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PM Rexhepi: Internationals and locals have stolen together (*Epoka e Re*)

Epoka e Re carries the third part of the interview with Kosovo Prime Minister Bajram Rexhepi.

The meeting in Vienna was nonetheless held. But yourself and some other politicians, who didn't agree to attend the meeting, were in the center of criticism by some international and local politicians?

Yes, and this is understandable, because dialogue is one of the eight standards, which must happen. However, we haven't said that there isn't going to be any dialogue, but at the right time and prepared in the right way, and when we see that it is in our best interest. Our refusal has certainly caught them by surprise, maybe because they believed that we would not disobey their requests, regardless of the fact that they are against the key priorities of the government. But I think that everything is all right.

What is your opinion about the working groups, bearing in mind that dialogue with Belgrade is one of the eight standards?

The strategy for the implementation of standards envisages forming a working group, which is to assess the issue of dialogue. We are going to present this project to the government and I believe it is going to be endorsed, because it is in everyone's interest. This will be a guidance that leads to independence. Certainly the Kosovo Assembly is going to be briefed on this and it will vote on it, and then the government can join in this issue with its experts. But we are always going to have some kind of control and no agreement can be signed without passing through the government and the assembly. Let me say again that I am not so optimistic about this, and the only major interest that I see in this is the issue of missing persons. This is a moral obligation and a demand of all family members whose relatives have gone missing. In this respect, maybe even without a political decision, we must ask from the Serbs to give us all the information they possess, and we are more than certain that they have information on more than 90 percent of the missing persons, and they must transfer the body remains, or if some of them are eventually still alive, they must return them to Kosovo.

Under what conditions is the dialogue with the Serbian side going to be held, after their public accusations and demands to arrest the senior leaders of the Kosovo Liberation Army, who are actually considered to be key factors in Kosovan politics and local institutions?

They perceive the issue of dialogue more for their political gains. You know that political tensions in Serbia are much higher than in Kosovo and they use every opportunity that they get to increase the personal rating of individuals in Belgrade, therefore, this is nothing new. Vladan Batic, who is the Minister of Justice of the Serbian Government, and especially Covic, keep watch all night long and study carefully the accusations that they are going to make and how they are going to impede the political processes in Kosovo. These are certainly attacks that make the process of dialogue more difficult in every imaginable way. However, my position is that we should ignore these daily accusations as much as possible, whereas on issues that cannot be ignored we must have a proper reaction, be it through the assembly or the government. This is in a way similar to when people lose their compass and way forward, and then they start attacking from every direction they can, without knowing clearly what they are aiming at.

Positive processes in Kosovo are moving at a very slow rate. Some Kosovan politicians are blaming UNMIK for this, while the latter is blaming Kosovan institutions. Who is more to blame for this, or can the blame be shared?

No one will show willingness to admit the blame and it is always thrown from one side to the other, but I think that we are all to blame to some extent, because we can always do more. On behalf of the government, I can say that there is no lack of commitment from our side, but there are many limitations, and after all, although UNMIK has most of the competences, the development of institutions is destined to take place. A large portion of the blame falls on UNMIK; however, we must also cooperate more closely, to have as little room for accusations as possible.

When we are talking about political processes, we cannot avoid the issue of Mitrovica. Mr. Prime Minister, even four years after the war, Mitrovica is still divided.

The issue of Mitrovica has certainly on many occasions kept hostage the political status and the resolution of Kosovo's legal status, and it is always used by the Serbian side as an argument in their hands, which will eventually propose projects for the division of Kosovo. Unfortunately, so far we have had promises from several administrators that they were going to dismantle parallel structures and that they were going to expand their jurisdiction throughout the territory of Kosovo, but this hasn't happened. But in the latest report of the UN Security Council, there are indications and encouragement by all SC countries that parallel institutions should be dismantled as soon as possible, because they are an obstacle to the integration of the communities and for positive developments. We hope that Holkeri is going to be much more committed on this issue and that parallel institutions are going to be dismantled along with the implementation of standards.

