



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

OSCE Parliamentary Assembly Meeting

**MANAGING MULTI-ETHNIC SOCIETIES IN THE OSCE:
THE CASE OF KOSOVO**

**Speech of Ambassador Werner Wnendt,
Head of OSCE Mission in Kosovo,
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Ladies and Gentlemen:

It is my pleasure to speak before the OSCE Parliamentary Assembly Conference. It is my hope that the frank exchange at this workshop, will contribute to the debate of good governance in a post-conflict multi-ethnic society.

Kosovo has come a long way. The very much awaited Comprehensive Review by Kai Eide has been submitted to the UN Secretary-General. The **Review** will soon be discussed in the Security Council and serve as the foundation upon which a decision is made on whether to proceed with status talks.

Whether or not future Status talks begin immediately, they are forthcoming. At this point in time, it is imperative for the OSCE and the International Community to have a clear picture on what has been achieved, both in terms of building the foundations of a stable and democratic multi-ethnic society that can contribute to and promote stability and security in the region.

I am here today to share with you a few lessons learned, from the Kosovo perspective, from working in and managing a society that has the characteristics of a multi-ethnic society but whose survival as such has been threatened by conflict, a limited democratic and human rights culture and an uncertain political future.

The OSCE has been supporting in Kosovo - in theory and in practice - the "Standards for Kosovo" policy. The Standards describe as their goal a Kosovo where: public institutions are representative and democratic; the rule of law is effective, respected and accessible to all; IDPs who wish to are free and able to

return to Kosovo without hindrance, threat or intimidation; all people, regardless of ethnic background, can travel and work safely, and use their languages anywhere and in any institution of Kosovo. In short, this policy aims at a truly multi-ethnic, stable and democratic Kosovo that strives towards European Standards.

Kosovo is certainly multi-ethnic from the point of view of the number of ethnicities living in its territory. The question is – and the challenge of the international community and the OSCE - whether it is also multi-ethnic from the point of view of catering for all of its ethnic communities. That would allow it to remain multi-ethnic in the long-run, to accept the “ethnic” differences it contains but also be cohesive enough to function as “one”

The OSCE Mission in Kosovo, as part of UNMIK, has a broad mandate to help create the conditions that would allow “sustainable” multi-ethnicity to take root in Kosovo. The strategy followed to achieve this can be broken down into three broad themes:

- 1) Building democratic and representative institutions, by bringing government closer to people;
- 2) Building a human rights culture and establishing measures to guarantee the preservation of the identity of smaller communities;
- 3) Advancing dialogue and reconciliation.

First of all, in every democratic society, public institutions must be representative, accountable, responsive, and impartial. These conditions are even more essential to ensure a stable, democratic, and multi-ethnic future in Kosovo. These principles can guide the development of its institutions and help oversee the implementation of policies that respond to the needs of all its ethnic communities.

In Kosovo, the OSCE’s primary role has been to support the establishment and development of representative and democratic institutions, through contributing to the evolution of a legal framework that is reflective of principles of good governance and non-discrimination. In addition, the OSCE has monitored and built the capacity of the Assembly of Kosovo, the municipal authorities and the courts in implementing this legal framework. We will continue to do so in the foreseeable future. In parallel, the OSCE has helped the development and overseen the implementation of policies for a multi-ethnic, impartial, professional and accountable civil service, as well as co-ordinated its implementation through training and capacity development policies.

To ensure that the Provisional Institutions in Kosovo are as effective, as efficient, and as responsive as possible, they must be complemented by mechanisms of internal and external “checks and balances”. Although they have come a long way in establishing effective oversight mechanisms - the Independent Oversight Board (IOB) and the Ombudsperson are such examples - there is still some way to go. Internal “checks and balances” – for example between the executive and the

legislative branches of government - must be improved and strengthened. In Kosovo, the Assembly and its Committee system must play a stronger role in the programmatic oversight of the Executive, particularly because it is a post-conflict environment. OSCE plans for 2006 include support to these aspects of the functioning of Kosovo's Provisional Institutions.

Another key aspect that cannot be left out of any discussion on Kosovo is the process decentralization and local government reform. The most important level of government is undoubtedly the local, since it represents the layer of administration that most people come into contact on a regular basis. Local administration must answer to the needs of the people it serves as the main and first provider of services. The channelling of demands must be bottom-up not top-down, and local administration must be responsive to the local community it serves. This includes all of its members.

In Kosovo, as in other multi-ethnic societies, efforts need to be taken to bring the institutions closer to people, to better serve the needs of all ethnic communities. This is embodied in the 2005 Government Plan for Local Government Reform, developed in co-operation with UNMIK. The Plan envisages the creation of smaller, and in principle multi-ethnic, administrative units with real competencies.

Although this plan is still in its initial phases, it provides an important basis for a future reorganization of local administration in Kosovo, in a way that ensures not only that the interests of small ethnic communities are better represented, but also that the devolution of power creates conditions for more transparency and accountability towards all the "citizens" concerned.

