



## **Kosovska Mitrovica - North 1999-2005**

**Косовска Митровица - север  
1999-2005**



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### ***Word of author***

The publication "Kosovska Mitrovica - North 1999-2005" is a summary of information, opinion articles, speeches and transcript excerpts from the one-day-long conference held on September 23, in Kosovska Mitrovica North. The conference was organised by the local NGO *Jelena Anžujska*.

It was the first significant gathering of Serbian and international community representatives in the northern part since 1999. One of the main goals was to improve communication between Serbian community in the North and international representatives in the province. Political representatives of Kosovo Metohija Serbs, prominent representatives from Belgrade and foreign liaison offices and agencies from Pristina and Mitrovica addressed the issues - Kosovska Mitrovica - six years after? What is its significance in a broader regional political framework?

The Northern part of Kosovska Mitrovica is a very specific environment. Demographic, social, economic and political structure of the town has been completely changed in comparison to the time prior to 1999. The population is socio-culturally-geographically heterogeneous. There are no accurate data on the number, ethnical and social structure, economic and political capacities of the population. The Northern part of Kosovska Mitrovica is the only enduring urban area, where Serbs remained and many found shelter there after being forced out from their homes in June and July in 1999.

Two authorities administrate the town - Serbian institutions and UN administration. Mitrovica North Serbs boycotted local elections in 2003. Currently, it is only place in Kosovo and Metohija that has no local self-government. A UAM international representative 'governs' the Northern City with the support of the local Advisory Board.

Geographically, Kosovska Mitrovica North leans on the central Serbia proper. The Northern City has become the administrative center of dwindled Serbian community in the province. Though Serbian institutions are officially suspended by the UNSC 1244 Resolution, yet they still function there; in the North, incomparably easier than in central Kosovo, for instance.

The previous project of *Jelena Anžujska*, "Feasibility study on multiethnic coexistence" was a comparative analysis of the two divided cities in the Balkans, Kosovska Mitrovica and Mostar. It showed that Mostar's concept is not applicable in Mitrovica as a long term perspective. Although there are certain models implemented in Mitrovica today, comparable to successful models in Mostar, the Study confirmed enormous differences between the two cities. Based on this project was born idea for organizing a set of round tables and conferences on the issues of divided cities. During Kosovo Status Talk, the battle over *de facto* status of the Divided City will be fought further.

The goal of this bilingual publication (Serbian and English) is to send grassroots' information, to make various views and opinions accessible to local and international public and to all others who are interested in Kosovometohija's issue.

The Guests and Participants List is on the later pages of both Serbian and English text versions.

The organizer would like to thank all participants and guests of the Conference, friends and donor for their support.

**NGO Jelena Anžujska**

## ***Northern Kosovska Mitrovica 1999-2005***

### **Division Line from Northern Perspective**

Six years after the conflict, Kosovska Mitrovica is still a divided city, so it was prior to the war. Although the river Ibar divides the city into two parts, the true reason behind this division, of this previously old urban and traditionally multi-ethnic Kosovo milieu into the northern Serbian and southern Albanian parts is of politically and safety in nature.

For Serbs the northern part of the town represents the last stronghold of the Serbian state and the barrier against the "kosovarisation" of the province. The area situated north of Ibar for the Albanians is a symbol of a six-year defeat because they failed to return to their homes and take over the control. For both sides this one fifth of the city represents some sort of frustration. It echoes the Serbian fears "not to lose the last urban shelter, that is to preserve the Serbian national identity in the north of Kosovo, while for the Albanians it is a strong desire to cross the river and assert the rule of that new Kosovo institutions there.

So far this "clinch" gave no maneuvering room for the mutual understanding or the real dialogue. On the contrary, in the past period the main bridge, although situated in the so-called Confidence Zone, has served as a scenery of vehement conflicts between the two communities. This bridge is one out of the total of five, that connect the two parts of the city.

Some 108 violent attempts to cross the bridge toward the northern side of the town have been recorded by mid 2005. The first attempt occurred on 26<sup>th</sup> of June 1999. The last one happened on the 17<sup>th</sup> of March 2004. Out of 108 such attempts, 41 were mass attempts, while in 26 cases weapons were used. French KFOR soldiers have used in each out of 26 incidents tear-gas, stun grenades and batons, and they have used live ammunition as a sign of warning.

In famous "Peace Rally" of July, 7<sup>th</sup> 1999, which took place a day after Wesley Clark's visit to the town, according to the French KFOR's estimates, more than 5000 Albanians, which was the only time since '99 in such large number, entered and took a walk throughout the streets of the Northern part, from the main bridge, through King Peter Street, to the East bridge. In between thousands of Albanians and Serbs, who in spite of the advice of the French Command to remain behind the closed doors and blacked out windows, went out to defend their homes, were large number of French KFOR soldiers. The soldiers, divided into two columns, created a buffer zone. The standing ones cordoned off the Serbs, while the moving one marched alongside the Albanians, setting the pace on the both sides, one marching along with the Albanians, and other, a static one, which was securing the Serbs. The march finished virtually without no recorded incidents. The soldiers have frisked each one of the demonstrators before crossing of the bridge, whereas the Serbs stood peacefully. The French KFOR was praised for a perfect job.

The hospital in the Northern part of the town especially bore a brunt of the attack. Some 160 Albanian doctors and medical staff, who have been working in the hospital even before the nineties, and during 1999 returned to their working places in the north.

Though the tensions were running high, Albanian and Serbian colleagues were in fact working in separate rooms, it seemed that the hospital would survive as multi-ethnic institution, until the Albanian staff started growing rapidly. The first serious incidents occurred when it reached 240 members of the staff, showing the tendency of further deterioration. Serbs claimed that among Albanian staff members were persons who had no medical background and that the increased number of the Albanians was a premeditated provocation with aim to force out the Serbs. When the number reached 400, in an incident that arose with an armed Albanian employee, Albanians and Serbs clashed in the hospital compound. Albanian doctors and medical staff have left the hospital in the Northern part of the city, and evacuated the patients from the intensive care ward. They returned a couple of days later and the incidents were continued.

A few weeks later, Albanians surrounded the Post Office in the Southern part where at the time Serbs were still working. Then Serbs gathered around the hospital in the Northern part and KFOR evacuated Albanian staff members. This was followed by long and painstaking negotiations with UNMIK representatives and the Serbs have agreed that only certain number of Albanian staff members could return (160). The negotiations failed and on 19<sup>th</sup> of December UNMIK decided to remove the UN flag from the hospital. The hospital was symbolically under the protection of this organization since August, during the time when Albanian staff was working there.

The clashes soon spilled over the Main Bridge. The strongest outburst of violence in 1999 took place on September 10. Media reported about the casualties the severe clash on Mitrovica Bridge resulted in - 33 Serbs were injured, 15 KFOR soldiers and about 40 Albanians. The same year, another 13 violent attempts of Albanian mobs to cross the Main Bridge were recorded.

In early 2000, conflicts were continued. After a series of incidents, on February 1<sup>st</sup>, in a mortar-shell attack launched on UNHCR bus, that was carrying Serbian villagers into the enclaves of Srbica region, two people were killed. A grenade attack followed. Out of three grenades thrown in "Belami café in Mitrovica North, only one went off. In the explosion 24 Serbian young men and girls were severely injured. In the riots that followed the attack the same night, Albanians have been forced out from their flats in the North, Interim Administration's vehicles set on fire. According to the official CIVPOL reports, 8 Albanians were killed. Albanians claimed, however the death toll was 13.

Another "march" to the North, took place on February 21<sup>st</sup> 2000. French KFOR managed at some point to stop convoys of cars that were pouring onto the entrance roads to the city from all over the province. Still, more than 40.000 Albanians stormed the Main Bridge. They broke through the KFOR's double-cordon-buffer-zone, but finally were stopped on the Bridge. There were injured reported on all sides. That year, the last violent attempt to cross the Bridge was recorded on April 10, 2000.

On August 14<sup>th</sup> in 2000, under the justification of "environmental pollution", in KFOR's operation - "Volcano", strong forces (about 1000 soldiers) took over Trepca Smeltery. The operation was launched after had been raised numerous critiques by Kosovo Albanians and international community against tolerance of Slobodan Milosevic's allies in Province, as Mr. Novak Bijelic, the Trepca's Manager, was seen at that time.

During 2001, incidents were reported less. Each time Albanians tried to cross the Bridge in large numbers, they were stopped with stun grenades and tear gas. Such riots were registered on 30<sup>th</sup> of January and 1<sup>st</sup> of February.

The last severe clash on the Bridge took place on March 17 in 2004, when Mitrovica North Serbs had there the first two death casualties, while on the Albanian side there were 6 reported killed, (KFOR's data).

In incidents on the Main Bridge, more than 210 Serbs have been reported lightly and heavily injured by now, including 160 KFOR and UN police troops and about 270 Albanians. Incidents were reported on the East Bridge, nearby the train station, too.

Protest rallies and road blocks are common mass reaction of northern Kosovo Serbs. They protest against incidents with Albanians or UNMIK's decisions. So far, more than 90 protest rallies were held at the main "Sumadija" square. The criticism is raised against international representatives for 'failing to bring perpetrators of numerous crimes against the Serbs' to justice, but also decisions interpreted as being in favour of independence and violation of human rights.

The relocation of Pristina University in September 2001 from southern towns in central Serbia into Mitrovica North, (the provincial University was temporarily relocated there in 1999) was of a particular significance for its residents. Thousands of student from Serbia, Montenegro, and Republic of Srpska are studying in the Town. Together with local youth, they make the it vivid.

The Serbian community in the Northern part is particularly sensitive to the abandonment and destruction of the City Church of Saint Sava in the South. In spite of KFOR guard, after several attempts of desecration, this church was burned down during the March riots, and it was recorded in the series of photographs.

The city's Christian cemetery is located at the very entrance into the Southern part of the town, on the road from the direction of Pristina. It is desecrated, including the newly built chapel that was burned down.

Due to all those circumstances, late in September 2003, Serbs started to build a new church on the hill above the city - Saint Dimitrije, on the foundations of an old church. The Church was consecrated on November 8<sup>th</sup> 2005.

The Albanian cemetery, which is situated on the both sides of the main road, at the very exit of the Northern part on the way to Zvecan, is intact.

**Zoran Vlašković & Tatjana Lazarević**

#### **HISTORY OF THE BRIDGE**

Instead of the today's main city bridge on Ibar River, it was a stone bridge built in 1884. By the order of Jusuf Beg, the stones for the construction of that old bridge had been taken from the remains of a destroyed church in the hill foot of Mali Zvecan.

Couple of decades later, the old bridge was torn down and replaced by a wooden bridge. It stood there until 1932, when this one was also replaced by a steel-construction bridge. The steel bridge was dismantled in 1972. Then, works began on building the present bridge. It was opened for traffic in 1974.

Serbian and Albanian workers reconstructed the bridge in June 2001, as the French Government donated 5 million euros granted. French Engineer Gilles Pequeux, designed this new look. He has projected a new bridge in Mostar, too, that replaced the old one that was destroyed.

The length of the main city bridge is 91.2 m and is 25.3 m wide. After six years, on the 18<sup>th</sup> of July 2005, the main bridge on the river Ibar was opened for traffic non stop, 24 hours a day.

**Zoran Vlašković**

#### **Chronology of important dates**

Compiled by

**Zoran Vlašković**

#### **YEAR 1999**

**26 June** - First larger violent attempt of the Albanians to enter into the northern part of the town.

**20 June** - The last 50 families left the south of Mitrovica. Next to the Saint Sava church 15 families remained to live along with four priests in the Church.

**7 August** - Several hundreds of Albanians have been prevented from crossing the Main Bridge on Ibar River and entering into the Northern part of the town.

**8 August** - New clashes between Albanians and KFOR on the Bridge after Albanians tried to enter the North Mitrovica by force.

**11 August** - New attempts of several hundreds Albanians to cross the Ibar bridge.

**15 August** - Several hundreds of Albanians have been prevented from crossing the Bridge

**21 August** - Bernard Kouchner, Head of UNMIK, placed the UN flag on the building of Kosovska Mitrovica Hospital in the northern part of the Town

**10 September** - Several thousands of Albanians tried to cross the bridge by force. KFOR reported casualties of 86 injured on all sides. It was the toughest clash on the Bridge until that time.

**6 October** – Albanians attacked a convoy of vehicles carrying Serbs near Supkovac in the southern part of the Town. One Serb was killed, 20 sustained slight and heavy injuries.

**15 October** – More than 3000 Albanians tried to enter into the northern part of Kosovska Mitrovica. They were stopped by tear-gas and stun grenades. KFOR reported 20 Albanians and 4 KFOR soldiers were injured.

**19 December** – UN flag has been taken off from the hospital situated in the North.

## YEAR 2000

**01 February** – A grenade attack on the UNHCR bus driving the Serbs, near Cubrelj village, on the road Kosovska Mitrovica-Banje. Two Serbs were killed, five critically wounded, ten slightly injured.

**03 February** – Three hand grenades thrown onto the Serbian café "Belami" in the northern part of Kosovska Mitrovica. Twenty-four young men and women were seriously injured. In the riots that followed, Albanians have been banished. Eight Albanians were killed while the Albanian sources claim that they had 13 lethal casualties.

**13 February** – Clash between Albanians and KFOR on the bridge. Five Serbs injured.

**20 February** – Clashes between the Serbs and American KFOR contingent near the Technical school that occurred during a brutal weapon search.

**21 February** – About 40.000 Albanians have tried to force their way into the North. They were stopped by a decisive KFOR action.

**23 February** – Start of construction works on the Foot Bridge over Ibar River for Albanian tenants in Three Towers Area.

**15 March** – In the clashes next to the East Bridge, 15 Serbs were injured, 2 sustained critical injuries.

**22 March** – Terrorist act on Railway Bridge in Loziste Place, on Kosovska Mitrovica-Raska railroad. The bridge was damaged.

**4 April** – Foot Bridge was opened.

**9 April** – In a violent attempt of Albanians to cross the Main Bridge, 6 Serbs were injured.

**15 May** – Serbs protested against increasing number of innocent Serbs and Roma who got arrested.

"March of justice" organized.

**14 August** – KFOR took over Trepca Smelter in "Volcano" operation.

## YEAR 2001

**30 January** – More than 10,000 Albanians attempted to force their way into the north of Mitrovica. KFOR prevented them. It reported that 13 KFOR soldiers were injured and 5 international vehicles were burned.

