

UNMIK



United Nations Mission in Kosovo

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10 December

Holkeri, Rexhepi to make Standards for Kosovo official (Zëri)

Zëri reports that after numerous discussions between officials of institutions, Kosovan political parties and the international administration, SRSB Harri Holkeri and Prime Minister Bajram Rexhepi will make official the plan 'Standards for Kosovo' today.

UNMIK spokeswoman Izabella Karlowicz was quoted as saying, 'The ceremony of announcing the plan for standards will be made today at 1000 hrs in the hall of the Municipal Assembly of Prishtina'.

Zëri reports that President Ibrahim Rugova, Assembly Speaker Nexhat Daci and PDK leader Hashim Thaçi and AAK leader Ramush Haradinaj will be attending the ceremony.

The paper reports that after the official announcement of the document, work will begin in compiling the Plan for the Implementation of Standards.

Zëri reports that PDSRSB Charles Brayshaw, UNMIK Strategy Coordinator Carne Ross, Skender Hyseni, advisor to President Ibrahim Rugova, Hashim Thaçi and Arsim Bajrami from PDK, AAK leader Ramush Haradinaj and minority representatives attended the latest joint meeting to finalise Standards for Kosovo. Holkeri and Rexhepi didn't attend the meeting because they are representing Kosovo in Brussels, at a forum between the European Union and Western Balkans countries.

'We talked about standards, and their announcement, which is going to take place on Wednesday. Despite eventual remarks, this should be perceived from a broader view, with the aim of accelerating the process, that is to move on to the phase of implementation, because this is in Kosovo's interest,' Skender Hyseni was quoted as saying. 'After all, the request of the international community is to implement these standards as soon as possible, so that Kosovo can reach the point where it can determine its own future'.

Hyseni said that one of the most important things is that 'for the first time, ever since these standards were first announced, we are in a position to clearly define them, and this means that they are no longer abstract'. 'It is important for us to cooperate, to be

in partnership with the international community, and work with the aim of fulfilling these standards as soon as possible. Apart from this, we also expect Kosovan institutions to have more responsibilities so that they can be competent to face all the challenges that will derive from these standards,' he added.

Arsim Bajrami, deputy leader of the Kosovo Democratic Party (PDK), said that the plan of standards concretizes the formula of standards before status. 'The majority of elements required from Kosovan institutions will be acceptable. I think Kosovo has already fulfilled some of these standards, not to say half of them. There is progress in the approach towards these standards,' Bajrami added. 'This progress is identified with the fact that these standards have to be complemented with European laws and standards. It seems that UNMIK has agreed to give up the formula of applicable laws, because it will be much easier to achieve progress in fulfilling these standards if they are linked to European laws, with the legislation of Kosovo and with other laws that UNMIK is going to adopt during the transitional period.'

Bajrami said that UNMIK officials were asked to provide an opportunity to Kosovan institutions so that they can prove that they are capable of fulfilling these standards.

Bajrami also said it was necessary for these standards to contain some protecting mechanisms, 'not to allow neighboring countries, especially Serbia, to destabilize Kosovo's pathway in fulfilling these standards'. 'We truly expect UNMIK to devise such protecting mechanisms, in order to avoid situations of crisis that always comes from Serbia,' he added.

Asked to point out the major remarks on the plan for standards, Bajrami said that the main remarks were related to applicable laws. 'We have asked UNMIK to have a dynamic approach toward the category of applicable laws and I can say that real progress in this aspect has been achieved, because UNMIK realized that standards cannot be fulfilled with discriminatory laws,' elaborated Bajrami. 'It was accepted that standards would be mainly based on the legislation of Kosovo and the legislation covered by UNMIK. As you know, the legislation of Kosovo is being created under international monitoring.'

Ramush Haradinaj, leader of the Alliance for the Future of Kosovo (AAK), said that the document has reached the final stage and that it has undergone changes. 'Some of these changes are not in accordance with the political reality in Kosovo,' he added, pointing out the introduction to the document.

Haradinaj said that another remark was related to the implementation of standards. 'Since this is UNMIK's document and bearing in mind that it is going to require cooperation for implementation, we think that it is of utmost importance to know the flow of implementation – will there be a plan that will complement this document, which aims high standards for an independent and developed countries. If we have such a plan, we will be successful. If not, we will just experience what we have experienced before,' Haradinaj said.

Asked whether or not he agreed with the plan, Haradinaj was quoted as saying, 'We aim at achieving such standards, but we think that it is unnecessary to link these

standards with the time of initiating the resolution of final status. The independence of Kosovo is the political will of the people of Kosovo, while standards are the goals of all independent countries that we are trying to achieve, but we don't link these with our political will and we will try to fulfill our political will,' Haradinaj added.

In a separate box inside the article, *Zëri* reports that the main remarks of the leaders of institutions and political parties in Kosovo regarding the plan 'Standards for Kosovo' were focused on Serb laws that were still being implemented in Kosovo.

Zëri quotes its sources as saying that in yesterday's meeting UNMIK officials decided that the fulfillment of standards would not be based on the applicable laws of the previous regime.

Practical path towards the status (*Koha Ditore*)

Koha Ditore reports that on Wednesday Kosovo will have a document on a new political strategy that will prepare Kosovo for the resolution of its final status. According to Kosovars and internationals, the new document, 'Standards for Kosovo', will mark a turning point for developments in the country. SRSG Holkeri and the Kosovo Prime Minister Rexhepi will inaugurate officially this plan today at the Prishtina municipality building, paper reports.

The last version is from December 6 and both sides, Kosovars and official Belgrade had comments, even though the Kosovars comments were not fundamental.

UNMIK officials claim on Tuesday that they expect a great support for the new document, *Koha Ditore* reports. 'We accepted to have a document that will have legitimacy of Kosovars and the internationals,' said SRSG's adviser Carne Ross.

