



POSITION PAPER

On recognizing Kosovo as an independent country

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PART ONE

Introduction

Introduction

The purpose of this position paper is to indicate why EUDY should recognize Kosovo as a country. Since the time Kosovo declared itself independent, there has been a controversy around Kosovo. The Council of Europe recognizes the country of Kosovo. The controversy brings doubt of EUDY for their stand and recognition of Kosovo. This report brings the ideology that the organization of EUDY should have Kosovo as a member to bring the mutual benefits to the Deaf youth in Kosovo.

Kosovo Background

Kosovo is landlocked between the regions in Balkan Peninsula of Albania, Serbia, Macedonia, Bulgaria, and Montenegro. Kosovo possesses an important transportation service between the east to the west. There are approximately over two million people residing in Kosovo along with the majority of Albanian and other minorities.

History of Kosovo

Kosovo was once co-joined with Yugoslavia; during the poorest economic policies, international sanctions, limited access to external trade and finance, and ethnic conflicts Kosovo's economy was severely damaged. For years and years, Kosovo was always put in tight control through the wars of Slovenia, Croatia and Bosnia and Herzegovina. Kosovo has world's fifth largest proven lignite reserves, which could potentially be used. Significant reserves of nickel, chromium, bauxite and magnesium are present, but mining has stalled since 1999. Kosovo has experienced two wars that has led them to deep destruction and poverty; First Balkan and Second Balkan War. Kosovo is combined mostly with two ethnical groups: Albanians and Serbians. Kosovo desires to be independent but wants to remain to be part of Serbia and has experienced a political conflict between these two groups.

Independence

On February 17, 2008, the Kosovo has declared itself an independent country and 69 members of United Nations recognized Kosovo as a sovereign country. There are some countries that has rejected Kosovo because they were concerned that Kosovo may cause a revolt in their own countries by being a minority.

Although more than two thirds of Council of Europe member states have recognised Kosovo as an independent state, the Organisation implements a policy of status-neutrality towards Kosovo. The remaining states that are not recognized by European Union are Spain, Slovakia, Cyprus, Romania, and Greece. Kosovo is now currently officially considered as a potential EU candidate by the European Union; it has already given a clear European perspective by the Council of European Union.

PART TWO

European organisations

European Union

22 EU Member States are recognizing and 5 not recognizing the new independence of Kosovo. European Union faces four obstacles in the challenge of building peacemaking in Kosovo. This is followed by a discussion of EU instruments in Kosovo and how these instruments contribute to solving Kosovo's problems. Finally, some conclusions are drawn on the suitability and effectiveness of the different EU instruments and roles, and some recommendations made as to how the EU can strengthen its peace-building capacity in Kosovo.

The four obstacles are:

1. Gap between State and Citizens
2. Rule of Law
3. Interethnic Relations
4. Kosovo-Serbia Relations

1. The Gap between State and Citizens is a risk to stability in Kosovo. Improving relations and accountability between the state and its citizens based on democratic values of citizenship and meritocracy is a precondition for sustainable peace and EU integration. A major prerequisite for this is a functioning system of rule of law. The prospect of EU accession strengthens this: the Kosovo Government is more focused on reporting to the European Union about its policy intentions than to its own population. The EU uses the preconditions for accession as a policy tool to push for certain reforms, even if they are not popular with the broader community, and reinforcing the lack of trust between citizens and the state.
2. The rule of law is not yet determined in Kosovo; the judiciary is subject to political interference, but also lacks the capacity and staff to function well. The backlog of court cases has now become severe. EUDLEX judges are the only formal court authority in North Kosovo, and there are insufficient judges to make serious progress in addressing the backlog of cases. Fortunately, the Kosovo Police force functions relatively well however the Kosovo Serbs have a low level of trust in the Kosovo Police so this is the conflict of the issue. To solve the problem, the state and the EU need to take urgent steps to address both in rule of law and public trust in rule of law, high rising crime and organized crime in North Kosovo.
3. Interethnic relations and respect for minority rights continues to be of major concern. Many displaced persons have not returned to their place of origin. Serbians and Albanians live mostly segregated, and the majority of Albanians and Serbs do not want to live in the same street as the other ethnic group. They wanted the land to their own. Decentralization has been an important step forward in the political participation of

Serbians. Despite positive trends in terms of Serb participation in the south, many issues still affect the Albanian majority government such as language usage, education, telecommunications, and the remaining issues builds on the plate. To sustainably improve Kosovo Government-Serb minority relations, the Government needs to meaningfully engage with citizens.

