



***CSSProject for Integrative Mediation***

***Field Visit and Assessment Report***

***Kosovo***

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## **Integrative Mediation: Bringing Local Leaders Together**

CSSP – Verein für Integrative Mediation e.V. (CSSP e.V.) is a registered non-profit association based in Berlin, Germany. It was founded on 16 June 2006 in Berlin and has ten founding members. Its purpose is to improve inter-ethnic communication and cooperation, and the implementation of peace initiatives to resolve local conflicts through Integrative Mediation. It also promotes efforts to support the development of democratic processes as a tool to overcome conflicts. The organization is fully funded on a yearly basis by the German Foreign Ministry and the Bundestag through the Stability Pact for South Eastern Europe and has its offices in Berlin. In 2006 and 2007 part of its activities were also sponsored by the Austrian Development Agency (ADA).

The origin of CSSP e.V. lies in the implementation of the lessons learned from ten years of work of the International Mediator in Bosnia and Herzegovina (1995 – 2004), Dr. Christian Schwarz-Schilling. As International Mediator he placed a particular emphasis on increasing dialogue. Through review, critique and the evolution of his extensive experience as a mediator, the methodology of Integrative Mediation was developed. It brings together several elements of conflict resolution at the local level in a comprehensive approach. Integrative Mediation is the core of CSSP e.V.

CSSP e.V. seeks to empower local individuals through tailored mediation processes. This includes providing local individuals with professional training in mediation, negotiation and problem solving techniques and skills, as well as offering expertise and assistance in resolving their conflicts. At the same time CSSP e.V. tries to strengthen professional mediation in its target areas to increase capacity and provide credible alternatives to conflict. The CSSP team firmly believes and strives for building peace from the bottom up and strengthening a community's capacity to overcome its internal disagreements and to create a fertile ground for democratic (political, economic, and social) development.

The comprehensive approach to mediation includes various levels of responsibility, multiple actors, and a variety of techniques, drawing on classical mediation and developing holistic and decentralized processes. It combines five different core elements: Mediation, Consultation, Professional Training, Advocacy, and Research & Analysis. The elements are combined in various forms and situations to develop a holistic and individual process.

CSSP e.V. assists local actors to develop initiatives and to implement confidence-building measures which apply to their specific needs and circumstances. Overall Integrative Mediation endeavours to bring the general and hierarchical process of conflict resolution down to the local level by focusing on joint meetings, dialogue, confidence-building and experience sharing.

CSSP e.V. does not seek to replace or remove ownership of the peace process. Instead, Integrative Mediation complements the work of those already in the field. The main aim is to leave decisions and solutions in the hands of local actors.

## **Table of Contents**

<b>INTRODUCTION.....</b>	<b>1</b>
<b>2007 ELECTIONS IN KOSOVO.....</b>	<b>1</b>
<b>POTENTIAL TARGET MUNICIPALITIES .....</b>	<b>3</b>
DEÇAN / DEČANI.....	3
OBILIQ / OBILIĆ .....	5
ZVEČAN / ZVEČAN .....	8
<b>FOLLOW – UP VISITS.....</b>	<b>9</b>
RAHOVEC / ORAHOVAC .....	9
FERIZAJ / UROŠEVAC .....	11
ŠTRPCE / SHTËRPCË .....	13
<b>OUTLOOK FOR 2008.....</b>	<b>15</b>
<b>CONCLUSIONS AND RECOMMENDATIONS .....</b>	<b>16</b>

## **Introduction**

At the end of 2007 political developments in Kosovo were unpredictable. All sides were awaiting the outcome of elections and status negotiations. Given the importance of local self-government in the resolution of the conflict between leaders in Kosovo and Serbia, democratic developments were in a holding pattern. Over the last two years, there has been a consensus that municipal structures concerning interethnic relations and the protection of community and human rights needed reform. However, due to the uncertain political situation, developments, restructuring or reform of any significant nature were not possible. In most municipalities Communities and Mediation Committees were not functioning efficiently or fulfilling their foreseen roles. Moreover, minority communities have not been convinced to participate fully in local self-governance.

In the second half of 2007, it was announced that three elections would be held simultaneously: municipal assembly, mayors, and Kosovo Assembly. Given that elections were postponed the previous year and the impending deadline for the end of status negotiations on 10 December 2007, it was surprising to all sides that elections would be held so close to the deadline. Against this backdrop CSSP visited Kosovo on 21 to 26 October 2007 to assess the situation, identify potentials and challenges and to prepare the activities for 2008.

Specifically, CSSP conducted a follow-up visit to the municipality of Rahovec/Orahovac to discuss the outcome of the Professional Training Level 3 that took place in July 2007. It visited

as well the municipality of Štrpce / Shtërpçë to plan a future workshop with the Board of Directors in 2008, find out about the political situation prior to the November 17, 2007 elections, and monitor the return process of the Internally Displaced People (IDPs) in the municipality. CSSP had meetings with officials from Ferizaj / Uroševac to discuss future activities with the municipal leaders. Additionally, it took the opportunity to visit the villages of Babuša / Babushë and Talinoc / Talinovac where large-scale return projects were implemented, and spoke to returnees there.

In regard to its activities in 2008, CSSP conducted an assessment visit in the municipalities of Deçan / Deçani, Obeliq / Obelić, and Zveçan / Zvečan. The team met with local leaders, international representatives, and other influential decision-makers to assess the local situation for potential cooperation. Finally, CSSP met with officials, both international and local, in Prishtinë / Priština.