**17 April** – Serbs started with road blocks of the roads in the North of Kosovo protesting against UNMIK's Customs.

**22 October** – UN Secretary General Kofi Annan's visit to Kosovska Mitrovica

## YEAR 2002

**17 February** – A fire broke out in Saint Sava Church

**8 April** – Clashes between Serbs, KFOR and CIVPOL at the main bridge as the UN Police tried to place a traffic check point in the vicinity of the Main Bridge. Twelve Serbs injured.

## YEAR 2003

**12 April** – New diversion at the railway crossing at Loziste place, on the K. Mitrovica-Raska rail. Former SRSG Michael Steiner, proclaimed ANA a terrorist organization.

## YEAR 2004

**17 March** – Severe clashes on the Main City Bridge and ethnic cleansing of Serbs throughout Kosovo and Metohija. On the Serbian side of the town, first two victims (killed), while more than 30 Serbs were injured, some more seriously than others.

**17 April** - In a gunfire that broke out in the Regional Detention Centre in North Mitrovica between Jordanian special police forces and American police officers, 3 American police officers were killed and 1 Jordanian detention security guard. Also, 7 more were injured.

## YEAR 2005

**18.July** – The Main City Bridge on Ibar River is opened for traffic 24 hours per day.

### Population of Kosovska Mitrovica

#### *With accent to the North*

Town of Kosovska Mitrovica is the heart of the Kosovska Mitrovica Municipality, situated at the north of Kosovo and Metohija, at  $42.89^{\circ}$  N/ $20.87^{\circ}$  E, at some 40 km north of Pristina. The total surface of the municipality is around 350 km<sup>2</sup>, and it is composed of the town and 49 villages. Northern part of the town and two villages are ethnically mixed, while the other places are inhabited by Albanians. The other five municipalities are: Vucitrn, Srbica, Zvecan, Leposavic and Zubin Potok.

In the past it was well known as a rich resource of lead and zinc, but from 1999 Kosovska Mitrovica becomes an indicator of the overall situation in Kosmet, due to frequent conflicts between Serbs and Albanians, especially at the Main Bridge. After Serbs and Roma were expelled from the southern part of the town in just a few weeks time, the separation line along Ibar River, left a strong mark in the post war history of the town.

According to the last census in 1981 with the participation of Albanians as well (the census from 1991. was boycotted), Kosovska Mitrovica Municipality had 123.394 inhabitants. The percentage of Serbs at that time was 20.2% or 24.906 inhabitants. The total number of inhabitants included the municipalities of Zubin Potok and Zvecan, which were formed in 1987 that is in 1991. Until 1999, 4000 Serbs used to live in the Southern part, together with 3000 Bosniaks, 7000 Roma, 100 Gorani and about 40.000 Albanians.

OSCE cites different information regarding the town's population for the same period, especially regarding ethnical structure: Municipality of Kosovska Mitrovica had about 116.500 inhabitants. Percentage of the Albanians was 81%, 10% Serbs and the rest were other ethnicities, first of all Roma. Most of 'non-Albanian' communities used to live in the town, which had 68.000 inhabitants in total. Out of that number, 71% were Albanians. There were about 9.000 Serbs and about 10.140 of other ethnic background. Albanians used to live in the entire territory of the town, while majority of Serbs were mainly concentrated in the northern part.

Since 1999 there aren't any precise data regarding the population of Kosovska Mitrovica. KFOR assessed that in the southern part of the town today lives about 70.000 Albanians, along with 300 Bosniaks and 80 Askalija. No Serbs, Roma or Gorani. About 300 Serbian families that used to live in the southern part before the war were forced to leave their homes and they now live in the northern part. The last Serbian inhabitants from Brace Jugovic Street left their homes in the South along with the priests of Saint Sava Church. They were protected by KFOR the whole time.

Between 18.000 and 20.000 Serbs live in the northern part. Still, Mitrovica North presents a multi-ethnic environment as 2 500 Albanians live in three separate areas: Three Towers (600-650), Bosniak Mahala (1500-1600) and Mikro Naselje (200-300); also, there are 400 Roma, 300 Bosniaks, 100 Gorani, 80 Turks, etc.

The Office of the Red Cross of Serbia and Montenegro in Kosovska Mitrovica cites unofficial information about 20.000 inhabitants of the northern part. The percentage of internally displaced people who used to live in the South is more than 50%, most of which are people from Vucitrn and Srbica, followed by people from other parts of the south of Kosovo.

In 2002, Pristina University (classes in Serbian language) was established in town of Kosovska Mitrovica, thus contributing to the increase of the population, even if the students are residing here on temporary basis.

In the last few years there is a tendency of returns of internally displaced from the south of Kosovo residing in Central Serbia. They are coming to live in the northern part of the town and they have a status of the displaced in 'the second degree'. After 17<sup>th</sup> of March 2004 about 100 people came to the Northern part of the town, those who used to live in the villages located in the south.

### **Non-Serbian Communities**

The number of Bosniaks was significantly reduced, because their pre-war population was about 6.000, while today on both sides of the river Ibar lives between 2.000 and 3.000 people. In the Northern part of the town, Bosniaks are entirely integrated into the everyday live, having in mind that they used to live there even before the war. The

children go to school on regular basis and they attend classes in Serbian language, using the same educational programs and plans as for the Serbian children. A relatively large number of them are employed with KPS and other international organizations, since these organizations insist on multi-ethnic representation. Bosniak population satisfies their daily needs in the same part of the town they live in.

In the Southern part of the town, there are school classes in Bosniak language for Bosniak children. They use premises of Albanian schools. In these schools, the classes for Bosniak children follow Kosovo's curricula. Having in mind the incompatibility of Serbian and Albanian curriculums, there is a concern and risk eventually, especially if these children wish to continue their education on a higher level. Namely, there aren't any university in Kosovo lecturing in Bosniak language, but also in other places. Problems may arise, for instance, if they wish to be enrolled in any other university located in Serbia and Montenegro, or even in any of the former Yugoslav republics, specially in Bosnia and Herzegovina. So far there is no MOU regarding the validation that is acknowledgement of so called "Kosovo diplomas" outside of Kosovo boundaries, or at least regarding the above mentioned regions.

There are a small number of Turkish families, living on the both sides of the River, while only 1/3 of Gorani population continued to live in the south. In the Northern Mitrovica there are about 170 of them (OSCE cites 1700 but we are assuming that this is a typing mistake).

Albanians living in the northern part- According to unofficial data cited by the leading international organizations present in K. Mitrovica (OSCE, UNHCR), in the Northern part there are about 2500-3000 Albanian residents. They are located in certain parts of the town, including ethnically mixed suburb- Suvi Do. Three Tower Area and Bosniak Mahala, (predominantly Albanian population) have free (unimpeded) access to the Southern part of the town, using the existing bridges, or the ones specially designed for this purpose, after the town was divided. Albanians residing in these areas in the north, do their shopping in the south, including doing other daily business, like going to work or going to school. They cross these bridges. Out of total number of five bridges, that are connecting the two sides of the town, three are used both for vehicles and for pedestrians, while two are exclusively foot bridges. Regarding the Albanians who live in "Mikronaselje" area, situated in the hill of the Northern part of the town, they have a somewhat restricted freedom of movement outside of this area. To satisfy their needs, they go to the Southern part, using the organized transport service-by buses, twice a day.

#### **Roma in the northern part of the town**

Out of what once used to be a large population of Roma from Kosovska Mitrovica, in numbers - 6000 inhabitants, now there are only 300 living in the Northern part, in spite of the fact that all of them originate from Roma Mahala settlement, which is located in the immediate vicinity of the Ibar River in the Southern part of the town. During June 1999 Mitrovica's Roma have been forcefully banished from Roma Mahala, in spite of the arrival of KFOR and UNMIK into Kosovo and Metohija. During the Albanian raids, they were banished, and their properties were plundered and set on fire. Roma's houses were burning for an entire week. KFOR was watching fire. No measures were taken in order to prevent their tragedy.

The approximate number of the inhabitants of the Roma camp "Cesmin Lug", situated in the Northern part is 300. In Leposavic, the total number in two camps is 202 inhabitants, while in Zitkovac village, Zvecan Municipality, in the Roma Camp there are 178 inhabitants (DRC-Danish Refugee Council). Around 40 Askali families are residing in the Southern part, mostly in the area called Sitnicko Naselje.

Most of these people are living in Central Serbia today as IDPs, while some of them are living in Montenegro, Macedonia or abroad. Very few of the Roma who are presently living in the camps are employed and they are entirely dependant on irregular and insufficient humanitarian aid. That is the main reason why they have started to melt the led, mostly in Cesmin Lug and Zitkovac camps, using the improvised equipment and no protection.

Due to this endeavor, which presents a great health hazard, led contamination occurred, especially in the cases of the young ones who are living in these camps (WHO). The discovery of this most unfortunate occurrence led towards a swift reaction of the both local and international authorities, or at least in the media, and has contributed to acceleration of the return process to Roma Mahala.

Regardless of these circumstances, and in spite of desire of the Roma community to return to their former settlement, the process itself is a slow one and faced with numerous obstacles. First of all, the issue of ownership of the property, which in the case of Mahala was not resolved properly; many of the former inhabitants of Mahala do not posses the proof of ownership or any other paper that may prove they have resided in this area. The Mitrovica Municipality, who is declaring itself as a supporter of the Roma's right to return to Roma Mahala, in the past was very much interested to use this space and turn it into a city park or a recreational centre.

Refugees from Bosnia and Croatia in the northern part of the town - Although the majority of the refugees from Bosnia and Croatia, who came to reside in this town during the war in the nineties, returned to their homes, or immigrated to third countries, there are still about 300 of them residing in the town of Kosovska Mitrovica. Most of these people have been living in the collective shelters, while very few of them own, or rent a place of their own. The refugees from Bosnia and Croatia are living in extremely bad conditions and poverty. The living conditions in collective shelters are below any normal standard. Under threat of closing most of these collective shelters, and in order to resolve this particularly difficult situation, the refugees were planned to be relocated into Zvecan Municipality, area Mali Zvecan, before March 2004, as a new facility for them have already been prepared, so that they may have normal living conditions. But the ethnic violence on March 17 altered these plans. The apartments built especially for Croatian and Bosnian refugees have been illegally occupied by the newly displaced persons, who were banished from the south of Kosovo. The process of finding a solution to the problem of the refugees was postponed until further notice.

The change in the structure of the population in the Northern part of the town caused numerous changes in the functioning of the town itself, too. Yet, the local population share problems with the internally displaced persons, who were forced, against their will, to settle in this town.

There is a problem with the numerous illegally constructed buildings, shops, containers, and tobacco shops, 'owned' mainly by IDPs. That is how they do for their

living. Although this caused traffic and sidewalk jams, nevertheless, local residents are tolerating as being aware that this is the only way for IDPs to provide an income. All northern residents are connected by mutual desire to continue to live in this urban predominantly Serbian Kosovo's settlement, that should give them basic living conditions.

**Tatjana Jakšić**

Contributed in phigures:

**Zoran Vlašković**

***From Introductory Speech of Mrs. Sanda Raskovic Ivic, President of Coordination Center for Kosovo and Metohija***

**Kosovska Mitrovica North/northern Kosovo and Metohija from Prospective of Official Belgrade**

(transcript)

„When speaking about Kosovska Mitrovica north, very often we tend to say „Mitrovica.“ Still, one has to bear in mind that on territory of Serbia there are several other towns with the same name: Sremska Mitrovica, Mačvanska Mitrovica, and of course Kosovska Mitrovica. Kosovska Mitrovica is de facto a divided city and that is something we have to respect. Anyhow, from this point on I would rather refer to it as to Kosovska Mitrovica north since such definition conveys certain meaning, essentially important for our discussion.

Establishing the truthful facts is crucial for any conflict and problem resolution. When approaching a problem unconstrained of any ethnic, political and ideological omens, the lead to solution is clear and simple. This could be applied to situation in Kosovo and Metohija where all the efforts are being focused on separation of territorial part of an internationally recognized state in order to attach it to another. Prior to that final step the aim is to establish it an independent state. The territory aimed to become a portion of some other state is Kosovo and Metohija, the country under attack is the state of Serbia and territorial expansion is finally the goal of the state of Albania. That is how I comprehend the essence of the problem and the cause to conflict and intolerance that dates back much longer than 1999. Any person with sound history education is aware of two centuries long conflict actuality.

Additionally, establishing the truth is a prerequisite in perceiving the so called problem of Kosovska Mitrovica, i.e. Kosovska Mitrovica north. The truth and a good will to accept the truth is all that is required. For a long period of time we are facing the objections of Albanian side supported by certain powers within the international community, closely connected with particular lobbies, aiming at presenting the situation in Kosovo and Metohija as being improved, denying the existence of conflict between Serbs and Albanians and claiming that the level of confidence and tolerance amongst the citizens of Kosovo and Metohija is constantly rising. Apparently everything is in order accept the one single problem awaiting the resolution: the problem of Kosovska Mitrovica north. Hence, let's analyze the situation in Kosovska Mitrovica north and examine the reasons for this part of Kosovo and Metohija to be considered an obstacle in maintaining peace.

It seems that the problem lies in the fact that the northern part of Kosovska Mitrovica remained the only multiethnic part of Kosovo and Metohija. Only in Kosovska Mitrovica north Serbs and Albanians cohabit and only in Kosovska Mitrovica north Serbs partly perceive their existence as safe and secure. This imposes the question: why do they feel safe in this part of Kosovo and Metohija? Because they present the majority population which assures the sense of destining their own security, because they are territorially connected to Serbia proper which is extremely important. I am afraid that without these conditions the northern Kosovo and Metohija would equally be abandoned by Serbs earlier before.

I believe that life is not easy for those Albanians residing in Kosovska Mitrovica north. However, they do live there, concentrated mostly in settlements Bosnjacka mahala and Three Towers. These two settlements are linked with the southern part of the town via bridges over the Ibar. Albanians live there relatively peacefully, maintaining regular contacts with their relatives and compatriots at the other side of the River.

There is also the so called Mikro naselje, a settlement inhabited by both Serbs and Albanians. To our full joy, and really to our joy, the level of tolerance under the existing circumstances is rather high there. One thing must not slip our mind, although being very often neglected by international community representatives: in Bosnia where a true bloodshed war has occurred, every third marriage was a mixed one. In Croatia every seventh and in Kosovo and Metohija every sixteenth and explicitly in urban areas. No case is registered in rural areas. They are having a tough time and I understand the effort to simply impose the interethnic tolerance. Unfortunately, according to the available evidence it is obvious that interrelations of this kind were not common even earlier before.

