

Kosovo still without a functioning government

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More than two months since elections were held in Kosovo for the newly created Assembly, the Yugoslav province remains without a government or president.

The political stalemate is the product of differences between the three main Kosovo Albanian parties. The LDK (Democratic League of Kosovo) emerged from the November 17 elections as the single largest party, winning 47 seats. Its nearest rivals—the PDK (Democratic Party of Kosovo) and AAK (Alliance for the Future of Kosovo)—trailed well behind, capturing only 26 and 8 seats respectively.

Lacking an overall majority within the new Assembly, however, the LDK has been obliged to look for coalition partners. LDK leader Ibrahim Rugova was the sole candidate for the post of president. In exchange for endorsing his candidacy, the PDK and the AAK have sought influential positions within the government. Under the guise of “co-governance”, they have demanded that the posts of president, prime minister and assembly president be divided up between the three parties and that they are allocated key ministerial positions.

The only other possibility open to the LDK is to form a coalition with the 22 deputies of Povratak (Return), the umbrella organisation of Serb nationalist parties. There is little chance of this, as Rugova would face a backlash for compromising his goal of independence from Yugoslavia. The Serb parties have expressed their opposition to the post of president, as it is synonymous with statehood and a further concession to Albanian separatism.

After three rounds of voting, therefore, the LDK leader has failed to achieve the necessary number of votes—even though the margin of victory had been reduced from a two-thirds majority to a simple majority of 61 deputies. Rugova’s largest vote was just 51. From the outset the PDK and AAK have refused to participate in the voting, while Return deputies cast invalid votes in the last round.

Without the election of the president, none of the other posts and ministerial positions can be agreed. The PDK and AAK have stated that Rugova is no longer a valid candidate and have called for outside intervention to determine the composition of the government. The rival parties have been summoned to several meetings with the head of the US mission in Kosovo, John Menzies, who has put pressure on the LDK to make concessions to the PDK and AAK. After the last session on

January 22, Menzies spoke of the PDK leader Hashim Thaci filling the post of prime minister, but refused to confirm whether this had been agreed.

The parameters of the Assembly’s powers were drawn up in accordance with United Nations Security Resolution 1244 (UNSR 1244), which provides for “substantial autonomy within the Federal Republic of Yugoslavia” but stops short of advocating full independence. Kosovo presently functions as a NATO protectorate. Civilian rule remains in the hands of the non-elected representative of the United Nations Mission in Kosovo (UNMIK), while some 40,000 NATO troops are stationed there.

The establishment of the Assembly was of a largely ceremonial character, as the Constitutional Framework stipulates that the head of UNMIK, the Special Representative of the Secretary General (SRSG), still reserves all the main executive and legislative powers. This includes the final authority over finance, budget and monetary policy, the judiciary and policing, customs, external relations and public property. The SRSG also retains the privilege of dissolving the Assembly if it is “deemed to act in a manner which is not in conformity with UNSCR 1244, or in the exercise of the SRSG’s responsibilities under that Resolution.”

Nevertheless, the failure to establish a functioning Assembly is a serious political embarrassment for the Western powers, after they had hailed last November’s elections as a victory for democracy. At the start of the Council of Europe observer training, Lord Russell Johnstone, the President of the Council of Europe Parliamentary assembly, said of the ballot, “The international community needs to prove that intervention was benign (in Kosovo and east Timor) and will create better conditions. These elections are a proving exercise.”

It was also hoped that the Assembly would go some way to appeasing the demands of the ethnic Albanian parties for independence. The Constitutional Framework was signed in May 2001, following two months of consultation between the main Kosovo Albanian parties, UNMIK representatives and legal experts from the UN headquarters. The ethnic Serb parties were largely excluded from these proceedings. As a concession to the separatists, it agreed that the province would be given some of the nominal trappings of statehood, such as a presidency, but without real power. This has only further emboldened the separatist parties. All three sought election on

the basis of using the Assembly as a vehicle for realising independence.

