



CSS Project for Integrative Mediation

***Kosovo Strategy Paper
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Introduction

The CSS Project for Integrative Mediation in South Eastern Europe (CSSP) was approved by the German Bundestag in November 2004. In preparation for the project implementation, the CSSP mediation team undertook structural and system preparations in January and February. The detailed project proposal was presented to the German Foreign Ministry and was approved in March 2005. The action plan for 2005, as foreseen in the initial project proposal submitted in 2004, includes five field visits to Kosovo, four visits to Macedonia (FYROM), two visits to Bosnia and Herzegovina and two workshops with local actors involved in the Trebinje-Dubrovnik bilateral conflict. The first year of the project foresees setting up the structures, presenting the project to new local partners and intervention areas and following up on outstanding issues and projects in Bosnia and Herzegovina (BaH).

Because of the theoretical and political environment of mediation in SEE, the initial visits to Kosovo and FYROM were of an introductory and fact finding nature. Moreover, acceptance by local actors is essential in the future success of the Project. The trips to BaH and the workshops with the local leadership in Trebinje are a direct result of the Concluding Strategy of the International Mediator, Dr. Christian Schwarz-Schilling. This report focuses on the initial visit to Kosovo and the development of a Kosovo Strategy for CSSP.

Project Presentation

In January 2005, the CSSP Mediation Team (Dr. Christian Schwarz-Schilling, Dr. Juan Diaz and Dr. Dieter Wolkewitz) undertook an introductory visit to Kosovo. The goal of the visit was to meet with the political leaders in Kosovo and members of the international community and to assess the acceptability of a mediation project in Kosovo. The Team met with the following persons in Kosovo:

Kosovo

Dr. Ibrahim Rugova	President of Kosovo
Mr. Ramush Haradinaj	Prime Minister of Kosovo
Mr. Nexhat M. Daci	President of the Kosovo Assembly
Mr. Lutsi Haziri	Minister for Local Self-governance
Mr. Oliver Ivanovic	Serb Opposition Leader
Mr. Slavisa Petkovic	Minister for Communities and Returns
Mr. Veton Surroi	Albanian opposition leader
Mr. Hashim Thaci	Albanian opposition leader

International

Mr. Jay Carter	Head of UNMIK Office for Community Affairs
Mr. Jürgen Engel	Head of German Liaison Office
HE Pascal Fieschi	OSCE Head of Mission
Mr. Fernando Gentilini	Personal Representative to Javier Solana
Mr. Philip Goldberg	Chief of US Office in Prishtinë / Pristina

Mr. Nikolaus Graf Lambsdorf	Head of UNMIK EU Pillar
Ms. Pascal Moreau	UNHCR Chief of Mission
Gen. Richard Rossmanith	German KFOR
Mr. Lawrence Rossin	Principle Deputy SRSG (UNMIK)

In general all participants welcomed the project and provided CSSP with advice on places to visit and issues of general importance. Various leaders had divergent interests in the mediation and depending on their personal interests and assessment of the situation in Kosovo suggested a series of municipalities where mediation might be very useful. All offered to assist CSSP within their capacities and initial contacts were solidified for future visits.

Overwhelmingly all participants agreed that mediation was very much needed. In the last five years there has been very little progress in the area of conflict resolution and improving interethnic relations. Moreover the events of March 2004 have left Kosovo and its various communities in a state of shock and reluctance to work with each other outside of the needed interaction under pressure from the international community. Therefore, all sides agreed that all efforts made in the area of mediation and conflict resolution were opportunities to approach the issues from different perspectives.

A second visit to Kosovo was organized in the first 10 days of April. The purpose of the trip was twofold. First, CSSP sought to introduce its mediation efforts to municipal actors, the main focus of the project; and secondly, to diagnose the situation from a mediation perspective. The diagnosis concentrated on conflict issues, perceptions, interethnic relations, returns, local international relations, and the conflicts that arise from the interdependent nature of these issues.