Not taking into account several enclaves where Serb population lives as in concentration camps, the rest of Kosovo and Metohija remains with not a single Serb. They were expelled. In some parts they were killed, in some cases they live in enclaves as internally displaced persons. A certain number is displaced in Serbia proper, populating central parts of Serbia, Montenegro or simply have left to third countries. We are facing continuous razing of temples, destruction of churches, monasteries and cemeteries, in general any trace of Serb being in Kosovo and Metohija is subject to destruction. No other word could be picked to describe it but complete and comprehensive ethnic cleansing. It seems that no-one is distressed by the fact that not a single Serb resides anymore in Pristina, Prizren, Pec or Vucitn. Approximately 250.000 Serbs and other non-Albanians had been expelled from Kosovo and Metohija.

It can be confirmed that in great many parts of Kosovo and Metohija no cases of assault on Serbs have been registered. Accordingly and naturally: no Serbs - no assaults. It does not mean that the progress in interethnic relations has been achieved, but merely supports the fact that ethnic cleansing took place in certain areas.

Both Belgrade and Serbs in Kosovska Mitrovica fear the Albanian intention to apply the same method in solving "the problem of Kosovska Mitrovica north", relying on support of certain circles within the international community. The fear is immense and reasonable (I comment on this from the prospective of psychiatrist, not a politician). Anyone with a dreadful experience is a frustrated person. Anyone smart enough to analyze reality tends to maintain a lifestyle so to avoid further frustration and protect his family. A thought of problem solution being achieved with disappearance of Serbs is occupying many minds in Kosovo and Metohija today. Therefore, one party is heading towards solution based on such hypothesis, whilst the other (Serbs) fearing exactly the solution might result out of it, put all their efforts to avoid it.

The official Belgrade and Serbia in general consider Kosovska Mitrovica north to be a model (of course, a model in need of further development) for possible existence of Serbs in Kosovo and Metohija. Belgrade has no aspiration to destabilize situation and maintain constant tension in Kosovo and Metohija by supporting Kosovska Mitrovica north, as some elements tend to claim. On the contrary, Belgrade tends to present it to

international community as a model for possible existence of Serbs in Kosovo and Metohija. Such a view was the basis for development of decentralization plan proposed by the Government of Serbia. The aim is to protect the rights of remaining Serb population and other non-Albanians through the function of the system involving the establishment of territorial units as well as the establishment of municipalities with majority Serb population. It would allow those who wish to return to live and work in full dignity, but it must be noted that the priority is to create basis for sustainable existence and then work on returns.

The prospective for stabilizing the north of Kosovo and Metohija lies entirely on territorial linkage of Zvečan, Leposavić and Zubin Potok municipalities with Kosovska Mitrovica north. Having in mind geographic, political but also psychological aspect, it is obvious that the significance of this town for the remaining Serbs in Kosovo and Metohija is enormous. Linking territories and determining their status would result in encouraging Serbs to remain in Kosovo and Metohija.

Positive experience gained in other parts of former SFRJ should serve as a benchmark in finding appropriate solution for Kosovo and Metohija. Very good examples are the city of Mostar, Brčko, Skoplje or Struga. Stands and approaches of government in Belgrade on steps and measures that should be undertaken in Kosovo and Metohija are clearly defined by Resolution 1244. Unfortunately, these stands are frequently criticized by Provisional institutions of self-government, sometimes even supported by UNMIK.

Somewhat encouraging are the signals coming lately from Pristina: more clearly expressed will to talk on the issue. Of course, without the dialogue we are all heading towards the dead-end. Recently held meeting in Vienna is a sign of a good will by both Government of the Republic of Serbia and Provisional institutions of Kosovo. Serbia has a strong obligation and a full right to protect its interests which are numerous, to protect its citizens, property and cultural heritage. The exercise of that right is, amongst all the others, envisaged by Resolution 1244.

Kosovo and Metohija is part of our national identity and Serb people find itself spiritually deeply rooted in this part of the world. I have to mention that no matter of such strong attachment of Serbs to Kosovo and Metohija, they had never expressed the intolerance towards others living here. A valid proof for this statement is the situation in Kosovska Mitrovica north where Serbs despite constant provocations and hardship prove in day to day life their sense for tolerance and respect for ethnic, cultural and other differences. I do realize there are certain problems in the north but generally, the situation is genuinely different from that found in Pristina, for example. Unfortunately, the intolerance expressed by Albanians in Pristina, Pec or Prizren and other areas where they constitute the majority stands opposite to quite a level of tolerance Serbs managed to maintain in Kosovska Mitrovica north where they present the majority".

## Speech On Public Services in Town

By Miodrag Ralic,

Member of the Advisory Board of the Northern K. Mitrovica

Although each individual is obliged to contribute the wellbeing of his/her community and preserve environment, after war in 1999, we experience distortion of the values system in Northern Kosovska Mitrovica. Many rules are not obeyed. Hence, in this divided city problems grow bigger by every day.

There is almost no documented either practical or taskforce solutions for urban chaos, or any attempts to recover the Urbanism Department, which could improve living and working conditions.

Today Northern Kosovska Mitrovica is on a crossroad. It has come to a turning point. UNMIK, KFOR and other international organizations along with relevant institutions make no sufficient efforts in practice to restore order. On the contrary, evidently, there are attempts to weaken the social structure of the City, such is a cooperation with controversial individuals, who are not seen as true representatives of the people.

There is a serious doubt in general awareness of inertia of all managerial structures in the City that slowly is bringing us towards weakening of the entire community. It weakens our identity, culture and lifestyle. Apart from urban decline, economical and social fall is also evident.

Six years after the war, this town has been stuck in a dead end. We urgently need to identify the problems and propose concrete solutions.

Most of the town is exposed to illegal construction, which means that sometime in future, these illegal constructions should be torn down. Until the war, majority of the population was employed by the industrial giant "Trepca". However, this company was taken over and ceased its work after the war. When we add a significant number of displaced Serbs who arrived in summer '99 from other parts of Province to the large number of jobless people, kiosks and 'cans' installed on sidewalks should surprise no one as being the only income to these people..

The city was developed without urban planning, more or less chaotically, and as a result of the division after the war, different zones remained scattered on different sides.

The industrial zone, where 80% of the urban and rural population was employed, remained in the southern part.

Also, the sport and recreation zone remained in the South, right next to river Ibar, so close to us, yet so far away.

The City' zone, where all the business, administrative and public utility buildings are located, remained in the south as well.

We can take as an example the Public Utility Company- Ibar Water Company, that produces and distribute drinking water in Kosovska Mitrovica and Zvecan. Until June 1990, this company had total of 135 employees; now- 82 employees. Before the arrival of UNMIK and KFOR, Ibar Water Company was in charge of water production and distribution for Kosovska Mitrovica, Zvecan, Vucitn and Srbica municipalities.

Water factory in Sipolje whose capacity was 450l/sec, and with estimated value of 9,000,000€ was also a part of this company. The capacity of this factory was seen troubled for further expansion. That is why it was decided not to permit any new networking of more villages and suburbs before increasing the water factory's capacity. After the arrival of the international forces, workers of this company were denied access to the factory and the entire system south of Ibar River.

I would like to stress that until June 1999 all users have been regularly supplied with drinking water though with occasional restrictions during summertime. Since June 1999, the network in the south was expanded without any control, especially to the rural households. All of us know that these are the most reckless consumers of drinking water as they use it to irrigate their orchards, gardens, etc.

We should emphasize that Kosovska Mitrovica and Zvecan workers have set aside self-imposed taxes out of their salaries for 15 years to build the water factory in Sipolje. The decision to take away the water from the residents of these two municipalities and transfer it to Vucitn and Srbica was a political in nature. Now we are in an absurd situation - water has been taken away from the residents who were paying with their own money the construction of the water factory and they are the ones to use its services the least.

Today, Northern Kosovska Mitrovica residents, ideally, have water for 13 hours per day and only in the lower parts of the city, while those living in tower buildings or in houses on hills can consume it only for 2 or 3 hours, usually in the morning. In the Southern part, Albanians have 6-hour-restriction every second day, from midnight till 6 AM.

It is necessary to find as soon as possible, a permanent solution to this problem. The leadership of this company started with some activities in order to do something and is currently looking into two possibilities. Both cases foresee a construction of facility for water purification, with capacity of 200 l/sec. According to the previous analyses, between 7,000,000 and 8,000,000 € are needed for such a project, but first of all, we need to set aside 200,000€ for the main projecting.

I do not have much to say regarding the sewage system because it is not in such a bad shape. There are some narrow passages in the city, but this is something that can be dealt with as we go along. However, the biggest problem regarding the sewage is lack of system and facilities for processing the wastewaters. In my opinion, all sources and funds should be directed towards construction of a wastewater process plant.

Another Public Utility Company "Standard" has four working units. Working Unit "Cistoca" (Cleanliness) maintains public hygiene in the city (street cleaning and

washing), garbage collecting and disposal. Until the war in 1999, the company was located in the Southern part. This Working Unit had a property whose surface used to be 1.4 ha. The main building was with surface of 200m<sup>2</sup>, along with garages and warehouses whose total surface was 1000m<sup>2</sup>. Also this Unit had 10 special utility vehicles, 2 trucks, 5 tractors, a bulldozer, and a loading vehicle. They managed to transport only 2 utility vehicles and 1 truck from the south.

Thanks to foreign donations, six years after, this Unit managed to get equipped with 3 special utility vehicles though more than 10 years old. Therefore, their maintenance requires more time and money.

Second Working Unit „Hortikultura“ (“Horticulture) offer all kinds of horticultural services, along with maintenance of the graveyards and in charge of funeral services, too. It was located in Tamnik area, in the Southern part of the city, on the surface of 2 ha, with the main building of 100m<sup>2</sup> surface, along with 350m<sup>2</sup> - warehouses and 100m<sup>2</sup> - greenhouse.

When I mentioned the graveyards, I would like to point out that the Serbian cemetery is located in the south. Serbs do not have access to it, and the cemetery itself is desecrated and covered with weed. On a very few occasions, usually during the religious dates such is the Dead Souls Day, CIVPOL or KFOR organized escort for families to visits graves of their beloved ones. Families often cannot find the graves. Vis-à-vis this subject, the Muslim cemetery situated in the North is intact.

The third Working Unit – Market provided all kinds of services to market vendors. Its main building was of 150 m<sup>2</sup> surface, then, a dairy product shop building of 140 m<sup>2</sup>, including 700 m<sup>2</sup> – trade-square and finally timber sell space that was of 2,8 ha surface..

Today, Northern Kosovska Mitrovica residents do market shopping each Saturday as before but along the Main Street in spite of heavy traffic. Saturday market causes traffic jam, and endanger both drivers and pedestrians.

If we consider all what was above mentioned, it means all property of “Standard” Public Utility Company, and if we add the Main Building with the surface of 200 m<sup>2</sup>, it turns out that „Standard“ PUC left property value of several millions of euro in the South.

There is another Working Unit belonging to this company and that is WU „Termomit“, which is in charge of the (remote) heating but is located in the North. This Unit was invested in both before and after the war. But it has never provided heating for more than 2 schools. The European Agency for Reconstruction invested in it 2-2.500.000€ for the capacity enhancement and city heating. At the moment streets are dug up causing traffic jam. Residents have not benefit from this because the bank loan was not obtained, for installation of radiators in apartment buildings. Therefore this working unit will provide heating for two schools and student dormitories only.

Mitrovica North residents have expressed strong doubts about the legitimacy of the tender procedure for the city's topification, due to a controversy of the company which won the tender. I urge see all of us to deal with this issue.

To provide expected services, this company has to get equipped with new utility vehicles, containers, winterisation vehicles, vacuum cleaner vehicle, lawnmowers. Also, to provide market space, and as a long-term plan, a construction of a recycling plant.

As for the Power System in Northern Kosovska Mitrovica and entire north of Kosovo and Metohija, we have to point a great instability of this system after June '99. Serbian and other non-Albanian workers lost their jobs in power plants mines and facilities and lost every influence over power production and distribution. We are in a difficult situation as communication goes only through UNMIK. A week after the international representatives arrived in 1999, workers of Electro-distribution Company, Kosovska Mitrovica Office Branch have been forced out from their premises from South of Kosovo. Since then, they continued to carry out their work in the North, occupying 2 rooms whose surface is about 20m<sup>2</sup>.

Both North and South of Mitrovica in 1999 received power from Serbian Electro Company-EPS since Electro-energetic system of Kosovo, couldn't produce sufficient electricity for the entire Kosovo. The flow of electricity was very stable and timely. That year, the system was kept from falling apart.

UNMIK (Department for Energy) integrated us into the Electro system of Kosovo in 2000. The plants in Obilic functioned in even worse conditions that year. We have a reign of chaos in the domain of energy supply, we had outages on daily basis; we have experienced that one restriction schedule is broadcasted and yet in reality we had something completely different and far worse- no clear information as to when would households be plugged back into the system. The Sub-station Mitrovica 1, whose capacity is 35/10kv is overloaded.

In 2001 the power supply in Kosovo was still instable, with increased overloads, the system was on the edge of sustainability.

Between 2002 and 2004, State of Serbia and Coordinating Centre have given to us certain supplies and maintenance material. Also, we have received foreign donations.

Apart from the maintenance material and funds for the investment given to us by State of Serbia and Coordinating Centre, they have also provided us with the means for the construction of the office space building in the North, next to the existing substation.

Under these circumstances, in the forthcoming period we should put the accent on the construction of new substations, power-lines and network. In order to relief the existing ones. It is necessary to expand the capacity of the Valac substation 110/35 kv, because this station is exposed to the risk of having serious breakages especially during the wintertime overload power consume as it supplies both North and South Mitrovica. EPS has already provided 60 mv transformer and it is to be just installed; it is also necessary to repair and to place new 35 kv power-lines, in order to secure a backup supply in case of major breakdowns.

Unfortunately, in spite of many meetings with KEK and UNMIK and justified request to obtaining the licence, Elektrokosmet found no support or understanding. Although

these proposals are absolutely acceptable in both technical and civilised terms there are obvious political obstacles.

And at the end of this speech, I would like to point out that there were many governmental and non-governmental organizations, which invested in the Northern part of the town but without consulting relevant departments or structures. They rather worked self-initiatively and alone which resulted in this unplanned development of the town.

It is clear that if we were to expand the Town then we should start with its surroundings, instead of usual manner- squares, boulevards or elite buildings, which Kosovska Mitrovica have not.

The main task for all of us who live here must be to think of the ways to transform the core of the City into a spiritually harmonious environment; a balance between working and living space and above all the healthy area.