Several days ago, in an interview for the British Observer you directly accused UNMIK of corruption, and now following an order by Holkeri a committee for investigating corruption is being formed after four years. The appointment of this committee is without a doubt a success of yours too. But what is the real deal on the

other hand; what can you tell us about corruption and the morale in local political institutions?

The journalist of The Observer has taken out only some sequences, because I haven't accused only UNMIK, I have also accused local structures, because they were involved in stealing, economic crime and corruption, and I have asked for a detailed investigation of everyone. I believe that this is going to take place and that no one is going to be untouchable if they were involved in any kind of economic crime or simply in corruption.

Apart from the political processes that are being stalled in Kosovo, the same thing is happening to the economy, in the social sphere and the area of culture. The Kosovan economy has developed very little after the war, electricity continues to remain an unresolved problem, and recently the process of privatization has been stopped in Kosovo. Your comment?

All the things that you have mentioned are major concerns of the government and were our top priorities. We have realistically hoped that we were going to have more progress, however, sometimes we run into delays especially with Serbia's interference in the issue of privatization.

What is the Government of Kosovo doing to secure the restart of privatization?

We have made our remarks and demands in the very beginning and we have asked for discriminatory laws to be declared null and void which are an obstacle to the process of privatization. Now, we are expecting Holkeri to address this issue in New York as soon as possible so that the process can resume. The Kosovo Government has also reacted to the head of UNMIK Pillar IV, by saying that we disagree with the stalling of privatization for even half a day. In a way he has admitted his blame for stopping the process without a decision from the Board of Directors and we must find the best ways to resume this process successfully, because everybody was surprised with the number of bidders in the first two rounds.

Bearing in mind the current political developments in Kosovo, can you predict what is going to happen in 2005? Is the issue of Kosovo's status going to be addressed and what is the solution going to be?

Even though it is not good to predict things, ever since I was appointed Prime Minister I have stated that the best time to resolve Kosovo's status would be in the next two-three years, and in a way this is close to 2005. I am optimistic that the status is going to be resolved in 2005, or it is going to be very close to the final stage.

If the status isn't going to be the independence of Kosovo, what shall be done next, how is this going to be reflected in Kosovo and throughout the Balkans?

I believe that such a situation would lead to radicalization and I fear that then we would have new tensions, and both locals and internationals are aware of this. Therefore, the issue of Kosovo's status cannot be delayed for long.

Rapprochement between UNMIK and Govt and clashes with Belgrade? (Zëri)

In today's leading story, Zëri reported that the operationalization of standards could lead to improved relations between the international administration [UNMIK] and local authorities.

Citing reliable local and international sources, *Zëri* reports that lately there has been close cooperation between Prime Minister Rexhepi's government and SRSG Harri Holkeri, after a difficult and very tense period. It seems that Holkeri's full support for the initiative of the Contact Group played an important role in reducing these tensions.

The paper noted that SRSG Holkeri has appointed Carne Ross as coordinator for the preparation and implementation of the plan for the operationalization of standards, as well as on the issue of dialogue on practical issues between Kosovan and Serbian representatives.

In this context, the visit by US State Department Under Secretary Marc Grossman has clarified many issues in this respect; therefore, it is believed that there aren't going to be many problems in detailing the standards. The same sources claim that if the abovementioned is achieved, it will be much easier for the Kosovo Government to agree with continuing dialogue with Belgrade as of the of the elements for the operationalization of standards.

Zëri claimed that Prime Minister Rexhepi's Government would focus on the implementation of the plan for the fulfillment of standards. There is an impression in the government that local representatives can turn the standards into reality even before mid-2005, the date mentioned by Grossman and the Contact Group.

Zëri also claimed that Kosovan government officials are mainly concerned with Belgrade's role in this process. It is known that the Declaration for Kosovo, which was adopted by the Serbian Parliament on August 27 this year, envisaged a much more active role by Belgrade in the operationalization and implementation of standards. In this way, Serbian Deputy Prime Minister Nebojsa Covic would become a full-time partner of UNMIK and Kosovan authorities.

However, as the paper claims, SRSG Holkeri is only briefing Covic on the process and Belgrade isn't playing an important role in this. Furthermore, the process of the implementation of standards implies the dismantling of Serb parallel structures in Kosovo. It is also known that Covic has turned down the possibility of Serbia dismantling these structures.