4. Kosovo and Serbia Relations; Serbia has not recognised Kosovo and exerts diplomatic pressure to convince other states not to recognise Kosovo. The disagreement over status is shaping both Serbian and Kosovar policies regarding the Serb minority in Kosovo. Instead of jointly working to improve living conditions and the rule of law in North Kosovo, both governments focus on maintaining or obtaining influence. In this context, initiating dealing with the past is complicated, because the past is still the present. The European Union established the dialogue for the authorities of Kosovo and Serbia to engage. This dialogue is intended to focus only on technical issues, the solution of which would improve the lives of people. In over time the issue how to improve the lives of people in Kosovo has disappeared into topics including who should take the land and territory or consider land swap.

The EU as a peacemaker in Kosovo, 2011

The partnership between the EU and the Western Balkans is in the interest of all partners: peace, stability, freedom, security and justice, prosperity, quality of life, for the EU and the Western Balkan countries. So therefore the European Union has established the SAP – Stabilization and Association Process.

The SAP possess three goals to achieve:

- Stabilization and swift transition to a market economy
- The promotion of regional cooperation
- The prospect of EU accession

The goal of these three is to build the capacity to adopt and implement European standards which include Community, Regional, and International standards. “The SAP is based on a progressive partnership, in which the EU offers a mixture of trade concessions, economic and financial assistance (CARDS, IPA) and contractual relationships (Stabilisation and Association Agreements). Each country moves forward on the basis of the fulfillment of its commitments in the framework of the SAP. Annual Progress Reports assess the readiness of the Western Balkan countries to move closer to the European Union”.

European Commission, 2011

Council of Europe

The focus and the importance of the attention should not be on the regards of Kosovo's status and standards. In these circumstances, the Assembly believes that the Council of Europe engagement in Kosovo should aim at raising standards in the field of democracy, human rights and the rule of law, better living quality, so that the residents and citizens of Kosovo can experience a strong living qualities among with other countries.

The Assembly reiterates its position that the basis for the normalisation of the situation in Kosovo should be full and strict implementation of the United Nations Security Council Resolution 1244 and considers the establishment of normal conditions for the operation of all components of KFOR as an important prerequisite for the progress of the political settlement.

There were some political and concerns regarding the segregation so the United Nations civil police should become fully operational as soon as possible. The purpose of this is to regroup of the population who is at the risk of leading to permanent segregation.

Despite a significant legislative effort to reform the administration, the judiciary and other key sectors, much needs to be done to consolidate the democratic functioning of the institutions, improve political stability and ensure a level of governance that would bring Kosovo in line with Council of Europe standards.

Based on the selection of importance that is relevant to language minority. The Assembly encourages the European Union to:

- 11.1. *continue its policy of diversity on status and unity on engagement, while ensuring a European perspective for Kosovo, in the context of the western Balkans;*
- 11.2. *strengthen its EULEX mission by:*
 - 11.2.1. *improving its public image in Kosovo, through a more developed and inclusive communication policy;*
 - 11.2.2. *reinforcing its presence and role in the North of Kosovo.*

The Assembly calls on the Kosovo institutions to:

- 13.1 *ensure full co-operation with EULEX in the context of investigations into serious or organized crime and war crime cases;*
- 13.2. *fully co-operate with the Kosovo anti-corruption agency, reinforce its independence and the professionalism of its staff, allocate adequate resources to it and ensure follow-up to its recommendations ;*
- 13.3. *take fully into account the multi-ethnic character of Kosovo, in particular by:*
 - 13.3.1. *scrupulously implementing the legislation on the rights of minorities, decentralisation and minority languages;*