Ross is the man who turned Steiner's standards into something that could be understood practically, paper reports. 'I hope that the majority will support the launch of the document, despite the fact that none of the parties is fully satisfied with the content. The document itself presents a compromise,' he said. Ross added that 'Standards for Kosovo' is a document, a political statement on standards created with the aim of assessing whether Kosovo is prepared to begin the establishment of the final status. 'UNMIK and Kosovo institutions will work together to implement these standards and this is due to happen by mid 2005,' he said.

On the other hand, Ross's counterpart Rexhep Hoti said that UNMIK at last is showing clear signals of cooperation with the Kosovar institutions. 'By this document UNMIK for the first time shows commitment to cooperate with the government. This is the best thing which has happened,' Hoti was quoted as saying. He added that Kosovo government has a few remarks regarding the new version, but such comments are not significant.

'There are no substantial remarks and we believe that we can find a solution to these remarks. I do not believe that there is a room for disagreements,' said Hoti.

Paper further reports that Belgrade did not accept this document. Serbian government said on Monday that such document is totally unacceptable. Ross further that UNMIK has obligation neither to accept Belgrade comments nor to consult it.

‘We did not negotiate the document with Belgrade,’ Ross said. He added that the Contact Group suggested to UNMIK to keep Belgrade informed, but not to consult it.

Regarding the same issue Rexhep Hoti said that ‘standards issue has nothing to do with Belgrade’. ‘We should bear in mind one fact, Belgrade will not have any influence,’ Hoti concluded.

Shala: The obstacles of December 11th (Zëri)

In a front-page editorial in Zëri, Blerim Shala writes:

Standards for Kosovo are going to be announced on December 10th, that is two years after the forming of the Kosovo Assembly that derived from free and democratic elections in 2001. We don’t believe that December 10th was intentionally chosen as the date that would bring back memories of the inaugurating session of the Kosovo Assembly. It was rather due to the constant procedural delays in the process of compiling the final version of Standards that led to this date.

You might certainly recall that two years ago, the forming of the Kosovo Assembly was seen as a major achievement, and as a political quality that would definitively have its impact in political developments here. We all know the advantages and limitations of the members of the Kosovo Assembly.

Now, in December 2003, Standards for Kosovo in the eyes of many is an action program of local and international authorities for the next 18 months, the period that divides us from the phase of resolving Kosovo’s status. We are used to having our fate linked to one date, one act, one action, one meeting, and in this spirit, the Announcement of Standards might play this role in a couple of days. But everyone who has read the content of this plan closely will understand that the quality of these standards can be achieved only through hard work by all relevant Kosovar and international factors.

Many things must change inside UNMIK and among Kosovan authorities, so that a political document, such as Standards for Kosovo, can become a reality. And this is certainly the major concern and the biggest obstacle that must be overcome starting from December 11th.

Hoti: The project for the independence of the state of Kosovo (Koha Ditore)

In an opinion piece for Koha Ditore, Rexhep Hoti, head of the Government Liaison Office with UNMIK/SRSG, writes, ‘Kosovo and its citizens have eighteen months to make their state a reality’.

There have been many unclear things while the ground for operationalization of the standards was being prepared, and not only at the local level, but above all at the relevant international level. There were many dilemmas. Perhaps, this could have been the reason why Steiner never answered New York about the request, not that clearly

spelled out, to start the operationalization and the implementation of the standards, a political project for which we can rightly say that it is a project for the independent state of Kosovo, which will be built upon the guarantee of the rights of all Kosovo citizens without any discrimination.

Actually, recognizing the state of Kosovo, which is an ongoing process, although it has created an inevitable reality in terms of reflections of decision-making forces of the planet, the European Union still needed a concrete step to remove doubt about recognizing a new state in the Western Balkans. Sometimes you could get the impression that the EU did not want the last practical step. But drafting of the standards for Kosovo and their unfolding with the consent of Washington, New York, Brussels, Moscow, London, Berlin, Roma and Paris, has definitively removed all doubt. Now it is up to the Kosovar society in general to round up this process successfully, which requires not only the institutional determination but a dedication by the people, too.

2.

But difficulties in starting this process are many. This time we will have a look at our neighboring country Serbia, to see their worries. It is understandable that not asking Serbia about the project for the independence of the state of Kosovo is a bitter reality for Belgrade, which over a century has had no courage to treat the issue of Kosovo with a real policy, with human ethics, and an accepted international legality. This conclusion does not only have to do with the evil they brought to Kosovo four years ago. As in that case, perhaps one could say, it was just a diversion, a break in their state conscience, a crazy decade.

Now it has been revealed that there has continually been a defect in the growing and the development of the Serbian state and Serbian society. But what can be said with certainty is the fact that this neighbor had and continues to have a crisis with their state and their national identity. If we add the crisis of the free vote there to this crisis, then we can see clearly that things in the Balkans are not at all appropriate.

However, does this mean that Kosovo should continue to work and live with the pressure from Belgrade and not to push Belgrade for this or that action as it happened during the time when the grounds for Standards for Kosovo were being prepared.

3.

Reactions of the Serbian Government to this project can be hardly justified. Only the contents of the standards should have brought down any negative stance our northeast neighbor could have. And, instead of a cautious reaction, which would be closer to the reality of what Kosovo is asked to prove, this state comes up with worse and worse reactions. They unleash a language full of poison and even threat of war. They refute their integration in EU just out of spite, and boycott the meeting in Brussels, which regarded the operationalization of standards.

What this means is not difficult to understand. Our northeast neighbor still wants the past, and they do not want Kosovo to stand on its feet and they do not want to take care of themselves and look towards the future. What is worse is that Serbia warns to continue with its manipulation of feelings and misfortune of a part of Kosovo citizens

for the benefit of the same political class that is not in a position to get the votes of their people. Bargaining with people has probably been the lowest way of humiliating a society, institution or a certain caste. And from this political class we hear about corruption, trafficking and other crimes in Kosovo.

