All democratic societies must work constantly to build better institutions, fight corruption, develop the economy and protect the rights of minorities. Leaders everywhere, including in my own country, have a never-ending responsibility to ensure that all citizens, especially the most vulnerable, have equal access to democracy and security.

For my part, I hope that I was able to help the people of Kosovo advance these goals. I also hope I was able to strengthen the already strong friendship between the people of the United States and the people of Kosovo. I believe we can build upon this friendship to help Kosovo achieve the Standards and become a better place for all its citizens.

*Joshua Black has worked on Kosovo issues for the U.S. Department of State for five years. He is currently the desk officer for Kosovo at the U.S. State Department in Washington. Black has also served at U.S. Office Pristina (USOP) in 2001-2002 and in 2004-2005.*

# Standards Implementation: short term dynamism leading to long-term results

Johan Te Velde, *Director of the Department of Democratization, OSCE Mission in Kosovo.*

“Benchmarks”, “Standards”, “Standards for Kosovo”, “Kosovo Standards Implementation Plan”, “Prioritized Standards” – Standards implementation has gone through different stages. What was at first a somewhat general plan for the introduction of democratic and community principles in Kosovo became later a detailed blue print and roadmap for Kosovo, with clearly described goals and implementation partners. Moreover, in its latest form it has become a tool for analyzing and implementing the policies of the PISG (Provisional Institutions of Self-Government) and for assessing its work.

“Standards” is the UNMIK policy for Kosovo. If future status discussions on Kosovo are to take place, Kosovo should have made considerable progress in the conditions outlined in the Kosovo Standards Implementation Plan. The Standards deal with quality aspects of the Kosovo society, giving practical implications to political decisions, which is crucial in the Kosovo political situation. The standards call for, among others, the establishment of representative and democratic public institutions, for effective and respected rule of law, freedom of movement for all Kosovan citizens regardless of their ethnicity, for a functioning market economy and the Kosovo Protection Corps to operate strictly within its mandate.

It became very clear after March 2004 that the communities aspect of the Standards was more important than ever. The main reason for the prioritized



standards to be introduced was that the future status could only be discussed if Kosovo's ethnic groups could live peacefully together.

The Democratization Department of the OSCE Mission in Kosovo works towards the aims of the Standards and supports the PISG in reaching the Standards. The Department works at the central level within the framework of the Assembly Support Initiative to support the functioning of the Assembly. It provides support to the Office of the Prime Minister and the Kosovo Institute for Public Administration. In the local government reform process, support is given to the Ministry of Local Government Administration and the Association of Kosovo Municipalities. And there are also numerous civil society initiatives aimed at confidence building and the promotion of a democratic culture. Further-

more, supporting media development is a primary goal of the Democratization Department, e.g. providing assistance in law drafting and implementation and capacity building to broadcast, like RTK and print media. This is done both at central level and at local level through the eight OSCE field offices spread over Kosovo. The Department is engaged both in monitoring (following PISG policy making and implementation) and in assisting the PISG in implementing the Standards.

The ‘Standards before Status’ policy has created a lot of dynamism under the former Kosovo Prime Minister Haradinaj, which is now continuing under the new Prime Minister, Bajram Kosumi. Experiences in other countries show that a coherently formulated national plan which includes popular support is a powerful reform tool. Thus, the PISG actions do have clearer

goals and direction.

In addition, being clear about their priorities, the PISG know what to ask the OSCE and no longer wait for the OSCE to come up with an offer for technical assistance. It is now the PISG that approaches the OSCE for assistance in capacity building. We, of course, welcome this development very much, since capacity building requires that the agenda is set by the receiving partner. The PISG should be in the drivers’ seat. This ensures ownership and sustainability. It ensures that the assistance is genuinely wanted. Of course, it is understood the OSCE can not meet all demands and has its own policy and programmes in which the demands should fit.

After the Standards implementation progress review in the middle of this year, there is risk that changes which are now started, will not be finished. Of course, the momentum created is also due to the exciting prospect for Kosovo Albanians to discuss Kosovo's future status. Some Kosovans think in terms of passing an examination. For example, one requirement is to put bi-lingual road signs in Kosovo. In one municipality a civil servant remarked “to also put the road signs in English, because they (the international community) would appreciate that too” (sic!), as if it was to please the international community that the standard policy was introduced.

