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## **Press Briefing by UN Deputy Special Envoy for the Future Status Process for Kosovo Albert Rohan in Pristina**

Albert Rohan: ladies and gentlemen, Good morning. I came to Pristina this time basically to discuss the next meeting on decentralization, which will take on the coming Monday in Vienna and to also make a few comments to the negotiating teams on the paper we have put together.

This paper is somehow the conclusion of the first two meetings on decentralization. There are areas where there has been some common grounds and in those areas where no agreement was reached in these two meeting we made suggestion which in our views would be reasonable solutions. We have checked of course all these issues with experts from the Council of Europe, the European Union and so on.

In this paper we made very clear what the principles of the decentralization and the approach we have chosen are. The decentralization on the one hand has the goal to improve good governance by bringing administration close to the citizens. The second goal, which is the case of Kosovo is probably even the stronger one, is to address the concerns of the various ethnic minority groups here. And it has to be seen in this way.

We want to give municipalities a maximum of competencies. They should be able to run their affairs, always within the limits of the Kosovo legal system of course. We would allow, in accordance with the European Charter on Local Self-Government of the Council of Europe, partnerships between municipalities to be established, when they can cooperate on concrete issues - education, health, cultural affairs and so on – and also to establish associations, or one association, of municipalities. All this is provided for in the European Charter.

We made it clear in our principles that this does not mean and cannot mean the creation of a separate entity, which is so to speak taking note of the normal legal and institutional structures of Kosovo. We shall oppose any division, any internal division of Kosovo and we shall also oppose any third layer of governance between the Central authorities and the municipalities.

Everything in this paper flows from these principles. I shall not go into the details of it but everything corresponds to the principles I have mentioned, to the approach, to the

philosophy of our concept. This will be discussed next Monday in Vienna. We are going to go point by point through the paper and try to reach agreements on all of these matters.

Having done this next Monday, we will proceed in addressing the question of the municipality boundaries, rather the question of creating a number of new municipalities with a Serbian majority or a majority of one or the other ethnic minorities. Here the guiding principles for us will be that these new municipalities must be functional and sustainable. So we are not going to allow the creation of dozen of new municipalities of small proportions. We want reasonably big municipalities with a certain, majority of ethnic group - 70 percents or 80 percents. This is a wish of the Serbian Side which we support, within the limits of what I have said.

Having done this, or at the same time, we are also going to question of the protection of cultural sites. I want to make clear is this context is what we are talking about is Serb orthodox churches and monasteries. It is true that all these monuments are part of the Kosovo cultural heritage, but in the first instance, they are the patrimony of the Serb Orthodox Church. We want the Serb Orthodox Church to be able to survive. Monasteries like Decani, Gracanica or Pec should also in the future status of Kosovo be able to live and to work here.

The remaining aspects of our work will be the question of the minorities' rights in general. This entails the question for instance of reserved seats for ethnic groups in government, in elected assemblies, the question of an interest clause for minorities and so on.

Then there will be economic matters to discuss - the division of assets and liabilities between Kosovo and Serbia and other economic matters - and the question of the future international presence because there will be, after the status settlement, an international presence, both a military one and a civil one. We want this presence to be a slim presence with reduced functions in very concrete sectors.

This is as far as our work program is concerned.

We made also a visit to Zvecan where we met three mayors of Zvecan, Zubin Potok and Leposavić. We discussed equally with them the decentralization concept. We gave them our paper. We told them that the aim was to allow Serbs to remain in Kosovo after settlement, or to come back to Kosovo and live a normal life here.

In this context, I had the occasion to express our appreciation to President Sejdiu and to Prime Minister Çeku for their efforts to reach out to the ethnic communities and to improve the situation on the ground.

I told the mayors in Zvecan that of course it is now up to the Kosovo Serbs to respond. You need somebody who takes the hand that is being stretched out by the President and the PM. And I told them that absenteeism is counterproductive. They should engage, they

should participate, and they should cooperate. It is their country also, it is their future and they must be part in shaping their future.

And I went to say in this context also that the recent directive of the CCK, from Belgrade which forces Serbs to give up revenues which they may have from employments with the Kosovo institutions in addition to their benefits from Serbia, that we consider this as not very helpful. The situation of the Kosovo Serbs is difficult enough and to force them to forgo on certain parts of their income will make the situation even more difficult. I want to make it clear that this directive and the efforts now to implement it actively are in total contradiction to the concept of decentralization we are pursuing in the Vienna talks. We want an inclusive society, we want a multiethnic society in which municipality will have a maximum self-government but this total separation is not what corresponds to our concepts.

We have also discussed with the government the need to improve the situation on the ground, the Standard implementation. This concerns the rule of law, the fight against corruption, the good functioning of State institutions and of course the inter-ethnic relationship. We had opportunities to express our appreciation at the very forthcoming attitude of the Prime minister in this context and we have confidence that this will lead to concrete and visible progress in the situation on the ground.

### **Questions/ Answers**

**Q:** (on autonomy for the municipalities)

**Albert Rohan:** I do not whether I understood you correctly. You mentioned the word “autonomy”. There is no autonomy provided for in our document. It is cooperation on practical issues. It is in perfect harmony with the European Charter on Local Self-Government. There is nothing in there that does not correspond to the European standards and I have no reason whatsoever to expect that this will be rejected by the Kosovo side.

