



Organization for Security and Co-operation in Europe
MISSION IN KOSOVO

**Remarks of Ambassador Werner Wnendt,
Head of OSCE Mission in Kosovo,**

**to the Rapporteur Group on Democracy of the Council of Europe's
Committee of Ministers**

Strasbourg, 9 February 2006

It is an honour for me to appear before you here today. I welcome the opportunity to share my views with you on the situation in Kosovo at this critical juncture, and to discuss the ongoing and future co-operation between our organisations.

We have entered a decisive period in Kosovo. The decision by the UN Security Council to initiate Future Status negotiations, and the subsequent appointment of former Finnish President Martti Ahtisaari as the Special Envoy to lead those talks, have created a new political momentum.

There are distinct signs that Kosovo's politicians are developing a new maturity and clarity of purpose. They are aware of the immense challenge posed by the negotiations, but also of the opportunity before them.

The Status Envoy has repeatedly stated that the duration of talks will depend on the pace and degree of Standards implementation and Prime Minister Kosumi has launched a renewed effort to accelerate the PISG policy in this regard.

The tragic death of President Rugova has not been followed, as many had feared it would be, by a protracted period of divisive political in-fighting. Instead we are witnessing a smooth transition and swift election of a new President.

The status talks can be expected to begin in earnest any day now, with the first meeting between the Pristina and the Belgrade negotiation teams on the critical issue of decentralization scheduled for the 20th of this month in Vienna. We can be confident that both sides will prepare proposals on local government reform for that meeting.

While the Contact Group's most recent statement clearly indicates that negotiations should finish before the end of the year, we do not know what the precise outcome of those talks will be. It is furthermore difficult to see what will be the solution to a situation that is considered by many to be unique, shaped by the violent disintegration of Yugoslavia, the ethnic cleansing of 1999, and a prolonged period of international administration.

In any case, we need to continue to demand standards implementation during the status talks. The latest UN Secretary-General's report on Kosovo, and its technical annex, show that there is still much work that remains to be done. However, while further progress is necessary, it must also be recognised that political pressure for support has continued to bring results. Moreover, in December, the PISG took their own initiative and adopted a 46–point Action Plan on Standards pushing forward implementation timetables.

The OSCE, as co-chair of the Working Groups for Standard 1 'Functioning Democratic Institutions', and Standard 6, 'Property Rights', for its part, will continue to encourage the PISG to press ahead with implementation.

We will also target our activities in order to facilitate the PISG's efforts. The Prime Minister agreed that we will deploy Human Rights Advisory Teams in both the Prime Ministers Office and six PISG Ministries (including the newly-created Ministries of Justice and Internal Affairs) to ensure that Human Rights continue to be a central aspect of Kosovo's policy development and implementation.

Furthermore, we recently appointed a Senior Advisor to the PISG Assembly President, who during the forthcoming year will actively support the internal functioning of the Assembly, and facilitate legislative interaction with the executive branch and with UNMIK's Office of Legal Affairs. The Mission also continues to strengthen the Central Election Commission, as the main body responsible for the conduct of elections in Kosovo.

What seems to be certain is that, irrespective of the outcome of the status process, the international community will play a significant role in Kosovo for the foreseeable future. What is also certain is that the United Nations will seek to withdraw or significantly reduce its presence in Kosovo, with European organizations stepping in to carry the burden.

The European Union and the Organization for Security and Co-operation in Europe will play leading roles in this new presence. But other organizations, including the Council of Europe, will also be expected to carry out vital tasks.

Close co-ordination is vital, and we must avoid the divisive, proprietary approach that all too often characterises relations between international organizations.

Thankfully, in preparing for the new reality in Kosovo, the international community has thus far shown a marked determination to avoid the mistakes of the past.

UN-led discussions on future arrangements, involving all major international actors, have been on-going for some time. An informal Steering Board on Future Arrangements and four sectoral Working Groups were established in Kosovo last October, and tangible progress is being made on delineating future responsibilities.

This process is structured in such a way as to allow organizations with specific expertise to take the lead in their respective Working Groups. The OSCE Mission is Chairing the Working Group on Democratization, Human Rights and Minority Issues.

I am pleased to see that the Council of Europe is also active, chairing the sub-Working Group on Cultural Heritage and participating in the other Working Groups relating to Human Rights and Minorities.

Co-operation between the OSCE and the Council of Europe in Kosovo *has been* and continues to be strong.

A case in point, in the field of Human Rights, is the first ever draft compliance report under the Framework Convention for the Protection of National Minorities submitted by an international organization rather than a state. In 2005, the OSCE Mission in Kosovo took the lead in drafting this report on the implementation of the Framework Convention in Kosovo.

The Council of Europe participates in the "Friends of the Office of the Prime Minister" group on human rights that is co-chaired by OSCE and the Office of the UN High Commissioner on Human Rights.

This is an information sharing body of international organizations and Country Offices who are contributing technical assistance and human resources to the PISG's efforts to improve human rights compliance.

The OSCE and the Council of Europe have worked closely together on the Steering Board for the Reform of Local Government, and are currently discussing proposals for concrete joint projects in this area.

In March and again in October, the OSCE, the Temporary Media Commissioner, and the Council of Europe organized for a group of senior Kosovan civil servants and key legislators to attend expert seminars in Strasbourg on legislation in the fields of broadcasting, media regulation and civil defamation.

These seminars proved crucial in ensuring that those drafting the Law on Public Broadcasting, the Law on the Independent Media Commission and the Law on Defamation, and those leading the legislative process in the Assembly, were keenly aware of the relevant European standards.

The OSCE has run three elections in Kosovo since 1999, and helped organize the 2004 Assembly elections. The Council of Europe has sent Election Observation Missions to monitor each one of those elections.

Whatever the outcome of the Status process, another round of elections is likely within the next 12 months, and I have little doubt that our organizations will once again co-operate closely.

It is striking, when one looks at the areas in which both of our organizations work in Kosovo – minority issues, local government reform, and human rights – that these are also the areas that are likely to figure most prominently in Status talks.

Neither the OSCE nor the Council of Europe will play a direct role in the negotiation process. However, our efforts may be crucial in the period that follows the talks. Stability in Kosovo can only be guaranteed if there is system in place that upholds the rights of minorities, ensures a wide ranging reform of local government, and fully protects cultural heritage sites.

The European Union will most probably take a lead role in capacity building of Kosovo institutions. But it will most likely be the OSCE, with a field presence that is already monitoring every municipality in Kosovo, which will be the eye and ears of the International Community.

Our attention will primarily focus on the treatment of members of minority communities by local and central administration, by the courts and by the police.

This will not be the extent of our involvement in Kosovo, but in my opinion it is likely to be the most crucial task we carry out.

I trust that the Council of Europe stands ready to assist in ensuring that Kosovo enjoys a stable and prosperous future, which must be enjoyed by all of its communities.

Thank you.