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on the future of Kosovo and the role of the EU
(2006/2267(INI))

Committee on Foreign Affairs

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the future of Kosovo and the role of the EU (2006/2267(INI))

The European Parliament,

- having regard to Resolution 1244 of the United Nations Security Council of 10 June 1999,
 - having regard to the report by the UN Secretary-General's Standards Review Envoy on the Comprehensive Review of the implementation of Standards, submitted to the UN Security Council on 7 October 2005,
 - having regard to the decision by the UN Security Council on 24 October 2005 to endorse the Secretary-General's proposal to initiate the status talks on Kosovo,
 - having regard to the appointment, on 14 November 2005, of Mr Martti Ahtisaari as Special Envoy of the Secretary-General of the United Nations for the future status process for Kosovo,
 - having regard to the conclusions of the Contact Group of 31 January 2006 underscoring the specific nature of the Kosovo problem and calling for an early negotiated settlement of the issue,
 - having regard to the conclusions of the General Affairs and External Relations Council of 14/15 December 2006, which fully support Martti Ahtisaari's efforts towards a solution of the status question and reaffirm the Union's readiness to play a significant role in the implementation of the future settlement,
 - having regard to the Special Envoy's final report/recommendations for ... of ...,
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs and the opinion of the Committee on International Trade (A6-0000/2007),
- A. whereas the guiding principles for a settlement of the status of Kosovo adopted by the Contact Group on 7 October 2005 emphasise that, once started, the negotiation process cannot be blocked and must be brought to a conclusion; whereas those principles stipulate clearly that there cannot be any return to the pre-March 1999 situation, or any partition of Kosovo, or any union of Kosovo with any other country or part of any country,
- B. whereas in the late 1990s the population of Kosovo was subject to acts of systematic violence and repression which led the United Nations Security Council to intervene and to place the territory under international civil and security control; whereas this created an unprecedented situation in international law,
- C. whereas the events of March 2004, which must be condemned, prove the persisting tensions within Kosovo between the Albanian and the Serb communities and the need to find a solution which guarantees the rights of both ethnicities and of other ethnic groups,

- D. whereas the status quo is harmful for Kosovo's economic development, prevents the emergence of a mature political class and undermines the development of a tolerant, non-segregational society,
- E. whereas despite the numerous rounds of talks no negotiated settlement acceptable to both side could be reached, thus leaving the Special Envoy with no alternative but to take the initiative himself and submit his own proposal for a solution to the question of the status of Kosovo,
- F. whereas the final settlement cannot be dictated by threats of insurrection and riots but must be the result of a compromise which takes into account the interests of all parties involved,
- G. whereas the events of 1999, the long interim international administration and the emergence and gradual consolidation of Kosovo's Provisional Institutions of Self-government make the reintegration of Kosovo into Serbia unthinkable,
- H. whereas relations between Kosovo and Serbia must not be severed; on the contrary, given the close cultural, religious and economic ties, they should be further developed in the interest of the whole population of Kosovo,
- I. whereas the lack of trust between the different ethnic groups, the still volatile situation and the need to develop and consolidate democratic, multi-ethnic institutions in Kosovo call for a continuous international presence,
- J. whereas, given Kosovo's strategic position, the European Union must play a central role in monitoring, guaranteeing and facilitating the implementation of the status settlement as well as assisting in the establishment and consolidation of democratic institutions in Kosovo,
- K. whereas the EU contribution must, however, be conditional on the fulfilment, in the settlement, of certain minimum requirements,
- L. whereas the final status settlement must be EU-compatible, i.e. it should provide for a constitutional framework which is compatible with Kosovo's European prospects and should allow the Union to deploy the full range of instruments it has at its disposal,
1. Supports the view that Kosovo should be granted independence and that its sovereignty should, over a period of time, be limited by an international presence;
 2. Takes the view that the above is the only sustainable settlement for Kosovo, given that:
 - independence will grant Kosovo access to international financial organisations and allow it to realise its European prospects;
 - limited sovereignty under international monitoring is necessary in order to maintain the multi-ethnic character of Kosovo and to safeguard the interests and security of the Serb population and of other ethnic minorities;
 3. Believes that the final settlement should cover the following aspects:
 - a clear definition of the role and mandate of the international civilian and security presence;