The following is a report of the visit and outcomes of the meetings and efforts. This report highlights the results of the October 2007 visit and the elections in November, since the elections and the status question affected the entire visit. Finally, the report provides an outlook for the year 2008.

## **2007 Elections in Kosovo**

In November and December 2007, Kosovo held elections for the Kosovo Assembly, municipal assemblies, and for mayors. The elections were held at a time when all sides were awaiting news of a possible solution to Kosovo status by the international community and a threat by Kosovo Albanians to declare independence unilaterally.

Given the political context, leaders in Serbia called on Kosovo Serbs to boycott the elections creating pressure and raising the possibility of ethnic tensions. In private, many Kosovo Serbs wanted to vote in municipal elections because municipal positions have a direct impact on their daily lives. They complained about the timing of the elections and the pressure from all sides. However, they were not going to disobey the call from Belgrade. In general, the weeks leading up to the elections were characterized by inaction and apathy on important issues as all sides struggled to calculate their next political moves.

In the weeks following the elections, the Special Representative to the Secretary General (SRSG) of the United Nations Mission in Kosovo (UNMIK) used the powers granted in UN Resolution 1244 to appoint Kosovo Serbs as mayors or members of municipal assemblies in those municipalities where they make up the majority or equal number of the population.<sup>1</sup> The decision is for the duration of 6 months pending the outcome of status negotiations.<sup>2</sup> The rationale for this decision is that although Kosovo Serbs boycotted the elections, the municipalities need functioning governments, especially at a time when the situation in Kosovo will be decisive in terms of future status.

In the aftermath of the elections and the SRSG's decision, a debate has been raised about the consequences of the decision. Some argue that the SRSG's decision rewards those who boycott

for political gain and sends a negative signal to Kosovo Albanians that boycott and obstruction is a legitimate tool to gain power and concessions. Moreover, 2,300 Kosovo Serbs voted despite the boycott. While this number is very low in global terms, it is still higher than the previous election. The fact that at the municipal level only a couple of hundred votes were cast, would *de facto* allow Kosovo Serb parties to come to power with only a handful of votes. It would be important to have clearly elected Kosovo Serb leaders as soon as possible. Such a move would validate courage, democracy and be consistent with democratic values and would not reward boycotting.

The counter argument is that Kosovo Serbs were placed under major pressure and interethnic relations were sensitive. In places like Štrpce/Shtërpçë, which is one of the five affected municipalities where CSSP has ongoing mediation projects, a boycott of elections would have *de facto* handed the government to the minority, strengthening parallel structures and potentially increasing ethnic tensions.<sup>3</sup>

In an interview the SRSG rejected that the decision rewarded boycotters and reaffirmed the need for stability and functionality. He also alluded to the final status and possible options, such as by-elections thereafter. While the decision to appoint Kosovo Serb mayors in those areas where they make up the majority was conveyed to the UN Security Council, the fact that the appointment was only the reappointment of the previous mayors was not. This omission is especially important in a place like Štrpce/

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<sup>1</sup> Five municipalities are affected by his decisions: Leposavić / Leposaviq, Novobërdë / Novo Brdo, Štrpce/Shtërpçë, Zubin Potok, and Zvečan / Zveçan.

<sup>2</sup> UN Security Council, Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo, p.2, 2008.

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<sup>3</sup>According to the OSCE municipal profile, the population is 66% Kosovo Serb and 33% Kosovo Albanians.

Shtërpçë where the mayor, whose reputation has been questioned, led the boycott.

Both perspectives have reasonable justification and possible negative consequences. More important is the fact that the SRSG was willing to use the authority under UN Resolution 1244 and further strengthening the principle of international intervention in a highly sensitive situation, where the possibility of conflict escalation exists. In this situation the tension between the goal for democracy and the need for security and stability clearly played out in the media. However, the SRSG's willingness to talk with all sides and answer questions regarding the decision was very positive. The effect on future elections and on the majority Kosovo Albanian community is yet to be assessed. However, the majority of Kosovo Serbs have tended to see boycotting as their only option and most likely will continue to do so as long as it is an option on the table.

Due to the 2007 elections in November and December the Albanian leadership in the municipalities, which were visited by CSSP, was either reconstituted or replaced while the Kosovo Serbian leaders stayed in positions. With this in mind, CSSP must return to the municipalities in 2008 to reassess the political situation.

Below is a summary of the CSSP field visit in October 2007.

### **Potential Target Municipalities**

The following presents an overview of the assessments that were made in each new municipality that CSSP visited. Deçan / Deçani, Obiliq / Obilić, and Zveçan / Zvečan were

chosen for their unique conflict situations and initial informational visits were undertaken, where CSSP presented itself and its work to the local decision-makers and found out more about the local conflict dynamics.

#### **Deçan / Deçani**

Deçan / Deçani has a unique interethnic dimension which is well known in Kosovo. During the conflict in 1999, the municipality was a stronghold of the Kosovo Liberation Army (KLA) and it continues to be the home of the former Kosovo Prime Minister Ramush Haradinaj<sup>4</sup> and a center of his supporters. It is the only municipality where the Albanian nationalist party, Alliance for the Future of Kosovo (AAK), led by the Haradinaj, holds a majority in the board of directors, the position of the mayor and the CEO. At the same time, Deçan / Deçani has been the seat of the Orthodox Monastery, Visoki Deçani, since the 13<sup>th</sup> century. This monastery is an emblem of the Serbian Orthodox Church in Kosovo and one of the most important traditional pilgrimage sites for the Orthodox Church. This combination gives Deçan / Deçani a unique dynamic and causes this municipality of only 50,000 inhabitants (98% Kosovo Albanian, 2% other) to play a key part when discussing interethnic relations in Kosovo.