The Selection Process

During the April trip the CSSP team visited Prishtinë / Pristina, Zvečan / Zvečan, Kamenicë / Kamenica, Lipjan / Lipjan, Strpce / Shtërpçë, Velika Hoča / Hoçë e Madhe. Originally, CSSP had envisioned only visiting the first four municipalities. However, after consultation with the Serbian government in Belgrade, we agreed to visit Velika Hoča / Hoçë e Madhe, a Serbian enclave near the municipalities of Rahovec / Orahovac. In the first four municipalities CSSP undertook simple and standard diagnostic interviews bilaterally with municipal presidents, minority leaders, return officers, and international organizations. In the Serbian enclave the team met with return leaders and the local Serbian priest. All five municipalities were selected based on a series of criteria and political / mediation consideration. The criteria included:

- Recommendation by local or international official
- Functioning municipal government
- Presence of returnees
- Political or social importance
- Inter-ethnic conflicts
- Potential for co-existence

Kamenicë / Kamenica

Kamenicë / Kamenica was selected as the first municipality to be visited because it is considered to have made the most progress in terms of inter-ethnic relations after the 1999 conflict. Therefore, it is seen as a standard to be reached. The various sides speak and cooperate with each other on important matters and there is generally a good freedom of movement. Serbs participate as much as possible in the daily life of the municipality and sell their goods in the local market. Throughout the municipal institutions there is good proportional representation. Most persons attribute the positive atmosphere to the close proximity of the municipality to the border with Serbia, the relative lack of violent experiences during the war, and the little destruction of property.

Despite the relatively good interethnic relations Kamenicë / Kamenica has some problems that cannot be solved through the mechanisms in place. The Serbs complain that despite good personal relations with the Albanian political leaders, politically they are not able to achieve anything. The community and mediation committees do not work properly and any proposal from the Municipal Community Officer (MCO) is usually rejected in the municipal assembly. Currently there are problems with the names of streets, a school for the Serb minority, municipal symbols and holidays and a general sense that despite good proposals the Serbs will always be outvoted. It is easy to interpret their lack of participation as boycotting institutions. However, their inability to achieve their interests leads to apathy and inactivity as a sign of dissatisfaction. While this field visit was not enough to delve deeply into the various interethnic issues, the MCO demonstrated goodwill to find reasonable compromises.

One issue that is very unclear is the gap between the municipality being a possible model for interethnic cooperation (good freedom of movement, dialogue between the majority and minority, and minority participation in municipal administration) and the lack of economic incentives to build on the successes. More efforts must be made by international donors to target progress municipalities for increased assistance to demonstrate that there are benefits to cooperation and that Kosovo can be successful as a multiethnic place.

CSSP Note:

Kamenicë / Kamenica municipality is a very good place to begin with local mediation because the parties are willing to engage in the process. However, more information, research, and contact with officials dealing with the issue are necessary.

Zvečan / Zvecan

This municipality was selected because it is one of the three “Northern Municipalities” which make up the Serbian majority north of the Ibar River and will be at the center of any future negotiation. It has three Albanian villages whose residents feel isolated and neglected by their municipal leaders. While they are members of the majority group, their experiences are very similar to that of Serbs in Albanian majority municipalities. Zvečan / Zvecan has two interethnic relationships (Serb-Albanian and Serb-Roma). In addition, the municipality faces a major ecological and economic catastrophe which significantly affects interethnic relations. First the three Albanian villages were somehow political and social attached to southern Mitrovicë / Mitrovica (Albanian side). However, at some point it was decided that the three villages be placed under the administration of Zvečan / Zvecan municipality.

The Albanians believe the main reason was the Orthodox monastery near their villages. Nevertheless, they complain of inadequate minimum living standards and a total absence of participation in the daily political and social life of the municipality. Their local clinic is inadequate to handle serious emergencies; the only education provided is a Belgrade curriculum, and due to the Serb parallel institutions they receive no municipal services. Because they were administratively moved at the end of the last election cycle, there was no adequate procedure in place to deal with their participation in municipal elections. There are no Albanian elected officials in the Zvečan / Zvecan municipal assembly. In the municipal government there are two municipal community officers (MCOs). The local Albanian population is afraid to enter the town center on a regular basis for fear of being attacked or harassed and the MCOs must travel with UNMIK escort. With regard to political participation, the mediation committee does not work and there is very little room for Albanian contribution to the political process. It is possible through mediation to improve the local situation for the Albanian minority. It would require more adequate follow up and diagnosis with the parties to determine what is possible.

CSSP Note:

An initial mediation meeting with both sides would result at the very least on clarifying the two sides’ perceptions of each other and seeking ways to build confidence between them.

