

Conclusions on Rahovec/Orahovac

9 September 2005

In recent times the situation in Rahovec/Orahovac has improved. All sides have goodwill to work on the issues and create an open and tolerant society where everybody can live secure and in dignity. Both sides have agreed on a compromise for a new symbol of the municipality and this is a sign of good cooperation.

Security has improved in general and good efforts have been made to work on returns to the municipality. It is unfortunate that there are still no returns to the town center. However, the municipality is not alone responsible for the lack of return results. Returns are dependents on a complex mixture of factors involving the will to return, security, available reconstruction aid, property dispute settlement, and a welcoming environment in the return area. While the municipality is working on return, much more needs to be done by all sides and efforts to have some returns to the town center must be strengthened.

In general, it seems that there has been progress in the area of physical security. There have been no ethnically motivated violent crimes and no kidnappings; and the municipality is encouraging tolerance and a welcome to the Kosovo Serbs. However, freedom of movement is still limited, first by the fear of Kosovo Serbs to take a risk and second because the perception among Kosovo Serbs is that one visits the town center on a need basis only. Kosovo Serbs need more incentives to visit the town center and to be invited by their Albanian friends more regularly.

The Kosovo Serb representatives are worried about the sustainability of returns and believe more people are leaving than returning. This worry should be discussed among the various representatives and the Kosovo Serb community and in the return mechanisms.

In order to support the progress already achieved, it is important to develop concrete confidence-building measures:

1. The Kosovo Serbs would like to have funds to renovate the premises of Radio Focus, the Serbian radio station. This request was approved in November 2004 but has not been implemented because of the lack of municipal funds. According to the OSCE the radio station has moved to new premises and has received new equipment. However, the unfilled request continues to be a symbolic of for Kosovo Serb representatives. It is important to identify if the radio station is still seeking these funds; for what purpose the fund would be used; and how best these needs can be fulfilled. This could be a potential project for both sides to work together, and CSSP is willing to seek a donor for a jointly developed project.
2. There seems to be a disagreement between Kosovo Albanian and Kosovo Serb representatives over how best to utilize the available language assistance. Kosovo Serb representatives have asked for one extra language assistant which was approved in the budget for 2005. However, this was not implemented because the municipal government received an order prohibiting the hiring of new employees. Given the fact that there is only one official language assistant for the Serbian

language this issue should be reconsidered. Moreover, the municipal government should make all efforts to ensure language assistance is appropriately covered by the municipality. A joint review of the current language assistance should be made by the communities committee and recommendations should be made that meet the satisfaction of all sides, keeping all legal issues and fiscal responsibilities.

3. The municipality has made good efforts to implement full use of both languages throughout all institutions and documents. Municipal leaders assure all sides that they have ordered the full use of dual language. However, there are some complaints that the municipal orders are not being fully implemented. It is important for the municipality to strengthen its efforts and to ensure this issue is fully respected. The CEO committed to investigating this issue and any violation. He agreed to accept complaints in writing in this regard. He further agreed that by the end of 2005 this issue would be resolved.
4. At the negotiation table all sides agreed that private businesses should be encouraged to promote the use of both languages. According to the OSCE there is a funded initiative in this regard which should be supported and strengthened. The Chair of the Communities Committee affirmed that the committee was working this project and it would be more visible in the future. CSSP believes that incentives by the private sector is the key to further progress with regard to making the town center more attractive for all citizens of the municipality. All efforts in this regard should be supported by the municipality.
5. All sides agree that the restoration of the Kosovo Serbian graveyard and its preservation as a cultural site is an important confidence-building measure. All sides should support this effort. CSSP is ready to assist in finding international donors if there is a need and if all sides can agree on a way forward.
6. Social and cultural exchange projects give both sides an opportunity to speak with each other informally. There are some very good examples such as the Youth Center and the Women's Center, and some one day events by NGOs. It is essential to develop more of these types of events and initiatives so that they become part of the daily life of the municipality.
7. Kosovo Serb representatives would appreciate it if the Municipal President and other members of the municipal government would visit their communities more regularly. In addition, it would be good if the Municipal President and the Additional Deputy President would jointly visit all villages of the municipalities.
8. The issue of property repossession is very important for all human rights. The Kosovo Serb community has submitted a list of 15 cases of property they believe have been illegally occupied. However, the mechanisms available to address this issue are weak, unreliable and perceived as biased. All efforts should be made to have these cases resolved in a transparent and official manner and the international organizations should assist them in this regard. The OSCE has stated in the past that it is ready to assist in facilitating a meeting with the HPD Regional Director. The Local Community Officer in Velika Hoča / Hoçë e Madhe, who raised the issue at the mediation meeting, should contact the OSCE and the HPD in this regard.

9. The Kosovo Serb representatives have complained that a recent trial regarding the robbery of a Kosovo Serb's construction material was manipulated and unjust. They should request the OSCE Court Monitor in Prizren to investigate this matter.
10. The Communities and Mediation Committees are very important in the functioning of local self-government. The Communities Committee has made good efforts. The Mediation Committee unfortunately has not reached the level of work desired by all participants. CSSP will invite the members of both committees and key leaders of the communities to a problem-solving negotiation and committee workshop.
11. CSSP welcomes a report from the municipal leaders on progress made on these issues by the end of the year.

Participants:

Mr. Esad Haxhijaha	Municipal President
Mr. Slavisa Kolzainac	Municipal Return Officer
Mr. Zoran Grkovic	President of the Communities Committee
Mr. Dejan Baljosevic	Local Community Officer
Mr. Jovan Đuričić	Municipal Community Officer
Mr. Nahit Elshani	
Mr. Ljubiša Đuričić	Additional Deputy President
Mr. Irbahim Kryeziu	CEO
Mr. Minstote Kosnev	
Mr. Dragan Kukurekovic	Adviser to the Minister, Ministry of Return and Communities
Mr. Albert Zeca	Deputy to the Adviser, Ministry of Return and Communities
Dr. Christian Schwarz-Schilling	Senior Mediator, CSSP
Dr. Juan Diaz	Mediator, CSSP
Dr. Dieter Wolkewitz	Mediator, CSSP
Eva Malisius	Mediator, CSSP