The CSSP team conducted a first informational visit to the municipality. The purpose of the visit was to assess the possibility of CSSP working in the municipality and to obtain information about the conflict issues involved. The team met with local leaders, religious

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<sup>4</sup> Ramush Haradinaj is a former KLA leader who is currently awaiting trial at The Hague for crimes committed during the conflict.

representatives, and the international staff. It was determined by the information gathered by the interviews that CSSP could contribute in the areas of relationship and trust building between the monastery and the municipality and by default contributing to reducing tension and increasing security in the municipality.

Historically the monks and the local population have had good relations and the local clan protected the monastery for centuries. However, given the perceptual role of the Orthodox Church in the conflict between Kosovo Serbs and Kosovo Albanians, the relationship between the municipality and the monastery is strained. Particularly worrying for the monastery is the security situation which depends on peace being strengthened and dialogue being increased with local leaders. Lack of personal security is the major concern of the Orthodox monks. The monastery is guarded 24 hours a day by KFOR forces that check identification documents of every visitor before allowing entry, and a protective fence surrounds the grounds. The monks feel that the protection is necessary and recent acts of vandalism, such as a grenade being thrown at a wall surrounding the buildings in March 2007, have heightened their concerns. The monks are also restricted in their freedom of movement and only leave the monastery property with military escorts. Because of this level of insecurity, the monks support initiatives to increase the protective zone around the monastery. This area, which currently is private property of the citizens of Deçan / Dečani, would become restrictive in its use and development.

Another major issue that concerns the monks is that they feel that due to the 1999 conflict, the monastery has lost its reputation of charitable

work and embodying peaceful interethnic coexistence. Although, according to the monks, they protected Kosovo Albanians in the war, denounced the atrocities of the Serbian troops, and even spoke out openly against the policies of Slobodan Milosević at a time in history when this meant putting themselves in danger, they still feel resentment and suspicion from the local Kosovo Albanian population. Their inability to reach out due to the precarious security situation hinders the development of trust with the local Kosovo Albanian community.

However, the monks reiterate that they welcome anyone, regardless of ethnic or religious background, to visit the monastery and participate in the religious services. In their attempts to reach out, they hold services in Albanian, hire local Kosovo Albanian construction companies to do work on the monastery property, and meet with the local municipal leadership. To the monks, the biggest obstacle to improved relations with the citizens of Deçan / Dečani is the lack of security.

Contrary to the perceptions of the religious leaders, municipal leaders feel that the high level of protection of the monastery is exaggerated and gives the municipality a bad image, since it implies that without the presence of the military, the monastery would not be safe – this is seen as an insult due to the historical relationship between the Kosovo Albanians and the monastery, which many Kosovo Albanian visited before the war. Hence, the presence of KFOR and the thorough checkpoint motivate feelings of resentment. According to local leaders, the local population is not able to visit the monastery easily and many are denied entrance by KFOR, despite the monastery's so-called open door policy. Therefore, the citizens

of Deçan / Deçani do not feel that at the moment the monastery is a municipal asset. They do, however, realize its overall value to the cultural heritage of the region but are disappointed because they feel that they cannot take part in appreciating it.

The municipal leaders are worried about the proposed increased protective zone around the monastery. First, many of them feel that their property would lose value due to the possible restrictions on land use and development. Second, neighbours are suspicious about the level of compensation and possible legal or illegal pressure to sell their properties and fear, they will have difficulties even reaching their land due to the security checkpoints around the monastery. Third, the extended protective zone will affect plans to build a road to Montenegro which is part of the municipal economic development plan.

The municipal leadership has made efforts to reach out to the monks and to demonstrate to the citizens of Deçan / Deçani that better relations with the monastery are not only possible, but desirable. They have visited the monastery on various occasions to meet with the monks. They have also tried to make joint projects with the monastery, especially around water supply and other agricultural needs, but blame UNMIK – which needs to approve all projects – for its slow approval process. By the time projects are approved, they are no longer applicable or necessary. However, the failure of the implementation of the project is interpreted by the local population as being the fault of the monks and it appears to them that they do not want to cooperate. This places an extra strain on the relations between the monastery and the municipality. The municipal leaders have tried

to clarify misunderstandings, but they are unable to overcome all suspicions.

Despite the existing conflicts, both sides expressed their good will and desire to work together and to improve cooperation. They also recognized, though, that due to the symbolism of the monastery, developments in the relations will be closely scrutinized at the central and even international level. This can be an impetus but also an obstacle to any process focusing on improving interethnic relations.

### **Obiliq / Obilić**

Despite four years of efforts by OSCE and UNMIK, interethnic relations in Obiliq / Obilić municipality remain strained and deadlocked. The municipal government is dysfunctional, and interethnic dialogue and trust do not exist. In March 2004 riots broke out throughout Kosovo and the Kosovo Serbs of Obiliq / Obilić were targeted, too. The Serb Orthodox Church was severely damaged, and many Serbian NGOs lost their offices, equipment and files in the destruction. As a result of fear and mistrust, the Kosovo Serb community and the Roma have fled the town centre, withdrew from municipal work and relations between Kosovo Serbs and Kosovo Albanians have deteriorated. Given the stalemate between the two main ethnic groups, other minorities, such as the Roma, Ashkali, and Egyptians have been further marginalized.