If the decision is made to start future status talks, it is when PISG priorities will shift. The government will dedicate its

energy towards final status discussions; to some extent this is unavoidable. However, appropriate preventive measures could now be taken to remedy that the paralyzing 'blame game', which was mentioned in an article in the February FOCUS edition by Mr Dickinson will start all over again. The "Standards policy" could be followed up by a subsequent policy, maybe the policy for EU accession, the stabilization and association tracking mechanism. Also, media and the civil society have a role to play in keeping the PISG on track. NGO's could come up with an alternative policy for after the status review, media can critically and constructively monitor the actions of the PISG.

Part of a follow-up policy should be directing international assistance to the PISG so as to implement the reforms, which are now being set in motion. As far as this concerns the work of the Kosovo Assembly, some laws might have been hastily approved in the hurry of the Standards fulfilment process. It should be ensured that all laws are backed with a clear coherent strategy and policy. Since a law is a technical instruction following a policy, this policy should be understood and owned by the PISG, which implements the law. Then, the specific PISG institution can make an action plan and OSCE capacity building assistance, if required, can be rendered.

Concluding, the actual dynamism created should be nurtured. The PISG should not slow down after the standards review. Media, civil society and the Assembly have a major role to play here to support and monitor their government, in order to make sure that the decisions made also results in longer term reforms.



Institut International  
de Paris La Défense

## Important support by three parliaments

*The eighteen-month long multi-dimensional project aimed at capacity building of the Assembly of Kosovo, including activities of MPs in plenary sessions, work in the committees and professional proficiency of the Assembly staff has been successfully completed.*

Prof. Dr. Fatmir Sejdiu, Member of the Presidency of the Assembly of Kosovo (LDK).



The project, funded by the European Agency of Reconstruction (EAR), was implemented mainly by high profile experts from the Deutscher Bundestag, the Assemblée Nationale of France and the Chambre des Représentants from Belgium. At the same time the project conducted activities to involve the Assembly of Kosovo in the work of the three parliaments, with the objective of intensifying legislative activities and its harmonization with the European Standards. From this point, in addition to the elementary examination of the general situation in the Assembly of Kosovo conducted, proficiency of the

Assembly staff through targeted trainings - legislative, budget, IT - have been a continuous part of the project.

At the beginning there seemed to be small progress in the process. However, in later stages the project reflected concrete results in direct scopes of work. Through these trainings, conducted at various locations in Kosovo, higher quality of work and increased efficiency of parliamentary teams has been achieved. On the other hand, the preparation of a number of projects related to the Rules of Procedures of the Assembly of Kosovo, regulations on internal systematization of the Assembly work, and other materials in similar areas, which in total represent the internal framework of the Assembly of Kosovo were conducted in parallel.

Within this support provided by the three parliaments, the direct contacts of cooperation established between chairpersons of the three parliaments and their respective MPs and the Assembly of Kosovo and its members hold a special place.

In this respect, the organization of two consecutive roundtables

has been evaluated as a direct exchange of ideas and experiences related to the advancement of democratic processes, and the roles that the position and opposition should play in the parliamentary democracy. These forums, organized in Pristina, brought many experts and members of the parliaments together to share their experiences. During their time here, these parliamentarians used the opportunity to intensify the cooperation in the future, taking into account that the process do not end here. The Kosovo leadership and occasionally members of the parliament, were given the opportunity to be guests of these three parliaments, and also be met by high level officials with whom they discussed issues of common interest.

Being aware that the project served as a good experience for communication and capacity building, it is hoped that the project should continue in the future and aim at higher objectives. Taking into account the readiness of the three parliaments to support the Assembly of Kosovo in its development phase, it remains the request to be accepted.