4.

The wickedness of politics of our northeastern neighbor toward Kosovo cannot be covered with violating processes in Kosovo. Otherwise a vicious logic will be helped, which, although a part of its ideologists are in the Hague, it is still quite plausible that it remain the main decision-making force in the country.

It is understandable that the behavior in Pristina cannot help at all improving of this state, but if there is something to help it, it is the uncompromised truth of Pristina toward Belgrade. This state has not been consulted at all about the project of an independent Kosovo, and it will be understandable how much they will be asked at the end of the project. This is the real politics. Belgrade is not going to be asked because they are not willing to communicate with Pristina, let alone to take important steps.

This state is still supporting parallel structures in Kosovo, it is intruding in internal affairs of Kosovo, it is openly taking threatening stances; but, after the announcement of the standards for Kosovo, it is time they understand that soon they will not have that capacity.

Kosovo and its citizens have eighteen months to make their state a reality. It is time their painful drama concludes with freedom for all the people without discrimination whatsoever to travel without fear or worries towards a democratic future.

Kosovo Assembly to discuss 53 discriminatory laws (*Koha Ditore*)

Koha Ditore reports that the presidency of the Kosovo Assembly has decided to include in the agenda of the upcoming plenary session the issue of declaring null and void the discriminatory laws that were adopted in Kosovo after March 1989.

Hydajet Hyseni, member of the assembly presidency, said it was absurd for someone to legitimize laws that were adopted with bayonets without taking into account the will of the people.

Pushing forward the idea that the Kosovo Government had after the recommendations by the Commission for Legislative and Legal matters, and for Constitutional Framework.

‘The 53 laws adopted by Serbia after March 1989, are not only discriminatory, but they are also offensive and have proved to be blocking processes in Kosovo. It is time that Kosovo be freed from these fetters’, said Hyseni.

Another member of the Presidency, Bajram Kosumi proposed that the decision of the Assembly should be in two stages. The first would be to annul all laws and other constitutional acts regarding Kosovo, adopted by Serbia after 22 March 1989, and the second to adopt an annex of all discriminatory laws to be annulled.

‘This has been necessary from the very first meeting of the Assembly, since we have already entered a new democratic period of adopting laws in Kosovo. Those laws were adopted after the then Assembly of Kosovo was suspended, but it is never too late’, said Kosumi adding that such an action would violate the Constitutional Framework or the Resolution 1244.

The Assembly Presidency has decided to postpone the discussion for KPC since it is a broad subject and needs preparations.

In the Thursday session of the Assembly the draft-law for the Kosovo Chamber of Commerce will be discussed. Members will also be presented the opinion of the panel regarding the opposition of Coalition ‘Povratak’ for the law on census.

In a special box within the article, the Assembly Presidency condemns the attack against the Prime Minister of Kosovo and the delegation of the World Bank on Saturday in Mitrovica. ‘These incidents aggravate the situation in Kosovo and are detrimental to freedom of movement and competencies of Kosovo institutions’, they say.

Rexhepi: KTA’s frightening silence (Koha Ditore)

Koha Ditore carries an editorial by Ibrahim Rexhepi who writes:

The number one person for all economic processes in Kosovo, Nikolaus Lambsdorff, states convincingly that the privatization process of socially owned enterprises in Kosovo would continue very soon.

‘Privatization will change when compared to the model applied until now,’ said the head of Pillar IV and KTA Board chairman.

And now everything is waiting for the new model, for a trip to New York, for a KTA Board meeting, and many reactions that will follow.

An announced and then cancelled meeting of the KTA Board seems to have increased the waiting fever as well as the dilemmas for the model to be applied. The next meeting is expected to clarify the situation.

In the meantime, KTA's ability to sell 23 enterprises is questioned. The wood combine in Peja, hotel Adriatiku in Mitrovica, and the cement factory in Vushtrri are the disputed enterprises, though there are individuals within KTA who see this problem very optimistically. They claim that the issue will be resolved in the coming days.

Regardless of how the issue will be resolved, the detailed checking of 23 tendered enterprises indicates that the changed operational policies are being applied without the Board's consent. However, the old document, about which Mr. Lambsdorff claims that it has never been adopted, does not mention the need to review KTA’s right to sell SOEs in Kosovo.

By requesting this right, the institution responsible for transformation of socially owner property in Kosovo, seems to be in search for the other entity, which has done

the same in the past. In this case, there is only Serbia in its violent laws, which are applicable even in 2003. This is due to the fact that in Kosovo privatization of socially owned property or other forms of transformation was never carried out before. At the same time, actions carried out by Serbia are disputable in every aspect, even Mr. Lambsdorff personally is convinced that Serb laws were 'discriminatory and criminal'. Therefore the dilemma arises again: What kind of right is KTA looking for? Why is it taking these laws seriously?

Also, everybody working in KTA should have had in mind that: On every occasion and everywhere in the world, the property transformation process is contested. Different claimants come to surface with numerous demands and interests. Therefore, such claims should not be regarded as unusual in Kosovo. There are the laws and the courts that resolve these issues. As anywhere else in the world.

In Kosovo people talk about the damages caused by the stopping of privatisation, damages caused to purchasers who trusted KTA [...] But these damages are very small compared to the fact that all other economic processes are blocked in Kosovo. In fact no investor trusts the promises and the offers made by UNMIK and the Kosovo Government; for as long as there are such hesitations there is no chance for a speedy economic development and decrease of unemployment; socially owned enterprises will be subject to continued destruction and degradation; they can become a source of economic crime, and a source to anything else...

Lastly, we come to the most severe problem - the political one. How 'Kosovan' is the KTA, which respects Serb laws so much? Does this mean that there is a large possibility that Belgrade is orchestrating not only privatization but all processes in Kosovo?

