

PROSPECTS FOR ETHNIC
HARMONY IN KOSOVO

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JUNE 19, 2002

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PROSPECTS FOR ETHNIC HARMONY
IN KOSOVO

WEDNESDAY, JUNE 19, 2002

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC

The Commission met in Room 124, Dirksen Senate Office Building, Washington, DC, at 9:33 a.m., Hon. Christopher H. Smith, Co-Chairman, presiding.

Commissioners present: Hon. Christopher H. Smith, Co-Chairman; Hon. George V. Voinovich, Commissioner.

Witnesses present: Alush A. Gashi, Kosovo Parliamentarian and Foreign Affairs Secretary, Democratic League of Kosova [LDK]; Rada Trajkovic, Kosovo Parliamentarian and Leader, Kosovo Serb Return Coalition ["Povratak"]; Valerie Percival, Kosovo Project Director, International Crisis Group; Nebojsa Covic, Deputy Prime Minister, Republic of Serbia and President, Coordination Centre for Kosovo and Metohia; and Daniel Serwer, Director, Balkans Initiative, U.S. Institute of Peace.

**HON. CHRISTOPHER H. SMITH, CO-CHAIRMAN,
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. SMITH. Good morning and welcome to this hearing of the Commission on Security and Cooperation in Europe. I want to thank all of you in advance for being here, especially our very distinguished panel of witnesses.

Beginning just over a decade ago, ethnic cleansing was in full swing in various parts of the former Yugoslavia. At that time and continuing for most of the 1990s, international efforts focused on how to stop the displacement of millions of people. As various phases of the conflict were brought to an end through a mixture of intervention and negotiation, the latter half of the decade and still today our efforts have concentrated on reversing the ethnic cleansing by giving the displaced an opportunity to return to their original, pre-war homes. This has been a challenge and a source of great frustration in Croatia, in Bosnia and in Kosovo.

Kosovo, in fact, appears to be almost unresolvable. If there is any chance for the various ethnic communities in Kosovo to integrate, were it necessary, and at least tolerate each other. The UNHCR and the OSCE report that the security situation for minority communities may have improved somewhat in recent years, but is it that things have really improved or is it because fewer people are willing—not going to

attack, or are those who remain simply more careful about stepping out of the enclaves in which they must confine themselves? Given the situation for minorities in Kosovo, what are the prospects for those still displaced from their homes outside of Kosovo? Finally, what about the city divided by ethnic hatred: Mitrovica; is that division here to stay?

We hope to get some answers and insights to these questions from our very distinguished panel of witnesses who are here this morning. However, even given the obstacles to return in ethnic harmony in Kosovo, I believe that the situation today is not unresolvable. Ladies and gentlemen, it is intolerable. The biggest mistake the international community could therefore make would be to conclude that the present situation is the best that we can hope for. Instead, we would respectfully suggest the international community must be determined to resolve this outstanding issue. Those in leadership positions within Kosovo have the responsibility to do likewise.

To the Kosovar-Albanians, I am well aware of the repression and the hardship—and this Commission has been following this for many, many years—that you have faced, especially during the brutal regime and reign of Slobodan Milosevic. The best response for yourselves, as well as for many innocent Serbs, Roma and others from Kosovo, however, is to demonstrate that you are different from Milosevic's murderous visions and minions. Vandalizing or bombing churches is not just wrong, it should also be beneath the dignity of any Albanian who had to suffer under the Milosevic regime. Revenge is not justice. The ethnic diversity of Kosovo must be tolerated.

For those belonging to minority communities, whether in the enclaves or displaced, you, too, have not been forgotten. Your willingness to cooperate in last year's elections and the subsequent formation of democratic institutions, places the burden on the majority to let you participate, and participate meaningfully.

To those in Belgrade, your expressions of concern about caring for the many displaced are being heard. As the international community works with you to resolve this problem, however, there needs to be full cooperation in all aspects of the recovery from the damage that has been done by Milosevic during those brutal years. This includes cooperating fully with the tribunal in The Hague, which we view as linked to the long-term stability of the region.

In the meantime, I believe we must all realize that hundreds of thousands of innocent people are needlessly suffering in Southeastern Europe. Many became victims of traffickers and other criminal elements that thrive on instability. Ultimately, crime and corruption takes its toll on everyone. The only way to change things is to work together. I hope we come away from this hearing with a greater expectation that leaders will reach across ethnic divides and do so as quickly as humanly possible.

First, I would like to recognize our panel and ask them if they would make a presentation this morning. First on our panel this morning are two representatives from the newly established Parliament in Kosovo: Alush Gashi, from the political party of Kosovo's President Rugova, and has, in fact, been a foreign policy advisor to the president. Dr. Gashi has been a witness at previous Commission hearings and briefings, and we welcome him back.

Rada Trajkovic is a leader of the Serb coalition within the Parliament and a leader among the Serb community in Kosovo. As fellow Parliamentarians, we welcome you to this hearing.

Next we will hear from Valerie Percival, the Project Director in Kosovo for the International Crisis Group, or ICG. She and the ICG have played a critical role in reporting what is happening in many of the problem areas around the globe and in advocating proper policy responses to these problems.

And finally, we will hear from Nebojsa Covic, the Deputy Prime Minister of Serbia, who has the responsibility of representing Belgrade regarding this situation in Kosovo and southern Serbia. Dr. Covic has also participated in previous Commission hearings, and we are pleased to have him here with us today, as well.

I'd like to yield to our distinguished Commissioner, the former governor and distinguished Senator from Ohio, Mr. Voinovich.

**HON. GEORGE V. VOINOVICH, COMMISSIONER,
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Sen. VOINOVICH. Thank you, Mr. Chairman. Congressman Smith, I want to thank you and Senator Campbell for scheduling this hearing to discuss the situation on Kosovo's ethnic minorities. This issue has been one of my top concerns during my time in the Senate, and I believe it is critical, with all that is going on in the world, that we continue to discuss and examine issues affecting Southeast Europe.

I have probably spent more time on Southeast Europe than any other Member of the Senate. I have been interested in Kosovo since I visited the Stenkovac refugee camp in Macedonia during the war in 1999. At that time, I was very concerned with the plight of Kosovar Albanian refugees, and I was glad that many of them were able to return their homes after the war. I have also been very concerned about human rights and refugee returns throughout the region, whether in Bosnia, Croatia, or Kosovo.

As my colleagues may be aware, the OSCE and the U.N. High Commission on Refugees released the ninth assessment of the situation of ethnic minorities in Kosovo at the end of May. I have reviewed this document, and I am glad that we have witnesses here today who will be able to elaborate on some of the key issues and recommendations in that report.

At the end of May, I had the opportunity to spend time in Kosovo following the NATO Parliamentary Assembly meeting in Sofia, Bulgaria. I was pleased to have many productive meetings during my time there. It was my third trip to Kosovo since February 2000, and the fourth full day I have spent in Kosovo.

I spent time with the head of UNMiK, Michael Steiner, as well as commander of KFOR, General Valentin; Prime Minister Rexhepi; President Rugova; Serb leaders Rada Trajkovic—Rada, I am very pleased that you are here today—and Ljubamir Stanojkovic. I also met with Ambassador John Menzies and his team at the U.S. Office in Pristina [USOP]. I was glad to visit with General Lute at KFOR, and some of our troops at Camp Bondsteel to thank them for the service that they are giving to our country there. I also had the opportunity to meet with Amb. Pascal Fieschi, who heads the OSCE mission in Kosovo.

My impressions, after spending time in Kosovo last month, reaffirmed many of the conclusions reached in the OSCE–UNHCR report. While there has been some improvement for ethnic minorities, there is still a long way to go. I am impressed with the benchmark goals that have been outlined by UNMiK. I congratulate Mr. Steiner for putting it together. The benchmarks call for progress in key areas, including respect for the rule of law, strengthening democratic institutions and building a civil society. The benchmark goals also emphasize respect for minority rights and refugee returns, which deserve attention both from the international community and from the newly elected leadership in Kosovo.

This document is very important, as it lays out a plan for Kosovo. It will be critical for the international community to refer to this document from time to time to assess progress, to refer to this document as necessary and to redouble efforts in certain areas. In the past, I have been concerned that the international community has not been focused in its vision for Kosovo, and this document offers a positive step in the right direction.

To make real progress, however, we must encourage Michael Steiner and UNMiK to develop a strategic plan and a critical path for the implementation of the benchmark goals. When I attend the OSCE Parliamentary Assembly meeting in Berlin next month, Mr. Chairman, I will encourage the head of the OSCE mission in Kosovo, Amb. Fieschi to do so. This will allow UNMiK to monitor progress on the benchmark goals.

In addition to the UNMiK paper, we must also pay close attention to the findings and recommendations outlined in the report that we are talking about this morning. The OSCE-UNHCR paper highlights a number of concerns, including freedom of movement, continued harassment and intimidation, refugee returns, and participation in political and civil life.

On freedom of movement, the report says that while an upward trend in mobility is encouraging, “this should not be seen as synonymous with general freedom of movement, which will only be realized when any minority can travel to any location, including urban centers, without special escort arrangements and without fear of harassment or violence.”

Regarding ethnic violence, the report notes that during the period of September 2001 through April 2002, “despite the decrease in serious incidents of violence, harassment and intimidation and humiliation of members of minority communities in Kosovo continue to prevail as a feature of daily life.” This affects all of Kosovo’s minorities, including Serbs, Romas, Egyptians, Bosniac, Croats, Albanians, Turks, and others.

Regarding refugee returns, the assessment points out the need to give internally displaced persons and refugees a free and informed choice. Additionally, the reports says that if more people are to actually return, it will “require much more meaningful and broad progress on the main issues,” such as security, freedom of movement, essential services and, of course very important to refugee return in any place, an opportunity to have a job.

I was pleased that everyone I spoke to during my meetings in Kosovo last month, including President Rugova, Prime Minister Rexhepi and Michael Steiner, were committed to refugee returns. But I am concerned,

because there are still more minorities leaving Kosovo than returning. We are talking about refugee return, but if you look at it, more people are leaving than are coming into Kosovo. Therefore, I encourage Mr. Steiner and UNMiK to articulate a clear action plan for returns.

Now, regarding participation in the political and civil structures, the report focuses on the need to engage ethnic minorities in the electoral process, leading the municipal elections in October. It also highlights the need to eliminate parallel structures, such as courts and schools, which exist to serve certain minority communities. While noting that some of these structures may be inevitable in certain cases due to restricted movement of minorities, it points out that “these structures ultimately provide an unsustainable second-class service for minorities and inhibit important forums for inter-ethnic action.”

It is clear, as we examine the recommendations outlined in the report, that ethnic tensions remain in Kosovo, and that the international community must remain focused and committed to improving the situation. In the United States, we should stay focused on our objectives in Kosovo. We have invested heavily in this region with troops and financial assistance. It is important that we follow through on our goals there. The U.S. State Department must remain engaged. They have worked with UNMiK on the benchmark goals, and I am confident that they will continue to play a role in Kosovo as leaders and members of the international community work to implement those goals.

Following my visit to Kosovo, I am still very concerned about the situation in Mitrovica, which remains divided between north and south. I believe the only way to achieve any progress will be for the international community to work with the elected leadership in Kosovo to find a solution. While there are different schools of thought as to what should happen in Mitrovica, it is imperative that discussion continues and that parties act to normalize life for all city residents. It is got to be done, or all of what we are trying to get done will not take place, at least in that part of Kosovo.

I also believe we must watch the situation along the border with Macedonia carefully. This issue has become controversial in both Kosovo and Macedonia. While some in Macedonia would like to move forward with demarcation of the border, this is a sensitive issue which must be approached calmly and rationally. Therefore, I believe there should be discussion on this matter with all parties involved coming to the table.

In closing, it is evident that Kosovo’s new leaders, working together with UNMiK, KFOR and the OSCE and other representatives of the international community, face many challenges in the coming months and years ahead.

I again thank the Chairman—thank you sincerely—for holding this hearing. I thank the witnesses for taking time to come here and speak with us today. I look forward to your testimony.

I sincerely believe that the issue of minority rights in Kosovo is fundamental to security and stability in Southeast Europe. I could not agree more with a statement made in that report which we are talking about this morning: “Only when Kosovo’s minorities feel confident in their long-term future and when all of Kosovo’s displaced persons are able to exercise the choice to return to their homes, feeling assured of their safety and confident in their ability to assess institutions and partici-

pate in social, economic, and political life in Kosovo on a nondiscriminatory basis, will it be possible to say that the situation of minorities in Kosovo is acceptable.”

Mr. SMITH. Thank you, Senator Voinovich, for your outstanding statement and, more importantly, for your ongoing work in this part of the world. You have been a true leader and the Commission is very fortunate to have your leadership in this area, as well as many others. Thank you.

I'd like to point out that Bob Hand is our specialist on the Balkans and is a walking institutional memory for the Commission. He has done an outstanding job for many years.

Bob, you want to say a couple of words?

Mr. HAND. I wanted to mention that in addition to the two members of the Kosovo Parliament who are our witnesses this morning, there are over two dozen other members of the Kosovo Parliament in our audience this morning. They come from several of the political parties that are primarily Albanian, but also from the Serb coalition Povratak, as well as from the Turkish, Romani, and Bosniac parties in Kosovo. It is good to have them here to learn how our congressional hearings work and also to hear our concerns.

I would also like to quickly thank World Learning for organizing their visit here to the United States and facilitating their coming to our hearing, as well as the U.S. Institute for Peace [USIP] for organizing a conference, which was attempting to overcome some of the barriers between the groups, so that when they go back to Kosovo they'll be able to achieve greater progress.

Thank you.

Mr. SMITH. Thank you, Mr. Hand.

Before going to Dr. Gashi, Don Kursch is with us from the State Department and is currently serving as Senior Advisor with the Commission. This Commission, as I think many of you know, is very unique. It is not only bipartisan, which all of our committees, House and Senate, are. It is also bicameral, House and Senate. We also have representatives of the Executive Branch with whom we have a daily interface and work with on these issues of human rights, security and trade.

Don, did you have anything you wanted to say?

Mr. KURSCH. I have just returned from working on the Balkans with the Stability Pact initiative for Southeast Europe. As a result, I do know some of you in the audience. It is great privilege for me to take part in this hearing as my first activity as Senior Advisor to the Commission. I've also worked for many years on Eastern Europe, the former Soviet Union and also on Germany and on German unification issues. So I very much welcome the continuation of the process. This event is a sign of the very strong interest in the U.S. Congress of continued U.S. presence in Southeast Europe and supporting the very difficult work that has yet to be accomplished. I am grateful to participate and to see this process going forward. We have come a long way in the 3 years since I started in 1999 with the Stability Pact. We have made serious progress, but we need to keep this momentum going. I believe events like today will help us to do that.

Thank you very much.

Mr. SMITH. Thank you very much. Thank you for your outstanding work, as well.

Dr. Gashi?

**ALUSH A. GASHI, KOSOVO PARLIAMENTARIAN
AND FOREIGN AFFAIRS SECRETARY,
DEMOCRATIC LEAGUE OF KOSOVA [LDK]**

Dr. GASHI. Honorable Chairman, ladies and gentlemen, it is great pleasure and honor for me to speak before you today on such an important subject as the human rights situation in Kosova, focusing on minority rights.

Although I am honored by the invitation to appear as a witness in my capacity as a member of Kosova Parliament, I share with you my personal opinions on the subject, which do not necessarily represent the position of my government.

I am grateful to the U.S. Commission on Security and Cooperation in Europe that for many years gave me the opportunity to speak before the Commission about the human rights situation in Kosova.

I spoke then as a victim of oppression against Kosova Albanians—oppression which went through all phases from segregation to discrimination, apartheid, and ethnic cleansing, which escalated to genocide and crimes against humanity.

Today is a very special day for me. I am appearing before you as a witness, a member of the Kosova Parliament, committed to make all what is possible to have equal rights and opportunities for all citizens of Kosova. This would not have been possible without the help and courageous decision of the United States of America and its Western allies to wage war to stop genocide in Kosova and create the opportunity for peace and justice for all Kosova citizens.