In the end, I must mention increasing of vices. Distribution and use of drugs, trafficking and noticeable street crimes are usually present in the big cities. Until recently most of these vices did not exist in the town. However, the community of Northern Kosovska Mitrovica, whose surface is only 1 km<sup>2</sup>, is greatly burdened with these issues. We ought to seek roots of these problems in consequences of the war - lawlessness, huge international presence, refugees and other newcomers, but first and foremost, in the lack of perspective for young people who desire to live in a democratic, prosperous and safe society.

### **Significance of Serbian Public Institutions in the North** **Milan Ivanović, Director of Hospital in Northern Kosovska** **Mitrovica,**

(transcript)

"I think that it was accurately estimated by late Prime Minister Djindjic who said that this town and this hospital had opened a bit its door for Serbia to resolve successfully the issue of Kosovo and Metohija. This is fully visible today, before the beginning of the difficult, serious and long talks about Kosovo and Metohija. Certainly, the status of this Northern part of Kosovo and Metohija is the foundation and main argument in those talks. Certainly, there are people who remained in those so-called enclaves, but who have Mitrovica as an example, a center, not only a political or security center, but economical and cultural. And those people survived, too, so I believe that the issue can be resolved in such a way that both sides, Albanian and Serbian may fulfill their interests.

If the ethnic cleansing were a total one, there wouldn't be any talks today, as we would have had a shortened version of the state, without Kosovo and Metohija.

I believe that this hospital is beyond any doubt one of the pillars, one of the main strongholds of the State of Serbia in Kosovo and Metohija. This is shown in the reports

compiled by ICG, as pro-Albanian and Anti-Serbian. By a report in 2002, it tried to resolve the issue of Kosovo and Metohija, but in such a way that Albanians would abolish Serbian institutions in the North, and especially by arresting bridge watchers, and even by sanctioning Serbia because of parallel institutions. Again, it is in this year's report. The ICG, apart from conditional independence (which means they act openly as Albanian lobbyists), are petitioning for physical occupation of our institutions, hospital in the first place. It is apparent that this hospital, this town, these people present a great obstacle for ethnic cleansing and Albanian extremist goals, and that is the creation of the independent Kosovo State.

It's a known fact that a lot of things have been imposed to the hospital. For instance, 400 Albanian healthcare workers were brought here. We opposed it as the number of workers increased comparing to the one from the beginning. In the end, they left the hospital. Back then, in 1999, we pointed out that these were not healthcare workers, but extremists and Albanian terrorists and we knew that they have no valid diplomas for the nursing and healthcare. Members of KLA presented themselves as doctors and technicians, hairdressers as nurses.

For 3 months, Serbs had held protest rallies, half an hour each day, and on a very cold weather. Each day they were coming here in the Health Center. As I have said already, the Albanians failed to honor their part of the deal, because they brought people who were members of KLA, who were dressed in black. They started with provocations and attacks on our workers. I can also say that we were the ones who helped the Albanian patients, especially when their own doctors would mess up something during operations, and when we saw that the outcome of those operations could have been a fatal one, due to a hemorrhage they were not able to stop. Our doctors had to "jump in" and finish such surgeries, for instance caesarian sections, which they did not know to do. I also know that they knew Serbian language, and yet they have refused to use it.

Among other things they tried to occupy certain premises, so once we clashed as they wanted to force out our nurses, doctors and assistants so that they could occupy that space.

As our elders used to say, it happened once, hope it will not happen again, but those were 3 months of everyday struggle, tensions and provocations.

The Hospital has always insisted on cooperation with the international community. We understand the situation and we do understand 1244 Resolution and the Agreement our country signed. So, there was cooperation with UNMIK.

Currently, most of the competences are transferred to Albanian institutions and since then, we no longer have such cooperation. Let me give you one example, in the last 2 years, about 200 chemo-dialysis apparatuses were distributed in Kosovo, and this hospital, which is the only Serbian hospital, received none. Earlier, we have been receiving material for chemo-dialysis, including 'the systems', which are very expensive, but since the transfer of competences to Kosovo institutions, we haven't received any.

As Mitrovica is the only multi-ethnic urban environment unfortunately since all other cities are mono-ethnic-Albanian, in the same way this hospital is the only multi-ethnic hospital. In our hospital there are 70% of the Serbian employees, and the rest are

Gorani, Bosniaks, Muslims, Montenegrins, Croats and Slovenians. There are also Albanian employees. For instance, the Assistant to the Director in charge of legal matters is an Albanian. She worked in the same position before. And our patients, too, are of different ethnic background. During the bombing, we cured Albanians, too. They have a possibility to receive treatment and we will honor this in the future as well.

The most frequent problems that this institution faces stems out from general situation that Kosovo and Metohija is found in. Poor technical support, which PISG and Interim Administration did not manage to improve. We continue to have a low-voltage power, frequent power-cuts, and therefore our equipment frequently breaks down. Then, there is shortage of water supply, administrative problems we encounter on the administrative border with UNMIK Customs and VAT, etc. Then, it is this feeling of insecurity, and stress due to the uncertainty, which affects people for sure. Our patients who come from other parts of Province encounter transport problems as denied freedom of movement. The International Community has not secured freedom of movement. Therefore, the patients arrive with a big delay, often in such bad condition that we cannot help them properly. Illness that progressed so much resulted in great complications, and therefore treatment is prolonged and with consequences which remain after.

When I am talking about political aspects, first of all, about the upcoming negotiations on the final status, independence of Kosovo is unacceptable for us. If this is going to be the case, and I hate to even think about it, let alone say it loudly, but it is certain that we would do everything to defend ourselves. We will fight any imposed solution, which is not compatible with our lives and our survival here.

In situation where Kosovo is still not independent, where International Community is the authority, nevertheless, violence is on scene, a shameless violation of human rights, cultural genocide and ethnic cleansing take place. What would then happen if Kosovo becomes independent? I guess it is clear to all. So, we will fight back using all means we can use, we will defend our homes to the possible extent. And certainly, even under such circumstances, but I am hoping that it cannot, it would not happen, because it would mean a definite defeat of the idea of the International Community about multi-ethnic Kosovo...That would be their definite defeat, but if they do not accept such solution, they would destabilize this area, and this destabilization would be felt everywhere in the Balkans. So we are going to have the right to regain what has been taken away from us. There is a saying: What you violently take away is cursed forever. Therefore it is my opinion that by imposing a unilateral solution an area of constant conflicts would be opened.

I think that the International Community has to take into consideration our interests and to make a compromise solution that is in interest to all sides; which would enable them to live in their territories and to protect their rights in their institutions and to get security and freedom of movement."

## From the discussion of the Chief with Serbian Parliament's Committee for Kosovo and Metohija, Dušan Proroković regarding Security Issue:

(transcript)

"I would like to analyze security from three aspects. The first is pan-Albanian or macro regional approach, the second is Kosovo or micro regional approach and the third is a local aspect- aspect of security in Kosovska Mitrovica.

When we talk about macro regional that is about pan-Albanian aspect, I would like to remind you of the Report filed by Central Intelligence Agency of the United States of America. It stipulates that through Kosovo and Metohija goes one of the 3 main narcotics smuggling channels towards the Western Europe. Neither KFOR, nor UNMIK made its way through Kosovo and Metohija. This is a problem that goes a way back, which lasts much, much longer, and which even our law enforcement services were not able to resolve, not even during ex-Yugoslavia time. However, this is a problem that has escalated recently.

According to estimations of certain European NGOs, Kosovo and Metohija is currently one of the biggest European storehouses of narcotics, and this presents a serious security issue for both Europe and Middle East. An analysis that supports this was done by Center for Management from Belgrade, by Dr. Aleksandar Fatic, who cites conclusions of the EU security structures. These structures discovered that Kosovo Liberation Army in the beginning was financed with 50% of the income gained from narcotics smuggling, and in the end, in July 1999, the percentage was 100%.

Also, what presents macro regional problem is creation of the pan-Albanian paramilitary formations. We had two pan-Albanian paramilitary forces. That is ONA (National Liberation Army) after which was formed ANA (Albanian National Army). So, through these security endangering systems, we saw that the border is permeable or semi-permeable. The flow of arms, men and technical stuff goes very efficiently between different parts of the region. The International Community, Serbia and Macedonia, which tried to play a constructive role, nevertheless, at one point, during crisis, were not able to deal with this issue.

In July 1999, KFOR, but first of all NATO as a much wider multi-national coalition came to Kosovo. Everyone thought that the conflict was over back then. However, it happened that the conflict was simply spilled over Presevo, Bujanovac and Medvedja. With huge OSCE's assistance and significant political compromises which Belgrade offered to local Albanians, we thought that we have resolved the problem in Presevo, Bujanovac and Medvedja. Some 3 months later, this conflict spilled over the western Macedonia, especially over the area of western Macedonia, which naturally leans on the border with Serbia and Montenegro and with Albania. The last isolated incidents, which did not occur only in Kosovo, but in other places like Konarevo in Macedonia, demonstrate that the problem of disbanding paramilitary pan-Albanian structures is not even nearly over.

I think that all these issues should be the issues for the EU, and not so much for Council of Europe. I believe that continental security structures should be the ones dealing with these issues so that we can start resolve them as soon as possible, because I have no illusions that this can be resolved quickly.

Regarding micro regional stability, that is micro regional security, speaking of Kosovo level, I must say that security in Kosovo and Metohija proves that the standards are not honoured.

In the past 6 years, we have had more than 900 isolated, ethnically motivated incidents, targeting Serbian ethnic community in Kosovo and Metohija. Unfortunately, about 100 resulted in death casualties. When I say incidents, I mean everything- starting from setting houses on fire and stoning of buses, to ruthless murders, like those that took place in Lipljan Municipality, or Pec Municipality- in Gorazdevac enclave. All these isolated incidents culminated in one organized, well-hidden action that took place on March, 17.

The greatest disappointment for us in Belgrade was fact that the info signals, messages, passwords and communicational network which were used, resembled of those used by KPC or KPS. So this infrastructure, that was set up here by internationals was used for purposes of committing ethnic cleansing. I do not wish to assert that KPC or KPS have participated in the riots, but some infrastructure and logistical support evidently existed.

The entire situation resembles of a combustible mixture. Especially if we were to compare economical and social data. Currently in Kosovo, in the Albanian entity, but it's not much better in the Serbian entity either, there is about 70% of unemployed people. The income per member of a household ranges between 40 and 50 €. This is a solid basis for an easy manipulation by extremist movements and may challenge an instability Kosovo wide.

Also, I would like to remind you of the interview to Belgrade's journal "Politika" that Prime Minister of Kosovo, Mr. Bajram Kosumi, gave this paper a month ago, where he was kind of complaining about the existence of parallel structures in Kosovo and Metohija, that Albanian political elite cannot either control. I believe that these parallel Kosovan structures are the ones responsible for the 17<sup>th</sup> of March and for the long strain of these isolated, ethnically motivated incidents, but then the question is- who and in what way would confront them?

If we are talking about local security, the security in Northern Kosovska Mitrovica, the situation has been constantly tense over the past 6 years. We have had a system which functions even today, 5 centers of the Counties in Kosovo and Metohija. If we take a closer look, the only remaining center of a county, the only urban environment that remained multi-ethnic is Mitrovica, that is Northern Kosovska Mitrovica as its part.

In Pristina we have only YU Program buildings where at the moment a few dozens of Serbs are living. In Pec and Prizren, especially Prizren after 17<sup>th</sup> of March, there are no more Serbs left there. In Gnjilane their number is insignificant if we take a look at both relative and absolute figures. And in Mitrovica the situation is a little bit different.

In the Northern part there is about 15 % of 'non-Serbian' people. The majority of them, that is 10% to 12% of the total population in the North are Albanians. Having this in

mind, I think we can be satisfied with overall security in Mitrovica, because there were not many incidents. It is hard for me to say this, because any murder of any man in Bosnjiak Mahala is a great loss, but, until March, 17<sup>th</sup> we did not have the same rate of incidents as was in other parts of Kosovo and Metohija.

I would say that after the removal of check points, there is a single-track security system in Kosovska Mitrovica. It is single-track as Albanians from the Southern part are coming to the Northern part, they cross the bridge and then go to Bosnjiak Mahala or Three Towers Area; yet Serbs do not go from the North to South because they cannot possibly do anything without feeling safe. Also if you take a look at the road linking Zubin Potok and Mitrovica, once again you can see that there is no elementary safety even, neither were honoured the standards. Serbs simply cannot use shorter way from Zubin Potok, through Zabare and South Mitrovica to the North but a detour over Zvecan hills in order to reach Kosovska Mitrovica."

### ***Security issue Mitrovica 1999 - 2005***

**Speech by Joe Napolitano**

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"At the start of 2000 a leading American politician said that Mitrovica was 'the most dangerous city in Europe'. At that time Mitrovica was gripped by a cycle of violence that made victims of all is communities, including police and KFOR troops.

Today Mitrovica is a hugely different in comparison to what it was like 6 years ago. Mitrovica was heavily militarized; a town of soldiers and police, barbed wire and ever present tensions. People lived from day to day in uncertainty and fear. Incidents were frequent and full scale rioting happened on a regular basis. The community in North Mitrovica, which included refugees from all over Kosovo, felt isolated and ignored. Violence and the reaction to violence led to further alienation, bitterness and pessimism.

Mistakes were made by all sides however at the same time lessons were learned. Recognizing the problem and in an attempt to find meaningful solutions the police reached out to develop community contacts. Through time the police moved away from confrontation with the community to one of community cooperation and for the first time policed with an element of consent.

The police worked with community leaders from both sides and were therefore able to resolve many inter-community concerns and issues that would have in all probability, if left ignored, resulted in civil disorder, destruction of property and probable loss of life. Through partnership and community support progress was made. Policing has now moved on even further, transition having being made from UNMIK Police to KPS – something that would have been hard to believe even three years ago.

Community acceptance of International and KPS policing has been hard won. However for all that has been achieved many issues are yet to be resolved. The concerns,

tensions and problems that were once a part of everyday life in Mitrovica still exist today. As the question of Final Status draws closer uncertainty as to what the future holds grows stronger. If the concerns and fears of the people in North Mitrovica are ignored, then the cycle of violence that was once common to this area will return. Any progress that the international police and the KPS have made to date in working with the community will be the first unfortunate victim of unresolved politics.

Looking at the broader Kosovo issue, the mayhem and destruction that took place during March 2004 must serve as reminder to all of the dangers and volatility of the region. Confidence in the ability of the International Security presence to protect non Albanian communities was lost. Lives, homes and communities were destroyed. Since those catastrophic events KFOR and the Police have made great effort to ensure that the response to any similar outbreak of violence will be firm and effective. However it is only action and not words that can now satisfy the individuals and communities who suffered so much.