There is no response, but the response can be implied.

Fucci becomes KTA director through 'connections'

Koha Ditore claims that Marie Fucci's appointment, as KTA general director is very dubious if not even related to individual favouritism. Referring to reliable sources from UNMIK administration, *Koha* reports that the moment Fucci headed for Prishtina she knew that she would be proposed and appointed as KTA general manager.

Nikolaus Lambsdorff, Pillar IV head, earlier stated that about 100 applications were received for the position and that several candidates were interviewed. However, he said that he did not remember any of the names of the other candidates. But again referring to reliable sources, the paper claims with full certainty that the only person invited for an interview for the position was the current KTA manager.

International sources told the paper that Marie Fucci was brought to Prishtina after on the basis of a personal recommendation of Herbert Schmidt, Lambsdorff's adviser. Fucci and Schmidt seem to be old friends, claims the paper adding that this was even confirmed by Pillar IV head. 'Fucci came amongst friends to Prishtina,' the source is quoted as saying.

The paper further questions Fucci's appointment by the KTA Board adding that none of the three Kosovo Government representatives in the Board voted in Fucci's favor.

'The voting was improper. Persons whom we saw for the first time in the Board meeting were invited to vote in her favor,' Unions representative Bahri Shabani told the paper.

Fucci was appointed with five votes (i.e. the vote of Lambsdorff, Peter Sorensen, Andreas Wittkowsky, a representative of Pillar II, Goran Bogdanovic, and Tanic), the paper reports.

Paul Csiszar: Are there any legal obstacles to the Privatization? (Koha Ditore)

Koha Ditore carries an opinion piece by the KTA legal office head Paul Csiszar regarding the privatization process.

"No, there are not any legal reasons for blocking or canceling the Privatization program in Kosovo. The United Nations has clearly stated on several occasions that the Privatization in Kosovo is an essential part of UNMIK's mandate to carry out economic reconstruction and development. Every lawyer in the KTA Legal Department is completely committed to the Privatization, and they work extremely hard together with other KTA staff members to make sure that Privatization is implemented, and it is done right."

Privatization was started in May with the launch of the first wave tenders of SOEs, shortly followed by the second wave in the summer. Then, on October 7, 2003, the ratification and signing of the first and second waves of privatization transactions were suspended temporarily.

Why did this happen?

"It became clear in August that there was a risk that successful legal attacks against the KTA and the premises on which the KTA launched the Privatization could be made on the ground that in the past the KTA went outside of the legal parameters established by UNMIK Regulations and the legislative intent of UNDPKO. These risks were explained to KTA management, the KTA Board, UNMIK and as a result there was the trip to New York.

As to how much risk exactly the KTA should take that is for the leadership of the KTA to decide following the principles of risk management. While this issue is widely debated in Pristina presently by all stakeholders and the press, we all should keep in mind that, from the legal perspective no matter what risks the KTA leadership ultimately decides to take, once the risks are identified, it is the duty of the Legal Department and the KTA Board to minimize the KTA's exposure to such risks. The recent guidelines from UNDPKO clearly confirm that the KTA has been exposed to serious risks due to its past operations.

When serious legal risks exist in any kind of activities, the temporary suspension of those activities until the problems are fixed is usually viewed as a prudent leadership decision.

This should explain the temporary suspension of the execution of the first dozen or so privatization contracts.

Following such temporary suspension the Board instructed the KTA to make improvements to its due diligence procedures that both reduced the KTA's exposure to legal liability and are also in line with the guidelines received from UNDPKO. As a result of such improvements in the KTA activities, at the 21 November Board meeting the immediate ratification and signing of a dozen or so privatization transactions were proposed to the Board. Since that date, the list of such approved companies is growing every day as a result of the efforts of the KTA staff working on these transactions. The Privatization process has in fact restarted, it just requires the Board's vote."

How could have somebody attacked the KTA on the basis that the KTA's prior practice went outside of the legal parameters established by UNMIK Regulations and UNDPKO, and how do these problems relate to the issue of immunity?

"From the time the KTA Regulation and the Special Chamber Regulation were promulgated, there were several areas of legal ambiguity in the KTA Regulation and its Operational Policies. The KTA has chosen one of several plausible interpretations in the past believing that its interpretation is the correct one that UNMIK and UNDPKO meant to give to the KTA Regulation. Since other, equally plausible interpretations of the KTA Regulation always existed, it was necessary and prudent for the KTA Legal Department to seek clarification from UNMIK on these issues. The reason for this is that if it had turned out in a future court proceedings that the wrong interpretation was chosen by the KTA to carry out the Privatization, then the Privatization in Kosovo would have been in serious jeopardy. That would have been a much worse situation than what we all had to face in the past month or so. In order to secure a successful privatization program that is properly conducted under the UN auspices, the KTA Legal Department had to ask for the elimination of ambiguities in the regulations and it also had to make sure that the KTA was clearly operating within the parameters established by UNMIK Regulations and UNDPKO.

A critical event for the KTA was also the filing of a lawsuit against the UN, UNMIK and the KTA in a New York court. The plaintiff in this suit has specifically requested the New York Supreme Court to order the KTA to suspend its privatization of one of the second wave SOEs. The key assumption that has always been made about the KTA was that courts outside of Kosovo would recognize that all controversies associated with Privatization in Kosovo would be tried in the Special Chamber of the Supreme Court of Kosovo. The New York lawsuit is a test case because if the plaintiff's request were granted by the court, nothing would prevent other plaintiffs in other foreign courts from making requests with respect to other SOEs.