The United States of America rescued Kosova, and Kosovars are in debt forever to the United States of America. We are going to do our best to establish democratic institutions in Kosova and to be a strong factor of stability, with unconditional support for the U.S. doctrine of zero tolerance of terrorism.

Mr. Chairman, I am privileged to report that there is a very long list of achievements in Kosova since NATO forces took the responsibility to protect Kosova and its people and the United Nations with the European Union are administering Kosova and gradually are handing over responsibilities to elected Kosovars. Therefore I prefer to say that Kosova is a success story and Kosovars are committed to work with you until all citizens have equal human and national rights.

I would like to reaffirm that we are not going to rest until this has become reality.

Let me just share with you that since we last met Kosova has had its local and Kosova wide democratic elections and has formed its institutions. Now we have the Parliament of Kosova, President of Kosova and the Government of Kosova who are working together with the international community to integrate Kosova into the European Union and NATO.

Within the constitutional framework of Kosova there are guaranteed human and national rights for minorities. In accordance with that, minorities in Kosova are participating in all levels of Kosova government—in Parliament, with 35 members out of 120, as well in the Presidency of Parliament, with two members. There is also participation in committees of Parliament etc., and in government with two ministerial positions, Minister of Health and Minister of Agriculture, and the Serbian minority even has with a special position in the Office of Special Repre-

sentative of the Secretary General of United Nations and at the office of the Prime Minister. They are participating in the Kosova Police Service and the Kosova Protection Corps, etc.

There is institutional support in Kosova for Serbs to return to their homes and property. We are committed to integration and not isolation. Therefore, there is no support for new settlements and enclaves. We are committed to work with the Serbian minority and international community to establish freedom of movement for citizens of Kosova in all its territory.

A lot has been achieved and much more has to be done to fulfill the needs of Kosova citizens. Therefore, we are committed to work together to finish the job started.

But at the very same time, we have to deal with the reality that Kosova is a small country with more than 650 mass graves, and that hundreds of those mass graves have not been opened yet. There are 4000 Kosovar Albanians missing, initially taken by Serbian forces as hostages, or as massacred bodies taken to different mass graves in Serbia, and still kept in Serbia while members of their families in Kosova wait for the bodies of their loved one. There are also missing Serbs. We need to provide their loved ones with their bodies, or as much information as possible about them.

Elected members of Kosova Parliament are doing their best not to remain with the past but look to the future. We cannot change the past but we can shape the future.

We are reminded daily that the oppression, apartheid, which escalated to genocide, has been systematically organized and executed by the Belgrade authorities and unfortunately had the support of many Serbian people. During all of those years there were only a few Serbian voices, which distanced them selves from those actions and even now they are not doing so. They do not make apologies for crimes committed on Kosova. Contrary to that, they are asking to have back to Kosova, Serbian military and police.

The overwhelming majority of Kosova citizens are committed to work very hard for Kosova, which is democratic, independent and multi-ethnic with a place at the United Nations. There is a strong belief that the independence of Kosova is a factor of stability.

Members of the Kosova Parliament are facing legitimate demands from the Serbian minority to speed up the process of getting substantial number of Serbian returnees, and legitimate demands from Albanian families to get the bodies of their loved ones that are being kept in Serbia.

The reality is that Kosova Albanians cannot get even the dead bodies of their family members from Belgrade, and at the same time we are asking them to welcome live Serbs. This is our reality. Nevertheless, we are committed to work with you and other democratic countries to change this reality.

Belgrade authorities just announced that near Belgrade are new mass graves that have to be explored. But still they are not delivering the bodies of previous mass graves.

We welcome the right of the Serbian authorities to show the interest in Serbian minority rights in Kosova, but we oppose Belgrade's making decisions on behalf of Serbian minorities in Kosova. This has happened during the process of forming the Kosova Government. Serbs who are

in Kosova should make decisions on their own; they should make those decisions for their own best interest and not for the political gain of Belgrade authorities.

We do strongly oppose Belgrade's interference in UNMiK and its administration. We are committed to work with United States and UNMiK to extend the authority of UNMiK and KFOR through the entire territory of Kosova.

In Kosova we need the rule of law. It is hard to believe that NATO forces are not able to disarm and arrest the Serbian gangs in north Mitrovica that openly operate as paramilitary forces.

We are interested in having good, neighborly relations with Serbia. Instead, on a daily basis, we face sabotage of our effort to integrate the Serbian minority into Kosova institutions. The best demonstration of that is Serbia's investment in the creation of parallel institutions in Kosova.

Freedom based on responsibility is real freedom. Therefore we are asking for more responsibility for our elected people. There are many issues for which Kosovars are being blamed that lie within the powers reserved for the Special Representative of the Secretary General.

The activities over the last several years of the United States Institute of Peace [USIP] and USOP and its Chief of Mission, Hon. Ambassador John Menzies, to bring together all ethnic groups have been crucial. The USIP meeting that I attended last week with other Assembly members was an important step down the road to greater understanding and democratic governance.

Let me just say in the end that in order for there to be peace and justice in Kosova and the surrounding region, an American presence and leadership role is crucial. There is no European security and stability without a strong NATO presence in the region from where I come. Thank you very much for your attention.

Mr. SMITH. Dr. Gashi, thank you very much for your testimony.
Dr. Trajkovic?

**RADA TRAJKOVIC, KOSOVO PARLIAMENTARIAN AND
LEADER, SERB RETURN COALITION ["POVRATAK"]**

Dr. TRAJKOVIC [through translator]. Honorable members, peace is based on two principles: truth and justice. Selective truth is not truth, and unilateral justice is not justice.

Milosevic's departure from power largely improved the situation in the region in the sense of determination of the Serbian community and the state and Serbia that problems be solved peacefully. However, Milosevic's departure was not a signal to make decisions with a one-sided approach. The relationship between Serbs and Albanians is something that burdened the whole of the last century. A fundamental response was never found to a very difficult issue which I will describe as one bed, but two dreams: the wish of the Albanians that Kosovo be exclusively their state and the wish of the Serbs that Kosovo remains part of their state.

The British offered the Jews Uganda for the creation of their state, actually the most beautiful part of Africa. The Jews refused, as they could not imagine their state without Jerusalem. In addition, in the same manner, the Serbs, despite their many problems, cannot renounce Kosovo.

Should it at this moment be decided that Kosovo becomes independent, we would not have achieved the two goals important for all of us, and they are multi-ethnic Kosovo and peace in the region. The Serbs would not accept to live in an independent Kosovo and would withdraw with an unfulfilled wish, waiting for their chance to return. The only effect that would be achieved would be the unnecessary prolongation of tensions and instability in the region.

If Albanians were to be told at this moment that Kosovo was to remain within the framework of Serbia, the effect would be the same as provoking war.

That is why we plead with you, honorable members of the committee, to use your influence. Give a chance to peace in the region by supporting postponement of a final solution for Kosovo's status, giving the suffering Serbian and Albanian people a chance to build institutions and a civil society.

Before us are great challenges: building institutions and the integration of Serbs into these institutions. The process is slow. Serbs accept integration with difficulty, basically because people directly responsible for crimes against Serbs in Kosovo work within institutions of legislative and executive branches. Process of identification and bringing these people to justice would equally step up integration of Serbs.

Between Serbs and Albanians, the Albanian majority community has, by outvoting, always imposed solutions, unfortunately, always aimed at Albanization and not multi-nationalization. Changes to names of cities, villages, streets and symbols were also imposed as solutions. For example, the symbol of the town of Gnjilane is now a mosque.

From my neighbors, the Albanian leaders, you could often hear the wish for an active presence of the United States in Kosovo, offering a rhetorically pro-American Kosovo, a symbolically pro-American Kosovo in the form of placing Albanian and American flags side by side all over the place. This is just Potemkin's village.

Behind this demagoguery for the past 3 years is hidden the brutal suffering of an entire nation. I will inform you that since the arrival of the international community and KFOR, Serbs have experienced a physical exodus, with the expulsion of 280,000 Serbs from their homes and 120,000 from places of employment; 1,138 were killed, and approximately 1,077 were kidnaped.

Two-thirds of the territory of Kosovo was cleansed of Serbs. The main administrative center and capital, Pristina, had a population of 20,700 Serbs. Now there are only 110 individuals in a high-rise building, surrounded by barbed wire and guarded by KFOR. In the same building are housed 51 children, three of whom are under psychiatric care.

We have experienced a civilization exodus, since 110 churches and monasteries from 13th century have been destroyed. They remained untouched during the WWI and WWII. But during this period of peace, they were destroyed during the past 3 years. This indicates the presence of *mujahedeens* and other Islamic extremists among Albanians, whose goal is not just to completely expel a nation and apply daily psychological terror, but also to completely wipe out the foundation of a civilization.

An active approach to cooperation with the international community is our determination, although essentially we have not realized the desired results. The international community has spent enormous funds in this region, but donations evade the Serb community. It is true that

many hospitals have been restored, but it is also a fact that Serbs can neither offer nor receive medical aid from them. Data indicates that in regional hospitals of Pristina, Gnjilane, Pec, Jakovitsa and Prizren, no Serbian babies were born during the last 3 years, indicating the institutions which are most needed by us have still not been created.

The University of Pristina, just as all other educational institutions, is now under the control of the Albanian community, and serves only the Albanian population. Serbian children are schooled in tents and improvised schools in private houses.

Kosovo television functions in much the same manner. It employs only Albanians. Its broadcasts are intended only for Albanians. Serbian language programming has been decreased to seven minutes daily. Newspapers in the Serbian language do not exist. Cultural institutions, such as theaters and movie houses, are not available to Serbs.

Public transportation is also an object of segregation, since Serbs are driven by separate buses and other means of transportation.

Two years ago, I was a great advocate for organization of local elections, deeply believing that in Kosovo, we would get elected Albanian leaders who would help with organization of life for the Serbs. Very actively, I supported the election of Serbs in these institutions, since we did not participate in the elections. Considering that institutions were the place where an atmosphere would be created for reconciliation and joint perspective.

However, before coming to America, we conducted an analysis and concluded that Albanians are incapable of doing anything for their community, nor anything to promote confidence between Serbs and Albanians.

The Albanian majority community has, by outvoting, always imposed solutions, unfortunately, aimed at Albanization and not multi-nationalization. Changes to names of cities, villages, streets and symbols were also imposed as solutions. For example, the symbol of the town of Gnjilane is now a mosque. I would respect the decision of the Albanian majority if they would also respect our wish that cities and villages remain under the old names, those we both recognized.

Monuments of our historical, cultural and spiritual leaders have been destroyed. Until recently, this was done by unidentified criminals. However, on the 4th of June this year, the Ministry of Urban Affairs destroyed a bust of Stefan Nemanja located in front of that building. This act was met with loud applause and also served as welcome to Prime Minister Rexhepi, who visited the Ministry that afternoon. If institutions commit such acts, what should one expect from the people who elected them?

I would like to use this opportunity to plead here for your support for a free life for Serbs in Kosovo: free movement, the right to work, and maybe, unbelievably, the right to life. I plead for peace for the dead: consider that their headstones have been destroyed, graves have been dug up and desecrated. A couple of days ago, Serbs from Orahovac had unpleasant news that 60 percent of the headstones at their local cemetery had been destroyed. This is the latest news in a series of such evil acts.

I plead for the right to keep our remaining monasteries, for security for our clergy and nuns, since some have been kidnaped or stoned, almost daily. Three days ago three nuns from the Pec Patriarchy were stoned.

Today, Kosovo is a center of criminal activity: arms trade, drug trafficking, trafficking women, and unlawful dealing in real estate. Nothing functions in the economic sector, identifying Kosovo as a territory unable to sustain itself economically and living off donations from the international community. Should donations stop, the region would be recognized by its criminal activity.

Serbian extremism in these regions has been punished greatly. Our country was bombed and our civilian population killed. Serbia lost the right to control a part of its territory. If justice is not unilateral, I expect you to find an answer for Albanian extremism that has dominated, unpunished, for more than 3 years throughout Kosovo. By eliminating this extremism, you will make easier the return of Kosovo Serbs to their homes, which is crucial for the beginning of the reconciliation process, and an indispensable condition for building a multi-ethnic Kosovo.

Mr. SMITH. Dr. Trajkovic, thank you very much for your testimony. We will go to questions at the conclusions of all the witnesses.

I'd like to now ask Ms. Percival if she would provide her testimony.

**VALERIE PERCIVAL, KOSOVO PROJECT DIRECTOR,
INTERNATIONAL CRISIS GROUP**

Ms. PERCIVAL. Thank you. It is an honor to appear before you this morning and share the analysis of the International Crisis Group [ICG] on the situation in Kosovo. ICG recently released a report entitled "UNMiK's Albatross: Tackling Division in Mitrovica." This morning I will provide you with some background information on how this city came to be divided, and outline the recommendations in the report.

Mitrovica, as I am sure you are all aware, is a city in the north of Kosovo that is split in two by the Ibar River. In the summer of 1999, the river became a line of separation between the Albanian-dominated south and the Serb-dominated north. This division was the result of several factors, including attacks by Albanian extremists against the Serb population, the deliberate policy of Belgrade to establish a *de facto* partition of Kosovo, the failure of KFOR to take sufficient measures to control the city, and the inability of UNMiK to assert their authority in the north.

Political leaders in Mitrovica north formed the Bridgewatchers, a group of young men whose ostensible purpose was to protect the north from extremist attacks. The Bridgewatchers are financed through support from Belgrade, extortion of the local population and the proceeds of organized crime. They hold the average citizen in the northern section hostage by threatening those Serbs who wish to work or cooperate with the international community, preventing UNMiK from providing effective services, intimidating and extorting the average citizen, and creating a climate of criminality and impunity.

Because of this division and the activities of the Bridgewatchers, Mitrovica has become a frequent flash point for confrontation and a source of instability. Early in February 2000, a rocket-propelled grenade attack on an UNHCR bus carrying Serbs near Mitrovica killed three and wounded many more. In the revenge attacks that ensued, 10 Albanians were killed in Mitrovica north.

In February 2001, the murder of an Albanian youth led to attacks on French KFOR by the Albanians. The bombing of the Nis Express followed this, the worst single attack against the Serb community in Kosovo.

In April of this year a routine traffic check in north Mitrovica escalated into an armed assault by the Bridgewatchers on UNMiK police officers that wounded 22. This was the worst act of violence against UNMiK personnel since the inception of the mission. Despite clear video evidence that identifies the perpetrators of this attack, no one has been arrested, which reinforces the impression that a climate of impunity exists in north Mitrovica.

In our report we highlight that the situation in Mitrovica is not sustainable. It destabilizes Kosovo as it plays on Albanian fears of partition. It maintains a climate of fear and instability for the Serb population. It also undermines the success of the U.N. and KFOR missions in Kosovo and the efforts of the international community more generally. A safe and secure environment, the rule of law, and a meaningful civil administration have not yet been established in the north of the city.

However, we also underline that the situation is not intractable. Solutions can be found. In our report we advocate a multi-track approach, with four interrelated elements. No single initiative will be successful on its own. This approach is guided by the principles of full implementation of U.N. Security Council Resolution 1244, the need to maintain unity of the Mitrovica municipality, and the importance of taking the Serb concerns seriously.

The first element of this approach is international pressure on Belgrade. The evidence presented in our paper shows that the actions of Belgrade work to destabilize the north. Among some political circles in Belgrade, there is a deliberate strategy to partition Kosovo, with the northern three municipalities and north Mitrovica remaining part of Serbia. This strategy underlines Belgrade's demand that UNMiK create a separate municipality in the north of the city, and its continued support of parallel structures.

ICG has received evidence that the Bridgewatchers are employees of the Serbian Interior Ministry [MUP]. Other illegal parallel institutions exist. The MUP arrests people and tries them in Serbian courts. Kosovo Telecom was recently replaced by Serbian Telecom in the north. As a result of these activities, UNMiK is not able to fully implement its mandate.

Nationalist policies advocated by Belgrade not only affect UNMiK's ability to implement its mandate fully, but these policies also damage the interests of Kosovo's Serbs. They affect their ability to receive services from the international community and UNMiK, and they impact on the security situation of minorities in the rest of Kosovo.