The municipality of Obiliq / Obilić is located north-west of Prishtinë / Priština and is comprised of 20 villages and in 2002 had roughly 28,653 inhabitants. Within Obiliq / Obilić, a mixed population village called Plemetin / Plemetina is at the centre of interethnic tensions within the municipality.

According to municipal data provided by the OSCE, the number of inhabitants of Plemetin / Plemetina is approximately 2,100 (1,200 Kosovo Serbs, 500 Kosovo Albanians, and 400 Kosovo Roma).

Before the 1999 conflict most inhabitants of the municipality were employed by the Kosovo Energy Corporation (KEK) in its two main power stations. KEK is still the main local employer and owns several properties. However, it has severely reduced its economic support of the municipality and particularly Kosovo Serbs and Roma have been unable to be reemployed.

At the request of the OSCE regional office, the CSSP Team began with an Integrative Mediation process in the municipality in November 2007. The informational visit had the purpose of obtaining a first impression of the local conflicts and of introducing the team and the concept to the conflict parties. Out of the meetings the following issues were identified as important:

1. No adequate representation of Kosovo Serbs in municipal leadership and a lack of integration in municipal structures
2. Minority unemployment, in particular re-employment of Kosovo Serbs and Roma in KEK
3. Differences in educational systems and facilities

### ***Integration in Municipal Structures***

The Kosovo Serb community in the municipality has been marginalized in numbers and influence since the conflict in 1999 and the March 2004 riots. Half of the Kosovo Serb population left

the municipality and they now make up only 10 % of the population. According to local Kosovo Serb politicians, the town centre had 5000 Kosovo Serb inhabitants and only 100 remained. In 5 out of 18 villages of the municipality Kosovo Serbs still are the majority population. The international community does not expect any returns of Kosovo Serbs back to Obiliq / Obilić, as half of the property sales over the last years were of Kosovo Serb property.

During the 2003 elections, Kosovo Serbs gained three seats out of 21 in the Municipal Assembly but their inability to influence the political and municipal structures has been a source of frustration and conflict. The Communities Committee and the Mediation Committee were initially formed but have been dysfunctional now for 5 years. Kosovo Serb representatives resigned, because they were constantly outvoted despite being the largest group in the Committee.

Serbs are not satisfied with the local cooperation and do not feel integrated into the political decision making process; as a consequence, one of the three Kosovo Serb members resigned out of frustration. The loss of political influence in all sectors of communal decision-making creates a further obstacle to the return process.

The Kosovo Serb community is divided into a pro-Belgrade bloc and a larger group which is ready to cooperate to a certain extent with the Kosovo institutions. This split makes it more difficult for the Kosovo Serb minority to gain influence in the municipal decision-making, because the few who do participate do not have a unified position.

In view of the coming elections, these two groups have tried to convince voters either to boycott (pro-Belgrade position) or to participate at least at the municipal level. Kosovo Serbs who cooperate with the municipal government find themselves being accused of being collaborators and are put under pressure from Serbia.<sup>5</sup> This is the reason why Kosovo Serbs who are more cooperative are unable to form a coalition with Kosovo Albanians in the Municipal Assembly. In order to gain back influence, Kosovo Serbs feel that they would have to be more united and not in conflict with each other.

### ***Minority unemployment***

The economic situation of Obiliq / Obilić is dire because the main source of employment, KEK, is experiencing economic hardship. Furthermore, it has also changed its employment policy towards the municipality. In the past it provided free social and cultural services to all citizens and the vast majority of inhabitants worked for KEK. All sides agree that KEK could do more to hire citizens from Obiliq / Obilić and reduce its dependency on workers from other areas. There are also concerns of the lack of minority representation in KEK. Kosovo Serbs believe that they were laid off from their previous jobs and are excluded from any position in the company because of their ethnic background.

### ***Education***

The educational situation is a burden to Obiliq / Obilić as it raises ethnic tensions far beyond the

factual reality. The small Kosovo Serb community in the town centre is overly privileged in the eyes of the Kosovo Albanian and Roma population. Kosovo Serb teachers receive higher salaries from Belgrade and schools are better equipped.

In addition, a large school was built for only eleven Kosovo Serb children; whereas the Kosovo Albanian majority children get classes in shifts and only three hours per day. The municipal leaders are aware that the Ministry of Education is the least financed in all of Kosovo. On the other hand, out of the 603 municipal employees 400 work in education.

The municipality has 19 elementary schools for Kosovo Albanian and four elementary schools for Kosovo Serb pupils. The educational system remains totally segregated according to the ethnic backgrounds of the children; only the elementary school in Plementina / Plementin is mixed. As the issue creates tensions and conflict among the three main ethnic groups municipal representative are convinced that this issue should be resolved as soon as possible.

Because of the stalemate in the political cooperation between Kosovo Serbs and Kosovo Albanians, Obiliq / Obilić authorities could not agree on ways to start solving the problem transparently. In this regard, CSSP is able to undertake some efforts at creating a dialogue between stakeholders to assess what is possible and under what conditions. Specifically, more trust among the communities may lead to better cooperation and efficient use of municipal resources to improve the local situation.

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<sup>5</sup> While there is no direct proof of how Serbia pressures local Kosovo Serbs, there are widespread reports regarding this issue.