Just days after the New York lawsuit started, the UN decided to assert its immunity in the lawsuit over the UN and UNMIK only. They did not assert immunity for the KTA. As a result, the KTA had to immediately engage and defend itself in New York and unfortunately no assurances could have been given that further suits in other foreign courts would not follow. The KTA Legal Department believes that the KTA has a very strong legal case for the court to return the New York case to Kosovo to the

Special Chamber, and therefore the KTA decided to ask formally UNMIK again for support in the form of UN immunity from lawsuits in foreign courts. The KTA is presently working very hard to convince the New York court not to allow the case to proceed in its court system and to dismiss the case in favour of the Special Chamber in Kosovo. UNDPKO supports our efforts, although it came short of invoking immunity for the KTA in the lawsuit.

As mentioned earlier, DSRSG Lambsdorff decided that, since there were other outstanding legal questions about some elements of the KTA Regulation and the Special Chamber Regulation on which clarification was sought, the most prudent action would be to temporarily suspend the Third Wave of tenders until we had the necessary clarifications.

The good news is that in its guidelines the UNDPKO in New York has clarified several vital legal issues thus endorsing the Privatization and it also stated that it would require a more considered approach to privatization. UNDPKO confirmed, for example, that the KTA could accept non-cash consideration for shares and take into account issues such as economic development, continued employment and future investment commitments in the privatized entity. This is a major success for the Privatization program of Kosovo and all stakeholders should be very happy about it."

How does all this relate to the applicability of the post-89 laws?

"In its guidelines the UNDPKO and UNOLA said that it was not prepared to recommend the SRSG to declare the post-89 Serb laws that were used in the post-89 SOE transformations discriminatory or non-applicable automatically for the purposes of the KTA status determinations of SOEs. Instead, UNDPKO requires the KTA to look for and establish evidence of discrimination in each case when an SOE transformation took place after 1989.

The issue of validity of property transactions that took place after 1989 under post-89 laws generally or specifically as it relates to the SOE transformations is a question that UNMIK, UNDPKO, UNOLA and the PISG will have to solve for Kosovo. The KTA as a technical organization has to implement UNMIK Regulations and the related UNDPKO instructions.

Naturally, as a practical matter from the KTA's prospective, decreeing the non-applicability by UNMIK of those post-1989 laws which were used in these transformations would have moved forward the privatization program faster and would have increased the KTA's chances to successfully defend its privatization program in court thus resulting in less court cases against it on the long run.

However, the UN guidelines and the issue of post-89 laws should not stop or even temporarily hold up the Privatization. While further demands for the repeal of post-89 laws are made and before that issue is settled, the KTA can proceed with Privatization. As of this date, the KTA staff has analyzed more than 30 SOE transformations and, as mentioned above, the Chairman has been prepared to put for vote for ratification of the privatization of the vast majority of these enterprises. This means that the monies

could be distributed to the workers and the purchasers can take possession of the privatized companies immediately.

As to the remaining SOEs, the KTA Legal Department is working extremely hard to develop several different legal strategies that will assist the KTA in moving the privatization process forward as envisioned. These include the establishment of evidentiary standards, which can be used to ensure that subsequent cases with similar facts can be evaluated efficiently and uniformly without causing further delays."

How Do You Feel About the Overall Situation?

"There are no legal obstacles, just some remaining legal risks which we need to reduce expeditiously. I am confident that Privatization can continue under the clear auspices of the UNMIK and UNDPKO, which is in the best interest of all stakeholders in Kosovo. Such Privatisation program would also clearly strengthen meeting the standards in the area of economic reconstruction and development. The KTA Legal Department is committed to assist each KTA Board member with his decision-making in a manner which will address everyone's concerns. The Privatization has in fact moved on already by the Chairman's proposal to ratify and sign almost all of the first and second wave privatization transactions, and the Board could vote affirmatively on this proposal while the PISG is pursuing its dialogue with UNMIK on the applicable law. "



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Kosovo Media Highlights

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Holkeri, Rexhepi to make official Standards for Kosovo (*Zëri*)

Zëri reports that after numerous discussions between officials of institutions, Kosovan political parties and the international administration, SRSG Harri Holkeri and Prime Minister Bajram Rexhepi will make official the plan 'Standards for Kosovo' today.

UNMIK spokeswoman Izabella Karlowicz was quoted as saying, 'The ceremony of announcing the plan for standards will be made today at 1000 hrs in the hall of the Municipal Assembly of Prishtina'.

Zëri reports that President Ibrahim Rugova, Assembly Speaker Nexhat Daci and PDK leader Hashim Thaçi and AAK leader Ramush Haradinaj will be attending the ceremony.

In a separate box inside the article, *Zëri* reports that the main remarks of the leaders of institutions and political parties in Kosovo regarding the plan 'Standards for Kosovo' were focused on Serb laws that were still being implemented in Kosovo. *Zëri* quotes its sources as saying that in yesterday's meeting UNMIK officials decided that the fulfillment of standards would not be based on the applicable laws of the previous regime.

Epoka e Re reports that PDSRSG Charles Brayshaw and UNMIK Strategy Coordinator Carne Ross have met yesterday with PDK leader Hashim Thaçi, AAK leader Ramush Haradinaj and Skender Hyseni, advisor to President Rugova to brief them on 'Standards for Kosovo'.

Epoka e Re carries a full copy of the plan 'Standards for Kosovo'.

SRSG Harri Holkeri to meet President Ibrahim Rugova today (*Bota Sot*)

Bota Sot claims that UNMIK has accepted the remarks of the Kosovo Government about the plan Standards for Kosovo. One day before the official signing of this plan, PDSRSG Brayshaw has called an urgent meeting with the leaders of institutions and political parties of Kosovo.

Bota Sot also reports that before the signing ceremony, SRSG Holkeri will meet President Rugova behind closed doors.

EU supports Holkeri in making official Standards for Kosovo (*Koha Ditore*)

Koha Ditore reports that despite opposition from Belgrade, chief administrator Holkeri has the full backing of the European Union in making official ‘Standards for Kosovo’. ‘This was said unofficially after the meeting between the EU and Western Balkans representatives in Brussels,’ added the paper.