The international community must take the problem of Mitrovica more seriously, and should view Belgrade's cooperation to destabilizing the city as a clear violation of U.N. Security Resolution 1244. UNMiK and KFOR will only succeed in fulfilling their mandate when Belgrade cooperates and carries out its commitments in good faith.

Unfortunately, this cooperation does not seem forthcoming without serious international pressure. The international community should send a clear message to Belgrade that partition is not a final status option; that UNMiK will not accept a separate municipality; and that Belgrade must dissolve parallel structures, accept UNMiK's authority (including the Kosovo police service), and cease negative interference in Mitrovica.

Countries such as the United States can ensure that Belgrade implements its commitments by applying pressure equivalent to that used to secure cooperation with the Hague Tribunal. The FRY, or its successor under the Serbia-Montenegro agreement, should be denied membership in the Council of Europe and NATO's Partnership for Peace, and a Stabilization and Association Agreement should not be signed until Belgrade clearly cuts support for parallel structures and cooperates with UNMiK's efforts to establish civil administration in the province. The second element that we recommend is the rule of law and a safe and secure environment. A safe and secure environment does not exist in the north of the city. The April 8 attack against UNMiK police shows that weapons, and the willingness to use them, are readily available. Security is impeded by the existence of the Bridgewatchers, the failure to secure the presence of the Kosovo police service, and the continuing poor coordination with KFOR.

The role of KFOR in establishing a safe and secure environment is crucial. KFOR should oversee the dissolution of parallel structures and monitor the boundary between Serbia and Kosovo, and ensure security for UNMiK officials.

French KFOR inherited the most difficult operating environment in all of Kosovo. As a result of this difficult environment, and because of accusations that they have not taken sufficiently robust measures in the north, ICG recommends that they should be rotated out of north Mitrovica with the upcoming force rationalization process.

The police, with the assistance of KFOR, should arrest members of the Serb Bridgewatchers where sufficient evidence of criminal activity exists, and undertake a crackdown on general criminal activity in the north.

The third element is establishing administration in the north. Serbs that live in north Mitrovica currently lack adequate services. They must be guaranteed that they will receive such services in an equitable and efficient manner, and that they will have a say in how these services are provided through elected municipal representatives.

The effort by the United Nations to establish their Local Community Office, which is an UNMiK municipal-level office charged with ensuring that the needs of minorities are met, has largely failed in the north of the city. The office remains a shell. Potential Serb employees have been threatened, and demonstrations against the office are a frequent occurrence. Therefore we recommend that a specially-administered area be established in the north, and service agreements should be developed between north Mitrovica and the municipality that outlines the services to be provided and the terms of that provision. This would ensure that the rhetoric of the municipality, which has been quite positive, is turned into action, and would enable the international community to monitor the delivery of services to ensure that Serbs are treated as equal citizens.

The fourth element is the transparency of UNMiK. The United Nations Mission in Kosovo has made great progress in bringing order and stability as well as forming autonomous institutions of self-government. But Mitrovica north remains a black mark on UNMiK's progress. Parallel structures still exist. Few Bridgewatchers have been arrested. The foundation of the long-promised, multi-ethnic market in Mitrovica has

been poured, but no stalls operate there. The Local Community Office is also not operational. Serbs lack services, democratic institutions at the local level, and economic opportunities.

UNMiK has repeatedly stated that they have a plan for Mitrovica, but will not divulge the details of this plan. Officials cite concerns that if confidential elements of the plan are disclosed, its successful implementation will be affected. However, we argue that UNMiK needs to show that they have a vision for the north. Without disclosing the operationally sensitive aspects of their strategy, UNMiK needs to demonstrate leadership and commitment to fulfill their mandate. In closing, we would like to emphasize that the real victims of the situation in north Mitrovica are the local Serb communities. They have no elected local-level representation. Most are unable to access services from UNMiK, receive sporadic and poor-quality services from the parallel structures, and continue to live in an insecure environment, where a climate of impunity reigns. Belgrade officials use these individuals as a pawn in a political game for their own personal and political benefit. Thank you.

Mr. SMITH. Thank you very much for your testimony.
Deputy Prime Minister Covic?

**HIS EXCELLENCY NEBOJSA COVIC,
DEPUTY PRIME MINISTER, REPUBLIC OF SERBIA**

Min. COVIC [through translator]. Ladies and gentlemen, when the international troops entered Kosovo and Metohia on June 12, 1999, they ended the inexcusable persecution of ethnic Albanians, concealed and carried out by the Milosevic regime. It was the beginning of a new life for the Albanians, for which they had longed for years. At the same time, the inexcusable persecution and hardships began for ethnic Serbs, and those who have been courageous enough to stay on their hearths have had to suffer for sins they never committed.

We, in the opposition in Serbia, fought hard for years, at great personal cost, against the regime of Slobodan Milosevic, the regime that did so much harm to so many of our citizens and to the stability of the whole region. When we came to power on October 5, 2000, we were determined to change this heavy burden of the past, to change it profoundly and for good.

In Kosovo and Metohia, whatever the final solution might be, our desire is to have a strong and successful multi-ethnic society. We have been working hard to help to achieve this objective, for it will have a direct impact on the stability of the whole region.

If we are not successful in creating a multi-ethnic society in Kosovo, the resulting turmoil and dislocation will have a dramatic negative impact on the political situation in Yugoslavia and the region as a whole.

Nevertheless, as difficult and dangerous as it can be in the rest of the region, in fact, it is just as bad, or even worse, for the future of Kosovo. If extremist groups are allowed to prevail there, the real losers will be all the citizens of Kosovo. Those same extremist groups that bomb buses carrying Serbs are also killing other Kosovar-Albanians who do not share their extremism. What sort of society will result if the extremists prevail? What sort of relationship can they expect to have with the rest of Serbia if they drive the Kosovo Serbs out of Kosovo?

Believe me, for Kosovo to survive and flourish economically, it must have a positive constructive relationship with the rest of Yugoslavia. Otherwise, Kosovo will continue in perpetuity to rely on the generosity of the international community.

Unfortunately, the reality is profoundly different from that for which we all have been striving. There are some real obstacles on the road, and the situation is much worse than some internationals on the ground have been trying to present.

Exactly a week ago, the people who live in Kosovo and Metohia marked the third anniversary of the entry of the international forces in the province. This has been 3 years of relief, joy and freedom for some. Yet again, 3 years of agony, fear and tears for the others.

Kosovo and Metohia is the only part of the former Socialist Federal Republic of Yugoslavia where people cannot move freely and where insecurity and fear of violence and death have been persistently and deliberately preserved.

When the Serbs travel in Kosovo and Metohia, they travel on bus lines that have no timetables. For the passengers' security sake, the departure dates and times are unknown; so are arrival dates and times. Deputies of the Serbian coalition Povratak come to the Assembly of Kosovo and Metohia in armored vehicles with a heavy international security detail. The actual choice on when they arrive or how long they stay in Pristina depends, in the end, not on them, but on the goodwill or whim of KFOR.

Officials of Serbia and Yugoslavia, the state that Kosovo and Metohia is part of, have to provide information on their travel to the province 3 days in advance, for it takes 3 days to carry out preparations, checks and complex security measures.

The human rights situation in Kosovo and Metohia is distinct from the human rights situation in other parts of post-conflict Yugoslavia. Unlike the situation for ethnic groups in Bosnia, the Serbs of Kosovo have been given absolutely no assurances at all that their language, culture, religion or way of life will definitely survive in flourishing Kosovo. This is an absolutely critical flaw, because nothing that the Kosovo Serbs see now can give them any comfort at all about their future. Freedom of movement outside of a few enclaves is totally impossible, refugee return is almost nonexistent, and the climate of violence permeates the very air that the Serbs breathe.

Ladies and gentlemen, allow me to note a few disturbing facts. Two-thirds of the total number of murders and abductions of Serbs and other non-Albanians in the province in the last 4 years have been committed since the international forces entered Kosovo and Metohia 3 years ago. There have been 5,800 attacks against Serbs and other minorities in the province; 1,128 people have been killed on their doorsteps, in their backyards, in their fields. Whole families, several generations that lived in the same household, do not exist anymore. A total of 1,077 people have been abducted, 864 of whom are still missing.

Yet, we have seen no signs that Albanian perpetrators will be brought to justice for murders committed against those who do not belong to their religion or to their ethnic group, for usurpation of their neighbors' property, for destruction of Serbian cultural heritage, for ethnic cleansing of Kosovo and Metohia. Unforgivably, little has been done to clarify the fate of 1,300 kidnaped and missing individuals.

The non-Albanian property has been neither protected nor preserved. In most cases, if it has not been totally destroyed, it has been usurped by ethnic Albanians. In a few cases, certain groups of ethnic Albanians have made enormous profit from renting this property, in some cases even to international organizations.

Not only has the reduced number of attacks against life and property of the Serbs and other non-Albanians failed to yield a result in an increased number of returns for the internally displaced individuals, but it has also failed to put a stop to a continued migration of the Serbs out of Kosovo and Metohia into Serbia proper. There have been no steps, even symbolic ones, to facilitate the return of 280,000 internally displaced persons and refugees to Kosovo and Metohia. In 3 years, only 125 individuals have been able to return home. In the recent poll, more than 50 percent of the internally displaced persons in Serbia proper declared firm determination to return to their homes in Kosovo and Metohia. It is very essential and undeniable human right, and we must ensure that it is thoroughly observed in accordance to the standards of the democratic world.

I am deeply concerned about the situation in Mitrovica that is a consequence of existential concerns of the Serbs and the results of profound inter-ethnic distrust. We have been working closely with UNMiK and the local Serb community in Mitrovica to resolve this issue. It is a long and sensitive process.

The Serbs in this town fear and worry that the same that has happened to many of their friends and relatives throughout Kosovo and Metohia will happen to them, too. They fear and worry that they will be thrown out of their homes, that their lives and their way of life will be threatened. That is why solutions that come out of improvisations and pressure can bear no fruit. It takes time to build confidence among all parties to make sustainable compromises and to respect interest of all.

Extremism in Kosovo and Metohia is an extremely powerful force, and sometimes extremists themselves are in power. If this had not been the case, we would have had bilingualism, inter-ethnic tolerance, unbiased police and independent judiciary.

Some may say that you cannot improve the conditions that have deteriorated for a long time in a day or in a year. I do agree. It would be unfair to say that the current conditions are worse than those of the past.

I genuinely and deeply respect the results that UNMiK and KFOR have achieved under very difficult circumstances. Nevertheless, so much more remains to be done.

In November 2001, I signed with then- SRSG [Special Representative of the Secretary General] Haekkerup a common document outlining how we would work together to improve the situation in Kosovo. Belgrade has demonstrated by the "get out the vote" campaign and on the Kosovar-Albanian prisoner issue that we can play a positive role.

I believe that the key to our common future is to fully implement that agreement with your support and assistance, in good faith and with as much energy as possible. This includes making a major push this year on refugee return, confronting extremists on all sides, and insisting that there be real freedom of movement throughout Kosovo, working hard to make the institutions work and trying to account for the missing on both sides.

The communities in Kosovo and Metohia have a long way to go to true democracy and genuine reconciliation, and only then can we speak about a solution. I firmly believe that we have less time than most of us think or want to prepare for it, so every day counts. We are here today to identify clearly a number of serious concerns for the protection of human rights and respect for the rule of law in the province. We need to address these issues as efficiently and as soon as possible and make major progress even this year. If we fail, the future of Kosovo will look bleak indeed, and as the Ombudsperson for Kosovo noted recently, it will continue to be a human rights black hole of the democratic world.

Finally, a word about the relationship today between Belgrade and the Kosovo Serbs. There is a theory advocated by many that the Kosovo Serbs must learn to live entirely within Kosovo and Metohia. That same theory seems to prejudge the future of the province, by the way, by ensuring that it would be totally independent of the rest of Yugoslavia. Ladies and gentlemen, as annexes to this statement, you will find tables with data in regard to certain types of human rights violations, principles of program of return of internally displaced persons from Kosovo and Metohia, as well as a report on the destruction of cultural heritage in Kosovo and Metohia. I hope that this material will help you to understand this serious problem.

I thank you for your attention.

Mr. SMITH. Thank you very much, Dr. Covic, for your testimony.

All of your testimonies, I think, have painted a very complex and very difficult situation in Kosovo. The extremism which all of you have spoken about and against, I think, underscores the ongoing challenge to KFOR and UNMiK.

And, you know, Dr. Covic, you mentioned the 1,300 kidnaped that have—for whom there has been no accounting, as well as the over 1,100 people who have been killed on their doorsteps.

I wonder if, Ms. Percival, you might speak to how well or poorly UNMiK and KFOR is doing with regard to these missing persons?

Let me also just point, Dr. Covic, that I think it is significant that this year—as a matter of fact, I will be chairing a hearing at 1 o'clock, and especially the Parliamentarians who may be interested are welcome to attend. The hearing is focused on the ongoing scourge of modern-day slavery called trafficking in human persons, which you are all very familiar with. It will be in Room 2172 in the Rayburn House Office Building. It is the full International Relations Committee. We will be reviewing the most recent State Department report, Trafficking Victims Protection Act of 2000. This is the report that has just been released.

I think it is significant to point out that Albania is a tier-two country. It has a significant problem, but it is making significant efforts to try to overcome it. Significantly this year, the Federal Republic of Yugoslavia dropped from tier three—in other words, egregious violator and not doing anything to stop trafficking—to tier two, where there still is a problem, but Serbia is now making, based on our analysis, a significant effort to mitigate and hopefully end this egregious practice against women and children and men.

And it does make some very disturbing—or comments about Kosovo. It points out that UNMiK is aware of the serious problem that exists in Kosovo concerning trafficking and is working to conduct anti-traffick-

ing efforts. I want to ask the panel if you would comment on that, as to whether or not those efforts are bearing any fruit. Are they yielding any results in prosecuting and ending this terrible practice of trafficking?

But, Ms. Percival, if you could start off—and all of you, if you could.

I will just put this out as a final question. Dr. Gashi, you pointed out this issue of parallel institutions and how injurious and destructive it is to the goal of creating a tolerant, multi-ethnic based Kosovo going forward.

Ms. Percival, you pointed out that it is so important that you think that funding should be withheld until that is achieved.

And, Dr. Covic, you pointed out, you know, in your comments some of the ongoing problems, as you perceive it, against ethnic Serbs in Kosovo.

How do we end this parallel institutions practice as quickly as possible? Because otherwise, that will just perpetuate the extremism. There will never be a bridge or a bond.

So, Ms. Percival, if you could begin.

Ms. PERCIVAL. In terms of the missing persons, both on the Serb side as well as the Albanian side, I'd like to also point out that there are about 3,000 missing Albanians, as well as some missing Serbs. There are, sort of, three purposes to UNMiK police efforts. The first is for war crimes prosecution. The second is for ethnically motivated violence prosecutions. Then the third, and probably most important, is to put to rest the continuing hope, to try and put the families' minds at ease. This is very trying.

UNMiK police are continuing their exhumations. The activities of ICTY in Kosovo have completed. There are a number of challenges to these efforts.

The first is cooperation between UNMiK and ICTY. ICTY had many exhumation teams, and they were all different nationalities. Getting these different nationalities to work together and put the evidence in a database that is easily accessible by UNMiK is a bit difficult. Another impediment is the quick rotation of some UNMiK personnel in the police department.

But there are efforts that are being made. This summer the exhumations are continuing. I think that it is a priority of UNMiK and of ICTY. So efforts are being made.

Min. COVIC [through translator]. Allow me only to comment, because I always prefer, when we are quoting figures, to quote them properly, precisely and specifically. Thus I would only comment that actually regarding the total number of missing and abducted citizens of our country, the right figure is 4,100 citizens of our country, out of whom the number of missing and kidnaped ethnic Albanians is 2,600, and 1,500 are missing and kidnaped Serbs and other non-Albanians, and 1,300 are Serbs, 1,500 are all other nations, excluding ethnic Albanians; 1,300 are Serbs.

Now venturing also to comment on the exhumations of the mass graves, I must underline that regarding Belgrade or Belgrade authorities, all the mass graves in the territory of Serbia proper or central Serbia have so far been exhumed and the identifications also have been carried out. I must underscore that Serbia is the only place in the region that has so far undertaken the exhumations of the mass graves in its territory. Additionally, the exhumation of the last remaining grave in the territory of Batajnica district in the capital of Belgrade is underway.