Interview with Faruk Spahija, the Mayor of Mitrovicë/Mitrovica Municipality

## Mitrovicë/Mitrovica hopes for more concrete support from central institutions

Interview by Silvan Surugiu, Media Democratization Officer, OSCE Office in Mitrovicë/Mitrovica

*How is the Mitrovicë/Mitrovica municipality cooperating with institutions at the central level?*

The cooperation between the Municipality of Mitrovica and the central-level governance is relatively good. However, taking into account the specific and sensitive situation that prevails in Mitrovicë/Mitrovica, I think that it is necessary to find or create new ways for efficient implementation of projects, which would ease the tensions, get communities closer to each other and integrate the town.

*What is the direct support that you receive from the Assembly of Kosovo?*

The Municipality of Mitrovicë/Mitrovica hoped for greater concrete support to solve not only the aforementioned issues but also other issues that would allow for improvements in the difficult situation in the municipality. The cooperation with the central power remains in the frame of verbal declarations. There is a readiness to support us, but that support is yet not defined, nor are the steps identified for taking concrete measures towards solving the problems.

*What are the fields of cooperation with the Assembly of Kosovo?*

The Municipal Assembly of Mitrovica/Mitrovica has had an enhanced cooperation with the President of the Assembly of Kosovo, with whom many important issues related to Mitrovicë/Mitrovica were discussed. Moreover, there has

been good cooperation between the Municipal Assembly and Assembly Committees, where many issues of concern for citizens of Mitrovica were also discussed, such as those related to the democratization process and issues related to the integration of the town. Members of the parliamentary committees promised to report to the Assembly of Kosovo on the issues raised in the Municipal Assembly of Mitrovica in order to help find a relevant solution.

*Do you get inputs, suggestions or recommendations from the MPs about your work?*

The municipal leadership considers that it provides enough room for the mutual flow of information with members of the Assembly of Kosovo. We are using this will to treat important issues in the right way and in due time.

*Does this mean there is also criticism towards the work in your municipality by the Assembly of Kosovo?*

Certainly yes--there were cases when we received criticism from the Assembly of Kosovo, especially regarding the manner and timeline of fulfilling the standards for Kosovo, where a greater commitment and efficiency has been required regarding this issue.

*What are the main tasks and objectives for 2005 in the Municipal Assembly?*

According to this year's working plan, adopted by the Municipal Assembly, the main priorities are: implementation



of several projects of infrastructure to improve the lives of citizens and the realization of the process of return of displaced persons to their properties regardless of their ethnic background. Whilst the infrastructure projects are facing financial problems due to the budget cuts by MEF, the process of return is on the right track. Reconstruction of houses of local Serbs in Svinjare/Frashër are finished and their return is expected to happen soon. Presently, three Serb families are living in Svinjare/Frashër and two other families are living there from time after time. The Municipal Assembly has appealed to the Serb families to return as appropriate conditions are estab-

lished and the security issues resolved. Municipal Assembly also signed an agreement with UNMIK for the return of Romas and Ashkalis in their suburb in the southern part. During this year the return of 100 families is expected, as they have so far been living in terrible conditions in camps in the northern part. Last but not least, Municipal Assembly asked from KFOR to evaluate the security situation to start with the return of displaced Albanians back to their properties in the northern part. Hopefully, the return of Albanians will be start this autumn, respectively we will start with the return of 17 Albanian families in the suburb "Kroi i Vitakut".

## Support to the Assembly of Kosovo



### Glossary of Parliamentary and Legal Terms

The OSCE Mission in Kosovo in co-operation with the Secretariat of the Assembly of Kosovo, the Office of the Prime Minister, National Democratic Institute (NDI) Office in Skopje and the University of Pristina has completed the compilation of a trilingual, English/Albanian/Serbian, "Glossary of Parliamentary and Legal Terms". The project was designed to support Kosovo institutions in drafting legislation and in multi-lingual functioning. The Glossary is a collection of the most problematic legal and parliamentary terms that professional staff and translators come across in their routine activities in Kosovo institutions. It contains 880 pages with 1600 terms in three languages and is also available in electronic format. It has been distributed through legal offices and translation cells of the PISG.