- clear provisions on decentralisation which grant substantial autonomy in key areas such as education, health and local security and, in the case of Serb municipalities, allow direct but transparent links with Belgrade; such provisions must be financially sustainable and must not undermine the budgetary, executive and legislative prerogatives of an independent State;
 - the obligation to provide constitutional guarantees for the vital interests of minorities and adequate mechanisms for safeguarding such interests;
 - the protection of cultural and religious sites;
 - provisions regarding the establishment of a lightly-equipped, multi-ethnic Kosovar Security Force with limited scope, capability and functions, under the strict supervision of the NATO-led Kosovo Force (KFOR);
4. Emphasises that the settlement should also stipulate specific institutional arrangements for Mitrovica which fully guarantee the rights and security of the Serb community without undermining the unity of Kosovo; believes that those arrangements should be directly supervised by the international community, in consultation with Belgrade; reminds Serbia, however, that such involvement in Kosovo is linked with Serbia's cooperation in implementing the final status settlement;
 5. Is of the opinion that the international community should, as far as possible, gear its presence towards assisting local authorities in:
 - implementing the terms of the settlement;
 - developing autonomous, ethnically balanced institutional, administrative, judicial and policing capacity;
 - achieving progress in complying with UN standards and EU stabilisation and association benchmarks;
 6. Believes, therefore, that, whilst it should be staffed in a manner commensurate with its tasks, the international presence in Kosovo should not result in the establishment of a parallel administration;
 7. Emphasises that the international community must have direct corrective and, in limited cases, substitution powers in crucial areas such as:
 - safeguarding the vital interests of minorities;
 - the protection of sensitive sites;
 - security;
 - the judiciary, particularly in the fight against organised crime;
 8. Is of the opinion that the final settlement should be endorsed by a resolution of the United Nations Security Council, since the UN is the only multilateral, global institution which has the authority and legitimacy to enforce it;
 9. Is at the same time convinced that, in the light of its central role in the implementation of the settlement, the European Union should have a say on the final terms of the settlement;
 10. Believes that Member States should speak with one voice on Kosovo and therefore calls on the Council of Ministers to adopt a common position on the status issue spelling out the minimum requirements of a sustainable, EU-compatible solution for Kosovo;
 11. Recalls that, in accordance with Article 19 of the Treaty on European Union, Member

States represented in the UN Security Council would be expected to uphold that common position and to keep the EU Council of Ministers regularly informed about negotiations;

12. Urges Member States in the UN Security Council and, in particular, the Permanent Members to play a constructive role and to adopt without delay an unambiguous, sustainable solution for Kosovo, along the lines of the proposals submitted by the Special Envoy;
13. Is prepared to make available the additional resources required in order to finance the future EU involvement in Kosovo with a view to implementing the final status settlement and supporting Kosovo's EU prospects, provided that:
 - the final settlement adopted by the UN Security Council reflects the Union's common position,
 - sufficient advance consultation takes place on the scope, objectives, means and modalities of that mission, so that Parliament can be reassured that the resources are commensurate with the tasks; and
 - those additional financial resources are made available in accordance with the terms of the Interinstitutional Agreement on budgetary discipline and sound financial management of 14 June 2006¹;
14. Is concerned about the way in which the transition from the United Nations Mission in Kosovo (UNMIK) to the new International Civilian Office will be managed; reminds UNMIK that it should remain engaged in Kosovo until the new Office is organised and fully operational; invites the United Nations and the EU to devise means to prevent further loss of international expertise in crucial areas of administration, particularly in view of the fact that Kosovo's Provisional Institutions of Self-Government will need time and assistance to take over certain legislative and executive powers from UNMIK;
15. Warns the Kosovar Albanian authorities that the international community expects them
 - to focus their efforts on developing the institutional and administrative capacity required in order to take over the responsibilities hitherto exercised by UNMIK;
 - to work seriously and constructively towards the establishment of a multi-ethnic, multicultural, multi-faith, tolerant country and society;
16. Underlines in this context that the international presence will remain in Kosovo until the above objective is truly realised;
17. Reminds the Kosovar Albanian authorities that, once the status issue is finally resolved, the people of Kosovo will want their government to address the problems which affect their daily lives, such as those relating to security, employment, adequate public services and equality for all before the law;
18. Urges the leaders of the Serb community to recognise that their interests are better served in a democratic, decentralised and viable Kosovo, and to engage in the post-settlement process in order to ensure that those provisions of the agreement which are of direct interest for them are fully implemented;
19. Calls on the Serbian Government in Belgrade to recognise that the future lies in the

¹ OJ C 139, 14.6.2006, p. 1.

development of close, transparent ties with Kosovo and in particular its Serb population, in the context of deepened regional integration and of a shared prospect of future EU membership;

20. Believes that the publication of Mr Ahtisaari's report should be accompanied by an outreach campaign aimed at explaining clearly and objectively to the peoples concerned, including Serb citizens, the terms of the proposed settlement;
21. Instructs its President to forward this resolution to the Council and the Commission, to the Government of Serbia and the Provisional Institutions of Self-Government of Kosovo, to UNMIK, to the Members of the Contact Group, to the United Nations Security Council and to the UN Secretary-General's Special Envoy for the future status process for Kosovo.