Unfortunately, as for the territory of Kosovo and Metohia, nothing has been exhumed, or better, more precisely to say, regarding the exhumations of the mass graves, so far result which is the identification of seven individuals. Naturally, I would like to underline that this is a very difficult, hard job, and that this is the job of the UNMiK (inaudible) and that certainly it is not for any crisis groups to deal with it.

I would also like to add that in cooperation, based on the agreement with the International Commission for the Missing Persons, Belgrade has just received the necessary equipment for the DNA analysis, which will start being carried out soon, quite soon; naturally, only once this equipment comes to Belgrade. The method of work that we are going to ply shall be based on the coded samples, in line with the general practice in the network that is helped—supported by the International Commission for the Missing Persons, which covers—it is centered in Zagreb, Sarajevo and Tuzla.

Now, as regards to traffic (inaudible) slavery, Congressman, Mr. Smith, we appreciate much what you have done with us with the presented material. I must say that the legislation covering—addressing these very important issue is currently in our assembly procedure. We regard that it is very important to stop also this sort of crime in our area, because it is so strongly present.

Additionally, allow me also to underline that it is not trafficking only with white slavery, but what we also have to face is the trafficking in human organs.

Now referring to the finding of the (inaudible) instructions and suggestions, you could also hear from my statement that I am deeply concerned with the situation in Kosovska Mitrovica. However, I must underline that it is certainly not reasonable to regard that Kosovska Mitrovica is the single, only unique problem throughout the territory of Kosovo and Metohia. Therefore, I am afraid that those who would think, following these lines, that it is the only problem actually, could come to a conclusion or could generate the impression that the problem exists only in those areas where Serbs still exist. Which means, consequently to that, that the solution would be if we would have no more Serbs, because without Serbs we would not have any problems.

I must also say that I am most thankful and appreciate the Albatross report by the crisis group. I cannot but ask one question: What is the purpose of the crisis groups? Is it to resolve the crisis or to produce the crisis?

Ms. PERCIVAL. May I respond?

Mr. SMITH. I know you want to respond, but then I will go back to Ms. Percival.

Dr. Gashi?

Dr. GASHI. It looks like we have a problem with the numbers of missing people. Unfortunately, there are about 4,000 Albanian-Kosovars who are missing and the number of Serbs who are missing, too. What I really care is that we should work very closely to exhume graves and also work very closely to provide the data of the missing people, because that is a factor of the stability in this region.

Regarding sabotage from Belgrade aimed at UNMiK's institutions, I am referring to the Belgrade authorities' investment in Serbian parallel institutions in Kosova in an effort to disrupt Serbian minority integration to Kosova institutions.

There are villages and cities in Kosova where Serbs work and walk free. The city of Gjilan is in Kosova, the city of Kamenica is in Kosova, the city of Viti is in Kosova. In Pristina, I see them (Serbs) on daily basis walking and working.

As we had discussed at Airlie House in Warrenton, Virginia, last week, I believe that not giving us a chance to help them, to deal with the concrete issues on freedom of movement, is not good. Let's try, as the president of our Parliament, Professor Thaci, offered: Members of Parliament, Albanians and others, are willing to take the same bus with Serbian Members of Parliament, so they do not need to be escorted by military and police.

We (non-Serbian members of Kosova Parliament) have asked them (Serbian members of Kosova Parliament) to give us their home addresses in Kosova. The members of the Serbian community who are in the Parliament of Kosova—they are living outside of Kosova. We want them to live in Kosova. We ask them to come to their homes if they have not sold them. They cannot sell homes and apartment three or four times.

So to reduce the psychological insecurity, they have to demonstrate the willingness to respect us and to work with us. We worked for one week, at Airlie House with facilitators from USIP and support from the U.S. State Department, to target what are real daily living issues that will change lives and bring confidence.

Like the education issue: there is no reason to take kids from Pristina to Gracanica school, when there are schools in Pristina. So there is no need for that escort from Pristina going to the enclave. That's not a good solution. Let's work together for a better solution.

We are offering to take buses together. We are showing our good will.

But again, with all its improvements, Kosova still is not the paradise. It is not the place of choice for a honeymoon. It is the place where 3 years ago genocide took place. But we should not forget the results of the efforts of the international community to establish the Kosova Police Service: in less than 3 years the number is more than 4,000 policemen who are working very hard, together with international police, on trafficking and on security. We trust KFOR. They are saying that the violence has scaled down, but we are aware of what still has to be done. And last week's workshop at Airlie House was a very good week to target what is needed to improve life in Kosova.

Mr. SMITH. Dr. Gashi, let me just ask you, Dr. Trajkovic mentioned earlier the destruction of headstones. We have heard from Bishop Artemije a number of times here at the Commission. He has been one of our very distinguished witnesses and pointed out that nuns and others have been attacked. As a matter of fact, the Keston Institute put out a report on May 31 pointing out that—and just so I quote it accurately—“During the Orthodox Easter service on Sunday, May 5th, violence against Orthodox nuns, monks and lay people and Serbian graves continued over the Orthodox Easter season.”

What can you as a Parliamentarian and your colleagues do, especially working in a cooperative way with Serbian members or Kosovars of Serbian ethnicity, to stop that kind of activity—I mean, it just seems that the cycle of violence continues when those things occur.

Dr. GASHI. There is a strong consensus among the overwhelming majority in the Kosova Parliament to pass laws that will guarantee all human and national rights equally for every citizen of Kosova. What

more can we do than that? I think we have to be much more open to civic society and to really have dynamics of improving human rights in Kosova for all citizens of Kosova.

Freedom of movement, of course, is difficult for the Serbian minority, but that also is difficult for the majority. If we cannot work in our property, in enclaves—if I cannot go to my home in Brezovica (controlled by Serbs), it is a violation of my right too; that is, the right to not be able to go in certain towns. So we have to work together more closely and we are willing to.

I really believe that we should not ignore such a great progress in such a short time. There are still mass graves not opened yet and those are in hundreds. So that is not just an Albanian problem. It is a problem of all citizens of Kosova.

So I am optimistic that we will improve the situation for all citizens of Kosova working together with you.

Mr. SMITH. Mr. Trajkovic?

Then Ms. Percival, I think you wanted to respond as well.

Dr. TRAJKOVIC [through translator]. As far as return is concerned, the citizens of the village of Kotrivo forwarded a petition to Mr. Kofi Annan, as UNMiK has informed them they will not be able to return to their homes since the security situation wasn't safe.

Serbs cannot integrate into Kosovo institutions while within those institutions are people who are responsible for crimes against Serbs. That is why I plead with you for your support and help in finding the perpetrators of these criminal acts.

There have been many killings, but we so far have not identified anyone from the Albanian side responsible for this. The recent prevailing situation is just keeping quiet by the Albanian people.

Mr. SMITH. Dr. Trajkovic, are you encouraged that The Hague may—at least we hear that they may—indict criminals in Kosovo any time soon? Are these the people you are talking about that you find it so difficult to work with?

Dr. TRAJKOVIC [through translator]. As far as The Hague is concerned, those who committed crimes against Albanians, yes, they are being tried in The Hague. Nevertheless, those that committed crimes against Serbs can be found in Pristina, Kosovo and the institutions of Kosovo.

Ms. PERCIVAL. I would just like to say one thing about the numbers. There is no consensus on the numbers of missing in Kosovo. I have numbers from various sources that I can quote you, but I will not bother because it will not do very much good.

In terms of trafficking, we are coming out with a justice report in about a month that outlines three areas: war crimes, ethnically motivated violence, as well as organized crime, which includes a component on trafficking.

I think that UNMiK has taken very good measures. They have established a trafficking in prostitution unit. Nevertheless, one thing remains weak, and that is the witness protection program and the witness relocation program. It is very difficult to relocate people out of Kosovo and they are not really provided with any protection. Witness protection remains a shell. There is no equipment to provide that in courts.

In terms of parallel institutions, I think that this requires extreme acts of courage from both communities to dissolve them. There needs to be a recognition of Kosovo, Albanian institutions of the right of the Serb community to exist in equity in Kosovo. They are equal citizens. Those statements need to happen. Acts like Prime Minister Rexhepi going to Pec Patriarchate for the Orthodox Easter was an important step in that regard.

In terms of the role of ICG, I do not think that I need to outline for this Commission the work of ICG in the Balkans. We provide analysis of conflict and post-conflict situations and outline how to increase stability in these areas. In Kosovo, our program—our reporting program, in the next few months, is going to include a report on returns and security of community, where we will outline the very precarious situation of minority communities throughout Kosovo.

Of course, our mandate is not to increase crises, but sometimes we have to say things that people do not want to hear. That is the role of an organization like ours in its effort to build democratic and transparent institutions in Kosovo.

Thanks.

Mr. SMITH. First of all, I just would point out that it has been my experience, and I've been in Congress now 22 years, that human rights organizations are universally hated by those who do not like the news that is brought about an offending government or a policy.

So you are speaking truth to power. That may be unpopular, but it is absolutely vital. You are here because this Commission respects, not only the work you do, but the wisdom and the counsel that you bring to light for us so that we can analyze and do a better job.

So thank you for being here.

Dr. Covic, you wanted to respond?

Min. COVIC [through translator]. Allow me only to comment on this. Actually, the crisis group's reports are always very valuable. It is certainly not the question of whether we do like them or do not like them, the question only is whether the figures are right or the figures given are not. We certainly do always very much appreciate these reports because these reports make our own work much easier.

Now, regarding this question of the missing and kidnaped persons and (inaudible) the numbers related to the number of refugees and internally displaced persons, we see that there is no consensus on the figures. Nevertheless, I would say that it is extremely important always to have figures in mind, because precisely the figures or statistics are the only valid measure with which we can measure the results of our work to see how good we are working or if we have failed.

Now about how to illustrate this: you know that in Gnjilane, for example, there used to live, because there was mentioning of Gnjilane. Once in Gnjilane there were 8,000 Serbs living. Nowadays, there are only 250 Serbs remaining living there, which surely proves how important figures are.

Now also allow me to refer to a couple of items. The first refers to the exhumation of the mass graves. I am really happy that initiatives toward this objective, completing exhumations, have started. I really do believe that the results shall be achieved in Kosovo and Metohia properly and well. As regards Belgrade, Belgrade is always going to be constructive in its approach to the exhumations.

And regarding the second item referring to this idea that we have just heard about, actually, a proposal to Serbian representatives to Kosovo assembly given by the representatives of Albanian nationality that implies that Mr. Thaci and Mr. Rexhepi have offered to go on the same bus to the assembly as the Serbian representatives, I think that it is very much a sign of goodwill, which is appreciated. This may be an idea worth thinking about. Though I am also afraid that taking into consideration that 22 representatives live at different addresses, it might come to the fact that Mr. Thaci and Mr. Rexhepi spend all day long just traveling with Serbs to their offices, which would leave them without any time to do their job. But anyway, we appreciate such a suggestion and proposal.

And in conclusion, allow me only to say it is of greatest importance that we relax somewhat our approaches because, allow me to remind you, Mr. Milosevic is no longer living in Belgrade.

Mr. SMITH. Dr. Trajkovic?

Dr. TRAJKOVIC [through translator]. Considering that my friend, lawmaker Dr. Gashi, mentioned Gnjilane, I would like to ask for an intervention directed toward KFOR and UNMiK, which would be connected with the smuggling of arms.

This morning a Macedonian convoy was attacked by Albanian terrorists. This information is from this morning, and as a legislator, I received it. As Albanian terrorism is at the moment the most dangerous in the region, I would like to hand over the request of doctors who were kidnaped, as they are requesting humanitarian aid.

Mr. SMITH. Dr. Trajkovic, thank you for that. We will work on that to try to get to the bottom of it and follow up on your intervention.

Dr. Gashi, you wanted to respond?

Dr. GASHI. Well, speaking about some of our cities in Kosova, like Gjilan, Vitia, Kamenica, and not going to numbers, I just wanted to ask: Is there an attempt to use positive examples and to try to extend them to the entire territory, or we are attempting to spread a bad example through the entire territory? That was the idea.

I really believe that overwhelming majority in Kosova is convinced, and there is a consensus, that the future of our country relies on the capability to protect human and national rights for everyone. So in this process we are very sincere.

But again, we cannot do it all alone. We are ready for constructive cooperation. Institutions were established just 6 months ago. Therefore in this process we need your support, just as we had your support last week working together. I believe that it was a good discussion. There was a good rapport. When we go back, we have to try to implement what we have agreed upon here. We need you to support more of those opportunities to work together, so we can think very hard on how we can reach our goal, which is peace and justice for everyone in the entire Kosova territory.

I really believe that is crucial for our political goal.

Mr. SMITH. Dr. Gashi, thank you very much for that.

I yield to and recognize the distinguished Commissioner from Ohio, Mr. Voinovich.

Sen. VOINOVICH. Thank you very much, Mr. Chairman.

Dr. Gashi, I must say to you that I am impressed with your sincerity and your commitment, and your understanding that achieving respect for minority rights of all people is fundamental to the future stability

and progress and quality of life for the people who live in Kosovo, all people. I must say to you that that same enthusiasm was expressed to me when I met with your Prime Minister, Mr. Rexhepi. So it seems to me that there is a lot of good will. And it is the same kind of good will that I've heard expressed by Mr. Covic and by Dr. Trajkovic.

The first question I'd like to ask all the panelists is, do you believe that the assessment that was put out by the OSCE and the U.N. High Commission on Refugees, in terms of the situation, in terms of human rights, is reflective of the condition that exists today in Kosovo? Does anybody disagree with their evaluation of the situation there in terms of human rights?

Dr. Gashi? And if you haven't read the report, then I will not ask you to answer it.

Dr. GASHI. No, I have read on that report with great enthusiasm.

What is really important is that they do recognize the success, and they do not accept the conditions where that success has not been achieved. So we have to work together to really extend freedom in the entire territory and not just have partial freedom in Kosova.

Sen. VOINOVICH. In other words, in this report, some of the information said there were some good things happening in certain places, but overall, tremendous improvement needs to be made.

Dr. GASHI. Absolutely.

Sen. VOINOVICH. I think your suggestion would be that we ought to look at where success has occurred and see if we can't copy that or replicate it so that we can see success in other places.

Dr. GASHI. Last week at Airlie House, we had very a open discussion and quite a great consensus was reached as to what could be concretely done on the field when we go back. I really believe that we all have very good chance of success with your support. Without U.S. leadership in the region, without your daily engagement, we are still very fragile.

It is becoming good in Kosova, but "babysitting" is needed for a while.

Sen. VOINOVICH. I understand.

Dr. GASHI. Yes.

Sen. VOINOVICH. Thank you. Dr. Trajkovic, would you like to comment?

Dr. TRAJKOVIC [through translator]. I think the report basically is not bad. But really, the Serbian community has a lot of problems.

Mr. Gashi mentioned the meeting at Airlie, but I am afraid to reflect on Airlie, the Serbian...

Sen. VOINOVICH. Would you put that mike by your—thank you.

Dr. TRAJKOVIC [through translator]. ... because when the Serbian-Albanian Parliamentarians return to Kosovo, we will be far further apart than we were when we came, considering there were many things over which we did not agree.

The presence of Serbs in the Parliament of Kosovo seems only a wish and it seems that we have no chance for that. For now, it is only a facade of multi-ethnicity, since the Albanian side does not treat the Serbs in an adequate manner.

Sen. VOINOVICH. The question I have is, does Dr. Trajkovic agree that this report is fairly reflective of the situation on human rights in Kosovo? That's all I want. That's the only question I want answered right now.

Dr. TRAJKOVIC [through translator]. I think yes. But I would not agree that the crisis group is giving a realistic picture of Kosovo. I've heard that my statement, which we have just said, was connotated in a different view. But we are friends and will come to some sort of agreement.

Sen. VOINOVICH. Ms. Percival, would you like to comment on it? Did you read the report?