I sincerely hope that the future for Mitrovica will be a good one and that there will be security, stability and jobs. Any process that seeks to find solutions cannot be rushed. The lives of ordinary citizens depend upon it. Peace must be sought through dialogue and once achieved must be maintained through working in partnership with the community. Peace cannot be won or held by force alone.

### **The Confidence Zone**

The Confidence Zone was introduced in early 2000. At that time, from a police perspective, it was a tool to keep Albanians and Serbs apart and thus reduce the chances of conflict and civil disorder. In that respect it was effective. However the negative aspect from the Serb community was that the number of non Albanians living in this 'buffer zone' decreased. This not only happened in Little Bosnia but also in the Three Towers. The reason for this decrease was in all probability the feeling of isolation and fear that Serbs felt when living amongst the majority Albanian community. Whilst there were attacks and intimidation on both communities, the Serbs living in this area felt undoubtedly more vulnerable despite the efforts of the police and KFOR to reassure them.

### **17<sup>th</sup> March Main Bridge Mitrovica**

The days leading up to the 17<sup>th</sup> of March 2004 became increasingly tense as the violence in Kosovo once more made its mark. The situation in Gracanica after the attempted murder of a Serb on the 14<sup>th</sup> March became more and more difficult. The accidental drowning of the children in Cabra on the 16<sup>th</sup> March was a tragedy in itself but was one that was manipulated by some elements within the Albanian community to focus hatred against Serbs. The role played the Albanian media in fanning the flames of this hatred has been well documented.

Spring is always a time of concern in Northern Kosovo. Talk on the street of a 'spring offensive' by Albanian extremists was commonplace. March of 2004 was no different and the term 'Bajgora Storm' was a term of reference made to the expected upsurge in violence.

It has been said that the violence of March had been in the planning by Albanian extremists for some time. From my perspective I can say that on the morning of 17<sup>th</sup> March UNMIK Police and KFOR did not have any idea of what was about to happen.

When the rioting started in Mitrovica just after 1100hrs on the 17<sup>th</sup> it soon became clear that this was not a spontaneous demonstration that had turned violent but a planned attack. Having said that, Albanian extremists involved had had only a few hours from the previous evening to actually organize and get gunmen and trouble makers into position in South Mitrovica.

Gunmen who opened fire from the south into the north were part of a number of armed groups that had arrived in Mitrovica during the early hours of the 17<sup>th</sup>. Another role these armed groups were to play was to cross into the north whilst the police and KFOR were focused in and around the Bridge. Some of these groups did enter however they eventually withdrew as they lacked the necessary support from the main body of rioters who had been blocked by the police and KFOR (as well as a large crowd of Serbs) at the Main Bridge and Three Towers.

As far as North Mitrovica was concerned these was the most crucial hours. Extremist elements never effectively came into the North again. The Church and Svinjare bore the brunt of the violence that was to follow. Snipers opened fire on police, military and civilians on a number of occasions in the following two days but fortunately there were no further fatalities.

### **Freedom of Movement**

Over the years there has been some improvement in the movement of Serbs around Kosovo. This is only to be expected as people through time adjust to the circumstances in which they find themselves. However to say that there is Freedom of Movement is to imply that people move freely without fear, without anxiety and without restriction. That is not the case and nor has it been. People do not travel when they want to but only when they have to. Attacks on Serbs increase the concerns ordinary people have about traveling and the greatest concern, quite naturally, is for the young and elderly. Despite a depressing regularity in attacks, statistically the chance of being attacked under ordinary circumstances is not great, but this does not reassure or do anything to diminish the perception amongst the Serb community that it is unsafe to travel outside their own areas. Security is part of the solution. But the Albanian community must also take responsibility for ensuring the safety all non Albanians passing through their communities. 17<sup>th</sup> March 2004 is one example that shows they still have a long way to go towards achieving this.

### **Removal of checkpoints**

Over a number of years there has been a reduction in the number of KFOR checkpoints and patrol bases in and around Mitrovica - even the Main Bridge has been handed over to KPS / UNMIK. Whilst the number of checkpoints that existed in Mitrovica during, for example 2000 and 2001, were never going to be logically sustainable in the long term, there still exist tense 'interface' areas between the two communities that could warrant a permanent KFOR or police presence - for example Checkpoint Eva just north of the East Bridge. Whilst KFOR soldiers can effectively

patrol by foot or vehicle, it can be argued that it would be prudent to maintain a presence in potential flash points. One lesson from the 17<sup>th</sup> March was that the KFOR Camp at the Cultural Centre close to the Main Bridge should not have been closed down. That camp is once again occupied by KFOR. Whereas KFOR must free up resources, threat levels in certain areas should be constantly appraised and if the situation warrants it, a KFOR or police permanent presence must be re-introduced in order to ensure a safe and secure environment. The situation in Mitrovica is not yet stable and the level of military and police patrols must reflect this ground reality".

### **Extract from the Discussion on Security Issues**

#### **Nebojša Jović, Head of SNC security board in northern Kosovo and Metohija:**

(transcript)

"We are all aware that security plays an important role. As Mr. Napolitano has already stated, to a great extent politics is interfering with security issues. From the moment when politics starts interfering with security issues, the consequences are negative and detrimental. The outcome is positive only occasionally. We are facing it in Kosovo and Metohija and we are facing it in Northern Mitrovica. It should be avoided in any possible way. I shall state something I do believe the majority of you will agree upon: we can have remarkably skilful negotiators, we can achieve remarkable results, we can prepare remarkable programs for Status Talks, but if there is no satisfactory and appropriate level of security, all negotiations and all negotiators will be in vain and no positive step forward will be made.

"When it became clear that KFOR does not wish or is not capable to protect us, nevertheless, the point is that we couldn't have expected international forces to react, then we decided to self organize. I wish to emphasize that we organized ourselves with the one and only aim: to survive. It was about our lives and our country. The prevailing thought was: we don't have a spare country to live in, we don't have a spare state to go. Why and where to go? It's our land. We'll stay and continue to live the way we can.

In days to come we faced many problems. The first and concrete one was the establishment of the Confidence Zone.

The term itself should mean as mutual trust. The establishment of these zones supposed to understand an agreement between Serbian and Albanian sides, therefore Serb and Albanian political and other representatives, to establish a demilitarized zone together. Eventually, it supposed return of expelled Serbs and Albanians to their houses that are in this part of the town. Despite the disagreement of Serbs, decision on the establishment of the Confidence Zone was final. And what has happened afterwards? Exactly what we were warning of: it is only a matter of time when that Confidence Zone was going to turn into a zone of ethnic cleansing. And that is what happened.

As Mr. Napolitano mentioned earlier in his speech, Bosniak Mahaia is divided into two parts: Serb and Albanian. In 1999, during the bombardment was no single Albanian that had remained in the settlement. We do not want to examine the reasons for their leave. It might have been the fear of the air strikes, or anything else, but the fact is that they had left. Only a year after their return, a year after Confidence zone was established, one could find no Serbs in the settlement. The last Serb settler, and I think it was a seventy-year-old woman, after was beaten up, moved out from such area. There are no Serbs living there anymore. Similar scenario has happened with Three Towers. There were between 50 to 60 Serb families who used to live there. Today, only 4 to 5 families have remained.

It is worth to mention that that shooting could be heard from Three Towers Area during the March 17 events. This fact, along with all the other that I have mentioned, is unfortunately in favor of our decision to oppose Confidence zones in 1999. Therefore, our intention was not to obstruct your Mission when decided to organize self security. Our wish was simply to protect ourselves, as if we no longer live in this area, will be no need for your Mission and chance for peaceful Kosovo will be lost forever. Some like to think that Kosovo without Serbs is a synonym for peaceful Kosovo. Wrong. Kosovo without Serbs is the synonym for a restless region".

### **Extract from Discussion on the Opposed Political Options in the North of Kosovo and Metohija**

**Marko Jakšić, Head of Association of Serbian Municipalities and Settlements in Kosovo and Metohija:**

(transcript)

"I believe that the question is rather raised in an odd way as if there are two opposed options. Well, then- we have one option, which is called the List, a name that cannot stand anywhere, but it does not matter now. I think, two other things are important- whether, or not these two options have a support of their voters. If the percentages are approximately the same, if the number of supporters of the one is almost equal to those who support the other, then it is something we could discuss about. But, if one political option is left in traces, then it cannot be a real political option. I think that this is very logical, and we can discuss it. However, I would not be dealing with it.

I personally understand that this conference is a place where I should speak about more important and more significant things, to speak about the things that made a problem out of Kosovska Mitrovica. That is why we discuss so much about it, that is why it is a regular issue everywhere in the world. I think that even in Brussels and NATO, Northern Kosovska Mitrovica was discussed about. I think that this is the most important thing. We, who originate from here and live here, too, must give a real answer to it.

I personally think that the reason why is it so, is because we have tried and strived for protecting and keeping Serbian State's institutions from being dismantled here, in this area. How much we succeeded, you will judge. I think that this is one of the main reasons behind our dispute with UNMIK and KFOR. First of all, we saw an enormous desire of Albanians, and then from KFOR and UNMIK that whatever even remotely reminding of Serbia had to disappear from here, had to be banished.

We tried to oppose this, this week and small as we are, using our own way. I think that this is one of the main reasons for having a collision and conflict with UNMIK and KFOR. We tried to protect what is here. We succeeded somewhere, somewhere - did not. We saved the Hospital, in real sense of that word, within the Serbian state system. We have preserved some other institutions, too. We brought back the University, which was forced out from the Province. Many things did not go smoothly. It seems to me unfortunately that we didn't have some understanding from the Motherland even for a political battle such was this one. First and foremost, we didn't have understanding of the previous Coordination Center".

**Oliver Ivanović, SLKIM Leader:**

(transcript)

"A point in which differences of these conceptions are most visible is the election. There is this option, just presented to you, that we should not participate in any of the elections until the situation improves. But I am afraid that unless we take over a part of the responsibility for the improvement of the situation, it will never become improve.

Dialogue is a need and everyone is saying, dialogue, dialogue, but what kind of a dialogue? The dialogue between Pristina and Belgrade is extremely important, but I have to say that another dialogue is also very important and that is internal dialogue between Albanians and Serbs in Kosovo and Metohija. But where will you start this dialogue? In a street? On the bridge? Or, in institutions in the presence of the International Community's representatives?

You can enter the institutions, but you wouldn't accomplish anything there because you would be over voted. This is an often told story, but it is a true story. We have experienced this. It is equally true, as Marko rightfully said that we used armored vehicles and that we are still using them when we have a meeting in Pristina. But this is a proof that the situation is not good, and that is the message we send that very moment.

In 2000 we were unanimously against the elections. No one, except, I don't know, Nenad Radosavljevic, was in favor of elections that year. And what did we gain? The elections took place. We emphasized that they were illegitimate because there was no Serbian participation. However, we ended up with accepting the elections as a solution. Then we entered UN Administration, thus UNMIK Municipalities- Zvecan, Leposavic and Zubin Potok as these municipalities held elections under UNMIK administration. The most what we could do was to push the Government of Serbia to acknowledge these elections as legitimate, and recognize elected people as its

appointed representatives in some municipal assemblies, in order to avoid the administration dualism, as it might have caused great divisions among local Serbs.

Finally, the Serbian Community is weak, small and not resistant to pressures. The experience showed us, and I am talking about Mitrovica's experience, that wherever were disagreements, conflicts, our first reaction was to take a step back. We send our children to safety, and only men are left, which is not a long lasting concept. This concept failed in Knin.

At the end, the institutions are the way they are. They are far from being democratic, but we are a living proof of it. We are the a test balloon, a test paper for the democratization of these institutions, and as long as we are there, we are going to be the ones upon who all negative stuff would be tested. The entire negative approach that has been taken against Serbian Community is tested on us. We are the scapegoat in that case, but someone simply has to do it. Who would try to say this in front of the whole world, if the Serbs do not wish to do so?

While we are absent from the institutions, the International Community and its representatives are playing their part. They see this problem through European perspectives and this is everything but a European problem. This is a completely different issue. First of all, there are elements of ethnic conflicts, then religious elements and there are conflicts based on a variety of interests. That means that all sorts of conflicts are possible here. In fact, they are reflected in Kosovo and Metohija. Someone needs to explain this to them."

**Gyorgy Kakuk, Regional UNMIK spokesperson for Kosovska Mitrovica:**

(transcript)

"I would like to address to our panelists, particularly the two eminent Kosovo Serb leaders sitting here. They are not members of the same party, or even the same movement. What we have heard from Serb representatives no matter whether they came from Belgrade, or from Kosovo is that the situation is quite regrettable, actually critical for Kosovo Serbs. Therefore I would like to ask you bluntly: Do you see any chance, you gentlemen, to put aside your personal disagreements and unite your forces? It is obvious that the Serb National Council, and Mr. Marko Jaksic is a prominent leader of this organization, fairly influential amongst the population here in the north of Kosovo. On the other hand, Mr. Oliver Ivanovic, the leader of Serb List for Kosovo and Metohija, maintains relatively good relations with the international community representatives. Thus, when you discuss the national interests of a great importance, shouldn't it be wise to unify your forces and put aside, as I allow myself to remark, sometimes rather personal disagreements?"

**Marko Jakšić, Head of Association of Serbian Municipalities and Settlements in Kosovo and Metohija:**

(transcript)

„A precondition for two political options is an approximate number of votes in an electorate. However, it is not even important for this discussion. I would like to underline the following: In last somewhat twenty years we approached different positions. In communist era amongst us there used to be the so called „private Serbs“ serving blindly to highest Albanian politicians, like Mr. Ilija Vakic for example. In Milosevic era again we had the so called „private Albanians“ accompanying Mr. Milosevic on his trip to Rambouille. Fair enough, but, I wouldn't like to see our people being listed on any kind of so called „private list“ either UNMIK or Albanian private lists. It is the end of democracy if someone is voted in for a Minister with 60% of votes. Unfortunately, anything is possible in Kosovo and Metohija.“

**Oliver Ivanović, SLKIM Leader:**

(transcript)

“As usual, I am a bit more of an optimist. This is a depressive and pessimistic description. However I think we have to cooperate. Concerning myself, I don't think we are opposed parties since I know very well what goal he is trying to achieve. And our goals are just the same. The only difference is in the way of reaching it. I recall this question being imposed several times before, always being answered the same way. Political answer that does not mean a thing. I am saying very openly that we must sit down and talk if not now, then once the status talks are open. When the status talks commence, there will be no room for political outwitting. Actually, my stand has always been such. We must not be obsessed with domination of one man over the other, although it is always a matter of domination that lies behind and the reasons for it shouldn't be discussed now. I'll say straight away that someone has to make a first move. Who is the first to do it? The younger or the weaker of us? However, the matter of influence is a relative one. Just recently I learnt about the party in Serbia having won 8% of votes, but it's representatives are in head of the affairs in approximately 60%. See? What does it really mean? It means that the party is obviously influential and that is what is relevant. The only important thing is that the power is not acquired in a criminal way and that those who do not support it do not bear the consequences of their orientation”.

