

FOREIGN RELATIONS COMMITTEE HEARING

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CONCEPTS

1. STAGNATION

A full circle of stagnation in Kosova has been reached. The UN mission in Kosova, established after its liberation, has not succeeded in establishing self rule in it. Currently, Kosova operates under four different legal systems (UNMIK regulations, pre 1989 laws, current laws passed by kosovar assembly and Serb laws in the “parallel institutions”). It operates under three different economic systems, including socialist self-management that died in the Former Yugoslavia ten years ago. UNMIK has all the key, even day to day decisions , including the capability of projecting how the budget will be built or spent.

A system of mutual blame game has been established. UNMIK criticizes the lack of leadership in the kosovar political structures, and quite rightly so. The kosovar leadership criticizes UNMIK for not allowing it to assume more responsibilities, quite rightly so again.

Nowhere in sight is there a system of checks and balances.

Lacking it , there are only explosive indicators: aid money has been spent (2 billion dollars of it), the rate of unemployment is in real terms beyond 70 per cent, the kosovar economy covers with only 3-4 per cent of exports the quantity of products it imports, most notably food and electrical energy which it used to export 15 years ago.

2. DEGRADATION

Within this trend of stagnation, it could be expected to enter into degradation. And the March events manifested themselves to be a bloody step backward in all aspects. In March, interethnic hatred and the capacity of extremists to hijack protests and turn them into riots showed both the lack of authority of the kosovar leadership, or even more, lack of leadership. They also showed, more importantly the continuous erosion of UNMIK and its capacity to handle the situation. And, for the first time, an understanding that KFOR is not one mission, but many national units with their own flags. In the most critical moments, I should say, the presence of the American flag not only quieted the riots, but also immediately brought reassurance to all the citizens about their personal and collective security. This did not happen in the different military sectors.

The sense of degradation is on the brink of endangering all the achievements of the international community in Kosova, namely those that make it an electoral democracy.

3. POLICY VACUUM

The past 2 years have been spent in doctrinarian and quite often empty debates about the policy to be pursued. Some kosovar Albanian leaders have been advocating the “formal recognition of independence” as a solve all solution, without even the minimal attempt to focus on the functionality of Kosova, which in its present format would qualify for a

“failed state” category, but then, it is not a state. A good part of the Serb leadership in Serbia and among the Kosovar Serbs have been engaged in a competition to further develop, or project the future Serb rule over Kosova or part of its territories. What has emerged as a consensus is a de facto partition plan under the concept of decentralization of Kosova, on an ethnic and territorial basis. And the international community has been debating for more than two years on making operational its “standards before status” policy. With one notable exception, that of the initiative by undersecretary Grossman to bring a review date to the “standards policy” there has been an overall lack of American initiative, and therefore the lack of something that has always proven to be of utmost importance in Europe, even more so in the Balkans, a joint US-EU position.

In the best of cases, these debates will go on without much harm. Parts of the Kosovar leadership will still wait for the formal recognition of the independence. The Serb leadership in Belgrade will try to keep its leverage on Kosova with the partition plan and the international community will try to, with not great success, focus the local actors on the “standards” policy. I say more or less without success because the standards have at least one big built-in deficiency: the assumption that this is a basic functioning state that now assumes more sophisticated duties.

But, the end result of this policy vacuum may not be harmless at all: it will simply deepen the already intensive frustration of the Kosovar population.

4. BACK TO BASICS

The upcoming Parliamentary elections on Oct. 23 of this year and the initiative to reassess the UN mission, may bring room for more forthcoming initiatives, and putting the present policies of the international community in a new context.

On the Kosovar side there may be a new political spectrum created, that should focus on the basic issues of functionality of Kosova. And that would mean, establishing of one legal system for the whole territory, an assumption of full economic competencies including running public enterprises and privatizing the socially owned ones (competencies so far in the hands of UNMIK), conceptualizing decentralization as an issue of strengthening municipal powers rather than creating lines of partition within Kosova, becoming a partner for the surrounding states.

On the UNMIK front, this ought to mean interpreting the mission as a correcting force in state building, not a micromanaging one. And it ought to mean a shrunk mission, focusing on justice and home affairs, in an increasingly partnered relationship with the Kosovar institutions that should assume much more responsibility in justice and home affairs. The EU, within this new arrangement, should assume responsibilities it does best: restructuring the economies and administrations of post-communist countries in the effort of integrating into the EU.

These are some of the ideas I am presenting here, but will be presenting them to the people of Kosova as I assume a new civic duty, that of running in the upcoming elections, leading a civic list of people with indubitable credibility in the communities where they live.

5. STATUS

Whatever is done, though, there is one question that cannot , and should not be evaded, that of the permanent status of Kosova.

The present policies do not lead to the form in which the status issue will be resolved, nor ,indeed, the speed to arrive to this stage. On the other hand the limbo over status is already creating negative results both for the political and economic functioning of Kosova, as well as for the region as a whole.

Within the next months, after the kosovar elections , I think that the following steps should be undertaken:

- a clear message from the international community, most notably of the US, on what shall not be tolerated as a status outcome, i.e., partition of the territory whether by Belgrade's design or by the actions of Albanian extremists in their attempt to isolate and or drive out kosovar Serbs; an intolerant state.

Partition will further aggravate tensions on the kosovar Albanian side, it will leave 70 per cent of the kosovar serb population out the newly created Serb territories and it will serve as the most negative model for interethnic relations in South Serbia and Macedonia, where to a great extent successful US-EU mediations have brought a new quality of life.

- a new and very specific offer of kosovar institutions on legal ways to address the needs of minorities, and because of the specific historical case, in particular the Serb community in Kosova. The new legal format would address the issues of a minority rights format as well as decentralization, within the overall context of functionality of Kosova

- new initiatives to assume responsibility for the returns of kosovar Serb refugees , including those from the divided city of Mitrovica, which as, we saw in March, is a continuous flashpoint. Mitrovica, is in fact the test case of whether citizens can return to their homes, reestablishing a united city in stead of the now divided form of it

- a new format of dialogue between Prishtina and Belgrade in which initially a catalogue of open questions will be established. These questions will be dealing with the past, present and future.

- a joint US-EU initiative to gradually build a joint policy and mediation effort that would address the following issues:

- functionality of the kosovar institutions

- Overall Framework agreement between Prishtina and Belgrade

- ways in which the UN can help

- ways in which post-status encouragement policies can be introduced as of now, within the prospect of Euro Atlantic integrations.

The US leadership in the end of the 90's towards the Balkans stopped a genocide in Kosova, reversed its effects, and created a new historic situation for its citizens. It was a great military and political investment, somehow given away to inefficiency of multilateral institutions and to some extent irresponsible kosovar leaders. It is, though, an investment which can still show itself to be a successful model of nation and state building. It again requires many things, and critically, local initiatives, but even if there are the best around, ultimately it will require the US credibility and capacity of engagement to get through this crucial stage in the story of Kosova.