Ms. PERCIVAL. Yes, we draw on the OSCE reports quite heavily. It is not just this one that is reflective of the current situation; the previous ones have also been. But I think what's interesting is to go a step beyond the report and analyze what actions of international community are leading to better situations in some places and perhaps what actions of the international community aren't working so well in others.

Sen. VOINOVICH. Dr. Covic?

Min. COVIC [through translator]. As I have already mentioned yesterday, as regards to this report, it is quite acceptable or better to say, mostly acceptable to the largest possible extent.

We could also see for the report that it also states certain results that have been so far achieved. It is a good thing that it also reflects the results that have been achieved. I would only say that it was high time for any results to be achieved, at least after 3 years. And it is also important to mention referring to these reports that it also underlines that there are two strong prevailing violations of human rights in Kosovo and Metohia nowadays as well.

But anyway, let me only say that this report provides us a good basis for our further look which must be much stronger and stronger in future as well. Because so far we had all of the opportunity to hear so many nice words, and I am quite impressed with the nice words, but what we need are the results.

Sen. VOINOVICH. One of the things that I was impressed with is the benchmarks that Mr. Steiner has put in place, quite frankly, with the encouragement of our State Department. I'd be interested in your reaction to those benchmarks. But I am also suggesting that in order to monitor whether or not those benchmarks are achieved, that a strategic plan be put in place with some type of critical path or timeline, so you can really measure whether progress is being made, so that we do not end up, frankly, with what we have seen in Bosnia where we really do not know what progress has been made or not made.

So, number one, do you think those benchmarks are good? And number two, do you think they should be enhanced by putting in some language that we could review to see that in fact progress is being made or not being made on those benchmarks?

Dr. Gashi?

Dr. GASHI. I would like to recognize the excellent results of the efforts of UNMiK and the entire international community in Kosova to integrate all other minorities such as Turks, Romas, Ashkalias, Bosniacs, Croats and others. So now with all other minorities and Albanian majorities, we have every reason to work together to see what can be done to fully integrate Serbian minorities.

Regarding the benchmarks, I really believe that it is very important that Kosovars take the ownership of those benchmarks and that we all together work to space out those benchmarks with the same timeline. I think *ex cathedra* work is not a good approach. We should work as one

team, very closely with UNMiK, until we are ready for the final status, which the overwhelming majority in Kosova believes that is better to be sooner than later.

Sen. VOINOVICH. Dr. Gashi, that's a wonderful idea. It would be wonderful if you'd go back with some of your fellow Parliamentarians and talk to the prime minister about coming up with some suggestions to Mr. Steiner: "Here's the benchmark and here's how we think that we can go ahead and implement that benchmark." To me, that would be one of the greatest signs of commitment that you could possibly make to underscore the sincerity of what you've said here today at the table.

Dr. GASHI. Senator Voinovich, we believe that real freedom is freedom with ownership or responsibility. We have been promised that after the election, gradually the responsibility will be transferred to elected Kosovars. So in that process, we are asking for a little bit more. But there is no way that we want that to be interpreted as a conflict between Kosovars and the international community.

No, we see this work as a joint project, because if we fail, we are going to fail all together. We cannot afford to let UNMiK make wrong decisions and after that have us correct it. Or we make wrong decisions and put them to lots of work to correct it.

So our request is to be a little bit more open toward elected Kosovars.

Also, we would really appreciate more transparency in UNMiK's works and more responsibility for delay or the failure of decided goals. We have to work together.

Sen. VOINOVICH. Dr. Covic?

Dr. Covic has done a very commendable job of leadership in southern Serbia where there are Albanian majorities that are in Serbia to try and empower groups.

I congratulate you for that, Dr. Covic. I'd like your response to the same things that Dr. Gashi made reference to.

Min. COVIC [through translator]. Now allow me to say, just as I already have, actually, that we fully support this concept of the benchmarks which was created first by Mr. Steiner. Actually, I had the wonderful opportunity to be there when he first presented this concept of the benchmarks at the Security Council meeting. And it was also on that occasion that I expressed our full support to this.

Naturally, I also regard that, additionally to the benchmark, there should be also elaborated a precise plan of actions, which means that this plan must include the timeline for the implementation of the individual benchmarks, and that it also must identify who shall be those agencies, like who shall be working on individual parts of respective benchmarks, in order to make it possible for us, after, perhaps, a 3- or 6- or 9-month period, to look back to see the road that we have covered until then, and to see what are the actual results from a proper perspective. Because this is the only way by which we could go over from the fine words to concrete results.

And allow me only one comment, which is not related to this issue, but that is something that I have just heard. I do not know precisely who, from all of these speakers (inaudible) mentioned it, but there was a mentioning of all the other non-Albanian minorities. I remember the practice of Mr. Milosevic is something that was practiced in Rambouillet. Because on that occasion, the general practice was to claim that all the minorities have integrated into the society but the ethnic Albanians.

Now it seems that we have a copycat, with the same style, who is now speaking about how all the minorities have integrated but the Serbs. So I could not but comment on this.

Sen. VOINOVICH. Ms. Percival?

Ms. PERCIVAL. On the benchmarks: First I would like to point out that ICG released the benchmarks reports on March 1, which preceded the developments of the benchmarks by the UNMiK mission in Kosovo. And in our benchmarks, we had much more detailed goals and strategies for the return of minorities, as well as securing freedom of movement.

On the UNMiK benchmarks, I have three comments. First, right now, they are quite general, especially for the provisional institutions of self-government. The benchmarks that are written in that one-pager, it is not really clear to me what precisely the government has to do to meet those benchmarks.

Second, it is not clear to me whether the benchmarks are for UNMiK or for the government. Most of the benchmarks remain in the areas of responsibility for UNMiK, the reserved powers under the constitutional framework. Things like the rule of law, the Kosovo protection corps, freedom of movement, return—those are all areas that remain in the reserve competencies of UNMiK.

Third, I second your comment that an implementation strategy needs to be developed. My understanding is that UNMiK is engaging in that effort right now, and hopes to bring the Kosovo government, both Povratak as well as the Albanian political parties, into that process, which I think will be extremely important.

Sen. VOINOVICH. Ms. Trajkovic, do you want to...

Dr. TRAJKOVIC [through translator]. In order for Mr. Steiner to implement that which he has planned, it is very important to isolate the terrorists and extremists within institutions that are unfortunately found in legislative circles of Kosovo. You know that many members of the KLA are members of these institutions, unfortunately. Please help us to integrate Kosovo so that when we come to work, we will not recognize people who have been killing us.

You know that Mr. Paddy Ashdown said that the KLA was militarily formed, that basically, it is a terrorist organization. Unfortunately, members, or former members, of the KLA are to be found in positions of legislative, executive, judicial, and police powers. That is a problem.

Sen. VOINOVICH. Let me just say this. All around the world, we have had some bad people who have been given new responsibilities and have performed, because they know it is in the best interest— their political interest or their country's interest—and have changed positions.

I think the main issue right now is that we get on with the process. If we wait to purge out all the people, Dr. Trajkovic, that you are concerned about, I do not think we will ever be able to move forward. If there are some people involved that you think are war criminals, then give us the names of those individuals.

But I think that we have to get on. There are going to be some people there that maybe are bad people, and maybe they've done some bad things. But we have to have some faith that maybe people are willing to change and move forward, because they know it is in their best self-interest or in their children's best interest, or maybe their grandchildren's best interest.

Mr. Gashi?

Dr. GASHI. I do strongly oppose Dr. Rada Trajkovic's qualification of KLA as a "terrorist force." That never been. I would like to remind you what took place. After the Lansdowne Conference of September 1999, Kosova Liberation Army went through the process of transformation, working together with NATO and other international community expertise. Process witnessed by Special Representative of Secretary General of United Nations as well western countries represented in Kosova.

In Parliament, we do strongly ask anyone who has any evidence about individuals to go to the court. So it is not right to an masse, unjustifiably label KLA as terrorist force.

In regard to other minorities, with due respect for your time, but we have in gallery with us here representatives of all minorities. They can be a witness and speak on their own. And what I just offered to you that they have been integrated in Kosova institutions. They are making their own decision in the democratic process. In every level of government there are Romas, there are Ashkalis, there are Turks. Maybe for you this is not the best way, but I do not know which one is better than strong democratic way.

So I really see the chance of cooperation and non-confrontation.

Mr. SMITH. Will the gentleman yield?

Sen. VOINOVICH. I just have one other question—a big question. There has been an allegation made by Ms. Percival that one of the basic problems in Mitrovica is the fact that the government in Belgrade is meddling in that situation and making it difficult for the local people to get control over the situation. Dr. Covic has got some recommendations on what he thinks needs to be done in Mitrovica. Mr. Gashi, I am sure you have some ideas. But first I'd like to have Ms. Percival go into more detail on that and see if there is a disagreement on it.

But the most important issue is, is there some way that the Serbs and the Albanians and the people at this table could come together with UNMiK—I guess you've got to do it with them—to figure out what kind of organizational structure will satisfy the respective groups and maybe work out some compromise? Because we are going to have elections coming up in October, I think, and if the question of how things are going to be done in Mitrovica are up in the air, or in question, it seems to me that you might miss an opportunity with these elections coming up to do something constructive to bring some stability to that area. So that's the concern I have.

The first question: is Belgrade involved in making it difficult for some conclusion to be arrived at? And then the second one: is there some way that the parties could get together and figure out some way that this could be worked out where people are happy, or relatively happy, with a setup so that we can end the bridgwatching and all the rest of the stuff that's going on there in Mitrovica?

Ms. PERCIVAL. Would you like me to begin?

Sen. VOINOVICH. Yes, you are the one that made the statement.

Ms. PERCIVAL. The first thing that I would like to say is that Belgrade is not a united entity. There are some elements in Belgrade involved in destabilizing Mitrovica.

The second thing is that our report speaks for itself. We outline quite clearly in the report the role that Belgrade is playing, as well as the role of the more extreme elements of the Serb population in the north—and

how there is a lack of cooperation with UNMiK, how they are impeding the operation of UNMiK police and UNMiK institutions in north Mitrovica.

In our recommendations we tried to outline and underline the legitimate fears and concerns of the Serb population in the north. In north Mitrovica, 5,000 Serbs are IDPs from the rest of Kosovo. They were expelled from their communities, and they fear that the same thing will happen to them in Mitrovica.

We also tried to recognize the legitimate Albanian fears of partition of the north part of Kosovo to Serbian. It is important to note that Mitrovica north is probably one of the most multi-ethnic city areas in Kosovo. There is a significant Albanian, Bosniac, Roma population there. So we tried to come up with a solution that would maintain the unity of the municipality while recognizing these legitimate concerns.

And from my discussions with OSCE and UNMiK officials, they are currently in the process of exploring how to do precisely that—how to provide some sort of autonomy for north Mitrovica within the framework of a unified municipality.

Sen. VOINOVICH. Prior to the election.

Ms. PERCIVAL. Prior to the election, yes, sorry.

Sen. VOINOVICH. Any other comments that anybody wants to make?

Dr. Trajkovic?

Dr. TRAJKOVIC [through translator]. I have to say, when you observe the gathering of Serbs in northern Mitrovica, they publicly demonstrate they wish to be a part of Serbia. So Belgrade doesn't pressure them; they are the ones pressuring Belgrade. There is no influence on the part of Belgrade. Because the Serbs are concerned that they cannot ask for solutions from institutions.

I would mention once again the material that we handed over to The Hague about crimes against Serbs. We kindly request you to initiate the arrest of people who are responsible for killings for which we do have proof.

Mr. SMITH. Will the gentleman yield?

Sen. VOINOVICH. Sure.

Mr. SMITH. Just to reassure Dr. Trajkovic, after a meeting with President Kostunica, I promised that I would raise this—because I believe that an atrocity is an atrocity. I do not care who commits it; the perpetrators need to be held responsible. I made it very clear to him, as well as to the Speaker of the Parliament, that we as a Commission would raise with The Hague and I did it personally with Prosecutor Carla Del Ponte, the concerns that there are people who ought to be indicted and brought to The Hague for trial.

Our hope is and at least we hear rumors that there will indictments handed down in the not-too-distant future.

So whoever commits the crime needs to be held responsible. So we have brought that message. Any additional information you can provide the Commission from any side, Serb, Kosovo, Albanian, we will do our level best to bring that information to the prosecutors in the hope that they will prosecute and bring those responsible to justice.

I yield back.

Sen. VOINOVICH. Dr. Gashi?

Dr. GASHI. You were asking what should be done in Mitrovica. I think in Mitrovica should be done exactly what is written in Security Council Resolution 1244. UNMiK should have an extension of its authority into

the entire territory of Kosova and KFOR should control the entire territory of Kosova. But the problem is, as Dr. Trajkovic said a minute ago, Serbs in Mitrovica are asking to disintegrate from Kosova and be part of Serbia.

Sen. VOINOVICH. Yes, go ahead, Dr. Trajkovic.

Dr. TRAJKOVIC [through translator]. Mr. Gashi's opinion comes from that which is reality over there on the ground, and that is that Serbs have unfortunately no confidence in their neighbors, the Albanians and the newly formed institutions, simply because within those institutions are people who are responsible for crimes. It would be a great deed if you were to aid in the identification of criminals among the Albanians and Serbs. This is necessary for the future of the people in Kosovo.

Sen. VOINOVICH. Dr. Covic?

Min. COVIC [through translator]. In fact, I thought that maybe there was no need for me to say anything in this conclusion, because Mrs. Percival had presented our views so precisely, which means that these meetings such as this one are such a good opportunity because we are now finding ways to approach and to share our equal opinions.

Now as for the cooperation with UNMiK, first, I have to underline that Belgrade has opened fully its doors toward the cooperation with UNMiK. But I also must say that it would be too difficult a job to resolve all of the problems in Kosovo without the assistance of Belgrade. This can be done without Belgrade, but I do not think it would be reasonable enough, and it simply would not deliver good results.

Now regarding the parallel structures in Kosovoska Mitrovica, allow me, first of all, to stress that the parallel structures in Kosovoska Mitrovica were not created by the current, present Belgrade authorities. We are not the creators, producers, builders of these spare institutions, because this is something that we inherited.

But it is also just as important to stress this — that the continuing existence of the parallel structures is precisely the result and consequence of the serious violations of human rights in Kosovo and Metohia and Kosovoska Mitrovica. Once these serious violations are stopped, then quite certainly there will also be no more need for the existence of the parallel structures.

Now regarding the question of the local elections or the forthcoming local elections, Belgrade is again supporting the local elections and shall encourage all of the citizens to go out to vote. But in this regard, we think that it is of utmost importance to first start with the efforts to decentralize the local government in the territory of Kosovo and Metohia. And in this regard, you knew that we are supporting the idea of such a (inaudible) that a city should have under it its municipalities, or boroughs, whichever term you would use.

And under the umbrella of the boroughs would be the local commune offices as the structure that would give the best results.

In this regard, we are always complaining at all the interpretations that we hear referring to such suggested actions, which say that we are actually in favor of partition, because you certainly cannot call decentralization a partition of Kosovo.

Regarding the election, in the future as well as now, we are certainly going to encourage all the Serbs to go out to vote. In this we shall certainly need all the help that you can extend in this regard with all your positive approach and experience and would appreciate it much.

Sen. VOINOVICH. Dr. Gashi?

Thank you.

Dr. GASHI. After the label and allegation of “KLA as a terrorist force”, Dr. Trajkovic goes on and labels that, “there are elected Kosovars in Parliament as well in executive branch who are terrorists”. And for me, that is fully unacceptable. If Dr. Trajkovic has evidence for individuals, he should proceed to the court. And it is fully unacceptable that without any argument, a ranking member of our (Kosova) Parliament accuses members of Kosovar institutions for crimes.

The second observation, I do not believe that Kosova Parliament will ever take the orders from Belgrade. So, Kosova’s elected people are not going to listen to Belgrade how to reshape and divide Kosova and how to organize the administrative structure. We oppose Belgrade’s interference in Kosova’s affairs.

What we welcome from Belgrade is their interest for human and national and cultural rights of Serbian minorities in Kosova. And for that, we are willing to work as close as possible.

Sen. VOINOVICH. Thank you.

Dr. Trajkovic?