The second interethnic problem is more humanitarian in nature and is connected to South Mitrovica. There are approximately 200 Roma internally displaced persons (IDPs) living in a collective center/camp since 1999. The World Health Organization (WHO) issued an official letter on 11 July 2004 that the ground where the Roma are temporarily housed is contaminated with lead, and a health survey of the Roma population shows dangerously high levels of lead. The situation has been escalating for several months with the municipal leaders arguing that the UNHCR had requested this collective center for a period of six

months in 1999. The fact that six years later they are still there has become a social and economic burden on the municipality.

Some negotiations have been on-going to return the Roma to their former homes in South Mitrovica, the so-called Roma Mahala. However, these negotiations have been hampered by political and economic interests. Both sides have different interests and foresee different solutions. The main conflict relates to the size and location of the return site. The Roma wish their exact former homes with extra homes for adjusting to population growth and the municipal leaders have offered a nearby site with other forms of housing units. During this trip no interviews were undertaken with the Mitrovica authorities. Therefore, no proper assessment of the conflict can be made.

CSSP Note:

Given that many institutions and layers of power are working or obstructing any solution on Roma Mahala case means that mediation in this issue might be limiting or would require much more preparation and time. However, subtle efforts with higher officials in Prishtinë / Pristina and South Mitrovica would be useful.

The situation of the Roma has reached a critical point. The Zvečan / Zvecan municipal assembly adopted a decision to close the Roma camp with a deadline sometime in the summer. They have accused the UNHCR of not fulfilling its responsibilities to the Roma and the municipality and the international organizations, while working on finding a local solution, as not yet reached the point of imposing one on the local actors. At the moment the Romas are the ones under severe pressure and suffering and remain intransigent in their positions. Considering the proximity of the Roma's current place of displacement with the area of their former homes, it would be a very positive signal if this issue could be resolved very quickly. Moreover due to the inhumane conditions of the Roma camp and serious health problem this issue poses to the Roma, it is essential that all actors including the Ministry for Returns, UNMIK, UNHCR and the two municipalities come together with the Roma to find a humane and just solution.

Lipjan / Lipljan

This municipality was selected because it is a typical Albanian majority municipality. There are few returns, the Serb minority is unhappy with the situation, and the economic conditions are disastrous. Moreover, the Albanian majority is also dissatisfied with the Serb minority and their parallel institutions. Additionally, there is an uneasy calm regarding security and the Serbs believe there is no freedom of movement for them. Until recently, the Serbs have not been participating in the local structures, especially because they had received heavy pressure from Belgrade. The problems in Lipjan / Lipljan municipality are similar but more acute than in Kamenicë / Kamenica. Recently, the Serbs have

announced their plans to return to the various local communities and the municipality was in the process of organizing new committee meetings.

Currently there are two opposing views of coexistence in the municipality. The Albanian majority would like a single integrated municipality and the Serb minority leaders argue that time is not ripe. One issue of contention is a local school for Serb children. It seems that the Serb children were attending classes in a private home because they do not want to mix with Albanians. The main reason is fear of attack and a lack of freedom of movement. While international institutions confirm that freedom of movement is improving based on objective observations, the fear is subjective and must be addressed through tailored confidence-building measures. It is important to have minority security officers in high level management positions with direct access to the municipal leadership. A new school is to be built but final approval has been stalled due to a conflict over the name of the school. Initial assumptions are that the conflict has nothing to do with the name. It seems this is negotiation tactic to delay the construction of the school. The Albanian majority does not want an all Serb school because it will be under a Serbian curricula and not controllable, and the Serbs do not want to send their children to Albanian schools.

The Serb municipal community officer (MCO), using metaphors and illustrative comparisons, argues for a sort of coexistence where the two sides live completely separate but interact through group dynamics, such as sporting events. Much attention has been given to the school issue and this has become a sore point for both sides. Moreover, currently the Serbs are complaining about the policy of the electricity company not reconnecting areas that breakdown until residents agree to pay. While this may seem correct from an external objective assessment, it is interpreted by the Serbs as unfairly targeting the minority which has difficulties in finding employment, suffers discrimination and lives under siege.