- 13.3.2. *creating the socio-economic conditions for the full integration of individuals from minority communities in society, including displaced persons and returnees;*
- 13.3.3. *creating the conditions for the safe return and reintegration of displaced persons wishing to return;*
- 13.3.4. *promoting the participation of individuals from minority communities in the political system and the public sphere;*
- 13.3.5. *taking resolute action against discrimination on ethnic grounds, in both the public and private sphere;*
- 13.3.6. *condemning publicly inter-ethnic crimes and instructing the police to keep specific statistics on these crimes;*
- 13.4. *ensure effective adherence with international human rights instruments incorporated in domestic law, including the European Convention on Human Rights and the Framework Convention on National Minorities;*
- 13.5. *consider incorporating in domestic law additional Council of Europe conventions, with a view to adopting Council of Europe standards;*
- 13.6. *ensure the independence of the media and promote the role of the media as a catalyst of inter- ethnic dialogue and reconciliation, in particular by:*
 - 13.6.1. *restoring an independent budget for the public broadcaster RTK;*
 - 13.6.2. *ensuring the independence of the board of RTK;*
 - 13.6.3. *promoting the production, distribution and broadcasting of television and radio programmes in minority languages, especially Kosovo-wide;*
 - 13.6.4. *supporting the efforts of media professionals to produce TV and radio programmes, as well as written articles, portraying the situation of different communities in different parts of Kosovo;*
- 13.7. *take steps to address the situation of women and promote gender equality, in particular by:*
 - 13.7.1. *taking resolute action to fight against trafficking in human beings;*
 - 13.7.2. *introducing measures and programmes to address the situation of victims of trafficking and facilitate their re-integration in society;*
 - 13.7.3. *supporting or organising public campaigns against domestic violence;*
 - 13.7.4. *taking appropriate measures to promote the economic independence of women;*
 - 13.7.5. *combating discrimination against women in all fields, including in the context of inheritance law and practice and other civil cases, such as divorce, separation and custody of children;*

International Crisis Group, 2011

The Council of Europe confirms if Kosovo experiences a conflict;

I. The assembly is responsible to resolve:

- to assist forthwith the electoral process in Kosovo;
- to support co-operation between the political parties in Kosovo;
- to contribute to the work of the new local institutions;
- to work on the reconstruction of the educational system;
- to strengthen dialogue with the democratic forces in the Federal Republic of Yugoslavia.

PART THREE

EUDY

EUDY's History

The organization of European Union for the Deaf Youth was officially established in 1987. EUDY is the only organization representing the interests of Deaf Youth Europeans in Europe. It exists to promote, advance, protect rights, and opportunities for Deaf people in Europe. Emancipation and equal opportunities are key philosophies in our work towards achieving an equal position in society with recognition of Deaf people as full citizens in our right.

EUDY's vision

EUDY is an European non-profit making organization whose membership comprises of National Associations of Youth People in Europe. EUDY's general overview presents, " In world where all Deaf Youth who use sign language are able to enjoy their rights, fulfill their responsibilities and obligations, and participate fully as they choose at every level of society."

EUDY has created three goals:

- Recognition of the right to use an indigenous sign language
- Empowerment through communication and information
- Equality in education, culture, and employment

EUDY's Position

The purpose to have European Union for the Deaf Youth is to put a change in the future for Europe Deaf Youth.

Full Membership

The basic structure of EUDY is our loyal members; without members, there will be no EUDY. We are here to highlight the importance of the full, associated, individual, sponsored, and honored members. The original strategy plan has stated that we are welcoming new members to keep our organization running. Kosovo is eligible to apply for Full Membership only if they are able to meet EUDY's criteria. Kosovo must send their application to the board and give the board time to go through the procedures and determine if Kosovo is qualified based on the categories before becoming a Full Member.