EU High Representative Solana salutes Holkeri on standards (Zëri)

Zëri quotes EU High Representative Javier Solana as saying, ‘I salute Harri Holkeri on his efforts to prepare the document for standards for Kosovo. He has the full support of the European Union. I must say I regret the fact that the Serbian Government yesterday distanced itself from this document’.

PM Rexhepi: Serbia should work on its own standards (Zëri)

Zëri reports that Prime Minister Rexhepi said yesterday in Brussels that Serbia has nothing to do with the plan for the operationalization of standards in Kosovo, ‘because this matter is between UNMIK and the Kosovo Government’.

‘Serbia has refused this plan, but it is only entitled to make eventual remarks,’ Rexhepi was quoted as saying.

Svilanovic voices reserves, but seeks cooperation with Holkeri (Zëri)

Zëri reports that Serbian and Montenegrin Foreign Minister Goran Svilanovic called on UNMIK chief Holkeri to continue cooperation with the aim of taking forward the plan for the operationalization of standards.

Shala: The obstacles of December 11th (Zëri)

In a front-page editorial in *Zëri*, Blerim Shala writes, ‘Many things must change inside UNMIK and among Kosovan authorities, so that a political document, such as Standards for Kosovo, can become a reality. And this is certainly the major concern and the biggest obstacle that must be overcome starting from December 11th’.

Kosovo Assembly to discuss 53 discriminatory laws (Koha Ditore)

Koha Ditore reports that the presidency of the Kosovo Assembly has decided to include in the agenda of the upcoming plenary session the issue of declaring null and void the discriminatory laws that were adopted in Kosovo after March 1989.

Hydajet Hyseni, member of the assembly presidency, said it was absurd for someone to legitimize laws that were adopted with bayonets without taking into account the will of the people.

Hoti: The project for the independence of the state of Kosovo (Koha Ditore)

In an opinion piece for *Koha Ditore*, Rexhep Hoti, head of the Government Liaison Office with UNMIK/SRSG, writes, ‘Kosovo and its citizens have eighteen months to make their state a reality’.

Vujanovic: Kosovo’s fate isn’t linked to the fate of Montenegro (Koha Ditore)

Koha Ditore reports that Montenegrin President Filip Vujanovic said on Tuesday that Kosovo’s final status should not be linked to the status of Montenegro. Vujanovic also

said that the final status of Kosovo should be resolved through an agreement between Belgrade and Prishtina, with the participation of the international community.

Covic says UNMIK investigations on KPC officers are a farce (Zëri)

Commenting on the investigation that UNMIK has launched against the 12 suspended KPC officers, Nebojsa Covic, the head of the Coordination Center for Kosovo (CCK), was quoted as saying, 'I fear that this is going to be yet another farce and that after these alleged investigations the charges against these officers will be dropped'.

Batic says by end of this year a KLA commander in The Hague! (Zëri)

Zëri reports that Serbian Justice Minister Vladan Batic told Serbian media yesterday that one of the Albanian leaders of the former Kosovo Liberation Army will be accused, arrested and handed over to The Hague tribunal by the end of this year.

Kosovo Press Headlines

Koha Ditore

Front page

- **Commences path towards the status**
- **Candidates are admitted illegally in the department of political sciences**
- **Assembly will discuss issue of declaring null and void 53 discriminatory laws**
- **Ali Ahmeti, the most popular Albanian politician in Macedonia**
- **Explosive was set in car of Ministry of Transport/Communication**
- **Kosovo led by UNMIK, far from human rights standards**

Other headlines

- **Competencies and bad translation, main debate about laws (2)**
- **EU supports Holkeri in launching 'Standards on Kosovo' (3)**
- **Edi Rama proposes new status [Albania] (4)**
- **Vujanovic: Kosovo's fate shouldn't be connected with fate of Montenegro (4)**
- **83.291 Kosovans signed petition for missing persons (5)**
- **Workers threaten to enter factory with violence (5)**
- **ICG demands from Kosovan leaders to condemn AKSH (6)**
- **Ries and Çeku visit Letnica ambulance (6)**
- **Çeku promises Gjakova residents support for projects (7)**
- **Businesses understood prerequisite to have a working licenses (7)**
- **Van drivers oppose the decision (7)**
- **Regional cooperation to fight terrorism (8)**
- **Detainees are charged for attack against KFOR, UNHCR and police (8)**
- **Serbian authorities arrest an Albanian at Merdare (9)**
- **Hoti: Project of Kosovo's independence (10)**
- **Miftari analyzes political situation in Albania (10)**

Economy section

- **Rexhepi: KTA's frightening silence**

- Fucci becomes KTA director through ‘connections’

Zëri

Front page

- EU is convinced that Kosovo will fulfill the standards
- Holkeri and Rexhepi launch plan ‘Standards on Kosovo’
- Shala: Obstacles of December 11
- Solana congratulates Holkeri regarding plan of standards
- Assembly takes into consideration government’s demand to declare null and void 52 discriminatory laws
- Is the old ABC [alphabet] returning?