One area of success in the municipality is the return of Ashkali to their former villages. NGOs and UNMIK have worked with returnees and the other residents in a process that includes meetings, selection of projects, and dialogue. The projects were selected together and reintegration is moving forward. The Ashkalis have had their difficulties because they were not allowed in the Serb schools in the 1990s and were not accepted into the Albanian private home schools either because they were seen as Roma. The result has been a loss of skills and ability to generate income to sustain themselves. Currently they can only do menial jobs, which are not in demand, and their living standards continue to decline.

Much of the problems in Lipjan / Lipljan seem to be in the area of perceptions of coexistence and self-determination. Lipjan / Lipljan is a municipality targeted for decentralization and both sides are awaiting the result of how this will proceed.

CSSP Note:

In this respect mediation is limited in its possibilities but could contribute to solving smaller issues, such as the school name, clarifying perceptual issues, and developing confidence-building measures between the two sides.

Velika Hoča / Hoçë e Madhe

Velika Hoča / Hoçë e Madhe was not an officially vetted municipality, but was suggested by the Serbian government in Belgrade. It is truly a Serb enclave surrounded by hills with KFOR protectors. There are approximately 700 Serbs living in 13 villages with historical Orthodox churches. It is here where the siege mentality is the greatest and inter-ethnic reintegration seems impossible, at least for the foreseeable future. In certain ways progress in return and reintegration can be measured by the level of interaction between this community and the Rahovec / Orahovac municipality nearby. Rahovec / Orahovac has a small Serb neighborhood, also an enclave, with about 500 residents serving as a municipal link for the Velika Hoca / Hoçë e Madhe community. Before the war there were 5,200 Serbs living in the municipality. The MCO fears that the siege mentality is taking a severe toll on the residents and more people are leaving than returning. This is partly due to the inaccessibility and siege mentality of the residents. Twice a week they have a KFOR escort to the market and every two weeks they have a major escort to Gračanica / Gračanica for shopping.

According to the Serb MCO, some Serb business persons move around on their own, but they fear for their lives if discovered. The enclave life *de facto* limits the employment possibilities and very little information about issues is communicated to the Serb community. One major perception of the Serb community is that privatization is moving forward with Albanians buying most of the best offers, and Serbs are being permanently locked out. Serbs are also afraid to till their land. Some agreements have been made and some Serbs have taken risks and are working their land. However, they live in constant fear of retribution. Most Serbs live on social welfare, except the local teachers, healthcare providers and small stores. In the political institutions, the Serbs are outvoted in the communities committee, and the mediation committee has not been appointed.

One cannot speak of interethnic relations in this case. However, there have been attempts to create a multiethnic school. Despite it being a good school with international support, parents are not sending their children for fear that they might be attacked. In addition Serbs have no access to their cemetery and are burying their dead in the enclave and there is a conflict with the municipality about its rehabilitation. The visit to Velika Hoca / Hoçë e Madhe was not a proper field visit and no diagnosis could be made with the municipal leaders and other actors. However, from the initial discussion one can conclude that these residents live under a constant siege mentality and in fear, regardless of the political situation with Belgrade. Their reactions and lack of participation can be expected under

these conditions. One first step in reintegrating this community is to give more attention to reintegration of the Serb enclave into the normal functioning of Rahovec / Orahovac municipality. In this particular case, it is evident that more visible confidence-building measures must be implemented by the local leaders to develop the relationship between the two sides.

It is also necessary to expand and strengthen the possibilities for Serb farmers to work their fields. While some efforts are ongoing, the perception in the Serb community is that Albanians are unfairly targeting them. Offers to buy farmland are made and then subsequently rejected by the Serb farmers. Soon thereafter, the Albanians argue that the land has suffered some damage and a lesser financial offer is made. The Serbs have no sure way of knowing what is the situation with their land. This continues to happen until the farmer is pressured into making a no win choice. If this is true it should be investigated and prosecuted.

Strpce / Shtërpçë

Strpce / Shtërpçë municipality lies at the southern end of Kosovo and is nestled in the mountains. All sides agree that it is the place where inter-ethnic cooperation is the best due to economic potential. It is the only place for skiing in Kosovo and it has an alpine character. Moreover it is also a Serb enclave guarded by KFOR, despite having a majority of Albanian tourists as their main source of income. Attempts at meeting the Municipal President or the Serb Vice-President were unsuccessful. There were no reasons given as to their absence from the municipality. Instead CSSP met with the Albanian Additional Deputy Municipal President who has little official power but is very active in day-to-day running of the municipality.