### Enhancing quality and multi-lingual consistency of draft legislation

In mid-April a comprehensive project to establish a provisional Legal Standardization/Revision Unit within the Assembly of Kosovo has started. The Unit is in charge of supporting the drafting process of legislation in the Assembly, reviewing the compatibility of Kosovo's legislation with European standards, enhancing the capacity of the Legal Department to format and revise legislation, and ensuring multilingual consistency in the three languages. The project will look into the possible creation of an Assembly sub-committee on human rights, suggested by the Kosovo Ombudsman. The project "Enhancing quality and multi-lingual consistency of draft legislation" is aimed at bridging the gap between two EAR-funded projects and as part of the ASI donor cooperation. It is being financed by the OSCE and implemented by the Institut International de Paris La Defense.

### NDI offers advice on oversight hearings

In mid-April the National Democratic Institute (NDI) conducted several one-day workshops with chairpersons of Assembly Committees and gave its advice on parliamentary control of the government. The main instrument discussed was that of oversight hearings, allowing Committees to assess the government policies in a particular area as well as the level of implementation of legislation. Most Committee chairpersons and vice-chairpersons joined the discussions.

### Visit to Greek Parliament in Athens

The East West Parliamentary Practice project (EWPPP), an ASI partner organization funded by the Ministry of Foreign Affairs of the Netherlands, facilitated a visit of an Assembly delegation to the Greek Parliament in Athens. The aim of the visit was to discuss parliamentary practices, regional co-operation and bilateral relations. The participants included Assembly President Daci, heads of parliamentary groups and SLKM representatives. This was the first joint visit of Daci with SLKM members since March 2004. During their stay from 30 March to 1 April 2005, the delegation met with the Deputy Speaker of the Greek Parliament, with the head of the Greek delegation to the Council of Europe Parliamentary Assembly and with former Greek foreign affairs ministers, and with parliamentary committee members. The discussions focused on the practices of the Investigative Committees, relations between the government and opposition parties, participation in Council of Europe sessions, bilateral and regional cooperation.

### Support to Assembly Committee on Education

During extensive discussions between the Chairperson of the Assembly Committee on Education, Science and Technology, the EAR vocational education and training assistance project and the OSCE, participants identified a number of shortcomings in the education-related legislation. The Committee requested expert advice in the preparation of public hearings on new legislation or on implementation of legislation. Following these discussions, the OSCE Mission in Kosovo decided to second an international educational expert to the Committee for a period of four months with the aim to assist the Committee on these matters. On 11 May the Committee conducted an expert public hearing on the Draft Law on adult education.

### Code of Conduct for Political Advisers

At the end of April the Government of Kosovo promulgated the Terms of Reference, Code of Conduct and job descriptions for Political Advisers. These documents will help the Political Advisers to better accomplish their tasks within the respective PISG ministries and liaise with the Assembly of Kosovo. Over the last three years, the role of Political Advisers was not clearly defined in legislation nor was the role standardised across the ministries. The new documents are due to a collaborative and consultative process including the Political Advisers themselves, Office of the Prime Minister, OSCE and DFID.





*Kosovo delegation in Thessaloniki, from left to right:*

*Franklin De Vrieze (OSCE), Lulzim Peci (KIPRED), Jakup Krasniqi (PDK), Gjylnaze Syla (AAK), Sabri Hamiti (LDK), Dzezair Murati (Vakat, 6+), Hydajet Hyseni (PDK), Oliver Ivanović (SLKM), Fatmir Sejdiu (LDK).*

*Second row: Kole Berisha (LDK) and Nazim Jashari (ORA).*

## Regional parliamentary conference with civil society

From 14 to 17 April and with support from OSCE, a Kosovo Assembly delegation participated in the regional parliamentary conference in Thessaloniki on “Legislatures and Citizens: Promoting EU Standards of Good Governance and Rule of Law at the Domestic and Regional Level”. The conference was organized by the East West Parliamentary Practice Project (EWPPP). It brought together representatives of the parliaments and civil society of Albania, Bosnia and Herzegovina, Macedonia, Serbia, Montenegro and Kosovo. The Kosovo Assembly delegation, with members of all six parliamentary groups, presented the work of the Assembly in terms of legislative process, involvement of the civil society in public hearings, mechanisms to enhance transparency including the Assembly Monitor. Further follow-up initiatives in regional parliamentary dialogue are envisaged by EWPPP for 2005-2006.