Dr. TRAJKOVIC [through translator]. The conclusion that KLA is a terrorist organization is also the opinion of Mr. Paddy Ashdown, High Representative for Bosnia and Herzegovina. I can say that the KLA is to be found within the legislative palace in Kosovo.

Serbian Parliamentarians in Kosovo will never accept not having contact with Serbia.

Sen. VOINOVICH. I have no other questions.

Mr. SMITH. Thank you very much, Mr. Voinovich.

Let me just ask, if he would, Daniel Serwer, who, as many people in the room, some Parliamentarians who are here know, was a facilitator at the Workshop on Developing Good Governance for Kosovo Assembly Members, held recently in Warrenton, Virginia.

There are a number of—and without objection, I would ask my colleagues that the full report be made a part of this record. I think it—and my hope is, in hearing this last exchange—and I know that the bitterness and the legacy of the past must be almost insurmountable in terms of trying to overcome it, from both sides.

But as I said, Dr. Trajkovic, this Commission has encouraged, has made a strong plea to The Hague, right at the very top. Prosecutor Carla Del Ponte was in my office very recently. But we have conveyed by way of letters, and through other ways our concern that any perpetrator, anywhere who has committed war crimes needs to be held accountable.

And my hope is—and I hope, you know, the beginning of some page turning occurs. The Warrenton conference hopefully provided an opportunity to say what is past, really has to be past. Notwithstanding any future indictments that may occur, let them, the responsible judicial authorities, carry out prosecutions, and then if necessary, if convictions are gleaned from that, incarcerations of those who have committed war crimes.

But it seems to me if there is any hope for Kosovo, the Parliament has an opportunity—the assembly, I should say, to really work in a cooperative way. Whatever we can do to encourage confidence-building measures, baby steps, if you will, we want to be helpful. Because, you know, we can’t go back. You know, the cycle of violence has to be broken at some point for the sake of the—your children and your grandchildren as you go forward.

So I just strongly encourage, even admonish you, to work with your fellow Parliamentarians to overcome this legacy of the past. Let the judicial authorities—complain to them, but still work with them. Do not boycott. That only leads to paralysis and it only leads to — unfortunately, to blood letting on the short, intermediate and long term.

I would ask, if he would, because I really want to commend the United States Institute for Peace for its very important series of meetings in Warrenton, if Daniel Serwer could come up and just say perhaps a word or two about the conference.

And then I'd like to ask Don Kursch if he has any comments or questions of our panel.

**DANIEL SERWER, DIRECTOR, BALKANS INITIATIVE,
U.S. INSTITUTE OF PEACE**

Mr. SERWER. Thank you, Representative Smith, Senator Voinovich.

I would like to emphasize at the outset that the United States Institute of Peace, which is a creature of this Congress, has no magic wand. Nothing we do brings instant results, including the meeting at Airlie House last week.

I think, as has been manifest here quite clearly, the Serbs in Kosovo have good reasons to be unhappy today. Though I hope Mr. Gashi's optimism is borne out, we should be clear about that. A lot of the human rights violations in Kosovo today are against Serbs.

It is also quite clear that there is no fundamental agreement on status here or on many other important political issues between Kosovo Serbs and Albanians. I do not have the wand that makes them agree.

What we did try to do last week was to find some areas of common interest.

Sen. Voinovich, you can think of these as steps toward the UNMiK benchmarks, because these are areas where movement might be easiest toward the benchmarks.

The areas that the participants at Airlie House chose—not that I chose, but that they chose—in their discussion were human rights, including return of displaced people and refugees; economic development; social welfare; education; improving the work of the Assembly; and improving dialogue throughout the society. The report, which was prepared by me and George Ward, my colleague at the USIP, and is published on our responsibility, is an effort to summarize the rather specific discussions the Kosovo Parliamentarians had about steps that they could take, one or two of which have been mentioned here.

We believe that taking steps based on common interests is the way to go right now, and we'd be most grateful if you'll put the report in the record of this meeting.

Mr. SMITH. Without objection, it will be made part of the record.

I did note that you pointed out—and I say this to my colleagues in the assembly—we want to be helpful in a whole host of areas. But one of the most basic and mundane and fundamental is physical plant. I notice that was part of your discussions.

You pointed out that the OSCE, USAID and NDI should continue their help, but physical facilities are necessary. Of course, the greatest asset of any Parliamentarian, hopefully, is his or her mind. But you need word processors. You need office space to reach out to your constituents.

The more specific the assembly can be to us—and perhaps you can be helpful in this as well, Mr. Serwer. We can make requests and then even put a specific appropriation into the appropriate bill to make sure that that physical plant is up and running because that does help facilitate all of the work that they will do. Hopefully, the good work that they will do. So be helpful in that.

Don?

Mr. KURSCH. Thank you very much, Mr. Chairman.

I do not want to prolong these discussions but I would like to just see if there are any recommendations that the panel might give us on promoting practical cooperation between Kosovo and its neighbors without getting bogged down in the recognition issues and the political issues. There are so many problems—practical problems. They were mentioned this morning. We have the problems of human trafficking, the problems of law and order. We have the lack of any real economic development within Kosovo. And Kosovo can't exist as an island for the foreseeable future. Any comments you might make on this I believe would be most useful.

Dr. GASHI. For many of the issues for which we, as the Kosovars are being blamed, those are reserved power of Special Representative of Secretary General of United Nations and other international institutions. So to be successful in this issue, the transfer of power should be speeded up.

Mr. KURSCH. Thank you.

Dr. TRAJKOVIC [through translator]. In order to be successful, it should be a priority that UNMiK still has the power until the newly elected institutions show that they do work for the benefit of all the people in Kosovo. For now, this is not so.

Ms. PERCIVAL. For the near future, such cooperation, as Dr. Gashi said, will have to be joint UNMiK-government because of the nature of the reserved powers.

But I think one important thing that happened in the last couple of months is the Kosovo status at the Stability Pact, of which you are intimately aware. I think that regional mechanisms like that are important for helping the people in Kosovo to look outwards and facilitate cooperative mechanisms with the members. Not just their northern neighbors, neighbors throughout the entire region.

Min. COVIC [through translator]. Just as you have said, Kosovo is not an island and it should not be an island. So far we have signed with UNMiK an agreement on cooperation between the Serbian Railways Company and UNMiK railways. We have also signed a protocol on police cooperation. We also plan to continue with that effort in future in order to harmonize all the activities and homogenize them. The same applies with the cooperation with the Stability Pact, with the European Union Council of Europe, and quite naturally also with NATO.

Now it is also of great importance to realize and keep in mind that it was for quite long time that our territories were burdened with disintegrational processes. Therefore it is so much the better that right now we are in the integrational processes, which is of greatest importance, because they ought to lead us to a common goal, and we know what the common goal is: the integration with the European Council and European Union, and that is goal that can be achieved only if you work towards it as a whole and not in part.

And quite certainly it shall take some more time before the powers—authorities can be transferred from UNMiK to the local authorities, local citizens and representatives.

Mr. SMITH. I want to thank—I understand that all of you are going to be catching a flight later on this afternoon and need to check out at 1:30. So if you have additional comments, we will make them a part of the record.

Dr. Gashi, I think you ...

Dr. GASHI. Just one sentence. We welcome your engagement in entire process of democratization of Kosova. And it is very important that you are witnessing the prosperity of Kosova and in all the bad things you are going to help us, and together we will improve that.

But just to make it clear that Kosova is working very hard to integrate to Europe, but none of overwhelming majority are not seeing that integration together, and that road from Kosova to Brussels does not go through Serbia.

Kosovars are seeing Kosova as independent country. They want to take ownership of the future of Kosova and secure the human national rights for everyone.

Min. COVIC [through translator]. First of all, also allow me to thank you for organizing this hearing. I think that this hearing was of greatest use to all of us, and benefit because we had a good opportunity, that we see what are our views, and to watch them from all the perspectives.

And allow me only to say that I would be most happy if we would be all together here the next year, speaking. That on that opportunity we would be able to state that the returns process has delivered excellent result, that the killings and that abductions have stopped actually, that the ethnical cleansing has been put to an end. And it is only then and thereby that it will be possible for us to state that we have made good results, and that was the objective of this hearing too.

Mr. SMITH. Dr. Covic, thank you very much.

I want to thank all of you for your very excellent insights. As Dan mentioned a moment ago, you know, I wish we did have a magic wand. But hard work, a great deal of hope, prayer and good will certainly can help secure a much better day for Kosovo.

I look forward to working with my colleagues in the near future. I will be leading the U.S. Delegation to Berlin for the OSCE Parliamentary Assembly meeting in July. In the not-too-distant future, hopefully your delegation will be there working with us and the other countries of Europe and Canada on mutual reforms and trying to confront the problems that we all face collectively. I look forward to working with you in the future on that as well.

Thank you for your testimony and your work. This hearing is adjourned.

[Whereupon, at 12:20 p.m., the hearing was adjourned.]

APPENDICES

**PREPARED STATEMENT OF
HON. BEN NIGHTHORSE CAMPBELL,
CHAIRMAN, COMMISSION ON SECURITY
AND COOPERATION IN EUROPE**

Today's hearing focuses on ethnic tensions and human rights in Kosovo, including the right of those displaced to return to their homes. Be it Kosovo, another region of southeastern Europe or elsewhere in the OSCE region, few things are cherished more than the ability of individuals to live in the security of their own home, with their human rights respected and the opportunity to provide the necessities for their family.

It was, in fact, the absence of such a climate that paved the way for the outbreak of conflict in Kosovo in 1999. The United States, the OSCE and the international community as a whole have invested significant time, effort and resources in Kosovo ever since to restore some sense of normalcy to that war torn region. While inroads have been made, the work is far from complete and is complicated due to the actions of criminals elements and extreme nationalists intent on maintaining an ethnic divide.

While it will take time for democratic institutions and the rule of law to become firmly rooted in Kosovo, it should not take time for attacks on, and harassment of, members of minority groups to stop, or for dialogue to begin. Recovery in Kosovo requires the sharing of expertise, but it also requires the willingness to change and, in this case, specifically the willingness to reach across the ethnic divide. Looking at Kosovo, one wonders who will lead the way.

In short, progress is taking place in Kosovo, but not quickly enough. For some things, we must be patient, but for other things, like attacks on churches or innocent civilians, such outrages cannot be justified. They are simply wrong and must stop now.

It is my hope that this hearing will note the progress achieved so far—it deserves noting—but also that the human rights situation in Kosovo remains uneven, especially for members of ethnic minorities. The rights of those belonging to the Serb, Romani and other communities must be respected and the rights of those Albanians who cannot return to their homes in some parts of Kosovo must be respected as well.

The Helsinki Commission looks forward to the testimony of our witnesses today, which will document the progress and the continuing shortcomings with respect to human rights in Kosovo. We also welcome concrete recommendations from our panelists on how to move more quickly to the day when the people of Kosovo, regardless of their ethnicity, can live securely in their own home, with their human rights respected and the opportunity to provide for the future of their families.

**PREPARED STATEMENT OF
ALUSH A. GASHI, KOSOVO PARLIAMENTARIAN
AND FOREIGN AFFAIRS SECRETARY, DEMOCRATIC LEAGUE
OF KOSOVA [LDK]**

The Honorable Chairman, ladies and gentleman,

It is great pleasure and honor for me to speak before you today on such an important subject as human rights situation in Kosova with the focus on minority rights.

Even though I am honored by the invitation to appear as witness in capacity of the member of Kosova Parliament, I share with you my personal opinions on the subject, which do not necessarily represent the position of my government.

I am grateful to the United States Commission on Security and Cooperation in Europe that for many years gave me the opportunity to speak before Commission about human rights situation in Kosova.

I spoke then as a victim of repression against Kosova Albanians, repression, which went through all phases, from segregation, to discrimination, apartheid, and ethnic cleansing which escalated to genocide and crimes against humanity.

Today is very special day for me. I am appearing before you as witness, member of Kosova Parliament committed to make all what is possible to have equal rights and opportunities for all citizens of Kosova. And this would not have been possible without the help and courageous decision of United States of America and its Western allies to wage war to stop genocide in Kosova and create the opportunity for peace and justice for all Kosova citizens.

The United States of America rescued Kosova, and Kosovars are in debt forever to United States of America. We are going to do our best to establish democratic institutions in Kosova and be a strong factor of stability, with unconditional support for United States doctrine on zero tolerance against terrorism.

Mr. Chairman, I am privileged to report that there is a very long list of achievements in Kosova since NATO forces took the responsibilities to protect Kosova and its people and the United Nations with the European Union are administering Kosova and gradually are handing over responsibilities to elected Kosovars. Therefore I prefer to say that Kosova is a successful story and Kosovars are committed to work with you until all citizens have equal human and national rights.

I would like to reaffirm that we are not going to rest until this has become reality.

Let me just share with you that since we last met Kosova has had its local and Kosova wide democratic elections and has formed its institutions. Now we have the Parliament of Kosova, President of Kosova and the Government of Kosova. Who are working together with international community to integrate Kosova in European Union and NATO.

With the Constitution Framework of Kosova there are guaranteed human and national rights for minorities. And in accordance with that minorities in Kosova are participating in all levels of Kosova government. In Parliament, with 35 members, out of 120, as well in the Presidency of Parliament, with two members. There is also participation in Committees of Parliament etc.

In government with two Ministerial positions, Minister of Health and Minister of Agriculture and Serbian minority even with a special position in the Office of Special Representative of Secretary General of United Nations and at the Office of Prime Minister. They are participating in Kosova Police Service and Kosova Protection Corps etc.

There is institutional support in Kosova for Serbs to return to their homes and property. We are committed to integration and not isolation. Therefore there is no support for new settlements and enclaves.

We are committed to work together with the Serbian minority and international community to establish freedom of movement for citizens of Kosova in all its territory.

A lot has been achieved and much more has to be done to fulfill the needs of Kosova citizens. Therefore, we are committed to work together to finish the job, which has been started.

But at very same time we have to deal with reality, that Kosova is small country with over 650 mass graves and that hundreds of those mass graves have not been opened yet. There are 4000 thousands of Kosovar Albanians missing, initially taken by Serbian forces as hostage, or as massacred bodies taken in different mass graves to Serbia and still being kept in Serbia while members of their families in Kosova waiting for the bodies of loved one. There are also missing Serbs. We need to provide their loved ones with their bodies, or as much information as possible about them.

Elected members of Kosova Parliament are doing their best to not remain with the past but look to the future. We can not change the past but we can shape the future.

We are remained daily that the repression, apartheid, which escalated to genocide, has been systematically organized and executed by the Belgrade authorities and unfortunately had the support of many Serbian people. And during all of those years there were only a few Serbian voices, which distanced them selves from those actions and even now they are not doing so. They do not make apologies for crimes committed on Kosova. Contrary to that, they are asking to have back to Kosova, Serbian military and police.

Overwhelming majority of Kosova citizens are committed to work very hard for Kosova, which is democratic, independent and multi-ethnic with its place at United Nations. There is a strong belief that Independence of Kosova is the factor of stability.

Members of Kosova Parliament are facing legitimate demands of Serbian minority to speed up process of getting substantial number of Serbian returnees, and legitimate demands of Albanian families to get bodies of loved ones, which are being kept in Serbia.

The reality is that Kosova Albanians can not get from Belgrade even dead bodies of their members of families and same time we are asking them to welcome live Serbs. This is our reality. But we are committed to work with you and other democratic countries to change this reality.

Belgrade authorities just announced that near Belgrade are new mass grave, which have to be explored. But still they are not delivering the bodies of previous mass graves.

We welcome that the right of Serbian authorities to show the interest for Serbian minority rights in Kosova, but we oppose Belgrade making decisions on behalf of Serbian minorities in Kosova. This has happened

during the process of forming the Kosova Government. Serbs who are in Kosova should make decision on its own; they should do that for their own interest and not for the political gain of Belgrade authorities.

We do strongly oppose Belgrade's interference in UNMiK and its administration. We are committed to work with United States and UNMiK to extend the authority of UNMiK and KFOR through the entire territory of Kosova.

In Kosova we need role of law. It's hard to believe that NATO forces are not able to disarm and arrest Serbian gangs in North Mitrovica, which openly operate as paramilitary forces.

