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SRSG Address to European Policy Centre

PRISTINA – SRSG Søren Jessen-Petersen today addressed the European Policy Centre in Brussels on Kosovo – the Way Forward.

Following is the text of his address:

“Ladies and Gentlemen, thank you very much – and please allow me to extend my especial thanks to the European Policy Centre, to its Director of Studies Fraser Cameron, and to the King Baudouin Foundation for inviting me to address you this evening.

The title of my presentation today is “Kosovo: the Way Forward”. In the long term this way forward is clear – it is the path of Europeanisation. But in the shorter term things are, of course, more complicated. This evening I want to tell you a little about what is happening in Kosovo, a little about what needs to happen, and a little more about how I see the EU’s role in Kosovo’s future.

Where we are now

We are now more than half way through 2005. Even before this year began it was recognized as being a crucial one for Kosovo, and so it is proving.

There has been publicized progress in the field of Standards implementation, also being acknowledged by the Security Council on 27 May. Since then, we have entered a new stage in this process with the launch of the comprehensive review of progress on standards being conducted by Ambassador Eide – I will talk about this in more detail a little later.

It does no harm, though, at this stage to reiterate that our last quarterly review of Standards recorded progress in all areas of standards implementation, but also stated that none of the eight main standards categories had been fully implemented. We must keep up the pace in this process, particularly given the risk of the Kosovo institutions being “distracted” by the status process. I therefore welcome the recent adoption by the Provisional Institutions of Self-Government in Pristina, of an “Action Plan” on standards implementation for the remainder of the year and we will closely monitor that implementation.

Progress, too, has been visible in the political sphere. There was understandable confusion, and some public jockeying for position by all parties in the aftermath of indictment and resignation of former Prime Minister Haradinaj in March. This is not surprising under the circumstances of a

dramatic and traumatic event for Kosovo, which, in itself, was handled with an impressive degree of political maturity.

But given the seriousness of the issues that must be confronted by Kosovo's political leadership this year, political fractiousness is something that must be managed with care. I therefore decided to institute a Forum, gathering together the President and the leaders of the four main political parties, in order to try and build political consensus on matters of key concern. So far, the Forum has come off to a good start, with constructive discussions taking place at both the level of party leaders and, beneath them, at the working level in the newly-constituted Forum Secretariat. The Forum will help political parties on significant issues, including how to formulate a mechanism by which a consensual platform to final status negotiations can be elaborated. Given the potential timeframe this has not come a moment too soon.

Progress in the field of dialogue both within Kosovo, between the majority and minority communities, and at the higher Belgrade-Pristina level has a mixed record. On the one hand, there have been constructive meetings of the working groups on Returns, Energy, Missing Persons, and Transport and Communications, all in the month and a half that has passed since my address to the Security Council in May. On the other hand, dialogue at the highest level between the Presidents and Prime Ministers of Serbia and Kosovo respectively have so far not proved possible. But this can only be a matter of time.

Challenges

Clearly, though, the overall progress achieved does not leave us without challenges. The returns process, for displaced persons, is a case in point. Progress is being made slowly in creating the right conditions for returns. Numbers remain low. There are many reasons for this, and politics is one of them, but there is still more that could be done within Kosovo to facilitate the process. In particular, property rights need to be better registered and enforced – something that would, incidentally, benefit the citizens of all communities.

Similarly, in the field of freedom of movement for minority groups, recent polling data by UNMIK Police indicates a significant improvement in the number of individuals from minority groups who travel freely in Kosovo and feel safe doing so. On the other hand, the very fact that polling data is necessary with respect to this question indicates that work still needs to be done to fully integrate the minority groups in Kosovo society and to make sure every citizen is free to move around.

Decentralization is another area where progress has been slow so far, due mostly to a lack of enthusiasm for the process among some politicians in Kosovo. However, after intensive work with and by the Ministry of Local Government, pilot projects in decentralization are due to come on stream in the coming weeks, following an Administrative Directive that I expect to sign shortly. These projects will no doubt encounter difficulties – the support of minority groups affected by and benefiting from the pilot projects needs to be ensured and cannot be taken for granted, for example. But the projects should allow the PISG to see how the process of decentralization works in practice, and to learn lessons which can in due course be applied to a devolution of power to local authorities throughout Kosovo – a key project as we build up a multiethnic society.