## Student-interns work with parliamentary groups

On 13 May the OSCE Mission in Kosovo signed an “Internship Program” agreement with the caucus leaders of the main political parties. The initial project, in which two university students will be assigned to each parliamentary group, will last for one year. “I believe the interns will come to better understand the functioning of the Assembly and they’ll be able to take back this knowledge to fellow students and the university,” said Ambassador Werner Wnendt, the Head of the OSCE Mission, at the launching ceremony in the Assembly. “The scheme could improve the democratic process for future generations because some of these students might decide to continue their political engagement. The OSCE also believes that this support will strengthen the work of the parliamentary groups”. Typical tasks for the interns will include drafting minutes from parliamentary group meetings and committees, preparing agendas and invitations, administrative and clerk support, researching specific political and legal issues, as well as preparing speaking points for the head of their respective parliamentary groups.



# The Assembly reviewed its Rules of Procedure

*During the last couple of months the Assembly of Kosovo reviewed its Rules of Procedure. Virtyt Ibrahimaga, who has worked with the Assembly to ensure quality and clarity of the text as well as consensus among the Members, reflects on one of the pillars of a functioning democratic parliament.*

Virtyt Ibrahimaga, Senior Legal Advisor to the Assembly of Kosovo.

## Importance of parliamentary rules

The law of parliamentary procedure is one of the main tools of democracy. It has been developed through more than five hundred years of practice in democratic institutions.

Many people are familiar with one or another procedural tradition, such as the consensus process used by many activist, political party, religious groups, and other civil society groups. These traditions are well-adapted for the purposes of those groups, where there is a strong common bond, and it is important for each person to speak her or his mind, or the main goal of meetings is to enhance the well-being of all its members.

The parliamentary meetings have a very different purpose: to get business done in the most efficient way, permitting members to do their real work, while ensuring that decisions are made fairly and with respect for the rights of those who are not in the majority. In principle the purpose of parliamentary procedure is to make it easier for people to work together effectively and to help groups accomplish their purposes.

The parliamentary procedure is not a general law. It contains rules which are applicable only for the group of people. One fundamental principle of parliamentary law is that a deliberative assembly is an autonomous body that enjoys the freedom to conduct its business in accordance with its own provisions for the rights of its members and

itself as an assembly. It is free to enact its own rules, choose its leadership, delegate all or part of its authority to its leadership, and retain whatever control over its business that it wishes.

The basic principles of the parliamentary procedure are: Majority-vote decision, Equal rights and privileges, Equal Obligations, Protection of minority rights, and Full and free discussion. Parliamentary procedure is a set of rules for conducting parliamentary meetings while allowing everyone to be heard and to make decisions with clarity.

One of the chairperson's main responsibilities is to use the his/her authority to ensure that all people attending a meeting are treated equally—for example, not to permit a vocal few to dominate the debates. The principle of democracy is crucial for decision making. A majority vote decides an issue. In any group, each member agrees to be governed by the vote of the majority. The right to vote is limited to the members who are present in a meeting during the time a vote is actually taken. Parliamentary rules enable a meeting to determine the will of the majority of those attending a meeting, after the arguments from all sides has been sufficiently presented. Every matter presented for decision should be discussed fully. The right of every member to speak on any issue is as important as each member's right to vote. However the iteration of arguments and endless debate should be avoided in order to enable the decision making process.

## What is new in the Rules of Procedure?

The EAR-funded Project "Support to the Assembly of Kosovo" was to help prepare the new draft on Rules of Procedure for the Assembly of Kosovo. The draft was presented to the Presidency and to the ad hoc Committee on Rules of Procedure. The first meeting on the draft was organized from 27 to 28th December 2004 in Ohrid, with support of NDI and the OSCE Mission in Kosovo. The draft, as presented, was accepted in principle by the Presidency and the Committee on Rules of Procedure. It was then agreed that the Committee on Rules of Procedure should take the draft of the Project as a basic text. The draft was discussed within the committee in two consequent sessions, when some amendments were prepared. The work of the committee was very successful and the decision making was based on consensus.