**Q:** (on the vertical links with Belgrade)

**Albert Rohan:** Any municipality will have the right to cooperate with whomever they want outside the country. They can cooperate amongst themselves and they can receive for instance assistance, donations from outside the country. This again is in perfect harmony with the European Charter, so there is nothing peculiar about this.

When the mayors told me that they couldn't live in [an independent Kosovo] if this was the outcome of the status process, I told them: this is your decision. We cannot force you to stay; we cannot force anybody to return. What we can do is to provide conditions where objectively we can expect the Kosovo Serbs to stay here and to come back. That is all we can do. Whether they want to stay, to return, to leave, it is their own decision, they are free people, this is their choice. Any partition of Kosovo, and here the international community is unanimous, is being rejected.

**Q (Reuters):** You said partition is being obviously ruled out and you ruled out autonomy for the north. But over the past seven years, the north has practically divided itself from the rest of Kosovo and UNMIK has failed to reintegrate the North, particularly the north of Mitrovica. How does your plan for Kosovo propose to reintegrate and to avoid the de facto partition of Kosovo?

**Albert Rohan:** Most aspects of the present situation can be dealt with in the decentralization concept that we have presented. I'll give you the examples, for instance, for the University or the Hospital. This is all provided for in our concept. This can be run by the municipalities or by the association or the partnership of municipalities. The transfer of money from Belgrade is possible within our concept. It has to be transparent, that is all what is demanded, and it has to be according to the legal system. So the only supervision that we would demand is on the legality of the activities of the municipalities, not of the efficiency or the expediency. So as far as these many aspects of the so-called parallel system are concerned, our concept of decentralization, which is the European concept of decentralization, can take care of it. And this we are going to try to do. And then we will see whether there are some remaining issues that have to be solved in a specific way. But we intend to proceed as if Mitrovica were a municipality like many others.

**Q:** (On when the decentralization should be implemented)

**Albert Rohan:** I am not a prophet. I would say the sooner the better. But seeing the differences of views on many of the issues, I personally cannot imagine that the decentralization can be separate from the settlement. I think it will be part of the settlement and therefore as soon as the settlement has been decided upon, the implementation of all aspects [of the settlement] including the decentralization, will begin. If certain aspects were not contradictory, and out of contention, one could imagine earlier implementation, but I am not too hopeful that this is realistic.

**Q: RTK:** Two issues: What do you expect on the 3<sup>rd</sup> April? Are we nearing towards a possible settlement on decentralization? And you said that you support the Serb proposal of having municipalities where one ethnic group could make up some 70-80% of the ethnic composition. Do you envisage actually foreseeing some sort of encouraging a movement of some ethnic group towards these particular areas in order to comprise such a make-up?

**Albert Rohan:** I would hope that after the next meeting, we are coming closer to the end of the decentralization discussions. I am not sure that everything will be agreed but we hope to achieve enough common ground so that we can move on to other items. I am against population transfers as a matter of principle and I do not think it is as easy as that simply to make people move to another place only to get some percentage points. I have always supported the idea that returnees should be able not only to come back to the place they came from but to the place of their choice. I know this is not in agreement with the views of others but I think in a civilized society, people can choose where they want

to live. If I want to move to Tyrol from Vienna I can do it. Why shouldn't a Kosovar be able to do the same? In that sense, if you have a massive return's movement to a specific place, well all the better: It will be easier to provide services to these people. If ethnic groups are scattered around the country, it is feasible, but it is more difficult, more costly than if major groups of population clustered around specific villages or cities.

**Q:** (On recent acts of violence; and on the territorial status of the orthodox religious sites in Kosovo)

**Albert Rohan:** I do not discuss violence in general. I condemn violence in every way. I do not even talk about it because the more you talk about these things the more likely is it going to happen. The same is by the way also with regard to the threat that in case of a certain status settlement, the Serbs may leave. Our reply is do not talk about it. Don't do these self-fulfilling prophecies. We try to make arrangement so that people can stay. That is our language.

On the religious side, what it means, it certainly does not mean territory. I think we should get away from this territory approach. It means that monasteries – like the one in Decani for example, - they have a protective zone right now. Others may also get this. It does not mean that this is territory that belongs to them, but that certain activities are not done there, like commercial activities. Which I think is a useful idea. But that is not all. These Church institutions need other assistance. They need certain tax breaks, exemptions maybe from customs if they want to export their incomes, things like that. Young monks and nuns should be able to come freely. The monasteries must have a certain administrative autonomy, in particular in church matter. They must have direct link to the patriarchate in Belgrade and so on. It is a number of measures which one by one may not look terribly important but taken together should allow these religious institutions simply to survive.

**Q** (Koha Ditore, on where the new municipalities may be established)

**Albert Rohan:** I do not have an answer. You can figure out yourself where these municipalities will be established: everywhere where there is a minority group in the majority, a compact group that can be crafted out of an existing municipality. We are waiting quite frankly for proposals from both sides. We have asked them to work on it. They are doing it and in due time we'll get the proposals from the Kosovo side and from the Serbian side and like in all these matters we get together and negotiate. Only again what I can envisage is a limited number of municipalities because the functionality and sustainability must always be in the foreground. We cannot create phantom municipalities for whatever reason. It must be real living communities with a certain amount of people who can sustain themselves and provide the services. Our approach is an entirely practical approach.