### **Zvečan / Zveçan**

CSSP visited the municipality of Zvečan / Zveçan as part of its initial assessments in 2005 and identified it as an initial target municipality for Integrative Mediation due to the protected status of the three northern municipalities where international rules and authority are not always respected and UNMIK's ability to influence local decision-making has been minimal. However, with the possible change in Kosovo status, the northern municipalities will play a central role in the future governance structures of Kosovo, as any future status will focus on decentralization and specific rights for Kosovo Serb majority municipalities. The intention of this trip was to follow up on the developments in Zvečan / Zveçan and to re-assess the potential for CSSP's work in the municipality.

The municipality of Zvečan / Zveçan is located in the northern part of Kosovo and is one of the four Kosovo municipalities with a Kosovo Serb majority. The majority of Kosovo Albanians living in Zvečan / Zveçan reside in three villages which are exclusively Kosovo Albanian. These Kosovo Albanians have almost no contact with the town centre of Zvečan / Zveçan, especially as they do not permanently reside in their villages due to the bad living conditions there. CSSP met with representatives of the OSCE Regional Centre, the Municipal President of Zvečan / Zveçan, and several representatives of the Kosovo Albanian community, including the Deputy Head of the Municipal Communities Office (MCO) and members of the Communities and the Mediation Committees.

The information gathered by CSSP indicates that there has not been much improvement of the local situation since the last visit in 2005. Given

the close proximity of the municipality to the border with Serbia proper and the Kosovo Serbian majority in the municipality, local leaders have very close relations with Serbia. The Kosovo Albanian minority in this area struggles to represent its interest and participate in functioning structures. For example, similar to other Kosovo municipality, the Communities Committee is not functioning, compensation is not consistent, and the Mediation Committee has not met. Moreover, the Kosovo Albanians have no representative, neither in the municipal Board of Directors nor in the Municipal Assembly. While many of the general conditions, including high unemployment and poor infrastructural facilities, are difficult for all inhabitants of the municipality, the strategic location and political significance of Zvečan / Zveçan creates an additional burden. The Kosovo Albanian minority has been allocated an independent part from the municipal budget to maintain itself which has created almost parallel structures. In 2003, only a few (about 80) of the approximately 200 to 300 Kosovo Albanians registered to vote in Zvečan / Zveçan, further increasing their minority status in a population of approximately 17,000 (including 4,000 IDPs).

According to Kosovo Serb representatives the democratic conditions for the elections did not exist, which has led them to boycott the elections, also in view of the consequences of the last elections. In their perception, the participation in the last elections led to the outbreak of violence in the March 2004 riots, which has triggered fear of the consequences of participation in these elections.

From the perspective of the Kosovo Albanian minority, relations remain difficult. Some improvements have been achieved, including the

construction of a building for the Municipal Communities Office in Lipë / Lipa village, which is inhabited by Kosovo Albanians. The municipal funds contributed, among other donations, to the construction of the building. Beyond this issue, the boycott of Zvečan / Zvečan municipality of the Kosovo structures at the central level resulted in delays and difficulties with the budget. With support of representatives of the international community it was possible to clarify the issue and submit a budget accordingly. The infrastructural needs, including a lack of potable water, remain one of the major challenges for the Kosovo Albanian villages and are one of the main obstacles for sustainable and permanent return. As most Kosovo Albanian inhabitants are not registered in Zvečan / Zvečan, it is difficult for them to democratically increase their representation in the municipality. The situation of the Kosovo Albanian minority remains very difficult.

Due to its geographic location, Zvečan / Zvečan appears as tied in the middle of the conflict and negotiations between Kosovo and Serbia. While this may increase the level of attention paid to the municipality, it does not have a positive impact on minority representation or interethnic dialogue. In consultation with local and international representatives, CSSP has assessed the municipality and gauged the potential for the implementation for Integrative Mediation. Given the current political situation in Kosovo, CSSP has decided to wait until final status is agreed to begin with mediation efforts and to implementing successful projects in the municipality of Zvečan / Zvečan, as the political conditions will be more conducive to working on the future of the municipality.

## **Follow – up Visits**

CSSP has visited the municipalities of Rahovec/ Orahovac, Ferizaj / Uroševac and Štrpce / Shtërpçë to follow up on the mediation process and to evaluate interethnic relations.

Below is a summary of the assessments that were made in the municipalities that CSSP visited.

### **Rahovec / Orahovac**

In 2007 much progress was achieved in Rahovec/Orahovac in the area of trust and relationship building. In comparison to 2006, in which municipal Kosovo Serbs and Kosovo Albanians rarely exchanged information or cooperated, 2007 saw an increase in problem-solving efforts, interest discussions and cooperation. Specifically, the use of dual language improved; there was cooperation on filling vacancies; the municipality gave funds for confidence-building projects; all sides agree that freedom of movement has improved; and Serbs participated in the Rahovec/Orahovac wine festival. There are the first steps towards better relations and demonstrate that it is possible for both sides to begin dialogue and cooperation. More work will need to be done if cooperation is to be strengthened and developed.

The mediation team met with all stakeholders and groups of Kosovo Serbs and Kosovo Albanians. Below are the conclusions from the meetings:

### **CSSP Mediation Conclusions**

All recognize that community relations continue to improve and focus on the future. There has been an increase in communication between the communities on interethnic cooperation and

integration. In previous meetings the Head of the Communities Office has agreed to create a Municipal Integration Plan. It is essential that the new leadership continues to recognize this path and proceeds to implement the integration of the communities.