**Miša Đurković, Secretary of State Council for Kosovo and Metohija  
clarifies State's strategy for Kosovo Serb participation in Kosovo  
Provisional Institutions of Self-government**

(transcript)

"I would like to briefly comment on the issue of strategy, the most important one for Serbs, found in extremely difficult position. It should be pointed out that a good strategy itself is crucial for further existence in this area.

We were granted a good opportunity to listen to the word of those who managed to create the facilities for existence of people living here. They've managed to accomplish their goal because they've managed to develop a good self-organizing ability, because they remained in unison, at least in the first stage of the resistance and made it successful. If it didn't happen to be so, we wouldn't be sitting here and there would be no opportunity to seek for solutions in order to preserve the entire process.

The issue of participation in Provisional institutions, which is of course a political issue closely connected with participation i.e. non-participation in elections, is still extremely important. I would like to use my time to simply present the stands of the government. The most important point is that the government has taken a singular position on the issue. It means that all relevant institutions i.e. Government of Republic of Serbia, Minister of Foreign Affairs and now, the President of Coordination Center have taken the same, singular position. Whether such strategy is adequate, whether it is going to be successful, the time will show. The most important point is that all these institutions, bearing a full responsibility for both our tactics and our strategy, have taken clear and singular position.

As for now, the government demands for non-participation in the institutions not offering the opportunity of achieving even a single goal. Namely, Serbs do enter the institutions they view as "giving opportunity" institutions. A good example of this is a local self-government and I shall just briefly remind you on state of affairs there. In totally five municipality structures Serbs are at the head of affairs, in accordance with UNMIK regulations, according to the rules and there is one single reason for that: they've understood that in those municipalities they were given an opportunity to stand for their interests. However, Serbs do not enter the institutions (following the stands of the Government) not giving a single opportunity to act, aware that they would be assuming a position of mere decoration and nothing else. This particularly refers to the Parliament of Kosovo and the government of Provisional institutions.

Of course, this is not a finally taken stand denying any possibility for coexistence and any capacity to act. The truth is only that as for now that possibility is not real. Setting the strategy and working on it is nothing else but struggle to find a solution for creating a real, democratic environment giving us space to act. The struggle involves close cooperation with international community and we hope with our partners on the Albanian side.

One more brief comment and I shall end my speech. I shall remind you on situation prevailing on the south i.e. southeast of Serbia, where Albanians refuse to participate

in Parliament of Serbia. They are not pressured to change the attitude because it is quite clear they haven't build a good confidence yet and thus all our efforts are directed to building confidence and convince them they should take part not only in local self government but also in the Parliament of Serbia. Let's hope that one day we even might be seeing Mr. Riza Halimi a Vice-president of Serbia.

The situation with Kosovo Serbs is just the same. Both Kosovo and UNMIK institutions should put together all their efforts to convince Kosovo Serbs, or majority Serb population and Serb leaders on the northern Kosovo that they will be granted an opportunity to fight for their interests".

### **Feigned decentralization**

In conventional political communities, the issue of decentralization would present purely technical and administrative issue, leading to reduction of the burdensome and centralized state apparatus. However, in Kosovo and Metohija it presents a first-rate political issue and cause to impediment of political process in this southern Serb province. I shall try to give a brief description of the decentralization controversy in Kosovo and Metohija and clarify the significance of the issue for the continuance of Serb community in the province. The question of Albanian fundamental antagonism towards the entire process undoubtedly deserves an equal attention. Finally I shall try to explain why the further hindrance of this process would bring an immense embarrassment to the international community.

In the summer of 1999 when de facto sovereign state of Serbia was forced out of Kosovo and masses of Albanians under NATO protection came running to the area, rooting out anything on the way, owing to firm organization, Serb community managed to persist, but only in several enclaves. The survival was possible since they succeeded to hold their basic services and institutions, primarily the health care, education and administrative services dealing with documents issuance, marriages and similar affairs. Thus no wonder that during the past six years those institutions are a thorn in Albanian side and permanently left to be its central target. Despite the Haekkerup - Covic agreement on function of these institutions, by which they were granted some sort of legality, all Albanian leaders as well as large portion of the international community members ceaselessly define them as "parallel institutions"; meaning actually illegal or unlawful. It is worth mentioning that a significant part of Albanian population in Kosovo is not disturbed by the existence of at least some of these institutions. Very often Albanians visit Serb hospitals because they trust the quality of service. Our municipal coordinators have issued the Albanians hundreds of thousands of certificates, passports and other documents.

Both Albanian leaders and anti-Serb segments of the international community insist on the approach of Serb "parallel institutions" being a cardinal obstacle for further development of "multiethnic Kosovo," since their monoethnic character allegedly threatens the overall multiethnic character of Kosovo society. What's the story behind? Somebody has made a very good observation and adequately concluded that wherever such kind of multiethnic structure is established, Serbs simply cease to exist. Wherever the establishment of Albanian institutions took place and Serb structures were dismantled, as a rule, Serbs were driven out and never returned. Absolutely reasonably, Serbs do not want their children to attend schools in Albanian language, nor to be educated by the Albanian curricula teaching about Serb usurpators in

Kosovo. Equally the same, Serbs do not trust the quality of Kosovo Albanian health care nor the professionalism of Albanian medicals. In times when majority of them do not have the freedom of movement, when majority of Albanian population displays hostile attitude towards their attempt to survive, these institutions are the only guarantee to their security and ability to function. The above mentioned is absolutely clear even to international community comprehending that, if it tends to preserve the existence of Serbs, it must enhance their self-organizing ability and autonomous administration of their institutions supported by the state of Serbia. That is exactly the UNMIK motive to, despite strong pressuring from the Albanian side, tolerate de facto ongoing autonomy of Serb communities.

Out of all these reasons and for the fact that only by further tightening of these autonomous areas the significant number of returns is achievable, authorities of Serbia have initiated the approach for resolution of the internal Kosovo problems based on real-approach decentralization. The 17<sup>th</sup> of March events have just strongly confirmed the accuracy of such an approach and tendency of significant portion of Albanian community to complete the process of ethnic cleansing in Kosmet. In order to respond to these events, in April 2004, the government of Serbia presented a detailed plan for comprehensive decentralization. Similar solutions applied in other European countries as well as atypical solutions applied in the region served as a model. The starting point of this plan was the real situation on the ground and the demand incorporated in it was that, once the reforms in Kosmet commence, the need for returns of internally displaced persons be seriously taken into account. Although not accepted by international community, this plan strongly influenced the opening of an emphatic discussion on decentralization. UNMIK was compelled to face the challenge and respond to it, thus the Framework of the document for local self-government reform was promulgated in summer 2004.

This document was far from Serb community expectations and actually opened the game we are playing for nearly a year now, leading us to the point of avoiding the actual problem and feigning the solution. To make it clear, the issue of decentralization from the very beginning was something the Serb community was interested in, as for an instrument providing basic ethnic, cultural, and political self-government and fundamental precondition for survival in non-amicable encirclement. Albanian community, according to the general statements of its leaders, did not have even minimal interest in the process. On the contrary, opposition parties as PDK for example were essentially against. However, UNMIK persistently avoided to properly define the problem. Responses of UNMIK were similar to the responses of present Kosovo Provisional institutions of self-government which, knowing the issue is of an essentially ethnic character offer solutions "that must not involve any ethnically featured approach." In other words, no solution at all. The whole process was handled as if it was dealt with an issue of decentralization in France, i.e. as purely administrative matter.

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But, international community representatives visiting with an aim to scan the situation in Kosovo were able to comprehend the state of affairs. In his last year report Mr. Kai Eide emphasized that real-approach decentralization is a political priority in Kosmet and Contact Group concluded in its last session held in autumn this year that the proposed framework should be supplemented with certain elements excerpted

from the Plan of Government of Serbia. None of it was either adopted or implemented. Instead of having a real-approach process, or at least a serious discussion on preparation of the process, we received two parallel proceedings feigning it. In one hand, the Government of Kosovo continued to elaborate its concept, establishing the so called "pilot-projects," foreseen and regulated by document brought on February the 22<sup>nd</sup>. The pilot-projects foresee the establishment of five municipal sub-units, two of them being Serb sub-units (Gracanica and Partes in Kosovska pomoravlje), two of them being Albanian (Junik and Djeneral Jankovic) and one of them being Turkish (Mamusa).

Major reproaches to this plan are the following:

1. Instead of a real-approach, comprehensive and unique decentralization (introduced everywhere in the region), several pilot units are being introduced with again totally undefined status. The pilot-projects are foreseen to last for 18 months and shall be continuously controlled by municipality. After the expiration of 18 months period, municipality keeps the right to simply discontinue the sub-units. It means that neither Serbs in Gracanica nor Serbs in Petrusa are given any guarantees for genuinely autonomous municipalities, since the municipal authorities of Pristina i.e. Gnjilane, as well as the SRSG can discontinue the units with a single strike of a pen. Other numerous Serb inhabited settlements and potential candidates for new municipalities are therefore denied even an opportunity to get included into a pilot project. The Framework criterion on minimal number of inhabitants is another disputable point. Namely, a number of inhabitants foreseen to establish a municipality is minimum 5000 people, although in many European countries can be found very operational municipalities counting only 1000 inhabitants.
2. Another problem is an explicit decision disallowing any change in municipal territory during the process, hence incapacitating coupling of Serb settlements into sustainable municipal units.
3. Third and equally fundamental problem concerns the competencies of sub-units. The Framework explicitly states that one of the major goals of these pilot projects is the dismantling of "parallel structures" and their full integration into centralized system. In the course of negotiations, substantial decentralization could really offer an outstanding opportunity to both Serb and Albanian party to invent an adequate mechanism for full authorization of presently existing Serb institutions, as well as for some kind of their linkage with Pristina. Unfortunately, Kosovo Government plan envisages no guarantees in that sense. If finds it appropriate it can even revoke their competencies and suspend them. Particularly serious problem stands behind the fact that Pristina does not envisage a minimum competencies for municipalities in the sphere of judiciary and police although the Government of Serbia insisted on it and despite the fact that out of security reasons Kosovo Serbs have particular interest in these areas.

It must be emphasized that in the course of last year, both UNMIK and Government of Kosovo assumed an obstinate attitude of the issue being "an internal Kosovo affair" and denied Belgrade the right to participate in solving the matter. It is therefore important to note that legitimate representatives of Serbia were excluded from the project and that the project itself presents nothing else but a try to feign decentralization plan aiming to deceive the international community representatives demanding for actual commencement of political process in Kosmet.

Parallel diplomacy was synchronously ongoing. Several in camera meetings were held at the presence of international community representatives involving Belgrade, Kosovo Serbs and Pristina delegates negotiating possibilities for eventual joint

breakthrough and mission on improvement and implementation of decentralization. All the efforts unfortunately failed out of two reasons: First, Albanian unreadiness and non-interest in making minimal concession to Serb community in Kosmet, thus improving security conditions and providing better function of this community. The only concept the Albanian majority in Kosmet is interested in is the concept of independence. There is no sense of responsibility to act towards creation of truly multiethnic Kosovo. The second reason is the UNMIK and international community fear of Albanian reaction. Both UNMIK and international community fear any possible conflict with Albanian side and therefore are reluctant to put serious pressure and force it to deviate from an extreme position, to enter the dialogue with Serb side and unlock political process.

However, it seems that we reached the climax and the international community is to finally take its stand, supporting one of the following options: it will either remain reluctant, being merely an observer of subtle ethnic cleansing against Serbs in Kosovo enhanced by radical Albanian elements and their lobbies, or it shall finally decide to take steps towards creation of genuine multiethnic environment.. Substantial decentralization is the first and basic step in providing conditions for sustainable returns of Serbs expelled from Kosovo. Without decentralization it is impossible to carry out a serious political process and Serb participation in Kosovo institutions is simply out of question. If Kosovo Serbs decided to enter Kosovo institutions now, without decentralization being conducted, it would have had a negative effect and would lead to further ethnic cleansing in Kosmet, which in a way would become legitimate.

Accordingly, Regulation on Decentralization, promulgated by Mr. Petersen on July the 22. 2004, does not mark the beginning of decentralization process but continuation of feigned decentralization, offering to Serbs nothing else but to support the feigned process and let their essential demands go down the drain (meanwhile the Government of Kosovo compiled a project even more detrimental to their interests, with Laplje selo and Caglavica being left out of Gracanica unit, excluding thus any possibility for sustainable self financing of the unit. Dispersion of this quite compact Serb enclave is also in prospect).

In the session held on 29. of June 2004. State Council for Kosmet took clear position on the issue, concluding that neither Serbs nor Serb parties in Kosmet should take part in the process. Instead, they should continue to struggle for substantial decentralization to take place. It is the moment for international community to make the move. Experience gained in Bosnia and Hercegovina shows that international community avails of mechanisms and enough power to provide conditions for sustainable return of displaced persons, for return of their property and creation of political environment providing conditions for cohabitation on the first place and than gradual mixing of communities. If it doesn't happen in Kosmet it shall mean that international community has no interest to provide and preserve multiethnic character of this area (multiethnicity is even the main principle of the EU ). It shall present an example of a gruesome precedent to serve the future and enormous disgrace for the entire Europe.

**Miša Đurković**  
**Secretary of State Council for Kosmet**  
**(the article is published in daily „Politika“**

## Foreign Offices Towards the Issue of Northern part of Mitrovica

### Speech by Ruairri O' Connell Deputy Head British Office in Pristina

(transcript)

"I am very grateful for the opportunity to outline the International Community's views on Kosovo. I hope to talk to you, on behalf of the UK and the Presidency of the European Union, about how we see the future, both across Kosovo, and here in Mitrovica.

Over the past fifteen years, the EU, and our partners in the international community, have shared one aim in the Balkans – to help all the people of the region build a lasting, prosperous peace for themselves, and for their families.