Shala: The hollow neutrality (Zëri)

Zëri carried a front-page editorial by Blerim Shala:

We can imagine that Kosovo chief administrator Harri Holkeri realizes everyday that it's no good being neutral, as he announced when he came to Pristina.

This can all be a result of his wish to be seen as an objective politician who takes into account the concerns of both parties, especially when it comes to talks on practical issues. In this context, maybe people have gone too far in saying that this idea is not sustainable.

Nonetheless, it is worth addressing the impossibility of being neutral in Kosovo nowadays. And in this case, we are not even going to address the history in Kosovo from 1990-1999 and neither the status of Kosovo. It is sufficient enough to focus on

the common goals of UNMIK, the West and the Kosovan authorities. Now as we very well know, it is expected that these goals will take the shape of a concrete plan with certain deadlines, a thing that Kosovan authorities have asked for a long time. But it is not difficult to predict that Belgrade will put in all its forces to hinder the implementation of this plan because in that case its arguments against the Kosovo society and Kosovo's independence would be undone.

Even before the final version of this plan, Covic has gone against Holkeri's position of dismantling Serb parallel structures in Kosovo, which are the real obstacles for the fulfillment of the standards. With all its actions, the current Serbian regime simply told UNMIK and Kosovan officials that this is not about standards and building a democratic society but about refining maps, borders and ethnic and state relations between the Albanians and the Serbs.

If this is the case, UNMIK cannot and should not be neutral.

Kosovans expect to get something to identify with a state (Zëri)

Zëri runs an article on the difficulties regarding the transfer of competences and responsibilities Kosovans expect to take.

The international administration in Kosovo is not showing signs of spendthrift about the requests of Kosovo's leaders for more competences, which according to Chapter 8 of the Constitutional Framework, are reserved for the SRSG. So, what is it that the Kosovans want, and what are the chances of getting them?

Justice and local administration are issues the Kosovo institutions want to have access to. The energy along the foreign policy has recently entered the agenda of Kosovo's wishes. The first steps have already been taken by the Government of Kosovo, which has opened the Office for Energetics, which is seen as the embryo of the future Ministry of Energy. Kosovans want to keep the ball rolling until next year when the three-year tenure of current institutions will expire.

Legal officials and spokespersons in UNMIK do not want to say anything else, apart from what the SRSG said at the UN Security Council last week.

UNMIK Spokesperson Neeraj Singh, talking about the initiative to change the Constitutional Framework, said that Kosovans are not expected to have access to reserved competences in the near future. Security Council is to be consulted on that, he is quoted.

According to Harri Holkeri's speech at the Security Council, we cannot expect Kosovo's institutions to get competences from Chapter 8 over the next year. What freezes the expectations of Kosovans even more is the statement of the head of UNMIK that 'the Constitutional Framework can only be changed in New York, and not in Prishtina'.

The expert for constitutional matters, Arsim Bajrami, thinks that the transfer of reserved powers from UNMIK to local institutions would enable the creation of a complete governmental and institutional structure in Kosovo. The parliamentary

commission he heads has recently initiated changes in the Constitutional Framework. Objective of this process is to get more competences that would enable local institutions to reach the benchmarks, he said. 'We want to create capacities for the Government of Kosovo for new areas; international relations, rule of law and security, justice, energetics, and local authorities, he points out.

'The international community has set up some standards to be met before the status is to be discussed. But, meeting these standards with the competences the Kosovo institutions have now is impossible, and the transfer of new competences is indispensable to enable them to achieve the benchmarks', says Arsim Bajrami, adding that 'it is UNMIK's obligation to endow the people and the institutions of Kosovo with new governing capacities'. Substantial self-governance can be reached only through a meaningful transfer of competences, which is one of the goals of the mission, stresses Bajrami.

The article continues with a detailed description of article 8 of the Constitutional Framework.

While Kosovan experts of constitutional matters think that the current institutions of Kosovo, whose mandate expires next autumn, need to prepare the right infrastructure for the parliamentary elections of 2004.