To have Kosovo to participate into EUDY's Individual Membership and Full Membership will support the number of participants and followers to have EUDY as recognized and well known

organization that can be shared through grapevines. The privileges can be having Kosovo as a member will give EUDY an advantage to allow Europe Deaf Youth to interact, broaden their knowledge, growth, and build a bridge with a country that was once dependant.

Qualifications

Kosovo must have active European Deaf Youth citizens along with voting members to retrieve membership with a governing board with goals to be accomplished.

Kosovo is strongly encouraged to have a national organization of deaf youth people to be active in Member of States of the Council of Europe (CoE) that meet the above-given criteria to be eligible for admission to Full Membership category.

Once Kosovo is granted as a Full Member, they will be granted with full right to vote at the General Assemblies and they may be a great asset to accomplish EUDY's vision and goals.

EUDY must be aware and prepared for the controversy that Kosovo might bring:

1. Gap between State and Citizens
2. Rule of Law
3. Interethnic Relations
4. Kosovo-Serbia Relations

PART FOUR

Conclusion

Relations with Kosovo

Kosovo will make a great contribution to EUDY's organization by gaining our network with active individuals and association. With the membership granted to the country of Kosovo, EUDY will earn its privileges to have Kosovo members making contributions, develop EUDY's networking.

The Council of Europe stated that the focus and the importance of the attention should not be on the regards of Kosovo's status and standards. In these circumstances, the Assembly believes that the Council of Europe engagement in Kosovo should aim at raising standards in the field of democracy, human rights and the rule of law, better living quality, so that the residents and citizens of Kosovo can experience a strong living qualities among with other countries (European Council, 2011).

So therefore EUDY should not stress on the Kosovo's status and standards. EUDY should work and praise Kosovo for their recent independence and their new bright upcoming future as an independent country. EUDY should provide a positive influence to Kosovo by offering the privileges that Kosovo can benefit from EUDY. With the service of EUDY, the deaf youth citizens of Kosovo can change their vision of rule of law, living quality, education, human rights, and democracy. EUDY has the potential to change the lives of Kosovo Deaf Youth with their commitment, motivation, and passion. This position will be a mutual benefit for the country of Kosovo and the organization of EUDY. EUDY will be able to offer Kosovo an opportunity to build a strong independent nation with clear and precise goals and strategies to develop for the Deaf youth community as a team with other countries. The Deaf Kosovo Youth will be able to grow and broad their horizons with the opportunities that EUDY can offer. Without EUDY, Kosovo will be unable to represent us for their success. EUDY has valid their vision to have different countries to work together as one team. The purpose of this organization is to serve and meet the needs of European Deaf Youth.

EUDY may experience some cultural conflict between Kosovo and other countries including Serbia. EUDY needs to be prepared that they may have some conflicts during any future events, activities, meetings, or political discussions. Kosovo is currently experiencing a cultural sensitivity along with politics and humanity. For instance, "The disagreement over status is shaping both Serbian and Kosovar policies regarding the Serb minority in Kosovo" (European Commission, 2011).

European Union has established SAP; Stabilization and Association Process. Their goals has been listed:

- Stabilization and swift transition to a market economy
- The promotion of regional cooperation

- The prospect of EU accession

So therefore the country of Kosovo is in the process to have their economy retrieved in stabilization so they will be able to have their goods imported and exported. With better economy, the benefits Kosovo can develop with EUDY by organizing summer camps, summer schools, or other events that can be held in Kosovo. The promotion of regional cooperation will bring Kosovo in ease with other countries with solitary respect despite with the history and political conflicts. Kosovo is in process to be internationally recognized in European Union and retrieve full access to European benefits.

Conclusion

With summary of this position paper, EUDY is strongly convinced to recruit Kosovo as part of the member to grant mutual benefit. EUDY is created with interested and active members so therefore EUDY is responsible to keep the organization running by inviting more members. Along with the supporting documentary information of European Union and Council of Europe current standing with Kosovo can help EUDY to stand its position and represent their non-profit organization along with their future members of Kosovo.

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