Other headlines

- Rexhepi: Serbia should fulfill its standards (2)
- Svilanovic expresses reserves, but requires cooperation with Holkeri (2)
- KFOR: Kosovo is not a terrorist base (3)
- Covic: UNMIK’s investigations against the KPC are a farce (3)
- Kosovo’s difficult way in fulfilling the standards (4)
- UNMIK Police still doesn’t know what has encouraged incident in Mitrovica!
- Assembly is recommended to adopt bill on residents registration with five amendments (5)
- Batic: A KLA commander will be handed over to the ICTY (5)
- B1 starts work during the weekend (6)
- 83.291 signatures to find missing persons (6)
- Macedonia assembly legalizes Tetovo University (7)
- Annan: Everybody should protect the human rights (7)
- Protest against legalization of the Tetovo University [Macedonia] (7)
- Prizren region is model of tolerance and human rights (8)
- Çeku and Ries visit Letnica with mix population (8)
- Ethem Çeku visits Gjakova municipality (8)

Bota Sot

Front page

- Kosovo government will be focused on standards and in agreement for association and stabilization
- Holkeri meets with Rugova
- Chappell: KPC officers files are in police hands
- What are ten conclusions of the EU meeting in Brussels?
- Trip to the US, attempt to overcome UNMIK blockade
- Today will be launched document ‘Standards for Kosovo’
- 2004 budget will have surplus and risk economic development

Other headlines

- Affirmation of Kosovo’s diplomacy (2)

- **Police arrested two smugglers (2)**
- **Holkeri has full support of the EU (3)**
- **Buçpapaj: Why was reacted so bad agsint the incident in Mitrovica? (4)**
- **Ries admires KPC work (4)**
- **Assembly discusses Serbian laws (4)**
- **Buçpapaj: With its intentions against Kosovo, Serbia is returned to time of Milosevic (5)**
- **Stavileci: between the past and the future (6)**
- **Criminals of ‘bridge watchers’ attack our state institutions (6)**
- **Baze: Penalty for those who protected the elections [Albania] (8)**
- **Pango: Alias Enver Hoxha [Albania] (9)**
- **International day for human rights (9)**
- **Macedonian students smashed premises of the Ministry of Education [Macedonia] (10)**

Kosova Sot

Front page

- **Kosovans accept plan for standards**
- **Editorial: The right to live**
- **Parliament opens debate on Serbian laws**
- **Savic: Internationals set up a trap for us**
- **Minister Morina denies accusations for corruption in tenders of streets**
- **Thousands of arms endanger lives of Kosovans**
- **Air pollution kills people, institutions silent**
- **US diplomat impressed with KPC**

Other headlines

- **With some remarks, the Government accepts the plan for standards (2)**
- **Parliament opens debate for Serbian laws (2)**
- **Review of census law is recommended (3)**
- **UNMIK: You cannot speculate what incited the attack in the restaurant (4)**
- **Police say they do not know motives of explosion (4)**
- **Batic: By New Year, a KLA leader in the Hague (4)**
- **Ross: Achieving standards, a difficult work (4)**
- **New names of places in question (6)**
- **Second stage of signing of petition commences (6)**
- **There was a double violation of human rights in Kosovo (6)**
- **Power cuts, five hours on one off (8)**
- **Macedonian custom officers captured some smugglers in the act (8)**

Epoka e Re

Front page

- **Here we have the plan of ‘Standards for Kosovo’**
- **I was not the target of the attack says Dedaj**

- **Krasniqi: I made a putsch with flowers in Prizren**
- **With a little bribe, you can get quickly a service in Pristina municipality**

Other headlines

- **Today Holkeri and Rexhepi announce the ‘Standards for Kosovo’ (2)**
- **Money needed to meet standards, says UNMIK (2)**
- **Assembly is going to declare invalid Serbian discriminatory laws (4)**
- **KFOR: Kosovo is not a convenient place for terrorists (4)**
- **Covic: There will be no Kosovo within Serbia without the Union of Serbia and Montenegro (4)**
- **Standards for Kosovo [publishing of the full plan] (5)**
- **Over 83.000 citizens have signed the petition (7)**
- **General Çeku: US has invested a lot in KPC (8)**
- **Police says they do not know who was the target in Mitrovica (8)**

Belgrade Media Highlights

- **Harri Holkeri presents team for Standards (*Danas*)**
- **EU-Western Balkan Ministerial gathering (*Politika/Beta*)**
- **UNMIK: Standards Implementation Plan does not prejudice status (*RTS/AP*)**
- **Svilanovic expects further improvements of Holkeri's document (*Glas/Fonet*)**
- **Covic on Holkeri's plan (*Glas*)**
- **Serbian Government warned SaM delegation in Brussels (*Glas/Beta*)**
- **Covic doubts UNMIK intentions to be sincere (*Blic*)**
- **Filip Vujanovic: Kosovo's fate not to be linked with Montenegro (*Politika/Tanjug*)**
- **UN police arrests one person (*Glas/Srna*)**
- **Chappell: UNMIK was not informed (*Balkan*)**
- **Solana on the implementation plan (*Vecernje Novosti*)**
- **Daci on the implementation plan (*Vecernje Novosti/Tanjug*)**

Harri Holkeri presents team for Standards (*Danas*)

Following Harri Holkeri's presentation in Brussels, the UNMIK head should present in Pristina the Plan for Implementation of Standards for Kosovo, proclaimed by the Serbian government as unacceptable and "essentially below the level of UNSCR 1244." UNMIK spokeswoman Izabella Karlowicz maintains that representatives of Kosovo interim institutions and UNMIK had prepared the proposed plan, and that the document is fully in accordance with UNSCR 1244. "The plan doesn't prejudice Kosovo's final status, but states that it can be discussed only in 2005, as proposed by the Contact Group," said Izabella Karlowicz. "It is logical that Holkeri is persevering on the Plan that had been conceived as his document and should more closely define his mandate. This document should help out the "Vienna process" because it is obvious that the forming of working groups for the Belgrade-Pristina dialogue is not

going so well, so the standards should motivate Kosovo Albanians,” the Director of the Forum for Inter-ethnic Relations Dusan Janjic told *Danas*. According to him, Belgrade made a mistake for including itself in the preparation of the document instead of “asking to include Kosovo Serbs to whom the CCK would be logistic support.”

EU-Western Balkan Ministerial gathering (*Politika/Beta*)

At the Foreign Ministers’ Forum in Brussels support has been stressed to the ‘standards before status’ policy in Kosovo, based on UNSCR 1244, including, as its obligatory and integral part, a direct dialogue on the practical issues between Belgrade and Pristina. Prior to the session, officials in the European Commission and associates of EU High Representative Javier Solana explained that no debate on the content, deadlines and manners of implementing those standards had not been envisaged, and, therefore, wasn’t held at the Forum. The Contact Group is first of all authorized for that, as well as the UN.