In addition to the usual institutional problems with minority participation, inter-ethnic conflict has a major economic character. In this case, there is the potential for all sides to gain/profit from the skiing monopoly this community has. However, both sides are locked in a dispute. The Chief Executive Officer (Serb) of the municipality claims that the resort has experienced a disastrous economic decline and even loose profit, while the Albanian Deputy Additional Municipal President claims the Ski resort is highly profitable and acts as its own world without contributing to the well-being of all local citizens. Despite having an overwhelming number of Albanian tourists, Albanian language is not used even to announce warnings. Moreover, Albanian leaders are dissatisfied with the resorts relationship with the municipal institutions. One claim made was that the resort is not paying taxes according to the law. Given that the rule of law is essential in restoring credibility, it is essential to clarify this situation.

According to the Municipal Additional Vice-President, no Albanian works at the ski resort and no Albanian houses near the resort are being rebuilt. He claims that there are around 400 requests for Albanian returns to the municipality, but this is disputed by the MRO, who argues that these claimants abandoned their homes many years before the conflict in 1999. In her view, they are not entitled to return.

At the time of the visit, the MRO had no substantial support for her work in the municipality, but she claimed her work was mostly finished.

During this trip it was not possible to assess the accuracy of the above mentioned claims, but it seems that the reintegration of the Albanian community and the future of the ski resort and its relationship to both ethnic groups in the municipality will be essential in improving inter-ethnic relations. The legal status of the resort and the surrounding national park and its legal relationship to the municipality will be very important in improving inter-ethnic relations.

CSSP Note:

There is a group of Serbian IDP who would like to return to Ferizaj / Uroševac, the nearby major town, under certain security and social conditions. The Municipal Return Officer is herself a member of this group and sent a letter to the Municipal President of Ferizaj / Uroševac with the IDP request. The group also tried to contact the Ministry for Returns. CSSP should make efforts to support this return axis.

Below there are general observations made by the team. They are meant as a starting point for discussing possible mediation efforts. They also require more in-depth research and analysis before a proper strategy can be developed.

Returns

At the moment only a few spontaneous returns are happening in Kosovo, and UNHCR is not promoting returns. The main problem in the return process is the suspense of the future status talks. Currently Serbs are being asked to make a difficult decision which might affect their future citizenship without knowing what the future status of Kosovo. The decision to return in 2005 requires them to either give up all ties to the country they have always known or to live in a parallel world that may or may not exist in 2006. In their view they could in the future be part of the greater Serbia and retain their privilege as part of a majority. On the other hand they might end up being part of a minority, with all of the social complexities that it entails. In general, they still hold out hope that Kosovo will remain a part of Serbia in some constellation, and they are not ready to give this up as long as officials in Belgrade continue to make promises to support that conceptualization. The pressure on each Serb IDP is overwhelming with serious psychological impact on their decision-making process.

In each municipality visited, the MRO did not seem to have the necessary mandate, guidelines and equipment or structure to fulfill his/her duties. Nevertheless, they seemed ready to work on the issue and had some understanding. It also seems that the MROs worked in their own world with very little influence on the local situation. In addition, we received various reports and complaints about the whole return process in general. Municipal return strategies

are not realistic, and municipal working groups are more focused on reconstruction than on a sustainable return process. Not one person we spoke with assessed these groups as contributing positively to physical return. However, all agreed that it served the purpose of information sharing. One observation raised quite often was the need to improve the relationship and contacts between the MROs and the Ministry for Return. The work at the local level must be better supported from the central government.

CSSP Note:

CSSP's initial observation is that under these conditions, it is not ripe for mediation to be used as an instrument for encouraging returns. Instead, mediation could be used to assist with specific issues raised by returnees who are experiencing difficulties in their reintegration.

Interethnic Relations in Municipalities

Currently there is a stalemate between the Albanian majority and the Serbian minority in Kosovo and this is reflected at the municipal level. Both sides are heavily influenced by their leaders at higher levels and many technical stalemates seemed to be tactical in the game of integration versus separation. The Albanian for their part seem to be frustrated due to the lack of independence, vagueness of the international community and the desire not revert to the former situation where they were discriminated. On the one hand they express a desire to be democratic, transparent and tolerant, and on the other side they believe the Serbs wish to regain their privileged position. The result is a contradiction between what they say in general and what they do at the local level, especially by blocking any initiative that strengthens the physical and perceptual separation of communities in the municipality.