Meanwhile, with the beginning of the comprehensive review of progress on standards we have entered a landscape of shifting political stands. In navigating through these sands the international

community will have a crucial role to play. And within the international community I would like to say a few words now about the role of the EU in particular.

EU in the Balkans

The European Union is today one of the most powerful institutional actors in Balkan policy. And its policies are relatively successful. Having served as EU Special Representative in Skopje in 2004, I can testify both to the EU's rapid political decision-making capability on the ground – one that runs counter to much of the mythology of the EU – and to its extraordinary influence.

That influence exists, of course, not only as a result of the EU's direct activities in the Balkans – extensive as they are, from political support, through the physical infrastructure work of the Agency for Reconstruction and the judicial institution-building of the Commission, to the management of police and military missions in Bosnia and Macedonia. No. The EU's influence exists primarily because the Union carries with it the offer of integration into the European family of nations.

In this context, I welcome the joint paper of High Representative Javier Solana and Commissioner Rehn, which was approved by the Council of Ministers of the EU in June. In particular, I note that it includes a number of guiding principles regarding the status process, including the fact that any solution must be fully compatible with European values and standards and must contribute to realizing the European perspective of Kosovo and of the region.

The importance of the membership

Those of us who work in foreign policy must have very good night vision – we live on a diet of carrots. (I won't speculate on what effects the sticks have). EU membership is one of the largest carrots in diplomatic history. A prize of considerable proportions that brings with it a social, economic and, above all, political transformation. And thus benefits the EU as a whole.

The effect of the offer of membership is, of course, impossible to measure for the obvious reason that we cannot know what would have happened if the offer had not been made. But it is nonetheless an interesting thought experiment: what would have happened, in Central Europe, let alone the Balkans, if the EU had said in 1994, after the accession of Austria, Finland and Sweden, “no more”. Would some of the countries that eventually did join in 2004 be as wealthy and stable as they are? I think not – and I believe that they think not as well. And what is true of these countries is doubly true of the Western Balkans in more recent years.

The European perspective that was opened up with the Thessaloniki Summit in June 2003 has become the road map that slowly but surely guides the region from the conflicts of the past to the national, regional and European integration of the future.

On 25 June the *Economist* published an overview of the countries now queuing up in the hope of joining the European Union. One did not have to agree with all of its prescriptions for the future of the Union, or of “degrees of membership”, to agree wholeheartedly with its essential point: that “Europe's political and economic values should go on penetrating and changing the

countries” neighbouring the Union. As the same article dryly points out, “the alternatives are not encouraging”.

Within the EU we are often too apt to focus on internal difficulties and ignore the extraordinary desirability of what we have created over the years. Timothy Garton Ash summed it up beautifully when he said, “It is as if a man had created a fine but rather rambling palace, then condemned it as a failure because it was not the Parthenon”. The eagerness of those wishing to enter the palace is testament to its genuine success. And it brings enormous leverage. And I have certainly seen that in the past years.

Opportunities and challenges in the Western Balkans

So the doubts and worries that have arisen in the region following the defeat of the EU constitution in referenda in France and the Netherlands should give us all pause to think. There is unease in the Western Balkans: is the offer still really there? And what kind of membership will it be?

Political statements from EU leaders, particularly with regard to the Western Balkans, have so far been encouragingly unambiguous, and universal: the Thessaloniki summit promise remains, enlargement will continue, and the countries of the Western Balkans will join. Eventually.

So far so good, but in the political field above all others, actions speak louder than words. The States of the Western Balkans now need further signals and symbols of commitment in order to be sure that our statements carry weight.

Plenty of opportunities – and challenges – lie ahead for the EU to prove this commitment in the coming months: the decision on the opening of Croatia’s entry negotiations; the *avis* on Macedonia’s membership application; a decision on whether or not to opening negotiations on a Stabilisation and Association Agreement for Serbia and Montenegro. These are only the most immediate ones. Positive responses to any or all of these would be a huge boost for the Western Balkans, and a further confirmation of the EU as a lead political actor in the region.

It is interesting here to note that despite all the conflicts and tensions of the most recent past, there seems to be broad agreement among most politicians and citizens of the Western Balkans that Croatia’s eventual entry into Europe would serve as a signal to, and an engine for further reform in the other states of the region. A powerful signal that integration is indeed the future.