This effort included advice from legal experts of three European parliaments; Deutscher Bundestag, Assemblée Nationale République Française and Chambre des Représentants de Belgique. Attention was drawn to matters related to the mechanisms for the control of government and implementation of laws, transparency and efficiency of Assembly work, internal relations between main bodies of the Assembly, clarity of rules and protection of rights of community and political minorities. At the same time, special attention was drawn to the compliance of rules with the above

mentioned principles, harmonization of rules with standard parliamentary procedures and practices of European parliaments as well as incorporation of provisions for the implementation of standards addressed to the Assembly of Kosovo.

The Project attempted to define in the new rules clearly the role and responsibilities of the main bodies of the Assembly like Presidency, Parliamentary Groups and the Committees. One of the most important bodies of the parliament for the session is the Parliamentary Group as they suggest possible initiatives for the Assembly agenda. In order to enhance their role, the Project proposed new rules related to the parliamentary groups which will entitle them to employ staff in order to be able to conduct its political duties within of the Assembly.

New provisions for the work of the committees are also included. From the point of view of the Project, it was very important that the committee deals only with restricted matters which falls into its competency. It was also important for the efficiency of the committee work that every Assembly member participates in the work of only one committee. In order to improve the procedure of the second reading, provisions related to the rapporteur of the committee are included. For every report of the committee, a rapporteur shall be appointed, who will present amendments, resolutions, proposals or reports of the committee in the plenary session. The

creation of the lead committee (the former functional committee) was also very important, and it will have a lead role in one specific matter. It will report to the Plenary on draft laws and amendments submitted by parliamentary bodies and it will recommend the Plenary the adoption of the amendments which amendments are useful to make draft laws better.

The new rules related to the Presidency stresses its the role in preparing the plenary session, the management of the Assembly and the interaction with parliamentary Groups. The mechanisms for conducting order in the plenary sessions are clearly defined.

With the new Rules of Procedure, the position of the Government has been strengthened. New rules also include a vote of "confidence" and "no confidence" for the Prime Minister. In order to avoid destructive motions of confidence which can lead to the political crises, it has been proposed to include the constructive motion of confidence and the vote of confidence for the Prime Minister. The new provisions relate to the parliamentary control of the work of the government. Further, in every Assembly session at least two hours will be reserved for the questions and answers with the Government. However the questions shall be submitted at latest 5 working weeks before the session. The instruments of interaction with civil society and provisions for conducting public hearings are also included.

Finally, I would like to stress that the new Rules of Procedure are in fully compliance with the principals of the parliamentary democracy and with the requirements of the Standards Implementation Plan for PISG.



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the empty half of the glass. The Kosovo Serb Assembly member noted that only after six years in Kosovo, the IC had truly changed its attitude and realized that the remaining Kosovo Serbs must be effectively protected and supported. However, Mr. Ivanovic found it unfortunate "a speedy transfer of competencies to half-baked institutions" and entering final status talks before meaningful measures to protect Kosovo Serbs and encourage returns show results. Mr. Ivanovic assessed that the end of the current school year would be crucial for the survival of the Serbian community in Kosovo. Noting that more people came to realize that the decision to boycott the October 2004 elections was wrong, he was hopeful that Kosovo Serb population could be convinced that there are good chances that the PISG will be able to serve their interests too. Mr. Ivanovic ended his speech on an optimistic note, speaking about the necessity for a sustainable political agreement, the giving up of radical or extreme ideas, and entering negotiations for a long-term solution "led by a genuine spirit of peace and our dedication to create a new Kosovo for our children".

**ASI**  
NEWSLETTER

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The views expressed by the contributors to this Newsletter are their own and do not necessarily represent the views of the Assembly, OSCE Mission in Kosovo or the ASI partner organisations.

Pictures in this Newsletter: Gazeta Express pg. 1, 10, 19 (Atdhe Mulla), 4, 5 (Astrit Ibrahim), 8 (Ermal Meta), 11 (Ferdi Limani); Assembly of Kosovo : pg. 14 , OSCE pg. 2, 6, 9, 13, 15,16, 17 ; US Office pg. 12.