The Serbs seek nothing less than their own independent institutions connected to Belgrade. They have rejected offers to have their children attend multiethnic schools or receiving treatment at Albanian run facilities. This is a direct by-product of the lack of future status in Kosovo and probably will remain this way until the status question is decided. There are very subtle signs that some Serb leaders are aware of the need to cooperate with the Albanian majority if they are to continue to live in Kosovo. As a result, when speaking with Serbs one will hear both talk of separation and integration in the same conversation.

At the municipal level more attention needs to be given to a variety of issues that affect inter-ethnic relations. Specifically the currently system to resolve interethnic conflicts, mainly the communities and mediation committees, are flawed. The committees have structural problems with the scope, election of a chairperson, voting procedures and implementation.

Theoretically, the current system works if three conditions are met (a) there is goodwill by the majority, (b) the participants are well trained in the area of

mediation and are devoid of political interests, and (c) political leaders in Prishtinë / Pristina and Belgrade are not in opposition. Below are some specific remarks to each point:

Scope

At first glance it seems that the scope of these committees is too narrow and easily manipulated. Many interethnic issues are not based on violation of rights, but they are, nonetheless, important to the communities. Issues that any community feels strongly about should have a venue to be discussed and worked on. In some cases, officials have alluded to a lack of issues for the committees to deal with. However, a cursory review of the structures indicates that the narrow scope and the procedures might be a major reason why the committees do not deal with substantive issues. Setting the agenda is one of the most important aspects of mediation and protection of community interests. Under normal political and organizational behavior, tradition cedes this function to the chairperson or the organization establishing the committee. However, given that the goal is to deal with community issues, the current setup does not seem to give ample possibilities for communities to place issues on the agenda or for civil society organizations to demand that pressing issues be deal with.

Chairperson

This point is essential to the mediation commission which does not seem to be based on the general theory of mediation. In order for mediation to have any chance of success it requires a neutral third party to assist the conflict parties with the resolution of their conflict or at the very least a quasi-insider mediator skilled in the art of mediation. This position should have at a minimum some professional qualification. Moreover, a cursory review of this position indicates that too much room for political influence, especially in setting the agenda and calling meetings. Some ideas to further research would be to rotate the position, call for professional mediators or Ombudspersons to chair the committee or to make it a more bureaucratic position with non-voting rights.

Community protection and decision-making

The current structure of the committee, regulated by UNMIK 2000/45 section 23, theoretically allows for the monitoring of community issues. However, if a community feels aggrieved, it can always be outvoted by the other communities. Voting itself defeats the purpose of the underlying goal of solving problems through mediation. Therefore, communities may raise issues of concern but their concerns can remain unaddressed leading to further conflict between the communities.

Many of the conflicts that arise between the communities are not strictly interpreted as violations of rights. Nevertheless, they can be interpreted by a

community to be a deterrent to fulfilling their community's self-determination. Moreover, any decision reached by the committees is likely to be rejected once they reach the policy and finance committee or the municipal assembly if it does not meet the interest of the majority or the main political party. It seems that what is missing is a clear list of issues that are the sole purview of a community. Are there issues that should be reserved for communities to decide on their own and what would be the framework, scope, and guidelines for these decisions to be made? Some may interpret the above argument as a plea for some form of national interest "veto right". This is not the case, and giving a veto right to one community has not worked, as the Bosnian example demonstrates. One reason was that national interest was too broadly defined. Nevertheless, there are possibilities to give the communities the right to decide for themselves and a dialogue must take place to define these issues.

Implementation

The last issue that creates problems for interethnic relations is the process of implementation. Once a decision is made in the mediation committee, it must go through at least two levels of approval before it can be implemented. The most important part is the financing of the decision in the Policy and Finance committee. This involves the question of "fair share financing" and how it is used to support the communities. During this trip we received information and examples of the fair share system which were confusing. On the one hand some municipalities were very happy about meeting the requirements and in Zvecan of even surpassing it. On the other hand, many of the projects mentioned seemed to be identified as community project, but when neutrally assessed were more development and infrastructure projects in specific non-majority villages. If one were to undertake an unbiased assessment of these projects, municipalities have a general obligation to provide infrastructure and development for all its citizens and not deem them "community projects" for the sake of meeting fair share standards. The logic and purpose of the regulation are clear insofar as they prevent the municipality from totally ignoring communities. However, when one deduces the development and infrastructure projects, there seems to be little room for cultural community development.