But another challenge is on the horizon. Kosovo. This challenge for the EU comes in two forms; the resolution of status, and the future of the international presence.

Status

As mentioned earlier, the Norwegian Ambassador to NATO Kai Eide is currently in the region undertaking a comprehensive assessment of progress on “standards” for Kosovo. The standards in question stand within a policy framework designed to transform Kosovo’s political, social and economic life, with a view ultimately to creating a society which is fully democratic, multi-ethnic, stable and prosperous – in short, a society that is European.

Ambassador Eide's report will be submitted to the UN Secretary-General whose recommendations will inform the Security Council's decision on whether to begin the process of settling Kosovo's future status. We expect this to happen sometime this autumn. If positive, the Secretary-General will appoint a Special Envoy to conduct the discussions leading to a decision on Kosovo's future. How long it will take is an open question, but in the interest of further progress towards European standards in both Kosovo, its neighbours and the wider region, I do hope that a settlement will have been arrived at before the end of next year.

The important point is that status is an issue that must be solved in an EU context. To spell this out, it must be clear that, irrespective of status, both Pristina and Belgrade are heading for Brussels. The status process will decide how they travel that road, but the destination must be clear. The alternative is a process of status settlement in which both sides regard the issue as a totally zero-sum game: I win, you lose. If status settlement is part of a broader movement towards EU membership for both parties, or even a *sine qua non* for that movement to continue, then the tensions inherent in it might be dissipated somewhat. And any dissipation, no matter how small, is important.

Future of the international presence

The settlement of Kosovo's status will of course affect the international presence there. But that presence will undergo changes anyway, before, during and after the status negotiations. This is the second challenge for the EU in Kosovo.

The EU in Kosovo now

The EU is already a vital player in the international community in Kosovo. It is one of the pillars of the United Nations Mission in Kosovo, along with the OSCE. There is also a dynamic office representing SG/HR Solana, a Commission Office doing important work, the monitoring role of the EUMM, and the hard grind of housing reconstruction and infrastructure development from the Agency for Reconstruction.

Even that does not however give the full picture of the EU's role in Kosovo. A very high proportion of UNMIK personnel come from EU countries – the same applies to the OSCE mission in Kosovo. On top of this, of course, a large proportion of the 17,000 KFOR troops responsible for security in Kosovo come also from EU member states. EU member states have active liaison offices with significant bilateral programmes. EU member states make up four of the six members of the Contact Group. And finally, indirectly, via the UN peacekeeping budget, the EU is collectively the largest contributor to the existing international presence in Kosovo.

Put in this way, the EU is already the biggest actor in the stabilization and development of Kosovo. But the EU's weight in finance and personnel is not matched yet politically, because its effort is dispersed and filtered through different organizations, including my own Mission.

The future role of the international community as a whole in Kosovo, after status, will of course be contingent upon a request or invitation from whatever constitutes the competent authority after the end of the status process. But assuming such an invitation will be forthcoming, it seems to me that the challenge for the EU is to realize fully the latent influence it already has, and to work from this to a central role for the Union in Kosovo's future. And it should have such a central role. After all, Kosovo is in Europe geographically and will, one way or another, end up in Europe politically as well.

Why not the UN?

It may sound strange to hear the head of a UN mission saying this. But the UN's strengths lie in the political and, to a lesser extent, social stabilization of post-conflict societies. In my view Kosovo has now stabilized to a large extent and further progress is increasingly stymied by two factors: a lack of clarity on status, and the lack of any significant improvement in its economic circumstances.

Unfortunately Kosovo's economy, as well as its politics, is to a large extent a hostage to the status issue. But in any case, economic development in the long term is of course handled much more ably by the broader UN family than by a peacekeeping mission. This means especially the International Monetary Fund and World Bank, which currently have operational constraints in Kosovo as a consequence of its unresolved status.

Our approach to economic development has, of necessity, focused on immediate needs such as reconstruction and micro-employment. Kosovo needs to be able to look beyond these short-term needs to a better economic future – but in this respect UNMIK's limitations are clear.

What I am driving at is that the UN's relative success so far means that Kosovo is beginning to graduate beyond what the international presence, under the mandate of Security Council Resolution 1244, is currently configured to assist it with. We need a new approach and eventually new actors to continue building up a multiethnic, democratic and post-status Kosovo.