# Composition of Assembly Committees

## 1. Committee on Budget and Finance (12 Members)

1. Naser Osmani, Chairperson - LDK
2. Snežana Milić, First Vice-Chairperson - SLKM
3. Safete Hadërgjonaj, Second Vice-Chairperson - PDK
4. Behxhet Brajshori, Member - LDK
5. Besa Gaxheri, Member - LDK
6. Lutfi Zharku, Member - LDK
7. Naxhije Doçi, Member - LDK
8. Gani Koci, Member - PDK
9. Demir Lima, Member - PDK
10. Mazllom Kumnova, Member - AAK
11. Rifat Krasniç, Member – KDTP, 6+
12. Nazim Jashari, Member - ORA

## 2. Committee on the Rights and Interests of Communities and Return (13 Members)

1. Rande Nojkić, Chairperson - SLKM
2. Sanije Aliaj, First Vice-Chairperson - LDK
3. Mahir Yağcilar, Second Vice-Chairperson – KDTP, 6+
4. Nait Hasani, Member- PDK
5. Slavisa Petković, Member - GIS
6. Nuran Malta, Member - KDTP
7. Džezair Murati, Member - Koalicija Vakati, 6+
8. Numan Balić, Member - SDA
9. Sabit Rrahmani, Member - PDAK
10. Xhevdet Neziraj, Member - IRDK
11. Bislim Hoti, Member - IRDK
12. Zyfi Merxha, Member - PRBK
13. Ibishi Rustem, Member - GIG

## 3. Committee on Legal Matters, Legislation and Constitutional Framework with Sub-Committees on Gender Equality, Petitions and Public Appeals and Missing Persons (12 Members)

1. Hydajet Hyseni, Chairperson - PDK
2. Kolë Berisha, First Vice-Chairperson - LDK
3. Špresa Murati, Second Vice-Chairperson - KDTP, 6+
4. Ymer Muhaxheri, Member - LDK
5. Sadudin Berisha, Member - LDK
6. Ramadan Kelmendi, Member - LDK
7. Lumnije Hyseni, Member - LDK
8. Nerxhivane Dauti, Member - PDK
9. Hajredin Kuçi, Member - PDK
10. Gjylnaze Sylja, Member - AAK
11. Dragiša Krstović, Member - SLKM
12. Veton Surroi, Member - ORA

## 4. Committee on International Co-operation and EU Integrations (12 Members)

1. Sabri Hamiti, Chairperson - LDK
2. Bajram Rexhepi, First Vice-Chairperson - PDK
3. Mahir Yagcilar, Second Vice-Chairperson - KDTP, 6+
4. Fatmir Sejdiu, Member - LDK
5. Ilmi Ahmeti, Member - LDK
6. Rudina Bukoshi, Member - LDK
7. Alush Gashi, Member - LDK
8. Jakup Krasniqi, Member - PDK
9. Xhavit Haliti, Member - PDK
10. Emrush Xhemaili, Member - LPK - AAK
11. Slavisa Petković, Member – GIS
12. Veton Surroi, Member - ORA

## 5. Committee on Education, Science, Technology, Culture, Youth and Sports (12 Members)

1. Enver Hoxhaj, Chairperson - PDK
2. Nimon Alimusaj, First Vice-Chairperson - LDK
3. Gojko Savic, Second Vice-Chairperson - SLKM
4. Remzije Nimani, Member - LDK
5. Gjylshen Berisha, Member - LDK
6. Ragip Zekolli, Member - LDK
7. Mark Krasniqi, Member - PSHDK- LDK
8. Drita Statovci, Member - PDK
9. Sala Ahmetaj, Member - PDK
10. Myrvete Dreshaj, Member - AAK
11. Nuran Malta, Member - KDTP, 6+
12. Genc Gorani, Member - ORA

## 6. Committee on Economy, Trade, Industry, Energy, Transport and Telecommunications (12 Members)

1. Fatmir Rexhepi, Chairperson - LDK
2. Bajrush Xhemaili, First Vice-Chairperson - PDK
3. Mahir Yagcilar, Second Vice-Chairperson - KDTP, 6+
4. Ibush Jonuzi, Member - LDK
5. Brikenda Kryeziu, Member - LDK