In Kosovo, our top priority has been the 'Standards for Kosovo'. At the heart of these standards are steps to make life easier, better, for all of the people of Kosovo – regardless of their ethnicity or background. I am sure that you have heard for two years the rhetoric and political arguments about 'Standards'. The truth is, those Standards are designed to make sure that Kosovo's institutions serve all Kosovo's people; to ensure that schools are provided to educate your children in their own language; to ensure that government services are provided to you without discrimination; to ensure that you have the security and peace of mind to prosper in Kosovo. The Standards enshrine your rights; you should demand them.

As for the future of Kosovo, this is not for the UK and the International Community to decide. But, whatever Kosovo's final status may be, it must be based on certain principles, certain values, on which we and our EU and Contact Group partners agree. Kosovo's final status must be decided by negotiation, between Pristina and Belgrade. The voice of the Serbian Community in Kosovo must also be heard; it is vital that the Serbian Community in Kosovo identifies its core concerns – and how these can be represented. The Final Status process must be free from violence, and open to the world; no party will be able to dictate the terms of Kosovo's final status.

Whatever her final status will be, it must also help Kosovo towards the European Union. So it is clear that certain 'options', are not really options at all – they have been specifically ruled out by the IC. We cannot return to the situation in March 1999. Nor can there be any division of Kosovo; you will not solve your problems by drawing lines on maps. Equally, the solution must respect the territory of all the neighbouring states, and Kosovo cannot be joined to any other country following Final Status. Most importantly of all, the EU is determined that Kosovo's future status must be based on multi-ethnicity, on full respect for human rights, and the right of all refugees and displaced persons to return home safely, whether they are Serbs or Albanians. There must be a special place in Kosovo not just for Serbs, but for the Serbian community in Kosovo, for the Serbian Orthodox Church, for your symbols and your culture.

As for Mitrovica, your town has for too long been a symbol of the division and mistrust between Kosovo's peoples. I strongly believe that, as we set about to solve Kosovo's final status, we must turn our attention to Mitrovica, too. It is almost inconceivable that

in 2005, two communities who live on either side of a river, and who both share the same desires for their future, who both want to join the European Union, cannot cross a bridge to solve their problems together.

Again, it is not for us to find a solution for you. I do know, however, that , one day, Mitrovica will be in the EU. Any citizen of the EU can move – and live - anywhere in that union. That is what the future holds for Mitrovica. But it will be up to you to build this future. Only through compromise – on both sides – can a solution be found that will make Mitrovica not just the symbol of division in Kosovo, but, instead, an example of how the people of Kosovo, working together, can forge a better future".

## **Kosovska Mitrovica in The Status Talks on Kosovo**

**Speech By Aleksandar Mitic,  
Institute of Serbia and Montenegro, Brussels**

1) One of the first pictures that comes to my mind when I think of post-1999 Kosovska Mitrovica is that of a press conference in Pristina, at the UN headquarters, just days after the arrival of Kfor in mid-June 1999 and after the departure of Serbian forces. Pristina Serbs were being ethnically cleansed in front of my eyes, Serb property looted, appartements taken over. I was disgusted at the failure and/or unwillingness of the international forces to stop the ethnic cleansing happening in front of their eyes. Then, at this press conference, attended by Javier Solana, Wesley Clark and some other high-ranking dignitaries, an Albanian journalist asked the question: "Mitrovica, what are you going to do to liberate northern Mitrovica?" NATO leaders looked dazed and confused: they probably wondered, what kind of liberation is he talking about, the Yugoslav forces are out of Kosovo. From whom do we have to liberate the Albanians now?. NATO leaders simply did not have an answer. But for the pro-Albanian lobby, an obsession with northern Mitrovica remained.

2) Today the fixation on Kosovska Mitrovica remains the same. For the pro-Albanian lobby, the northern part of Kosovska Mitrovica is a source of instability and is a problem, in particular for its proclaimed goal of an "independent Kosovo".

It considers that Kosovska Mitrovica will no longer be a problem only if there is an acceptance of independence of Kosovo by the Kosovo Serbs and Belgrade. The proponents of independence fear that northern Kosovska Mitrovica could actually become a key positive link between central Serbia and Kosovo, that in fact the international community could transform northern Kosovska Mitrovica into a hub of integration between Kosovo and the rest of Serbia.

The main issue regarding Kosovska Mitrovica – I am talking in particular about the North – is whether you consider it as a "problem" or as "part of the solution".

3) Thanks to a more realistic approach of the international community, war-period or pre-1999 related excuses and alibis for intolerance, discrimination and violence are not accepted anymore. With the arrival of Kai Eide's reporting, the approach of the international community has changed in Kosovo - some pinkish Potemkin-like reports still fly to New York, but they do not make safe landing anymore in New York or in Brussels or in any of the Western capitals. Washington today calls for a compromise. Compromise. Compromise.

4) On the other hand, the last couple of months have shown that there will be no more laissez-faire policy towards the Kosovo Albanian leadership and towards Albanian extremism in the international community. Pressure on the decentralization issue has grown and has resulted in progress. Which brings us to another fear of the pro-Albanian lobby: that of decentralization. By pointing out to Kosovska Mitrovica as a separate and special problem to be addressed in the decentralization process, the pro-Albanian lobby wants to kill the decentralization process required in entire Kosovo. By focussing on the north, it wants to derail the process of decentralization elsewhere and thus stop the return of the displaced and any substantial change in the ethnically cleansed parts of Kosovo south of the Ibar.

5) Yet another reason for opening the "Mitrovica issue" before the status talks is that the pro-Albanian lobby lacks arguments for its case for independence. In an argumented debate, the independence of Kosovo does not stand a chance.

We have in the last couple of months a wide campaign in the international media led by the pro-Albanian PR, arguing: "if we do not get our independence, we will get so upset that we will start killing Serbs, other non-Albanians, internationals". Such an anti-civilized and anti-European argument of course could not work and is being rejected by the Western capitals. So, the pro-Albanian lobby argues – if WE did not scare them, let's scare them with the Serbs in Northern Mitrovica. Anyone remotely objective knows that the threat for the spread of instability in Kosovo does not come out of northern Mitrovica.

6) The bottom line is that the European integration of Kosovo cannot happen without Belgrade. In political terms, Kosovo Albanians cannot bypass Belgrade on the road to Brussels. Kosovo cannot swim around or fly over Belgrade if it wants to get to Brussels in the sense of European integration. Europe does not need a Berlin wall in Merdare. And that is where Kosovska Mitrovica can play a role. Given that the most likely solution will involve some sort of joint sovereignty shared by Pristina, Belgrade and Brussels – at different levels and with different intensity of course – northern Kosovska Mitrovica can play a positive integrative role. To play that positive role, Kosovska Mitrovica does not need a border crossing 30 km north – it needs open space not new frontiers, it needs fresh air not confinement, it needs to get out of claustrophobia not to become a potential hotspot in the case of an independence of Kosovo. Kosovska Mitrovica can truly become secure, open and prosperous only if radical, extreme options such as the independence or division of Kosovo are brushed aside, and if more constructive pro-integration strategies are undertaken, both locally and regionally, between Pristina and Belgrade.

**23 September 2005  
Brussels-Kosovska Mitrovica**

## Privatization in Kosovo and Metohija, better future for whom?

On 13.06.2002, Special Representative of Secretary General of the United Nations in Kosovo promulgated UNMIK Regulation No 2002/12 on establishment and competencies of Kosovo Trust Agency. The competences of KTA involve administration of property of socially owned enterprises in Kosovo and Metohija and consequent sale of their assets.

Decision on whether an enterprise is socially owned or not is based on KTA estimation on transformation period, i.e. whether the enterprise transformation was performed during 90's and pursuant to the law in effect during that period, as well as whether the transformation was conducted in non-discriminatory manner. There is no single example where KTA criteria were met, i.e. not a single socially owned enterprise in Kosovo and Metohija was successfully transformed during 90's, in non-discriminatory manner. According to the Article 5, Regulation provides for both criteria: unlawfulness and discrimination. However, the practice of KTA shows that only one of these two criteria is usually taken into account, alternatively. KTA Board of Directors comprises of UNMIK and Provisional institutions representatives and none of them has to be a legal expert nor to possess any experience in establishing the facts on unlawfulness or discrimination. Still, they bring decisions on these issues.

After the enterprise is re-declared socially owned, the decision on the establishment of new enterprise is brought, the assets of socially owned enterprise are transferred to a new enterprise and sold by tender. The process is called a spin-off.

The first two tender invitations were announced in 2003 when the process was actually introduced. Then it was discontinued since both in KiM and elsewhere the wrongfulness of it was noted. KTA addressed to Security Council requesting immunity for all its employees, similar to that granted to UN employees. The immunity was not granted but Security Council passed recommendation to all states according to which any complaint against KTA employees involved in privatization in Kosovo and Metohija shall be dismissed. In 2004, after dismissal of at least two international directors rather reserved towards this way of managing affairs, invitations for three more tenders were announced. The entire process culminated during 2005 when invitations for five more tenders were announced (the 10<sup>th</sup> and the last one was announced couple of days ago).

What is so disputable in this privatization process?

1. First of all, in the above mentioned UNMIK Regulation, as well as in UNMIK Regulation 2005/18 (slightly amending UNMIK Regulation 2002/12 by affirmation of Eminent domain principle which is subject of our further discussion) terminology is quite disputable since the term "privatization" is not used but replaced with term we already mentioned - "sale of assets." Therefore the issue of debts remains unsolved. The sale of assets is achieved through the sale of newly established enterprise while obligations remain with an old enterprise which goes into liquidation. Bearing in mind that potential buyers are bidding without any upset price (which means the lowest bid is zero), chances for enterprise debt to be payed off (even only a reasonable amount) are poor. Potential buyers are far too privileged comparing to creditors. It is necessary to find solutions similar to those applied in

other counties in the region that would equally protect the rights of both potential buyers and creditors.

Speaking about assets, it usually consists of land, workshops and real estate in general, vehicles, buses or tractors

2. The owner does not keep the established property right but is entitled to compensation after the conclusion of proceedings in Special Commission of the Supreme Court of Kosovo deciding in KTA cases (UNMIK Regulation 2002/13 and UNMIK Administrative direction 2003/13). It is contradictory to Article 1, Protocol 1 of the European Convention on Human Rights and fundamental freedoms, protecting right to property, unless property is expropriated according to the Law on general international law principles, (paragraph 1) for general public interest. This is regulated by UNMIK Regulation prescribing Eminent domain which is equal to expropriation in our legal system (expropriation of property involving compensation to the owner). Expropriated property is usually used for road, park public school or other public construction. In countries with long tradition on private property like USA and Great Britain this would be quite disputable matter since similar issues fall under the competency of local government which usually brings decision on expropriation of the land in favor of some powerful corporation or consortium interested in land for construction (Mayors of some small towns in US were revoked from their positions for bringing decisions favoring interests of powerful firms and expropriating property from the owners). In such disputable situations, the owner is always compensated. No matter of this fact there is a question of whether anyone, even the authorities, has the right to expropriate private property from any citizen by bringing such decision? Opinions are different but still prevailing is the stand that private property is untouchable and inviolable and that the owner can not be forced to sell it out (additionally, any privatization process leads to establishment of ownership in order to protect property of private enterprises).

When speaking about privatization in Kosovo and Metohija it is obvious that it is not quite clear for what public interest any buyer is purchasing the assets of an enterprise and freely avails of it, particularly under the circumstances prevailing in Kosovo and Metohija in last six years (specific interethnic relations).

3. There is another important issue concerning privatization process that should be thoroughly discussed: if privatization is initiated for public interest and welfare of the society, the question is which society we are talking about? What is the society to gain out of it and what is the society that owns the property to be sold out? This is particularly important if we bear in mind that at the end of 2001, according to the Succession Agreement signed between former republics of SFRJ, the Republic of Serbia agreed to take over the obligations/liabilities of Kosovo and Metohija as part of its territory. It has also agreed to take over the external liabilities for Kosovo and Metohija (approximately 1.5 billion dollars without calculated interest) and it is actually paying off this debt to foreign creditors. Great part of enterprises (the assets of which are being sold nowadays) in Kosovo and Metohija couldn't have been established without those funds and resources.
4. Neither UNMIK nor KTA have ever publicly stated the public interests for the sake of which the assets of enterprises in Kosovo and Metohija are being sold out. There are neither criteria for defining public interests in Kosovo and Metohija since we are talking about the part of the territory of Republic of Serbia under international

administration. Who is responsible for defining the public interests? Are public interests identical in Kosovo and Metohija and other parts of Serbia since both are to become part of the European Union? And how to act when public interests in Kosovo and Metohija and other parts of Serbia differ? Are the conditions for the entire process created on the territory where not all citizens enjoy their basic human rights? Actually, certain number of citizens, due to their ethnic background do not avail of the following:

- 1 Right to freedom and security of person (Article 3 of Universal Declaration on Human Rights; Article 5 of European Convention on Human Rights),
- 2 Right to equal treatment before the law and protection against discrimination (Article 7 of Universal Declaration; Article 14 of the ECHR)
- 3 Right to freedom of movement and right to residence (Article 13 of Universal Declaration; Article 2, Protocol 4 of ECHR)
- 4 Right to own a property and prohibition of arbitrary deprivation of property (Article 17 of Universal Declaration and Article 1, Protocol 1 of ECHR)
- 5 Right to freedom of assembly and association (Article 20 of Universal Declaration, Article 11 of ECHR) ?

It can seem unrealistic to claim that non-Albanian citizens in Kosovo and Metohija do not avail of all these rights. Unfortunately, practice and behavior of Provisional institutions of self-government and judiciary supports this statement. In recently compiled report on standards and preconditions for status talks, Mr. Kai Eide, Special Envoy to Secretary General of the United Nations, underlines the problem of enormous (tens of thousands of cases) backlog/caseload concerning claims of non-Albanians. He also points out that it is necessary to keep international judges operating in Kosovo courts since local judges are not yet ready to decide in these cases unbiastly. He further states it is embarrassing that "camps i.e. enclaves still exist" where people live with limited freedom of movement leading to limitations of other kind. Finally he states that standards are not met but the status talks may commence. The above quoted rights are actually standards met in all European countries and Serbia and Montenegro like many other countries of the region are striving towards the same goal.

Knowing that buyers were all Albanians up to now (individuals and firms) and that non-Albanian entities are not able (due to the fact that their basic rights are restricted) to equally take part in the process, that foreign investors are reserved towards investing in KiM due to the present situation, one can easily conclude that the entire process is nothing else but a form of subtle ethnic cleansing. There is no shooting, there are no arsons, killed, wounded or kidnapped people but employment opportunities for non-Albanians in these firms are highly limited which hinder the effort to remain in KiM in "out of enclave" environment, not guarded by KFOR.