Why the EU?

Since Kosovo has been given the prospect of entry into the EU, one way or another, and since, as I have said, the status issue must be solved within an EU context, this new central actor must be the EU. The EU now has years of experience in “transitioning” (a wretched word) post-communist states. That experience is now needed in Kosovo, and the EU is best positioned to provide it.

It is, besides this, manifestly in the EU’s interests to priorities economic, political and social development on its own doorstep. The effects of high levels of unemployment in Kosovo, coupled as they are with high levels of political uncertainty, will continue to provide a breeding ground for tension, and potentially for violence, that obviously will spill across borders and into the nations of Europe, through illegal migration, organized crime and other illicit activities. Following on progress made so far by UNMIC and IC under the constraints of SCR 1244, we need a follow on dedicated EU effort at sustained reform and Europeanisation in Kosovo is therefore an investment for the future: theirs and ours.

Time to get ready

The EU has repeatedly stated that it does not want to replace UNMIK with EUMIK. Quite right. Whereas UNMIK is still very much on the ground doing its job, and we are fully committed to stay on as mandated by SCR 1244, I would argue that it is now time to start enunciating what an eventual follow on EU presence will be like, as well as what it will not be like. And I believe, contrary to popular wisdom, that this is something that can happen without knowing the outcome or even precise timing of a decision on future status.

Far be it from me to offer suggestions, but let me say a few things about the future EU role in Kosovo.

First, it will, whatever the outcome of status negotiations, have to be considerable. The scale of the challenge in Kosovo, in terms of continued institution-building, public administration reform, judicial reform, policing, infrastructure, education and plain economics, dwarfs that seen in most other transition countries in Europe, which had a better point of departure.

Second, the EU should if necessary, and if invited to do so by the post-status authorities in Kosovo, be prepared to take on some executive functions: policing, prosecutions and trials in organized crime, corruption and political violence cases, for instance. An intrusive international presence is likely to be necessary for a while whatever the outcome on status.

Finally, it should be planned. I sense a certain reluctance by some States to address the issue of the EU’s future role. Recent developments on the future EU architecture are one reason. Another is a concern about having the necessary capacity and resources as a result of growing EU involvement in operations beyond the borders of the Union. It is good that the EU sees itself as a global player. But this should not be to the detriment of stabilization in its own front yard; the Western Balkans.

In the lead – but not alone

I have argued today that it is essential that, for all our sakes, the EU keeps the door open to the Western Balkans in terms of membership and that, beyond this, the EU commits itself to actions which prove its engagement with the countries of the region. This is difficult, no question. But

somebody has to do it. And the EU will not be alone in the endeavour – the UN will stay on in Kosovo, albeit in a progressively reduced form. So I believe, would NATO, with KFOR's essential presence. The OSCE, as well, will, I hope, continue its work in institution building and human rights, and might be able to share responsibility in the fields of justice and policing with any incoming EU mission as we have seen elsewhere in Western Balkans.

In addition, my experience as EUSR in Macedonia has demonstrated to me the importance of a joined-up approach to policy-making, and in particular the need for a strong, co-operative relationship between the EU and the US. The US has, for obvious reasons, been a key player in Kosovo since 1999. It will continue to be so in the future, and that can only be good news for Kosovo itself, and for the international presence there.

But in the end the central agency must be the EU for the reasons I have outlined above. The politics of the Balkans is dependent on the EU – in a way which reflects and magnifies the extent to which the countries of Central Europe were dependent on Europe in the 1990s.

But the differences are as important as the similarities. These are post-conflict societies; a fact which matters in its psychological effect on people's attitudes to politicians and political promises. We owe it to them to give them faith again that politics, and politicians, can actually deliver what people want. Peace, security, prosperity and a European future.

After the hesitation and slow response of Europe in addressing the conflicts of the nineties in Croatia, Bosnia and Kosovo, this decade has seen decisive European leadership in Macedonia, in 2001, at the Thessaloniki Summit, in 2003, and in many more recent actions and initiatives throughout the region.

Now it is time for decisions, clear commitments on, and political leadership towards, the European future of the countries and citizens of the Western Balkans, including Kosovo.

Thank you, Ladies and Gentlemen.”