6. Milazim Haliti, Member - LDK
7. Fadil Gashi, Member - LDK
8. Sala Berisha –Shala, Member - PDK
9. Hatixhe Hoxha, Member - PDK
10. Xhevdet Neziraj, Member - IRDK- AAK
11. Sladan Ilić, Member - SLKM
12. Teuta Sahatqija, Member - ORA

## 7. Committee on Agriculture, Forestry, Rural Development and Environment and Spatial Planning (12 Members)

1. Rifat Krasniç, Chairperson - KDTP, 6+
2. Lulzim Zeneli, First Vice-Chairperson - LDK
3. Goran Bogdanović, Second Vice-Chairperson-SLKM
4. Isuf Sutaj, Member - LDK
5. Shaban Halimi, Member - LDK
6. Zyhrije Maloku, Member - LDK
7. Fetah Berisha, Member - LDK
8. Berat Luzha, Member - PDK
9. Afrim Arzuahxhiu, Member - PDK
10. Xhelal Canziba, Member - PDK
11. Sylejman Qerkezi, Member – PD
12. Nazim Jashari, Member - ORA

## 8. Committee on Health, Labour and Social Welfare (12 Members)

1. Fatmire Mulhaxha-Kollçaku, Chairperson - ORA
2. Naim Jerliu, First Vice-Chairperson - LDK
3. Špresa Murati, Second Vice-Chairperson – KDTP, 6+
4. Ilaz Pireva, Member - LDK
5. Nurishahe Hulaj, Member - LDK
6. Nafije Berisha, Member - LDK
7. Fehmi Vula, Member - LDK
8. Flora Brovina, Member - PDK
9. Teuta Hadri, Member - PDK
10. Zahrije Jusufi, Member - PDK
11. Zylfije Hundozi, Member - AAK
12. Zlatica Kujundić, Member – SLKM-GIS

## 9. Committee on Public Services, Local Administration and Media (12 Members)

1. Nekibe Kelmendi, Chairperson - LDK
2. Fehmi Mujota, First Vice-Chairperson - PDK
3. Oliver Ivanović, Second Vice-Chairperson - SLKM
4. Ramadan Musliu, Member - LDK
5. Nexhat Rexha, Member - LDK
6. Kamber Kamberi, Member - LDK
7. Jonuz Kastrati, Member - LDK
8. Hajredin Hyseni, Member - PDK
9. Selvije Halimi, Member - PDK
10. Ymer Halimi, Member - AAK
11. Špresa Murati, Member - KDTP, 6+
12. Ylber Hysa, Member - ORA

## 10. Committee on Preparedness and Emergency (12 Members)

1. Naim Maloku, Chairperson - AAK
2. Ylber Hysa, First Vice-Chairperson - ORA
3. Džezair Murati, Second Vice-Chairperson - Koalicija Vakati, 6+
4. Agim Krasniqi, Member - LDK
5. Fadil Geci, Member - LDK
6. Samije Zeqiraj, Member - LDK
7. Fadil Kryeziu, Member - LDK
8. Qibrje Hoxha, Member - LDK
9. Sokol Bashota, Member - PDK
10. Emin Krasniqi, Member - PDK
11. Arsim Bajrami, Member - PDK
12. Vesna Jovanović, Member - SLKM

## 11. Committee on Rules of Procedure of AoK (12 Members)

1. Hajredin Kuçi, Chairperson-PDK
2. Bislim Hoti, First Vice-Chairperson - IRDK- AAK
3. \_\_\_\_\_ Second Vice-Chairperson - SLKM
4. Kolë Berisha, Member - LDK
5. Nekibe Kelmendi, Member - LDK
6. Fatmir Sejdiu, Member - LDK
7. Ramadan Kelmendi, Member - LDK
8. Naim Jerliu, Member - LDK
9. Gani Koci, Member - PDK
10. Hydajet Hyseni, Member - PDK
11. Mahir Yağcilar, Member – KDTP, 6+
12. Nazim Jashari, Member - ORA