We are interested in having good neighborly relations with Serbia. Instead, on a daily basis we face sabotage of the effort to integrate the Serbian minority in Kosova institutions. The best demonstration of that is investment of Serbia in creation of parallel institutions in Kosova.

Freedom based on responsibility is real freedom. Therefore we are asking fore more responsibility for elected people. There are many issues for which Kosovars are being blamed that lie within powers reserved to the Special Representative of Secretary General.

The activities over the last several years of the United States Institute of Peace and the United States Mission in Kosova and its Head of Mission Honorable Ambassador John Menzies to bring together all ethnic groups have been crucial. The USIP meeting that I attended last week with other Assembly members was an important step down the road to greater understanding and democratic governance.

Let me just say in the end that for peace and justice in Kosova and wider in the region American presence and leadership role is crucial. There is no European security and stability without strong NATO presence in the region from where I come.

Thank you, very much for your attention.

**PREPARED STATEMENT OF
VALERIE PERCIVAL, KOSOVO PROJECT DIRECTOR,
INTERNATIONAL CRISIS GROUP**

It is an honor to appear before the Helsinki Commission this morning, and share the analysis of the International Crisis Group (ICG) on the situation in Kosovo. ICG recently released a report, entitled *UNMiK's Albatross: Tackling Division in Mitrovica*. This morning, I will provide you with some background information on how this city came to be divided and outline the recommendations in the report. These recommendations highlight the vital role of the international community in helping the United Nations to exercise its administrative control throughout the province.

Mitrovica, as I'm sure you are all aware, is a city in the north of Kosovo that is split in two by the Ibar River. Mitrovica municipality currently has a population of over 100,000 people. North of the river, the population is currently 12,000 Serbs, 3,000 Albanians, 2,000 Bosniaks, 600 Turks, and 500 Roma. Within the Serb population, there are approximately 5,000 IDPs. Approximately 9,000 Albanians and 3000 Serbs remain unable to return to their homes on both sides of the river.

In the summer of 1999, the river became a line of separation between the Albanian dominated south and the Serb dominated north. This division was the result of several factors including the attacks by Albanian extremists against the Serb population, the deliberate policy of Belgrade to establish a *de facto partition* of Kosovo, the failure of KFOR to take sufficient measures to control the city, and the inability of UNMiK to assert their authority in the north.

Political leaders in Mitrovica north formed the Bridgewatchers, a group of young men whose ostensible purpose was to "protect" the north from extremist attacks. While membership is fluid, estimates place the group at 150 to 250 people. The Bridgewatchers are financed through support from Belgrade, extortion of the local population, and the proceeds of extortion and organized crime. They hold the average citizen in the north hostage—by threatening those who wish to work or cooperate with the international community, preventing UNMiK from providing effective services, intimidating and extorting the average citizen, and creating a climate of criminality and impunity.

As a result of this division and the activities of the Bridgewatchers, Mitrovica has become a frequent flashpoint for confrontation and a source of instability. Early in February 2000, a rocket propelled grenade attack on a UNHCR bus carrying Serbs near Mitrovica killed three and wounded many more. In the revenge attacks that ensued in Mitrovica north, ten Albanians were killed. In February 2001, the murder of an Albanian youth in the north led to attacks on French KFOR by the Albanians. In April of this year, a routine traffic check escalated into an armed assault by the Bridgewatchers on UNMiK police officers, which wounded twenty-two. This was the worst act of violence against UNMiK personnel since the inception of the mission. Despite clear video evidence that identifies the perpetrators, no-one has been arrested for this attack which reinforces the impression that a climate of impunity exists in the north.

The situation in Mitrovica is not sustainable. It destabilizes Kosovo as it plays on Albanian fears of partition. It maintains a climate of fear and instability for the Serb population. It also undermines the success of the UN and KFOR missions in Kosovo, and the efforts of the interna-

tional effort more generally. A safe and secure environment, the rule of law, and a meaningful civil administration have not been established in the north.

However, the situation is also not intractable—solutions can be found. In our report we advocate a multi-track approach, with four inter-related elements. No single initiative will be successful on its own. This approach is guided by the principles of full implementation of UNSCR 1244, the need to maintain unity of the Mitrovica municipality, and the importance of taking Serb concerns seriously.

1. INTERNATIONAL PRESSURE ON BELGRADE

The evidence presented in our paper shows that the actions of Belgrade work to destabilize the north. Among some political circles in Belgrade there is a deliberate strategy to partition Kosovo, with the northern three municipalities and north Mitrovica remaining part of Serbia. This strategy underlies Belgrade's demand that UNMiK create a separate municipality in the north of the city, and its maintenance of parallel structures in the north.

ICG has received evidence that the Bridgeworkers are employees of the Serbian interior ministry. Other illegal parallel institutions exist: the MUP arrests people and tries them in Serbian courts operating in Kosovo, and Kosovo Telecom was recently replaced by Serbian Telecom in the north. As a result of these activities, UNMiK is not able to fully implement its mandate to administer the north.

Nationalist policies advocated by Belgrade not only affect the ability of UNMiK to implement its mandate. These policies also damage the interests of Kosovo Serbs: they affect their ability to receive services from UNMiK, and they impact on the security situation of minorities in the rest of Kosovo.

The international community must take the problem of Mitrovica seriously, and should view Belgrade's contribution to destabilizing the city as a violation of UNSCR 1244. UNMiK and KFOR will only succeed in fulfilling their mandate when Belgrade cooperates and implements their commitments in good faith. This cooperation will not be forthcoming without serious international pressure. The international community should send a clear message to Belgrade that partition is not a final status option; that UNMiK will not accept a separate municipality; and that Belgrade must dissolve parallel structures, accept UNMiK's authority (including the Kosovo Police Service), and cease negative interference in Mitrovica.

Countries such as the United States can ensure that Belgrade implements its commitments in good faith by applying pressure equivalent to that used to secure cooperation with the Hague Tribunal. The FRY (or its successor) should be denied membership in the Council of Europe and NATO's partnership for peace; and a Stabilization and Association Agreement should not be signed, until Belgrade cuts support for parallel structures and cooperates with UNMiK's efforts to establish civil administration in the province. Moreover, direct international donor support for Serbia's budget should be conditioned on Belgrade cutting off its financial support for parallel structures.

2. RULE OF LAW AND SAFE AND SECURE ENVIRONMENT

A safe and secure environment does not exist in the north of the city. The 8 April attack against UNMiK police shows that weapons are readily available. Security is impeded by the existence of the Bridgewatchers, the failure to secure the presence of the KPS within the city, and the continuing poor coordination with KFOR.

The role of KFOR in establishing a safe and secure environment is crucial. KFOR should oversee the dissolution of parallel structures, monitor the border between Serbia and Kosovo, and ensure security for UNMiK. French KFOR inherited the most difficult operating environment in all of Kosovo. As a result of this difficult environment, and because of accusations that they have not taken sufficiently robust measures in the north, we recommend that they should be rotated out of north Mitrovica with the upcoming force rationalisation process.

The police, with the assistance of KFOR, should arrest members of the Serb Bridgewatchers where sufficient evidence of criminal activity exists, and undertake a crackdown on general criminal activity in the north. UNMiK has doubled the number of international police officers operating in the north to eighty. However, a lack of surveillance equipment impedes their effort to get the intelligence information that they need to arrest individuals.

We also recommend that efforts be stepped up to introduce a multi-ethnic Kosovo Police Service in the north of the city. While Serbian members of the Kosovo Police Service patrol other municipalities in the north and enclaves in the south of the province, repeated efforts to introduce them in north Mitrovica has failed.

ADMINISTRATION IN THE NORTH

Serbs in the north currently lack good services. They are largely unable to access services from UNMiK and the municipality, and receive sporadic services from parallel structures. Serbs must be guaranteed that they will receive equitable services from the municipality and that they will have a say in how these services are provided through elected municipal representatives.

The effort by the United Nations to establish the Local Community Office—an UNMiK municipal level office charged with ensuring that the needs of minority communities are met—have largely failed. The office in the north remains a shell. Potential Serb employees have been threatened, and demonstrations against the office are a frequent occurrence.

The rhetoric of the Albanian controlled Mitrovica municipality is positive—they are encouraging Serb return to the confidence zone in the south. They have also outlined their preparedness to provide equitable services to the north, set aside positions in the municipality for Serbs, and attempted to establish reconciliation committees. However, their words have not been turned into action largely because the Serbs have not cooperated. Thus their rhetoric has not been tested.

Therefore, we recommend that a specially administered area be established in the north. A service agreement should be developed between north Mitrovica and the Municipality that outlines the services to be provided, the terms of that provision, and establishes a specially administered area in north Mitrovica. This would ensure that the rhetoric of the municipality can be turned into action, and monitor the delivery of services to ensure that Serbs are treated as equal citizens.

TRANSPARENCY OF UNMIK ROLE OF UNMIK

The United Nations Mission in Kosovo (UNMiK) has made great progress in bringing order and stability, as well as forming autonomous institutions of self-government Kosovo. But Mitrovica north remains a black mark on UNMiK's progress. Parallel structures still exist. Few Bridgewatchers have been arrested. The foundation of the long-promised multi-ethnic market has been poured, but no stalls operate there. The Local Community office is not operational. Serbs still lack services, democratic institutions at the local level, and economic opportunities.

UNMiK has repeatedly stated that they have a plan for Mitrovica, but will not divulge the details of this plan. Officials cite concerns that if confidential elements of the plan are disclosed, its successful implementation will be affected. However, we argue that UNMiK needs to show that they have a vision for the north. Without disclosing the confidential aspects of their strategy, UNMiK needs to demonstrate leadership and commitment to its mandate.

CONCLUSION

In closing, we would like to emphasize that the real victims of the situation in north Mitrovica are the local Serb community. They have no elected representation. Most are unable to access services from UNMiK, receive sporadic and poor quality services from the parallel structures, and continue to live in a insecure environment, where a climate of impunity reigns. Belgrade officials use these individuals as a pawn in a political game for their own personal benefit.

**PREPARED STATEMENT OF
DR. NEBOJSA COVIC, DEPUTY PRIME MINISTER,
REPUBLIC OF SERBIA**

Ladies and Gentlemen:

We in the opposition in Serbia fought hard for years, at great personal cost, against the regime of Slobodan Milosevic, the regime that did so much harm to many of our citizens and to the stability of the whole region. When we came to power on October 5, 2000, we were determined to change this heavy burden of the past, to change it profoundly and for good.

With this objective in mind, we have taken many steps so far. We have adopted the Law on Rights of Minorities and appointed a minority representative as the Federal Minister of ethnic groups and communities. We have established diplomatic relations with all our neighbors. Dealing with the crisis in Southern Serbia, confronted with arms, violence, and extremism, we exercised prudence and solved the crisis peacefully, focusing on a number of confidence building measures and cooperating closely with the international community. There is full freedom of movement in Southern Serbia today. We have established a multi-ethnic police force, withdrawn special forces as the peace was restored, demilitarized the area, and concentrated on integrating our ethnic Albanian citizens into all levels of social, political, and economic life. Of the total number of 12,500 displaced individuals, almost ten thousand Albanian refugees have already returned to this part of the country. We have been working hard, with our friends from the international community, on improving the living conditions and infrastructure in this underdeveloped region. We carried out a census and scheduled municipal by-elections for July 28. And, although a lot remains to be done, Southern Serbia has proven to be a story of our joint success and inter-ethnic reconciliation.

In Kosovo and Metohia, whatever the final solution might be, our desire is to have a strong and successful multi-ethnic society, like the one I have just described in Southern Serbia. We have been working hard to help this objective be achieved as it will have a direct impact on the stability of the whole region. If we are not successful in creating a multi-ethnic society in Kosovo, the resulting turmoil and dislocation will have a dramatic, negative impact on the political situation in Yugoslavia and in the region as a whole. But as difficult and dangerous as it can be in the rest of the region, it in fact is just as bad or even worse for the future of Kosovo. If extremist groups there are allowed to prevail, the real losers will be all the citizens of Kosovo. Those same extremist groups that bomb buses carrying Serbs are also killing other Kosovar Albanians who do not share their extremism. What sort of society will result if the extremists prevail? What sort of relationship can they expect to have with Serbia if they drive the Kosovo Serbs out of Kosovo? Believe me, for Kosovo to survive and flourish economically, it must have a positive, constructive relationship with the rest of Yugoslavia. Otherwise, it will continue in perpetuity to rely on the generosity of the international community.

The reality is, unfortunately, profoundly different from what we all have been striving for. There are some real obstacles on the road and the situation is much worse than some internationals on the ground have been trying to present.

Exactly a week ago, the people who live in Kosovo and Metohia marked the third anniversary of the entry of the international forces in the province. These have been three years of relief, joy, and freedom for some, three years of agony, fear, and tears for the others.

When the international troops entered Kosovo and Metohia on June 12, 1999, they ended the inexcusable persecution of ethnic Albanians, conceived and carried out by the Milosevic regime. It was a beginning of new life for the Albanians for which they had longed for years. At the same time, the inexcusable persecution and hardships began for ethnic Serbs, and those, who have been courageous enough to stay on their hearths, have had to suffer for sins they have never committed.

Kosovo and Metohia is the only part of former Socialist Federal Republic of Yugoslavia where people cannot move freely and where insecurity and fear of violence and death have been persistently and deliberately preserved.

When the Serbs travel in Kosovo and Metohia, they travel on bus lines that have no timetables. For the passengers' security sake, the departure dates and times are unknown. So are arrival dates and times.

Deputies of the Serbian Coalition Povratak come to the Assembly of Kosovo and Metohia in armored vehicles, with a heavy international security detail. The actual choice of when they arrive or how long they stay in Pristina depends in the end not on them but on the whim of KFOR.

Officials of Serbia and Yugoslavia, the state that Kosovo and Metohia is part of, have to provide information on their travel to the Province three days in advance. For it takes three days to carry out preparations, checks, and complex security measures.

The human rights situation in Kosovo and Metohia is distinct from the human rights situation in other parts of post-conflict Yugoslavia. Unlike the situation for ethnic groups in Bosnia, the Serbs of Kosovo have been given absolutely no assurances whatsoever that their language, culture, religion, or way of life will definitely survive and flourish in Kosovo. Quite the contrary, everything really depends on the whim or good will currently of UNMiK and KFOR with absolutely no assurances about the future. This is an absolutely critical flaw, because nothing that the Kosovo Serbs see now can give them any comfort at all about their future. Freedom of movement outside of a few enclaves is totally impossible, refugee return is almost nonexistent, and a climate of violence permeates the very air that the Serbs breathe.

Ladies and gentlemen, allow me to note a few disturbing facts. Two thirds of the total number of murders and abductions of Serbs and other non-Albanians in the province in the last four years have been committed since the international forces entered Kosovo and Metohia three years ago. There have been 5,800 attacks against Serbs and other minorities in the province, 1,138 people have been killed on their doorsteps, in their backyards, in their fields. Whole families, several generations that lived in the same households, do not exist any more. 1,077 people have been abducted, 864 of whom are still missing. In most cases, these crimes were committed by individuals that are well known to the victims' families. In most cases, these crimes were witnessed by other family members of the victims. Yet, we have seen no signs that Albanians perpetrators will be brought to justice for murders committed against those who do not belong to their religion or to their ethnic group, for usurpation of their neighbors' property, for destruction of Serbian cultural heritage, for ethnic cleansing of Kosovo and Metohia.

Unforgivably little has been done to clarify the fate of 1,300 kidnapped and missing individuals.

The non-Albanian property has been neither protected nor preserved. In most cases, if it has not been totally destroyed, it has been usurped by ethnic Albanians. In a few cases, certain groups of ethnic Albanians have made enormous profit from renting this property. In some cases even to international organizations!

There are those who will tell you that the situation is “improving” based on the reports that show that there were fewer murders and fewer attacks on Serbs and other non-Albanians registered in the last year than in the year before. Don’t believe them. The Serbs and other minorities have simply learned the rules of the game and how to stay out of harm’s way.