The importance of the participation of the Kosovo Serb community in the annual wine festival has been welcomed by all sides as an important step forward in interethnic cooperation. Representation of all communities should become a regular feature in this event. It is important to ensure during the planning stage that all communities are involved, that proper invitations are sent out, and all languages are appropriately displayed. It is suggested that the municipality set up a special planning committee for the wine festival.

Freedom of movement has improved. The Kosovo Serb community has more confidence in moving around, however, some reservations remain. The personal commitment of the Kosovo Serb leadership in moving freely in the municipality has been recognized in contributing to the normalization of this matter.

Progress was made in filling the vacancies left by 17 Serbs resigning from municipal functions in September 2006. Approximately 10 positions were filled out of which six are women. Challenges remain to fill the remaining posts and at the same time to meet legal obligations of the municipality to downsize staff. The new leadership is encouraged to continue the close cooperation with the Head of Municipal Communities Office to fill the remaining positions.

The Communities Committee continues to face challenges in meeting its mandate. Dedication of members of the committee has drastically declined to the point where members from all communities have stopped attending meetings or resigned. It is essential that the new leadership and chair meet as soon as possible after the elections to set the priorities and define the role and contributions of the Communities Committee. Efforts should be made to include a younger generations in the representatives of the Communities Committee.

While return is an important issue, all agree that a specific focus should be placed on creating sustainable conditions for all citizens currently in Rahovec / Orahovac. This includes addressing local property disputes and investigating illegal occupation and usage of housing and land. Furthermore this includes addressing economic development of the municipality to provide in particular youths with a perspective to stay in Rahovec / Orahovac.

Municipal leadership agrees that increased efforts must be dedicated to continue the improvement of transparency, public information, and open dialogue with citizens to keep them informed and involved in decision-making in the municipality. It is suggested that the new leadership investigates the regular updating of the recently established municipal website, the appointment of a municipal spokesperson, and more initiatives from the municipal assembly to communicate with the public.

Receptiveness for gender equality has improved among the leadership of the municipality which includes regular consultation. The Gender Officer has welcomed the commitment of the

CEO to take gender representation into consideration in the process of downsizing municipal employees. It is strongly suggested that the new leadership continues to recognize and actively protect gender representation.

### **Ferizaj / Uroševac**

CSSP has been working with the municipality of Ferizaj / Uroševac in a joint Integrative Mediation process with the neighbouring municipality of Štrpce / Shtërpçë with an emphasis on return between the two municipalities. Given the political context there has been no major breakthrough on return of the IDPs currently in Štrpce/Shtërpçë, although some returns from Serbia proper have taken place. In 2008 CSSP would decouple the existing inter-municipal Integrative Mediation process and work with each municipality separately. As it was foreseen that it was the final visit to the municipalities in regard to the inter-municipal project, a summary of CSSP's mediation conclusions are listed below.

In its final information visit to Ferizaj / Uroševac before the November 2007 elections, CSSP met with the Municipal President, the CEO, and the Deputy Municipal President, as well as several representatives of the Municipal Communities Office. In addition CSSP visited two villages in Ferizaj / Uroševac where return projects have been implemented. During the visit to the municipality and the villages, the imminent elections dominated the conversations. The Kosovo Albanian leadership, the Municipal President, the CEO, and the Deputy Municipal President, in Ferizaj / Uroševac will not remain in their positions after the elections as they are either running for positions at the central level or

are not running for elections at all. According to the Kosovo Albanian leadership the cooperation and dialogue with the Kosovo Serbian community has improved and efforts have been made to include all communities in the work of the municipality.

Representation of the Kosovo Serb interests and issues in Ferizaj / Uroševac remains difficult for several reasons. First, only few have returned and the only elected member in the Municipal Assembly permanently resides in Serbia, although she regularly attended meetings in 2007. Second, the Ashkali who have returned have no interest in assisting Kosovo Serbs, who have not demonstrated a will to return. Third, Kosovo Serbs will only return and cooperate if they have their properties returned, have organized return, and have jobs, which seems unrealistic under the current social and economic conditions in the municipality. Moreover, the Kosovo Albanian leaders do not consider Kosovo Serb issues if Kosovo Serbs are not willing to return physically.

The return issue continues to have a major influence on interethnic relations. The work on return has improved, as a representative of the Ministry for Communities and Return has begun to attend meetings on a regular basis and the return committee together with the municipality of Štrpce / Shtërpçë now holds regular meetings. However, a main obstacle for return remains the creation of sustainable conditions which are tied to the actual number of returnees.

The return process is a complicated web of projects, interests, IDPs, returnees, and international representatives. The process in Kosovo is convoluted and yields very little results creating false or negative perceptions

about the process. CSSP does not expect mayor breakthroughs in return process until the final status of Kosovo is clarified. Specifically, return to Ferizaj / Uroševac is often considered impossible.

### ***Return to the Municipality***

The municipality has no returns to the town center and two very expensive and highly publicized return projects, Babuša / Babushë and Talinoc / Talinovac have been considered failures.

In Babuša / Babushë 74 houses for minority returnee families were fully financed from the Kosovo consolidated budget. The village was inhabited by Kosovo Serbs. These houses were constructed for an expected return of 300 individuals. As of 1 November 2007, seventeen persons had returned on a permanent basis and an estimated 30 came and went trying to establish themselves. As this number of returnees is exceedingly lower than the 300 foreseen in the project, most efforts in the village from donors and the Pristina government have been stopped. While the returnees agree that the municipal government is helpful and friendly, they argue that it is difficult to get additional help because of the lack of return by others.