Key questions:

1. Do UNMIK and KTA have the mandate to avail of property and land in KiM and expropriate it just in order to sell them to Albanian entities?
2. Do UNMIK and/or KTA have the mandate to decide on legality of transformation conducted during 90's in KiM? Does their mandate involve re-examination of the acquired rights?
3. Is the land in KiM property of KiM or property of the Republic of Serbia? Or property of the Republic of Serbia and KiM as a part of its territory, bearing in mind territorial integrity of the Republic of Serbia confirmed even by UN

Resolution 1244? Does UNMIK genuinely protect the property of the Republic of Serbia or alienation of that property is ongoing which is to serve to some new territorial entity?

4. What are the economical reasons behind and what are the effects of this sale? It is not questionable that the concept of socially owned or state property proved to have its weak points like inefficiency and non-frugality for example and therefore privatization is genuinely needed. However, its side effects are somewhat negative since the invested means are never equal to the means acquired through privatization. Still, it is important to put maximal efforts for the best results possible and UNMIK is not putting even minimal efforts.

Means acquired through privatization as it is ongoing in KiM are far too less than they could have been if better standards were achieved, if there was a free turnover of goods and capital, at least as good as in neighboring countries. KiM is yet unattractive for investors and it is questionable whether it is going to become attractive even in the near future, since the most important issue on the agenda right now is the issue of status. Here I would like to make a comparison with the Republic of China. Namely, the Republic of China is still holding open the issue of Taiwan status which does not obstruct Taiwan to make economical progress, at least such level of progress as the neighboring countries like Japan, South Korea or China itself. The status of Hong-Kong had been changed but it didn't significantly influence its economical prosperity. Undoubtedly the level of maturity of these societies is far too high making them capable to draw a line between economical and other issues. With an opening of talks on status before standards have been met in Kosovo and Metohija it's been additionally confirmed that this issue is priority above all others even the prosperity itself.

A word or two should be added on responsibility of UNMIK and KFOR, since immediately after their arrival the percentage of thefts and other criminal activities was significantly raised, including devastation of abandoned property and firms that no-one was able/willing to protect. The entire movable property was either stolen or demolished. What was left of it needed a large portion of investment to be put in function again. There is no information on the activity of UNMIK and KFOR to prevent such behavior and no data on those responsible for the damage.

No data is either available on the steps taken to revitalize the economy of KiM through crediting and investing in already existing private firms of all entities, and whether it is better approach than the one involving the sale of assets of socially owned, privatized enterprises, since the new owner has no obligation to continue the previous business. The result is a huge percentage of unemployment.

Concerning economy of Kosovska Mitrovica north, there is some kind of crediting but only consumer credits are offered (lending). There is a level of misuse of these means by local government - municipalities using the means for salaries pay off, therefore the means are constantly consumed instead of being invested.

The overall conclusion is that privatization process is undoubtedly detrimental for the Republic of Serbia as well as for Serb population of Kosovo and Metohija. It is obvious that economical opportunities for Serb community are getting lesser making their overall existence questionable. Under the existing circumstances, when unidentified

armed groups of individuals are evident again, striving to control the traffic flow in KiM, when issue of status is highly prioritized, when enormous number of ethnically motivated crimes is yet unresolved, when judiciary is reluctant to act in cases involving two parties of different ethnicity, when there is no good faith for joint investment, the future of KiM as multiethnic society is unlike. It is certain that in particular momentum the data on majority owned property, land and enterprises shall be presented and emphasized, which is undoubtedly going to have strong influence in deciding the status of KiM.

Nikola Radosavović  
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Kosovo and Metohija



## **Contemporary Security Risks, Distress and Threats in Kosovska Mitrovica and Kosovo and Metohija**

### ***An Overview of prospective civil protection and security concept***

1. Conflicts as a result of ethnic, religious and racial tensions
2. Increasing amount of mass destruction weapons in possession of terrorists
3. Organized transnational crime, corruption and terrorism
4. Obstruction and the misuse of international commercial relations
5. Lack of natural resources
6. The breaches of human rights, freedoms and values
7. Uncontrolled migration (economical and political)
8. IT systems (IT crime)
9. Transnational ecological destruction
10. Widespread terrorism as a threat to population and environment

The firm and effective security system, functioning at all levels of society requires the establishment of local civil protection system developing further into civil protection network at the regional level. The already existing KZK displays many functional irregularities and contradictions and therefore ineffectiveness in full, as well as the notable level of animosity and nonfunctioning in accordance with standard 8 of the UN Administration in Kosovo and Metohija.

#### **Future actions, stages of Developments and Explanations**

It is principally an imperative to compile the lists of tenants and habitations on the entire territory of Kosovo and Metohija, establish the tenant's councils and appoint the heads of tenant's councils with the role of having all the tenants registered in specific

blanks containing their personal data necessary for CP planning. Personal data should include the following: first name, family name and father's name of the person; date, place and the year of birth; address; education and profession; previous and current employment; data on any type of disability/level of disability; tasks and responsibilities assigned by the CP headquarters, meeting point description. The very next step envisages classification of population according to the age, qualification, received training, level of engagement and disposition.

The lists are essential in determining the identity of individuals found in premises at the moment of elementary disaster strike, in conducting the primary identification of the victims and the injured as well as for an immediate identification of the qualified staff capable to undertake the assignments following the crucial and reconstruction stage. The next step includes fire prevention planning in Kosovo and Metohija.

It is particularly important to underline the following facts:

1. In the northern part of Kosovska Mitrovica there is no single dwelling equipped with either properly functioning hydrant or a good order fire extinguisher. In some dwellings neither of the two is even available.
2. The water cut offs are regular and therefore, even where existing, the hydrants are completely useless, while in more than 95% of dwellings fire extinguishers are not available at all.

It is estimated that in case of fire in merely one apartment in any dwelling, the complete building can be easily burnt down to ashes since the lack of facilities for fire protection and specialized units for fire fighting. The streets overcrowded with private vehicles create another problem in combating fire, making it nearly impossible for fire brigade vehicle to approach the eventual location. Bearing in mind the circumstances given, it would be simply impossible to act against fire. The fire fighting unit does exist in Mitrovica but it does not possess the capacity to respond to three or more calls at the same minute. Therefore, some citizens would be deprived an aid and forced to act by their own means and skills. This further raises the issue of responsibility lying entirely on officer on duty being placed in distasteful position of prioritizing cases. One shift fire fighting unit in Mitrovica comprises of six fire fighters, one of which is obliged to remain in premises. The practice shows that usually the group of four fire fighters is sent out at the scene. Although this service avails of a high technology equipment, the lack of human resources obviously creates an enormous problem. Another fact going in favor of an urgent need for the establishment of fire protection services in Kosovo and Metohija is the possibility of terrorist acts including arsons.

The next threat the population and society in Kosovo and Metohija is facing is the threat of natural and industrial disaster. It introduces a long term risk having in mind the old fashioned technology and non-ecological industrial processing in the region. The potential risk of epidemics with prospective rising tendency is also present in Mitrovica and Kosovo and Metohija in general. Furthermore, the utilization of newly invented pesticides is another threat to the environment and population in Kosovo and Metohija ( if inappropriately applied or misused by terrorist groups) . The information on nearly 180 types of microorganisms of which approximately 60 could be used for destruction of humans, plant and animal species says for itself. I would also like to emphasize that despite the bird flu pandemic threat to world (for nearly three months now, entering "its third phase"), the regulation on anti-pandemic measures in Kosovo and Metohija hasn't been promulgated or frame worked yet.

Chemical substances as well as the sources of chemicals should be particularly controlled in Kosovo and Metohija. The issue deserves special attention since the possibility of unexpected and hasty spillage into the living and working environment is always realistic. The effects might be immediate and harmful or subtle and continuous with a long term consequences. The most endangering factors in this sense in Kosovo and Metohija are:

1. Factory sections for production or those utilizing of chemical substances;
2. Industrial space for dangerous substances storage;
3. Means of transport and road facilities; (these vehicles are involved in 24% of traffic accidents);
4. Warehouses and dangerous waste depots.

Any accident of this type in Kosovo and Metohija could lead to an immediate contamination of living and working environment. Therefore it is necessary to compose a protection plan for potentially targeted population and areas. Data taken from maps of hazards and air currents should be taken into account. Furthermore, it is compulsory to register all industrial sections, warehouses and depots of chemical and other harmful substances, flammable, toxic and explosive materials in Kosovo and Metohija, and prepare the instructions manual containing a set of rules for utilization of these substances as well as the rules defining the procedure by which to act in case of an accident, in order to minimize the effects.

It is compulsory to:

1. Mark frequenting destinations for trucks and cisterns transporting toxic, dangerous or flammable substances;
2. Establish a service for monitoring and controlled transport of dangerous, toxic, flammable and explosive substances fully operating in Kosovo and Metohija. The service should closely cooperate with customs and inspection services in Kosovo and Metohija and should maintain a constant radio contact with a regional monitoring and information center.

Since we populate the region distinguishingly fragile in sense of security, the fact that population of Mitrovica as well as of Kosovo and Metohija in general could collaterally be targeted in case of any (potential) attack on KFOR, UNMIK and KPS, must not be neglected.

I would like to further discuss out two more facts related to the topic 5 and 10 of this presentation:

- Breaches of human rights, freedoms and values;
- Widespread terrorism as a threat to population and environment;

Concerning topic 5, I must say that in past few years the overstated, euphoric and constant referring to human rights, both in national and external public is obvious and striking. Modern terminology defines it as "humanrightism", i.e. demand for minimal human rights whereas many of them are not even the elementary ones. Initially, Kosovo Serbs insist on UN and KFOR joint effort to secure the exercise of some human rights. Foremost, this refers to "the right to life, freedom and security of person" (1). While Kosovo Albanians are granted the opportunity to travel to 39 foreign countries using the UNMIK passport, Serbs scarcely are able to exit the enclaves they live in. (2).

Concerning topic 10 (Terrorism), what I would like to point out is that the special attention should be given to KFOR, KPS and UNMIK definition and description of terrorist acts conducted by Albanian terrorists and extremist against Serbs in Kosovo and Metohija.

Terrorist acts in Kosovo and Metohija are no longer political acts but "clear", "typical" and "classic" terrorist acts with an aim to intimidate, targeting explicitly Kosovo Serbs. Very often the victims are the most vulnerable individuals amongst the Kosovo Serb population (children slaughter in Gorazdevac, killing of a woman standing on the balcony in Mitrovica, murder of a Serb youngster in Strpce, etc).

Some ignorant terrorism "connoisseurs" untruthfully claim and emphasize these cases are isolated and premeditated nationalistic incidents. First of all, each and single terrorist act as well as any other act of violence on grounds of religion and ethnicity is a premeditated act. Second, many officials in Kosovo and Metohija do not want to accept the fact that we are dealing with organized and selective terrorism of Albanian extremists directed against Serb ethnic community. If that fact was to be admitted, they would be facing the judgment on efficiency of their performance in preventing a life threatening behavior. The need to set up a line between "good" and "bad" terrorists is still omnipresent in public. Namely, there is a tendency for so called "good" terrorists to be rather referred to as "guerillas, soldiers for freedom, rebels, resistance movement members", etc.(3)

When speaking about Kosovo and Metohija and Albanian terrorism and extremism it is obviously easy to conclude (by simply analyzing the events that have occurred in the period between 1999. and 2005.) that terrorist acts are predominantly occurring in the areas inhabited by Serbs and other non-Albanian communities and therefore are directed against them aiming the goal of ethnically cleansed Kosovo and Metohija.

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- 1- Universal Declaration on Human Rights, 1948. Article 3.
- 2-AIM Press - «In possession of two passports but still isolated»; by Besnik Bala; source: aimpress/dyn/dos/archive/data/2002/20125\_doss-01-06.htm, i
- «Travel documents for Kosovars»; by Nehat Islami, Priština; International War and Peace Report; source: [www.iwpr.net](http://www.iwpr.net)
- 3-For elaboration of presented stands and approaches see V. Dimitrijević, *Terorizam, second edition*, Beograd, 2000.

**Panellists and Guests List:**

Belgrade - Panelists

1. Sanda Rašković - Ivić, President of Coordination Center for Kosovo and Metohija
2. Dušan Proroković, President of Kosovo and Metohija Committee, Parliament of Serbia,
3. Miša Đurković, Secretary of the State Committee for Kosovo and Metohija
4. Dušan Janjić, Forum for Ethnic Relations Coordinator
5. Nikola Radosavović, Attorney, Coordination Center for Kosovo and Metohija
6. Aleksandar Mitić, Institute of Serbia and Montenegro, Brussels

K.Mitrovica - Panellists

7. Momir Kasalović, Head of District
8. Marko Jakšić, Head of Association of Serbian Municipalities in Kosovo and Metohija,
9. Oliver Ivanović, Leader of SLK&M
10. Miodrag Ralić, Advisory Board Member
11. Milan Ivanović, Health Centre Deputy Director
12. Nebojša Jović, SNC President for Kosovska Mitrovica / Security Board

International Community – Panellists

13. Ruairí O'Connell, Deputy Head of the British Office in Priština
14. Gerard Gallucci, Regional UNMIK Representative in Mitrovica
15. Joe Napolitano, former UNMIK Police Regional Commander in Mitrovica

Moderators

1. Julija Krunić
2. Dušan Janjić
3. Gyorgy Kakuk

K.Mitrovica/Kosovo – Guests

1. Mother Superior Makarija (Serbian Orthodox Church)
2. Milorad Todorović, CCK Deputy Chief
3. Vuko Antonijević, CCK Deputy, Serbian Parliament Member
4. Rada Trajković, SNC of Central Kosovo
5. Randel Nojkić, SLK&M (SPO)
6. Goran Bogdanović, SLK&M, Head of DS for Kosovo
7. Srboljub Milenković, DS Federal (SCG) Parliament Member
8. Nikola Kabašić, independent intellectual (a judge)
9. Dragiša Milović, President of Zvečan Municipality
10. Zvonko Miladinović, TV Most Director
11. Ivana Lazarević, Mitrovica resident (NGO CBM)
12. Rikalo Nenad (NGO Future), Gračanica
13. Sasa Dedović, PSS representative
14. Veroljub Petronijević, an expert on security issues
15. Senad Šabović, research analyst, International Crisis Group, Priština

Belgrade – Guests

1. Rafael Fayed, EU
2. Danijela Nenadić, Center for Non-violent resistance
3. Nenad Vasić, Think-tank Group for Kosovo

International Community – Guests / Offices

1. Fernando Gentilini, Head of the Office of the Personal Representative in Priština of the EU High Representative for the Common Foreign and Security Policy
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