'UNMIK is near completion regarding the transfer of unreserved powers to the Kosovo institutions according to the Constitutional Framework. We need to make sure that the unreserved competences are not only transferred in an efficient way to these institutions, but also that the Kosovo institutions are in a position to get new responsibilities and to use them with the necessary technical and political competence' the paper quotes SRSB Harri Holkeri.

He admits that the Kosovo leaders are asking for more competences from UNMIK, and for transfer of reserved powers, but for this he points in another direction: to New York. 'I have told them that to give the Kosovo institutions these competences, according to Constitutional Framework, is outside my mandate, and it is up to Security Council to act. At the same time, I have expressed my determination to work with the Government to increase the efficiency in a spirit of real partnership', the paper quotes Holkeri to have said at the Security Council.

Fatmir Sejdiu, Kosovo Assembly Member and member of the Parliamentary Commission for changing the Constitutional Framework, says that without the transfer of competences Kosovo institutions cannot exercise their complete activities. 'It is very clear that without direct responsibilities in areas we are expected to meet obligations, it is difficult for our institutions to function and be successful' he says, adding that at this stage he cannot predict anything.

In the final dispositions of the Constitutional Framework it is stated that the SRSB is authorized to facilitate the transfer of responsibilities to the Kosovo institutions, and to assess their readiness for getting new competences' says Fatmir Sejdiu.

Arsim Bajrami says that the responsibility for minority rights should be transferred to the Kosovo Government and the Parliament, since there is no need for the SRSB,

using a jargon, to act as Santa Claus for minorities, and to present himself as a person caring or caressing minorities.

‘One of the changes I see as very important is the creation of an independent constitutional court, since Kosovo has now created a legal infrastructure, and it is necessary to have a special authority that would protect its legislation and constitutionality. And this can only be done by a Constitutional Court’, says Arsim Bajrami.

Competences that the Kosovo institutions currently have mainly have to do with day-to-day life of Kosovo people. Next year, the Kosovans expect to get more competences from the head of UNMK; competences that might identify with a state.

KFOR’s immunity is being challenged in Strasbourg (Koha Ditore)

Citing information provided by Kosovo Ombudsperson Marek Antoni Nowicki and the Council for the Defense of Human Rights and Freedom, *Koha Ditore* reported that the European Court of Human Rights based in Strasbourg has initiated a procedure on a case filed by a Kosovan citizen.

Koha Ditore also reported that a Kosovan, whose last name is Behrami, has accused France because French KFOR soldiers failed to remove NATO cluster bombs or to mark their exact location. One son of Behrami died and another was wounded from cluster bombs.

The paper further reported that the court papers neither mention the name of Mr. Behrami nor the place where the incident took place. His lawyer in Kosovo, Gazmend Nushi from the KMLDNJ (Council for the Defense of Human Rights and Freedom) confirmed that he had prepared the complaint but he did not want to reveal further details because of the procedures. The complaint was sent to Strasbourg at the end of 2001.

Kosovo Ombudsperson Marek Nowicki said that court in Strasbourg is an important instrument for people who consider themselves victimised by any KFOR act.

‘All European countries have signed the European Charter on Human Rights and its Covenants. This does mean that victims could use this mechanism simply by filing a case in Strasbourg against any country. The cases where KFOR is involved could be sent to Strasbourg and only a few people know about this,’ Nowicki was quoted as saying.

He further added that the procedure that has been initiated in Strasbourg is just an elementary step and the case may stop after the French response.

‘When a court admits a case, the Court reviews it to see whether there is a case or not and reviews if the government has to respond or it needs to be argued. In such cases there are a few issues that needs to be discussed with the government in order to exchange the stand of the government and the side which filed the lawsuit,’ he said.

The Kosovo Ombudsperson stressed that this case was important as it will set a precedent to file cases against other European countries participating in KFOR and he also said that Strasbourg must hear cases from Kosovo.

‘All actions or the lack of it by troops in KFOR from countries which have signed the European Charter on Human Rights, could be reviewed by the Court in Strasbourg, unless they get compensation from the national authorities of the countries where KFOR comes from. When a country sends its troops abroad and when these troops are under their jurisdiction, then the government is responsible for their every action. Every soldier must behave in accordance with the standards of the European Human rights Charter. They cannot violate those standards in Kosovo whilst at the same time respect it in their countries,’ Nowicki concluded.