The houses have running water, but the cultural centre has not been connected to the water supply. The clinic and school remain empty as return remains low. Although the returnees are supplied with food donations, the lack of electricity makes it difficult to store supplies for longer periods of time. According to returnees, return needs to be made sustainable if others are to follow. Currently Babuša / Babushë seems

like a ghost town. However, the 17 argue that if they abandon the return site no one will return. They see themselves as pioneers but feel they are suffering the consequences for the lack of major returns. They also feel their requests are reasonable: a tractor, seeds, a few generators and possibly transport to the town center.

While recognising that the elections provide them with the opportunity to increase their representation at the local level, the returnees struggled over whether to vote or not. While their numbers are low, the 17 returnees express a genuine desire to make their return sustainable and to stay in Babuša / Babushë. By recognising their efforts and struggle to return and by improving their conditions, their return would be validated and may encourage others to return as well. A breakthrough in return in higher numbers could then again motivate donors to reconsider their projects and resume funding of Babuša / Babushë.

In Talinoc / Talinovac the situation is slightly different than in Babuša / Babushë. According to the spokesperson for Kosovo Serbs in the village, Talinoc / Talinovac is one of the places in Kosovo where coexistence is happening and possible. A few Kosovo Serbs have returned to Talinoc / Talinovac and live in their old houses scattered between those of Kosovo Albanians. Those who have returned have been there for over 16 months and have stayed, perceiving a freedom of movement to go to the city centre of Ferizaj / Uroševac, use municipal services and maintain good relations and cooperation with Kosovo Albanians and the structures. Like in Babuša / Babushë, investments into agricultural equipment, tractors, seeds or livestock are needed to continue to make return sustainable. Several smaller initiatives and confidence-

building measures have been started but seem to lack the final implementation. This includes, for example, an agreement with the municipality to provide fuel for a van once or twice a month to be able to take goods to the market in the city centre. While these initiatives are highly welcomed and support the slow process of making a living in the village, they are too limited. Initiatives to cooperate occur between neighbours of all communities such as sharing the milk from a cow in return for keeping it in a stable. In Talinovic / Talinovac coexistence between Kosovo Serbs and Kosovo Albanians is a reality; conditions for both communities are difficult and deserve improvement.

The perception throughout Kosovo and the international community is that return is not possible. However, in these villages, like in others places, such as Klinë / Klina, return in small numbers has taken place. Some argue that these low numbers do not justify further investment in returns. However, until now most of the money spent on return has been invested in reconstruction of homes for persons, who have not physically returned and large return projects which are very expensive and unrealistic. The Municipal Return Officer (MRO) in Ferizaj / Uroševac, as in other places, has often raised the issue that MROs do not have the financial means to develop small projects, go and see visits or confidence-building measures. MROs are dependent on major international donors who have preconceived projects and gain financially from the existing structures. Moreover, concept papers and the system of approving them seem more bureaucratic than outcome oriented and create unrealistic hope and expectations. Here the Ministry for Community and Returns would be expected to play a major

role but has yet to produce outcomes and become a major player, especially because the process is still controlled by the international community.

It is essential to place an emphasis on streamlining the return process, reducing costs, ensuring municipal financial management and implementation, and sustaining returns for those who have returned. Municipal leaders must be held accountable for the lack of results but only if they have the means and authority to direct and implement the process locally. The whole process should be overseen by the Ministry and the international community should only play a complimentary role. Once conditions improve politically and financially, a window of opportunity will open to see progress in returns.

In 2008 CSSP will organize a series of meetings between municipal leaders, IDP's and returnees, focusing on interethnic relations and identifying potential options for 2008.

### **Štrpce / Shtërpçë**

CSSP visited the municipality of Štrpce / Shtërpçë to assess the local situation prior to the November elections, to plan the 2008 Strategic Planning Workshop with the Board of Directors, to monitor the progress of the Internally Displaced People (IDP) in forming an association, and to follow-up on the mediation process with KEK. Štrpce / Shtërpçë is one of only two Kosovo Serb majority municipalities south of the Ibar River, and ethnic relations between Kosovo Albanians and Kosovo Serbs are strained. Kosovo Serbs and Kosovo Albanian political leaders rarely cooperate on any significant interethnic issue. There are de facto parallel structures and each side goes about

its business independently. There has been no constant source of electricity in the municipality for years and illegal electricity flows sporadically. Moreover, there is no head of the Communities' office as in other municipalities and the Communities and Mediation Committees are dysfunctional.

The uncertainty of the elections affected the 2008 Problem-Solving Workshop with the Board of Directors of Štrpce / Shtërpçë, since it is not sure who will remain on the Board. The current leaders expressed their support of the workshop and reiterated its necessity in order to strengthen the problem-solving and negotiation skills of the local leadership. CSSP will return to the municipality in February of 2008 to meet the new Board of Directors and make preparations for the training.

CSSP made special efforts to follow up on the progress that has been made by the IDPs to form an IDP association. Many Kosovo Serbs living in Štrpce / Shtërpçë moved there from the neighbouring municipality of Ferizaj / Uroševac, which has a majority of Kosovo Albanians, during the 1999 conflict. Since the end of the conflict, these IDPs have attempted to return to Ferizaj / Uroševac, but until now all efforts have failed. In order to better represent their interests in this inter-municipal return process, the IDPs were encouraged to form an association. Unfortunately, due to the lack of organisation on the part of the IDPs, the process to start an association has faced many obstacles. Although all of them agree that they would benefit from an association that can represent their needs and interests, they find it difficult to agree on key issues, such as who is to be president. Therefore, CSSP met with the MRO of Štrpce / Shtërpçë and the different IDP representatives.