Even if a decision passes the policy and finance committee, the process is set up that the municipal assembly makes the final decision and the work of the committees are mere recommendations that could in an ideal world be reviewed by the central government. This report does not refute the theoretical basis for the decision-making process. It merely points out that representatives of minority communities must be either very determined or the majority must be willing to go along with the minority's request. In both cases, there are no procedures for the minority to achieve its interests without the majority. In the reverse direction, there is nothing stopping the majority from taking action, even when a minority community vehemently opposes. The feeling of inequality is built into the system; and from a perceptual and psychological perspective, the structure is a disincentive for minority representatives to participate in the process. Moreover, the IC and the majority expect the minority representatives to cooperate and give

credibility to a system that only theoretically guarantees to protect their rights but excludes any actions insulting to their community and contrary to their perceived interests. Issues that were raised that do not strictly fall under violation of rights but are being interpreted as inter-ethnic included names of buildings/schools, education curricula, municipal symbols, street names, cultural sites, graveyards, building religious objects in non-majority areas, power cuts, construction of monuments etc. All have in common that at their core the solution cannot be found in the current institutional framework.

Local Mediation Efforts

Part of the CSSP policy is to encourage local mediation efforts and networking with existing organization. One observation that we made during our visit to Kosovo is that international institutions know very little about the mediation activities of local organizations and actors. There are mediators working in Kosovo trying to be established and recognized by the PISG and UNMIK and which are promoting a law on mediation. More should be done to support these nascent but indispensable actors in the peace process. One organization working on this issue is the Center for Conflict Management (Partners Kosova).

The Belgrade Factor

The influence of the Belgrade authorities at the local level is very visible especially to local actor. CSSP was unaware that even in local communities the influence is very deep and often obstructing. Although all sides know that the parallel structures and institutions exist, there is little contact and information exchange with the Kosovo institutions. *De facto* the institutions work in a framework outside of UNMIK and Kosovo and are not transparent. The tolerance of UNMIK and the PISG is visible insofar that they do not create confrontation with the parallel institutions that are uncooperative. Nevertheless, it is citizens, and particularly children, that feel the effects of these parallel institutions. During the field visit, the team was provided with examples of how they complicate life in villages. The experiences in Bosnia show that parallel institutions persist even if a formal agreement on their dissolution is reached on paper. Therefore, some form of regulating this situation to make it more transparent is necessary and this can only be done at the highest levels with the assistance of the international community.

Conclusions and Recommendations

In general there are many possibilities to use Integrative Mediation at the local level, especially in the areas of strengthening dialogue, clarifying interests and developing confidence-building measures between local actors. The following are guidelines and problems:

1. CSSP should start with relatively clear interethnic issues that can be worked on in limited time and ad hoc.
2. CSSP should not work on encouraging returns until the return framework has improved and there are clear decisions on the future status of Kosovo. CSSP should work closely with UNHCR in monitoring the return situation.
3. Improving the cooperation between Albanians and Serbs in Zvečan / Zvecan.
4. CSSP should visit South Mitrovicë / Mitrovica to monitor the situation of the Roma in Zvečan / Zvecan.
5. Assisting the Serb IDPs in Strpce / Shtërpçë in their endeavor to return to Ferizaj/ Uroševac. A letter should be sent to the Ministry of Return and a visit to Ferizaj / Uroševac.
6. Working on the School issue in Lipjan / Lipljan and research other school issues.
7. The results of this visit were only observations and need much more research. It is important to the success of CSSP to spend the next two trips on developing more detailed knowledge of the local situation.
8. On future visits, CSSP should develop closer contacts with the OSCE field offices, as they work on democratization and have a better understanding of the political situation at the local level.
9. CSSP should do more lobbying with authorities in Prishtinë / Pristina to develop the concept of mediation and to reform the community and mediation commissions in UNMIK Regulation 2000/45.