



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

ODHIR Human Dimension Implementation Conference

**Intervention of Ambassador Werner Wnendt,
Head of OSCE Mission in Kosovo,
on Monday 26th of September 2006**

Ladies and Gentlemen,
Dear Colleagues

I will present to you experiences of the OSCE Mission in Kosovo (OMiK), that was established in July 1999 and is now – in the light of political developments in Kosovo that may see the beginning of talks about the future status of Kosovo later this year – heading for a considerable readjustment of its tasks, priorities and necessarily mission structure. There are four questions that I will try to give answers to:

- What are the lessons learnt in human dimension activities in Kosovo?
- How can projects support the implementation of the political mandate?
- What is our involvement and co-operation with governmental and non-governmental actors in project work?
- And which are our best practices we can share with you?

A) Lessons learnt in human dimension activities in Kosovo

- ***Building the capacity of the local institutions paves the way to establishing a sustainable system for the protection and promotion of human rights and rule of law.***

The sustainable protection and promotion of human rights requires that not only the domestic legislation should forbid human rights violations, but also that in cases of violations by the authorities, an effective remedy should be available to avert the violation or to provide compensation for it.

At an early stage of its work, OMiK focused its resources on the work of UNMIK, in which all powers were vested. During the last two years however, we have

increasingly devoted our attention to the Provisional Institutions of Self-Government (PISG) because powers were transferred from UNMIK to the PISG.

The experience gained so far showed that building the capacity of the local institutions to understand human rights and rule of law concepts and to implement them in their daily work is the most effective way to provide for compliance with these concepts and ensure effective remedies for human rights violations.

As a direct response to this, OMIK has designed and implemented a strategy where its human rights expertise works along side the local governmental structures in Kosovo in order to integrate human rights standards in governmental decision making.

- ***Institutional handover requires a concerted policy approach both politically and administratively***

In post-conflict or transition states, the development of local institutional sustainability, whether within the judiciary, legislative, or executive, must take into account the limitations and the evolving needs of a developing domestic administrative framework.

In Kosovo, specifically, it has been important for the interim administration to emphasize transition strategies from the onset, which are consistent whether with provisional or post-status governmental configurations.

OSCE has learnt that only once the rubric of legislative and administrative pre-requisites are established, and more importantly put into practice, can domestic institutions find their own footing.

Equally important is to prioritize the establishment of institutions that create trust and confidence for a diverse, multi-ethnic society.

Experience demonstrates that local institutional ownership is accomplished through protracted exposure. Working together under a united institutional umbrella in order to address collective concerns does ultimately reduce apathy and facilitate long-term stability.

In Kosovo, the Kosovo Police Service School, for example, is a sustainable, multi-ethnic institution because regardless of a cadet's ethnic or religious background the school trains qualified people to be Police Officers, who serve all communities in Kosovo.

- ***Mission activities should actively promote OSCE principles (not only embody them)***

Mission mandate implementation should strive to enact OSCE fundamentals of pluralistic democracy, equality under the law, and mutual respect.

OMiK has found that the pursuit of improved living standards and egalitarian norms often paves the way towards future co-operation and even compromise between divergent ethnic communities.

B) How projects can support in implementation of the political mandate

- ***Integration and development of multiple identities***

One of the basic tenants of pluralistic democracy is that people from different ethnic backgrounds are able to engage in common activities freely. In evolved, stable societies, citizens have a variety of options available that are not contingent upon his or her ethnic identity.

The approach in ethnically divided societies (such as Kosovo) is to implement projects that do not categorize people into groups, but facilitate integration and the development of multiple identities.

The goal is that people are seen as teachers or police officers, who may also be political party members or NGO activists without being “stigmatised” as *Albanian* teachers or *Serbian* Police Officers.

- ***Capacity-building projects form the basis for political diversification***

In Kosovo, many activities fall within the capacity-building domain. Charged with a broader human rights and democratization responsibilities, OMiK uses its capacity-building mandate as a vehicle for promoting political diversification on several fronts.

For example, capacity-building activities gather a wide array of political players in order to create consensus regarding a common system of participation.

C) Involvement and co-operation with governmental and non-governmental actors in project work

- ***Sustainability Imperative***

In order to ensure OSCE’s contribution to Kosovo’s democratic future is maintained, the overwhelming majority of OMiK’s project initiatives target or at least involve local governmental or non-governmental actors in some capacity.

This is a policy imperative as only through hands-on co-operation and interaction with domestic forces OSCE approaches will be fully put into practice. OMiK endeavours to involve both governmental and non-governmental actors simultaneously, who will hopefully continue to play similar roles even when the OSCE presence and involvement will become unnecessary.

Examples: Anti-discrimination law promotional campaigns, Kosovo-wide youth assemblies or support of local advocacy initiatives.

- ***Building the capacity of the municipal administrations***

An example of a programme fully involving governmental actors in promoting human dimension activities is the Mission's Human Rights Experts Programme. OMiK has deployed Human Rights Experts (HREs) to the majority of the municipalities in Kosovo.

The HREs mandate is to offer advice to municipal governmental institutions and enhance their ability to comply with human rights protection obligations enshrined in the domestic and international legislation and in the Standards for Kosovo.

By the end of 2005 the Programme will be finalised and OMiK will continue to proactively monitor the performance of the municipal administrations and provide them with support whenever needed.

- ***Reporting on the implementation of international human rights instruments***

OMiK was tasked by the SRSG to take the lead in the compilation of reports on the implementation of the Council of Europe's Framework Convention for the Protection of National Minorities, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

Throughout the ongoing compilation processes, OMiK strives to ensure full participation and active involvement of the central level PISG structures, namely the Office of the Prime Minister and the majority of the Ministries.

The Government must assess its compliance with these international human rights instruments, implement its obligations in the field of human rights more efficiently and ultimately build its capacity to compile such reports without assistance in the future.

- ***Government and NGO Interplay***

Having built civil society structures in Kosovo from the ground up beginning in 1999, OMiK now steps back from outright civil society development in order to evaluate whether the current institutional situation is truly conducive to robust NGO and government co-operation.

Time will tell whether or not Kosovo's governmental institutions are prepared and mature enough to allow for open and frequent interaction with civil society.

D) Sharing best practices

Overarching "best practices" are not easy to identify, as individual project initiatives generally meet a unique set of *situational requirements*.

However, OMiK project implementation practices prioritize the following **principles**:

Comprehensive Planning

Project development and implementation is based on comprehensive planning as a means to ensure effective results. No matter how well intentioned an idea may be, there is no substitute for a thorough implementation plan. In 2005, the Mission advanced its project development cycle to emphasize planning aspects. The result has been increased organizational efficiency and measurable indicators of success.

Flexibility

In post-conflict, transition states more than in stable countries, environmental developments and political prerogatives change constantly. Over the years, OMiK has had to react to unforeseen events such as the spate of violence that occurred between 17-19 March 2004. Experience shows that all plans should factor in flexibility in the overall objective in order to afford leeway should unexpected events take place.

Co-ordination

OMiK is co-ordinating capacity-building endeavours amongst an array of participants and institutional stakeholders. These forums allow OSCE to promote its far-reaching Human Dimension commitments, which may then be actualized by both local and international contributors.

Examples: Co-ordinating Kosovo Assembly Support organizations, chairing the Inter-Pillar Working Group on Human Rights, or leading local governmental capacity-building initiatives on Joint Municipal Co-ordination Committees.