While the LDK is described widely in the media as the “moderate” nationalists, this term can only be applied loosely. Founded in 1989, they are the longest standing exponents of independence. Under the leadership of Rugova they organised two unofficial elections in 1992 and 1998, which the LDK won, establishing itself as a “parallel” government. This government administered a system of education, health and social services that was predicated on the segregation of Kosovo Albanians from Slavs. This was financed through a three- percent tax on all income both within Kosovo and amongst the Albanian diaspora abroad. One estimate puts the total collected between 1991 and 1999 at DM 1 billion. Rugova toured the capitals of Europe and America in an attempt to win sponsorship and recognition, but this proved fruitless.

The origins of the PDK and the AAK lie in the Kosovo Liberation Army (KLA), which was formed in 1993. The birth of this terrorist outfit represented a right-wing radicalisation of the separatist struggle. However, it could not have come into existence without the politics in the province having already been polarised along ethnic lines—by the LDK on one side and the despotic actions of the Belgrade government on the other.

The KLA’s subsequent growth depended on its role as a proxy of the United States, which used it as a cats-paw in its campaign to destabilise Yugoslavia. Through the covert support of the US, the KLA was transformed from a poorly equipped amalgam of separatist guerrillas, financed through narcotics and smuggling, into a well-trained, equipped and organised army.

At the Rambouillet negotiations over the future of Kosovo in February 1999, the US promoted the KLA ahead of the LDK in the Kosovo Albanian delegation. During the subsequent conflict later that year, the KLA acted as an auxiliary on the ground to NATO aerial bombardment. The KLA cited the Rambouillet accord as a pretext to seize the key levers of economic and political power in its hands when it formed the province’s post-war Provisional Government. It was given the leading role in the Kosovo Protection Force (KPC), set up as the province’s police force by NATO, which ensured the KLA’s continued power and influence despite the growing hostility of most ethnic Albanians to its corruption and violence.

Most of the PDK and the AAK’s funding come from either extortion or from the Albanian diaspora. According to the International Monetary Fund remittances from abroad account for 40 percent of Kosovo’s GDP.

Thaci, former KLA chief, leads the PDK whilst the AAK is led by Ramush Hajredinaj, another former KLA commander. The differences between the two parties correspond more to turf warfare over smuggling and other nefarious activities than any substantial political differences.

The program of separatism is completely dependent upon

winning the support of the Western powers. An integral part of this is offering the most favourable terms to the transnationals as the province’s assets go on the auction bloc. As the western think tank International Crisis Group states: “As a province landlocked and dependent on its neighbours for trade, Kosovo must develop those sectors where it can find a competitive edge.” They note in this regard, that “Labour is abundant and cheap”. (*Kosovo: A strategy for Economic Development*). The ICG calls upon UMMIK to draft legislation that will guarantee the rights of investors irrespective of the future status of the province and to prepare the privatisation of the 350 socially owned companies in the province.

Outright independence would raise the danger of encouraging Albanian nationalism and destabilising the Balkans. Therefore Europe and the US reacted favourably to Rugova’s election victory in the hope that an LDK-led government would provide the possibility of negotiating a settlement with Belgrade. But the continued influence of the political successors of the KLA makes any such negotiated settlement highly improbable.

Already over half of the original Serb population of Kosovo have been driven out and those remaining suffer routine attacks. The special envoy for the UN High Commissioner for Refugees, Eric Morris, stated in April last year, “The current situation for the non-Albanians is unacceptable” and continued “much has to be done for the survival of non-Albanians in Kosovo or their return.” According to UNHCR estimates only 1,000 of the 150,000 Serbs who fled Kosovo after NATO entered the province have returned.

While the ethnic Albanian parties have been careful not to be publicly seen opposing measures to reduce the attacks on minorities and allow the return of refugees, they have been openly hostile to the negotiations between UNMIK and Belgrade. Any consultation with the Federal government concerning the situation in the province is viewed as outside interference. The PDK and AAK are boycotting the working party that includes representatives of the Federal Republic of Yugoslavia, as well as those from UNMIK and the Assembly.

The strains this has caused seem to have prompted the early resignation of Hans Haekkerup as SRSG. The former Danish defence minister cited personal reasons for his decision to stand down in late December, but he had been at loggerheads with the former KLA parties for carrying out negotiations with Belgrade. At the opening session of the Kosovo Assembly, Thaci led a walkout of the PDK and then had his microphone switched off as he attempted to outline his political agenda.



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