However, even if the right institutions and mechanisms for transparency and accountability and the exercise of true democracy are in place, their level of responsiveness to the interests of all communities that comprise a multi-ethnic society cannot be fully guaranteed. All communities must participate fully for this to succeed. The boycott of the last elections by most in the Kosovo Serb community has left this community with a small number of representatives elected in the Central Assembly. The majority of these elected are not participating in this institution or taking up Government positions reserved for them. This has become a major drawback in the evolution of multi-ethnic institutions in Kosovo and most importantly, has deprived the boycotting community from its chances to effectively pursue its interests from within.

The second aspect of our "management strategy" relates to creating a human rights culture in Kosovo, including minority rights. The strengthening of the understanding of human rights and of the institutional guarantees for their protection can be key to a peaceful coexistence between communities. It encourages respect of the rights of the individual, particularly in cases of political, cultural, religious or other differences between ethnic communities.

Through our work, we aim to develop human rights awareness among individuals but also in institutions which are meant to protect human rights. If not, it is important to ensure that effective remedies for violations are in place. In this respect, our work is threefold: we monitor and report on the rule of law as seen through the justice system; we build capacity within local – and soon also central – government so that officials understand and protect rights; and we train civil servants, judges and prosecutors to recognise and support human rights standards.

In addition, the OSCE has undertaken the task of reporting compliance within Kosovo with the two major human rights covenants, the International Covenant for Civil and Political rights and the International Covenant for Social, Economic and Cultural Rights, while at the same time building capacity within the Provisional Institutions to collect information and compile such reports on their own.

Although the protection of human rights in ethnically cohesive societies does not need to focus on minority rights, in multi-ethnic societies, such as Kosovo, the principles of minority rights protection comes into play. These principles have an important role in ensuring that minority communities in a territory do not feel threatened that their “identity” would be at risk or lost by larger communities within the same territory.

In Kosovo, although we cannot speak officially about minorities (a concept that applies to states), in practice members of the smaller communities enjoy some of the “rights” normally afforded to members of minority groups; for example, the use of the Turkish language in some municipalities as an “official” language, or providing education in languages other than the majority language. In addition, the existence of positive discrimination in areas such as representation in the Assembly (twenty of the 120 seats are reserved for non-Albanian communities) as well as representation in the civil service (16% of the positions are reserved for non-Albanian communities) have proven instrumental in allowing smaller communities to feel politically and socially empowered while minimising the potential for inter-ethnic friction.

My third point focuses on the need for dialogue and communication between different ethnic groups in a multi-ethnic society, especially one that has gone through conflict. As conflict leaves the channels of communication between communities “broken”, it is difficult to change the perceptions created between them as a result of the conflict unless mechanisms for communication and dialogue are re-established. Dialogue, in that sense, is the first step towards re-building trust and understanding of “the other side” as being less than an enemy, thus an effective tool for reconciliation AND for the prevention of the emergence of new ethnic grievances.

For that reason, the OSCE’s work in Kosovo has been premised on the principle that all of its activities (if possible) should have a multi-ethnic character, even if *per se* their primary objective is not relating to the enhancement of inter-ethnic dialogue. Of course, the OSCE has also organized, supported or facilitated numerous

activities that directly aim at bringing members of different communities together to exchange views, either at the level of youth assemblies, or at the level of civil society, or at political level.

To the abovementioned three “pillars” of our strategy for managing Kosovo’s multi-ethnic character I would like to add – although NOT within the OSCE competencies - the importance of economic development as a tool for supporting and ensuring the functioning of a multi-ethnic society. A priority within UNMIK, as especially the EU Pillar IV, and for the PISG, economic development and prosperity, equal across the ethnic spectrum, is essential to “neutralizing” the tendencies to create ethnic cleavages in multi-ethnic societies. However, in Kosovo political and societal impediments have discouraged the development of a strong and viable Kosovo economy, and in turn have played a role in increasing inter-ethnic tensions and inter-ethnic violence. For example, the infamous March 2004 violence in Kosovo was fuelled, to a large extent, by the frustration amongst the numerous unemployed and poor in Kosovo – unemployment runs at 60-70%.

I would like to leave you with a few of my thoughts about the future, and especially about the future role of the OSCE in Kosovo.

Is it possible to claim that the foundations of a truly multi-ethnic society have been firmly rooted in Kosovo? It is hard for anybody to safely make such a judgement now. I am confident that the majority within Kosovo see themselves as parts of a multi-ethnic society and want this to continue in the future. However, there are challenges ahead for this fragile multi-ethnicity - as there have been challenges so far – with, first and foremost, the challenge for reaching an external but also an internal agreement on Kosovo’s status.

However, the OSCE in Kosovo stands firm on its resolve to continue working for the same principle of multi-ethnicity, to continue supporting its consolidation in Kosovo. In that sense, most of our work in 2006 will be geared towards monitoring and assisting Kosovo and its society to make progress in those aspects relating to its multi-ethnic character, including the protection and respect of human rights for all communities in Kosovo.

On behalf of OSCE Mission in Kosovo, I wish you the very best. Thank you for your attention.