UNMIK: Standards Implementation Plan does not prejudge status (*RTS/AP*)

The Kosovo Standards Implementation Plan that will be presented at the meeting of the EU Foreign Ministers with the Countries of Western Balkans in Brussels "does not in any way prejudge the final status" of the province, said the Head of UNMIK's Department for Public Information Hua Jiang. Reacting to the announcement released by the Serbian Government who assessed that "the document without changes and amendments as suggested by the Government of the Republic of Serbia is not acceptable as the framework for further resolving the crisis in Kosovo," Hua underlined that "no community has the right to veto the European principles consisted in this document. All communities will benefit from such an approach," Hua Jiang told *AP*.

Svilanovic expects further improvements of Holkeri's document (*Glas/Fonet*)

Addressing the Balkans Forum in Brussels, SaM Foreign Minister Goran Svilanovic emphasized that the Kosovo Standards Implementation Plan does not take into account all Belgrade's arguments that have been expressed in the process of its preparation: "I expect from Holkeri's draft to sustain further improvements, because the document in its current form goes out of the framework set by UN SC Resolution 1244," explained Svilanovic. According to him, he was the only one mentioning Holkeri's document in the course of the discussion of the Balkans Forum, adding that the document was not even distributed.

Covic on Holkeri's plan (*Glas*)

In an exclusive statement for *Glas*, the Head of the CCK Nebojsa Covic has stated the following: “This is a classical attempt to replace thesis in order to avoid responsibility, but also for speedy achievement of a radically different goal when it comes to Kosovo’s final status. In other words, the adoption of standards would be a highway for Kosovo and Metohija’s independence. It is not by chance that this plan found itself before the EU ministers on this precise day, because obviously, some circles in the international community, I have in mind Albanian lobbyists, wish to use the time when Serbia is in a institutional vacuum, to trade off Kosovo’s independence trough

the small door. I think they are wrong here, because any imposed solution will not bring stability in the Balkans.”

Serbian Government warned SaM delegation in Brussels (Glas/Beta)

The Serbian Government warned the State Union's officials attending today's meeting of the EU and Western Balkans Foreign Affairs Ministers in Brussels that their participation in today's Ministerial Forum could be interpreted as Belgrade's approval of the Kosovo Standards Implementation Plan, the Serbian D/PM Nebojsa Covic told *Beta*. "We were very precise and clear that Belgrade, regretfully, could not accept such a document, because our well-intended suggestions had not been taken into account," said Covic, who added that such a stance does not represent an obstruction and that Belgrade remains open for further cooperation. Covic said that the Serbian Government has forwarded its conclusions on the 'Kosovo Standards Implementation Plan' to both SaM President Svetozar Marovic and Foreign Minister Goran Svilanovic, together with the suggestion that their attendance could be interpreted as Belgrade's approval of the document.

Covic doubts UNMIK intentions to be sincere (Blic)

The Head of the CCK Nebojsa Covic expressed the doubt into the sincere intentions by UNMIK to implement a truthful investigation against the 12 suspended KPC officers, suspected of being linked with ANA. "I'm afraid that this will be only a farce, and that these officers will be released after an alleged investigation," said Covic, who gives as proof the arrest of Agim Çeku who was quickly released from detention. Covic has been warning for a long time that KPC and ANA were linked. "UNMIK, however, has persistently been denying this. Although the launching of an investigation on this issue has been discussed in the past, this never occurred. All this leads to only one conclusion, that UNMIK and the international community don't have the sincere intention to deal with terrorism impersonated in ANA, i.e. KPC, which is another name for this terrorist organization.

Filip Vujanovic: Kosovo's fate not to be linked with Montenegro (Politika/Tanjug)

Montenegrin President Filip Vujanovic said in Danilovgrad that the fate of Kosovo and Metohija could not be linked with Montenegro and that it would be resolved independently of Montenegro's future status. "Awareness is growing that Kosovo's fate cannot be linked with Montenegro. It must be a question of an agreement between Belgrade and Pristina, with a strong participation of the international community on the basis of UNSCR 1244," Vujanovic said.

UN police arrests one person (Glas/Srna)

UN police have confirmed that it arrested one person that tried to sell 15kg of plastic explosive to two British journalists. The explosive was taken over and given to the police, UN police stated without giving other details. "The investigation on the smuggling chain of arms, ammunition and explosives continues after a large number of people have been included in that chain," said UN police spokesman Derek Chappell.

Chappell: UNMIK was not informed (Balkan)

Regarding Saturday's incident in Kosovska Mitrovica, UNMIK Spokesperson Derek Chappell has stated that UNMIK and KPS were not informed of the visit of Premier Bajram Rexhepi in that town. According to Chappell, Rexhepi has the right to travel throughout Kosovo territory, but is obliged to report on that the police, especially if he is traveling to risky regions.

Solana on the implementation plan (*Vecernje Novosti*)

EU High Representative for Foreign Affairs and Security Javier Solana congratulated UNMIK Head Harri Holkeri on the preparation of the draft plan on the implementation of standards in Kosovo and Metohija. Solana expressed regrets over the fact that the Serbian government has distanced itself from that document and stressed that the authorities in Belgrade displayed willingness to continue with their talks on the implementation of standards in the province.

Daci on the implementation plan (*Vecernje Novosti/Tanjug*)

The standards proposed by UNMIK represent a register of wishes and futile dreams that can never be fulfilled, Kosovo Assembly Speaker Nexhat Daci said. Nobody has consulted Albanians regarding the text of the Standards and as such, they cannot be achieved by much more developed countries either, Daci said at a session of the Presidency of the Kosovo Assembly.