The Serbs and other non-Albanians have been forced to live in enclaves and ghettos in order to survive. There is an apartment building in Pristina where last remaining 110 Serbs live. In a single apartment building! In 1999, there were 20,700 Serbs in Pristina. Today, this building is their last retreat that they seldom leave. 51 of them are children, including a twelve-month old infant. This building is their home, their school, and their playground. They can never go out and play outdoors. They can only watch Albanian children playing in the park through iron bars on their windows.

Not only has the reduced number of attacks against the lives and the property of the Serbs and other non-Albanians failed to yield a result in an increased number of returns of the internally displaced individuals, but it has also failed to put a stop to a continued migration of the Serbs out of Kosovo and Metohia into the Serbia proper. There have been no steps, even symbolic ones, to facilitate the return of 280,000 internally displaced persons and refugees to Kosovo and Metohia. In three years, only 125 individuals have been able to return home. In the recent poll, more than 50 percent of the internally displaced persons in Serbia proper declared firm determination to return to their homes in Kosovo and Metohia. It is their essential and undeniable human right and we must ensure that it is thoroughly observed in accordance to the standards of the democratic world.

I am deeply concerned about the situation in Mitrovica that is a consequence of existential concerns of the Serbs and a result of profound interethnic distrust. We have been working closely with UNMiK and the local Serb community in Mitrovica to resolve this issue. It is a long and sensitive process. The Serbs in this town fear and worry that the same that has happened to many of their friends and relatives throughout Kosovo and Metohia will happen to them, too. They fear and worry that they will be thrown out of their homes, that their lives and their way of life will be threatened. That is why solutions that come out of improvisation and pressure can bear no fruit. It takes time to build confidence among all parties, to make sustainable compromises, and to respect interests of all.

Extremism in Kosovo and Metohia is an extremely powerful force, and sometimes extremists themselves are in power. If this had not been the case, we would have had bilingualism, interethnic tolerance, unbiased police, and independent judiciary.

Some may say that you cannot improve the conditions that have deteriorated for a long time in a day or in a year. I do agree and it would be unfair to say that the current conditions are worse than those of the past. I genuinely and deeply respect the results that UNMiK and KFOR

have achieved under very difficult circumstances. But so much more remains to be done. In November 2001 I signed with then-SRSG Haekkerup a Common Document outlining how we would work together to improve the situation in Kosovo. Belgrade has demonstrated by the get-out-the-vote campaign and on the Kosovo Albanian prisoner issue, that we can play a positive role. I believe that the key to our common future is to fully implement that agreement with your support and assistance, in good faith, and with as much energy as possible. This includes making a major push this year on refugee return, confronting extremists on all sides and insisting that there be real freedom of movement throughout Kosovo, working hard to make the institutions work, and trying to account for the missing on both sides.

Finally, a word about the relationship today between Belgrade and the Kosovo Serbs. There is a theory advocated by many that the Kosovo Serbs must learn to live entirely within Kosovo and Metohia. That same theory seems to prejudge the future of the province, by the way, by ensuring that it would be totally independent of the rest of Yugoslavia.

The communities in Kosovo and Metohia have a long way to go to true democracy and genuine reconciliation. And only then can we speak about a final solution. I firmly believe that we have less time than most of us think or want to prepare for it. So every day counts. We are here today to clearly identify a number of serious concerns for the protection of human rights and respect for the rule of law in the province. We need to address these issues as efficiently as possible and as soon as possible and make major progress even this year. If we fail, the future of Kosovo will look bleak indeed and, as the Ombudsperson for Kosovo noted recently, it will continue to be a human rights black hole of the democratic world.

Ladies and gentlemen, as annexes to this statement you will find tables with data in regard to certain types of human rights violations, Principles of Program of returns of internally displaced persons from Kosovo and Metohia as well as Report on the destructions of cultural heritage in Kosovo and Metohia. I hope that this material will help you to understand this serious problem.

I thank you for your attention.

PREPARED SUBMISSION OF DANIEL SERWER
WORKSHOP ON DEVELOPING GOOD GOVERNANCE FOR
KOSOVO ASSEMBLY MEMBERS
JUNE 12-16, 2002
WARRENTON, VIRGINIA

REPORT BY FACILITATORS DANIEL SERWER AND
GEORGE WARD, USIP

Thirty members of the Kosovo Assembly (listed below) met at Airlie House in Warrenton, Virginia and participated in a Workshop on Developing Good Governance June 12-16 conducted by the United States Institute of Peace with the support of the Department of State. Ambassador John Menzies attended, as did representatives of UNMiK, including OSCE. Participants reflected different groups in Kosovo's diverse society. The objectives of the Workshop were to promote mutual understanding and tolerance necessary in a democratic society; practice skills for conflict management and resolution; improve governmental performance by strengthening coalition and consensus-building skills; and improve understanding of transparency, accountability and responsibility as fundamentals to good government.

Participants met in working groups and in the view of the facilitators achieved a consensus on the following important issues:

HUMAN RIGHTS, INCLUDING RETURN OF DISPLACED PEOPLE
AND REFUGEES

Human rights have not been respected in Kosovo in the past, and there are still serious problems today. All were agreed that UNMiK should administer all of Kosovo in accordance with UN Security Council Resolution 1244.

In the future, Kosovo should be in the vanguard in meeting European human rights standards and the Assembly will pass the necessary laws, including laws to ensure rights to the Serb, Turkish, Roma, Bosniak, Ashkali and other ethnic communities. Kosovo citizens should be treated as individuals and their basic human rights protected, including freedom of movement for all, protection of property, equality before the law, and return of refugees and displaced persons. With support from the international community, all citizens should renounce violence as a means of achieving their objectives, respect the rule of law and fulfill their civic obligations. Cultural rights and ethnic communities should be respected. The authority of UNMiK should apply to all the territory of Kosovo, parallel structures should be eliminated as services are extended to the entire population, and all citizens should accept UNMiK documentation, including automobile registrations. Those of all ethnic groups who have committed war crimes should be brought to justice, in The Hague or elsewhere.

The Assembly members looked forward to early action along the following lines:

- As soon as safety is ensured, elimination of enclave checkpoints;
- Free movement for all throughout Kosovo;
- Secure means of transporting members to the Assembly that do not require armored vehicles;
- A Kosovo Police Service that merits the confidence of all ethnic groups;

- Acceptance of UNMiK documentation by neighboring jurisdictions;
- Discussion in commission and approval in the Assembly of a plan for return of members of displaced people and refugees of all ethnic communities to their homes throughout Kosovo;
- Consideration by municipal assemblies of allowing the use of previous names of cities, regions, villages and streets, in addition to their current names;
- No further destruction of graveyards and religious and cultural artifacts.

Albanian members recognized their special responsibility to ensure that the voices of minorities are heard and to signal their willingness to reintegrate other groups into Kosovo. Serb members recognized that some Serbs are exercising their right to sell their property in Kosovo and will not return, but this should not be allowed if it occurs under duress and the international community should not encourage this tendency.

ECONOMIC DEVELOPMENT

Despite great strides forward since 1999, accelerated economic development remains an urgent priority for Kosovo.

Since the end of the conflict, 140,000 new jobs and 18,000 new economic enterprises have been created, mainly outside Serb areas. Ninety-four percent of the first budget of the Kosovo administration is funded from sources within Kosovo. European standards in banking and other businesses have been adopted. Kosovo possesses a well-educated and highly motivated work force.

At the same time, too many enterprises remain in the hands of UNMiK, there are insufficient incentives for investors, and there are inadequate regulations for the protection of private property. International institutions, UNMiK in particular, have not contributed to economic reform to the degree needed.

The Assembly members look forward to a future in which:

- The economy will be dominated by a free market in which all government controlled enterprises except for a limited number of infrastructure and utility firms have been privatized;
- Compliance with international trading and product standards will be established;
- Incentives, including arrangements for the free movement of capital, labors, and goods, exist for foreign investment. Consideration should be given to establishment of arrangements for tax-free and export-processing zones;
- A tax system will have been established that insures funding for the Kosovo administration without stifling incentives for business;
- Liberal trading arrangements exist both sub-regionally and with other parts of Europe; and
- Sectoral strengths in mining, agriculture, power generation, tourism, metals refining, and light manufacturing will have been developed.

In order to move toward this future vision, the members of the Assembly propose to:

- Complete parliamentary action on the legal infrastructure for economic activity;
- Encourage UNMiK to resolve property issues and initiate privatization and use the funds that flow from the sale of enterprises for economic development and social welfare;
- Revitalize viable economic assets such as Trepca, Ferronikel, Elektroekonomia, and the railroad network;
- Create incentives for investment;
- Create an institutional framework for the development of a market economy and free trade with neighboring countries;
- Transform Kosovo into a free trade zone;
- Complete essential transportation corridors;
- Foster medium and small enterprises;
- Offer better professional and technical education and training for youth;
- Develop mechanisms and institutions to fight more effectively the war against corruption; and
- Work with UNMiK to transfer from international to Kosovo authority the necessary competencies for promoting economic development.

EDUCATION

Education in their own language at all levels on a non-discriminatory basis is a need of all Kosovo citizens. Kosovo should aim for the highest European standards. This will require legislation to modernize and reform Kosovo's schools, including improvement of facilities, the development of vocational education (including a higher police academy), and the introduction of more economics in curriculums. In the process of transforming the schools to meet European standards in a democratic context, re-integration of the current system, in which the Serbs are largely separated from others, will naturally begin in parallel with developments elsewhere in the region, but in addition there is a need to take immediate steps along the following lines:

- University professors and students should begin a dialogue with each other, including visits to each others' facilities and exchange of information about each others' curriculums, as a first step towards returning Serb university institutions to Pristina.
- A private, English-language university in Kosovo should bring together students of all ethnic groups.
- The Assembly should encourage the Kosovo Government to ensure that diplomas from the existing Serb institutions are accepted throughout Kosovo, just as diplomas from Kosovar institutions are accepted throughout Serbia. Similar arrangements should be made throughout the region.
- At lower levels (primary and secondary schools), ethnically integrated sports teams should be organized on a regional basis, the international community should provide education in tolerance, and electronic means should be used to improve communications among school children of different ethnic groups.
- Serbian schools should offer Albanian language on a voluntary basis and Albanian schools should offer Serbian language on a voluntary basis; all schools should offer English.

- The Assembly should encourage the Kosovo government to initiate a process whereby teams of educators begin to examine curriculums at the primary and secondary levels to ensure that ethnic hatred is not being promoted;
- The Turkish, Roma and Bosniak communities, while a positive examples of achieving rights through integration into Kosovo's institutions, request of the Assembly increased official use of their languages, more training of teachers, and improved courses in Albanian.

The US Office in Pristina is invited to help initiate the dialogue among educational institutions at the university level.

SOCIAL WELFARE

Discussion of issues related to social welfare revealed a striking degree of unanimity on both diagnosis of problems and prescriptions for the future. The discussion focused principally on the themes of pensions, unemployment, health, and gender.

At present, 120,000 persons of retirement age are living without pensions in Kosovo. Thirty-four thousand disabled persons are also without means of sustenance. Unemployment is at the level of at least 65 percent. The health care delivery system is inadequate and underfunded. Although gender equality exists on a legal basis, women face practical obstacles to their effort to make full contributions to Kosovo society.

In the future, throughout Kosovo the right to work and to choose freely where to work should be available to all on a non-discriminatory basis. There is an immediate need to secure welfare payments for those who have lost jobs and to provide training and re-education to enable those who want to work in the future.

The effort to improve the payment of pensions deserves high priority. The Assembly, other Kosovo institutions, and UNMiK should work together, with support from the US Government, to negotiate with Belgrade, in order to:

- Ensure that Kosovo residents receive their rightful amount from the Serbian central pension fund;
- Return to Kosovo citizens the funds they lost because of the closure of banks in 1990;
- Direct 40 percent of the revenues gained through privatization to a Kosovo central pension fund; and
- Control more effectively the import and sale of goods such as cigarettes and gasoline, and levy taxes on those goods.

In the field of health care, priority should be given to actions necessary to:

- Rehabilitate decrepit facilities;
 - Purchase modern equipment; and
 - Adequately fund health-care salaries;
 - Hire additional medical specialists; and
 - Develop arrangements for access to advanced prescription medicines.
- In order to help women surmount the obstacles that they face, Assembly members resolved to give priority to the following projects;
- Modernization of the infrastructure of kindergartens, pre-schools, and schools;
 - Lengthening the period of maternity leave;

- Assisting marital partners in making family planning decisions; and
- Ensuring that women have access to the full range of employment options.

IMPROVING THE WORK OF THE KOSOVO ASSEMBLY

The first stage of the Assembly's efforts, which have been focused on organizing itself and electing a government, has come to an end. The Assembly members are now looking forward to the next stage, when the Assembly and Government will take on greater responsibilities from UNMiK and will be held accountable for their governing capabilities. The strong assistance already provided by OSCE, USAID and NDI as well as others should continue. The next stage will require improvements in physical facilities, support services and resources, procedures, and relations with UNMiK in general and the Special Representative of the Secretary General (SRSG) in particular.

The Assembly's needs include the following:

- Offices, beginning with the chairmen of commissions and heads of Parliamentary groups but eventually also for all Assembly members, especially those who are unable for now to reside within Kosovo;
- Computers, individual Internet access and official e-mail addresses as well as telephones;
- Higher salaries as well as transportation and official representation allowances;
- Transport to the Assembly from all parts of Kosovo for all Assembly members, enabling members to travel in the same vehicles together, thus enhancing security as well as opportunities for consultation across ethnic lines;
- A transcript or written records of the Assembly's proceedings;
- A directory with contact information for all Assembly members;
- A secure place where Assembly members can meet informally;
- An enlarged Secretariat;
- Secure return of all Assembly members to their homes.

The Assembly will have to prioritize these needs and decide on which should be fulfilled as it takes over budgeting for itself.

There is also a need to enhance reporting, consultation, transparency, and coordination between UNMiK and the Assembly. UNMiK officials, including all the pillars, should be prepared to consult with the Assembly, including heads of relevant commissions, and report on its planning, especially for those areas that will soon be turned over to the responsibility of the Government. The SRSG should consider having Kosovo officials and Assembly members from different ethnic communities accompany him on trips when he is discussing Kosovo with the international community. He should also consider addressing the Assembly on a regular basis.

DIALOGUE WITHIN KOSOVO SOCIETY

Members of the Assembly agreed that dialogue between the Assembly and groups in Kosovo civil society is essential to good governance. They view promotion of dialogue with constituents as a duty. Equally important is the development of a vibrant culture of civic organizations, including multi-ethnic bodies.

Currently, Assembly members are limited by the lack of physical infrastructure and financial means from conducting as full a dialogue with constituents as would be desirable. Nevertheless, individual members have taken the initiative to meet with constituents individually and in groups, often using the members' homes as venues. All members are resolved to seek out opportunities for dialogue with constituents both in person and through the media. The media should be seen as partners in the effort toward dialogue, not as obstacles.

Members agreed that non-governmental organizations, both international and Kosovo-based, have played important roles in the progress that has taken place over the past years. At the same time, however, members noted that, with few exceptions, domestic NGOs remain ethnically based. Some members expressed the view that the contributions of international NGOs have been diminished by incidents of poor management and less than full cooperation with Kosovo groups. All members agreed on the desirability of increasing the number of multi-ethnic NGOs. Some examples of this type of organization already exist, but in principle all NGOs should be open to membership by all citizens of Kosovo. One means of promoting this development would be through passage of a law on NGOs.

The members of the Assembly agreed on the necessity to expand the space for societal dialogue and to work together to work together and with UNMiK to increase the transparency of communications between the Assembly and constituents. They agreed that the following steps would be constructive:

- Establishment in each municipality of a facility for meetings between members of the Assembly and constituents;
- Holding Assembly committee hearings to hear the views of constituents on specific issues, both in Pristina and in localities particularly impacted by proposed legislation;
- Establishment by parliamentary commissions of expert advisory commissions on important legislative themes in order to listen to constituent views and take advantage of constituent expertise; and
- Establishment of arrangements through an Assembly website for dialogue between constituents and members of the Assembly.

PARTICIPANTS

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Mr. Arsim Bajrami	Mr. Bogoljub Milosevic
Mr. Nexhat Daci	Mr. Naim Maloku
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