A joint meeting of the MRO, the IDP representatives, and several IDPs was held to move the process forward. As a result it was agreed to have a meeting to clarify outstanding issues and to found the IDP association with elected officials.

CSSP also took the opportunity of being in Štrpce / Shtërpçë to follow-up on the mediation process between the municipality and the KEK. CSSP met with KEK representatives in Prishtinë / Priština to discuss any offers the company can make to the municipality in order to normalize the payment/supply relationship. At the moment, Štrpce / Shtërpçë is categorized as a level C municipality, which means inhabitants are the last to get electricity and only in case there is any left over. The usual schedule of power supply is 1 to 5 – one hour of electricity to five hours without. However, even this schedule is often interrupted and in the winter of 2006-2007, the municipality was without power for 14 days. The disastrous energy supply to Štrpce / Shtërpçë is due to the unwillingness of the local population to pay for the service because of a variety of reasons ranging from lack of recognition of Kosovo Albanian companies to a 'tradition' of not paying even during former times.

CSSP has worked closely with KEK and the municipal leaders of Štrpce / Shtërpçë to try to come to an agreement that would satisfy all sides. Both sides have been willing to participate in the mediation process and have made offers; however, no agreement has been reached yet. During the October meeting with KEK, the company made a new offer and CSSP presented it to the CEO of Štrpce / Shtërpçë. Because of the uncertain future, no decision was

made. Yet, both sides agreed that they would like to continue the dialogue.

## **Outlook for 2008**

At the end of the year one can say that the situation in Kosovo is stable but sensitive. Every day something new develops politically and all sides are making efforts to coordinate their actions. Even though they continue to threaten unilateral declaration of independence, Kosovo Albanian leaders have promised to coordinate their moves with European leaders. While Serbia is threatening to use all legal means to prevent the independence of Kosovo, they have excluded military force. In mixed municipalities, local leaders have promised to work together in the interim period. However, the situation is sensitive and any incident by extremist could set off a chain reaction.

The year 2008 will be very decisive in the Post-conflict development of Kosovo. New leaders will take office and expectations are high to determine finally the status of Kosovo. A window of opportunity could be created for return, since many initiatives are hindered by the unclear future. CSSP will travel to Kosovo in February 2008 to assess the situation in its target municipalities and to meet with the new/former decision-makers. Especially in municipalities

like Štrpce / Shtërpçë, it will be important to assess Kosovo Serb intensions and the impact of the election results. In addition, CSSP will assess the potential for promoting returns between Štrpce / Shtërpçë and Ferizaj / Uroševac where it continues to be a major concern.

The final status, whatever form it may take, can also impact interethnic relations in Deçan / Dečani, which due to its symbolic significance will be the focus of attention. Obeliq / Obelić, where the Kosovo Serb population is supporting the idea of forming a new Kosovo Serb majority municipality with the surrounding villages, also has the potential to increase ethnic tensions. In Rahovec / Orahovac, the local leaders have requested that CSSP work with the newly elected leaders so that the municipality can continue to build on its achievements in improving interethnic relations and promoting municipal transparency.

CSSP will work with the municipal leaders to strengthen their leadership and negotiation skills so that their municipality can develop into prospering, democratic and multiethnic places. It will continue to design trainings specifically focused on resolving local issues of concern and bringing together local stakeholders to find the best solution for all sides. CSSP will also use its resources to promote the use of mediation as a conflict resolution tool in Kosovo.

## **Conclusions and Recommendations**

Due to the overall political context, local self-governance has not been reformed systematically. In the post election period it is important to ensure that local self-governance is strengthened and that the mechanisms at the municipal level to protect and promote minority rights are reformed and strengthened

The return process is in serious need of reform and an emphasis needs to be placed on ensuring the sustainability of the returns. Once final status is adopted there will be a window of opportunity to promote returns. It is important to streamline the return process and to reduce bureaucracy and unrealistic expectations.

CSSP will initiate a project in the municipality of Deçan / Deçani in order to support the municipal leaders in improving their relationship with the monastery. The symbolism of the monastery and the good will on all sides give this municipality the opportunity to become an example for other municipalities in Kosovo.

CSSP will support Obiliq / Obilić in solving the problems which create tensions between the ethnic groups within the municipal structures. The Kosovo Serbs have not closed all communication channels to their Kosovo Albanian counterparts but need serious support in creating a unified position. CSSP is ready to assist the municipal leaders in developing trust and cooperation. It is also ready to support municipal leaders from all sides to advocate for better relations with KEK.

CSSP will not close the Integrative Mediation process in Rahovec / Orahovac in 2007 but will organize a strategic planning workshop with the new municipal leadership and with funding from the Austrian Development Agency (ADA) in the late spring 2008.

IDPs from Ferizaj / Uroševac living in Štrpce / Shtërpçë need assistance in developing more structural and efficient return mechanisms. They also have to be more integrated in the return mechanisms of the municipality. CSSP is unable to provide these mechanisms as it does not have a permanent presence in the municipality. However, there is a genuine desire to make progress on the issue of return and a creative way of integrating the IDPs into the municipal committees must be found. CSSP has already worked on this issue by supporting dialogue and establishing task forces. Breakthroughs have to come in the year 2008. For this, one needs to build on the successes of 2007 and assure sustainability for those who have returned and to streamline the return processes to be sustainable, flexible and cost efficient.