Isufi: Kosovo, a hostage of the unresolved status and UNMIK (Koha Ditore)

Koha Ditore carries an interview with Ahmeti Isufi, Minister of Work and Social Welfare in the Kosovo Government.

‘There are two and sometimes three landlords in Kosovo and the Kosovo Trust Agency is one of them, because it has taken control over the vital enterprises in Kosovo,’ Isufi was quoted as saying.

Isufi says that there is a conflict of interests between UNMIK and the locals, and that the locals are not determined enough, as they have various political points of view, and that UNMIK is using this gap. We cannot implement many projects and initiatives due to budgetary shortages, while UNMIK has been administering the budget, and a part of the budget has gone where the locals would have not invested, since it is us that best know the needs and the interests of the population.

It seems that the surplus money was intended to be as such, in order for that money to later go where it was not supposed. We know the reality better, while internationals who get very good salaries are not motivated like locals, and are not based completely on the reality in Kosovo. They are only interested in fulfilling their projects. And the budget surplus is a reserved power for the internationals, and there have been critics about the orientation of this money, said Isufi.

The determination of our ministry, says Isufi is to change the life of our people for the better, like pensioners, for example, who need to have higher pensions, the budget was limited and their funds are no longer in Kosovo, but in Belgrade, and we insist that these funds should be brought back, as they belong to Kosovo pensioners.

The slow trend of development according to Isufi is because there are two landlords in Kosovo, sometimes even three.

We consider privatization as very important because a society can develop only when there is clear planning by economic segments. First Holkeri should complete the Government, as I do not know a government in the world that is successful without being complete, since ministries are interrelated. Before saying there is no good governance, it should be said that we give full competences to the government, of course there can be some sort of monitoring, but it is not at all reasonable to have a halved government four years after the war, which even as such is hindered to use a certain part of their competences.

There are some certain parts within the article 5 of the Constitutional Framework that UNMIK intentionally keeps blocked, while at the same time they are part of the Kosovo Government, says the Minister of Labor.

Therefore the Government of Kosovo even if it were the best cannot achieve satisfactory results. Whenever there is an incident international media accuse Kosovo and its institutions while it is UNMIK that is in charge of security in Kosovo. This is why we insist on having equal room for action with internationals if we want positive processes and meaningful progress, since we have well prepared staff and three elections held here prove this. There was not a single incident, since they served the interest of Kosovo. These elections were considered the best in the region, and they showed political maturity, so why all this doubt about locals? This political maturity of the people of Kosovo shows that it is high time Kosovo had its complete institutions, the internal ministry, defense ministry, foreign one, energetic one, since Kosovans are facing an energy crises every day, and somebody else is in charge of it, it is not even exactly clear who is dealing with these problems.

There is a rule; give me the means I will do the job, and not the others to hold the tools, and others responsibilities, says Isufi.

Concerning the social situation in Kosovo, unemployment and the place Kosovo fills in the European social map, Isufi says that the unemployment rate is a result of the low level of development. There are 51.000 families receiving social assistance in Kosovo today, that is from 280 to 290.000 people are supported by the Government We are trying to improve this situation. Producers should have some stimulus for their activities, or should sometimes be tax exempted until they consolidate themselves. Kosovo does not need to import everything; it should also use local production. Kosovo should support itself, since there are good resources and of better quality.

Kosovo should also have its national market. It is a weird logic to think that imported goods are better, but fortunately nowadays, the local production has started to be used more, mainly food.

Agriculture has sort of become marginalized. People think it is cheaper to buy than to grow vegetables that is why they leave their land bare. Isufi thinks that farmers should be stimulated, too.

Minister Isufi also calls for immediate unblocking of the privatization, since a delay in this respect blocks other segments of the economy, discourages interested investors and businessmen.

Kosovo needs support and not obstacles, which are incomprehensible for us, concludes Isufi, hoping that Kosovo will overcome obstacles and not remain hostage of bureaucracies and pressure around Kosovo and towards Kosovo.