

EUROPEAN PARLIAMENT



REPORT

On

the observation of the elections in Kosovo from 21 to 24 October 2004

**Report from the Chairperson of the ad hoc delegation for election observation to Kosovo,
Mrs Doris PACK**

Introduction

By letter of 30 July 2004, Ambassador Pascal FIESCHI, Head of Mission of OSCE to Kosovo, invited the President of the European Parliament to send an ad hoc delegation to observe the parliamentary elections scheduled for 23 October 2004.

The Conference of Presidents of the political groups decided, on 16 September 2004, to send a five Member delegation to Kosovo for election observation on the basis of the “d’Hondt continu” rules. The application of the d’Hondt rules gave the following results: 2 members from the EPP-ED, 2 members of the PES, 1 member from the ALDE. The PES decided to appoint only one member for this delegation and offered one seat to the Green Group.

The appointed members were the following: Mrs Doris PACK (PPE-DE), Mr Jacek PROTASIEWICK (PPE-DE), Mr Gyula HEGYI (PSE), Mr Jelko KACIN (ALDE/ADLE), Mrs Gisela KALLENBACH (Verts/ALE).

The secretariat organised the mission in cooperation with the Commission delegation in Pristina for all political briefings and with the Council of Europe Election Observation Mission to Kosovo for all matters relating to observation of elections on polling day.

The legal framework of Kosovo Assembly election

Elections on 23 October were the fourth since 1999 and the second opportunity for the citizens of Kosovo to elect their representatives to the Assembly.

Kosovo is considered a single electoral district or as one voting area which hence is not divided into different electoral sub-districts.

The closed list model implies that voters cast their ballot in favour of a political entity (be it a political party, a coalition, a citizens’ initiative or an independent candidate) rather than for individual candidates of the political entity.

Following the proportional system, 100 seats of the Assembly are allocated to the political entities in proportion to the votes they receive.

In addition, 20 seats are reserved for the representation of non-Albanian communities. The system of set-aside seats was introduced in 2001 to ensure representation of smaller communities in the Assembly. The set-aside seats are allocated as follows: ten seats are reserved for the Kosovo Serb community in proportion to the number of votes they received in the election. The remaining ten seats are divided amongst Roma, Ashkali and Egyptian (4), the Bosnian (3), the Turkish (2) and the Gorani community (1).

Constitutive meeting

On 6 October 2004, the ad hoc delegation held its constitutive and preparatory meeting in Brussels.

Mrs Doris Pack was elected as chairperson of the ad hoc delegation by acclamation.

It was decided to split the members of the delegation into three teams, intended to visit three different places. The towns and circumscriptions chosen for this purpose were: Pristina (1 team), Mitrovica (1 team), Kosovo Polje and Pec (1 team).

A first draft of team composition was indicated, on the basis of preferences expressed by some Members, of spoken languages and of experience in election observation.

A draft programme of the ad hoc delegation was illustrated and, following some indications from Members, was approved (see final programme in attachment A).

It was decided to provide the teams of observers with English/Albanian and vice-versa interpretation and English/Serbian for the team which had to observe polling stations in Mitrovica.

Programme of the election observation mission

Members of the delegation arrived in Pristina on Thursday 21 and Friday 22 October.

The delegation started its work at 10 am with a first series of meetings in the premises of the European Reconstruction Agency.

Members were firstly briefed by **Mr Giorgio MAMBERTO, Head of EC Liaison Office in Kosovo, Mr Arnaud DANJEAN, Adviser to Personal Representative of the EU High Representative for CFSP in Kosovo, Mr Bas BACKER, Head of Netherlands Office** on the present political situation in Kosovo focusing particularly on the forthcoming elections and the outcome that might be expected. Questions were raised by the delegation regarding the situation following the March events and the participation of the Serb Community in the elections.

During a subsequent briefing enlarged to **EU Members States representatives**, the issue of the EU presence in Kosovo was highlighted. Members of the delegation raised concerns about the increasing number of EU bodies present in Pristina and wondered whether this fact was well understood by the local communities and what future role might be expected from the EU in this area of Europe in the near future.

Later on, the delegation had an opportunity to be briefed by **Mr Jean-Christian CADY, from Police and Justice (Pillar I), Mr Kai Vittrup, Police Commissioner (Pillar I), Mr Francesco Bastagli - UN Civil Administration (Pillar II), Mr Andreas Wittkowsky, Head Political and Legal Office (EU Pillar)** on issues such as the setting up of an efficient administration, crime and justice situation, police measures taken in view of election day, economic situation of the region. Those briefings gave Members the opportunity to understand that the social economic situation is quite difficult, and how an already high rate of unemployment will be further exacerbated by an average of 36.000 young people entering the labour market every year for the next 15 years. The recent failed attempts at privatisation were also stressed during those briefings.

At 12.00 am the delegation went to the Council of Europe headquarters in order to proceed to an exchange of views with **Mr Andrey TEHOV, Head of the Council of Europe Election Observation Mission** on the way the election observation had been organized and on the deployment of the European Parliament teams on election day. Mr TEHOV commented on the current situation and informed Members that there was little possibility of fraud and that elections should be free and fair.

The fact that the Electoral Commission decided to accept a Serbian list which registered after the closing deadline could not be considered as a failure in the respect of the law and was politically significant and understandable. He also informed Members of the way the Council of Europe had organized its missions and agreements were taken on the precise logistic and technical measures to be undertaken by the EP delegation. This briefing was useful in terms of a common approach to the observation of the overall electoral process and its evaluation.

After a short lunch with representatives of EU missions in Kosovo hosted by the Chairperson of the delegation, the afternoon was dedicated to another series of briefings, starting with a meeting in the UNMIK headquarters with **Mr Soren JESSEN-PETERSEN, Special Representative of the Secretary General of the United Nations**. Mr JESSEN-PETERSEN highlighted the UNMIK mandate and the current situation in Kosovo on the eve of the elections.

He also commented on the key elements to be achieved for the respect and fulfilment of the agreed standards. The question of timing to be envisaged for a complete autonomy for Kosovo from the international community and the very poor economic situation were also raised. Members of the delegation raised questions about the quality and quantity of EU involvement in Kosovo and failed attempts at privatisation, which opened the floor to a very fruitful debate.

At the end of the meeting, it was agreed that Mr JESSEN-PETERSEN would be invited to a forthcoming meeting of the Committee on Foreign Affairs in order to inform Members of Parliament on the situation in Kosovo after the elections.

The next meeting was organized with the **KFOR / UNMIK**, focusing mainly on security issues. Questions were raised by the delegation concerning the March events and the KFOR preparation for the election in case some trouble might arise. The general outcome of that briefing was that KFOR was well prepared to face the situation, which nevertheless seemed to be much calmer than some months before.

Two important meetings with political authorities, starting with **Prime Minister Bajram REXHEPI** took place later in the afternoon. The Prime Minister presented his views on the current situation in the country, stating that despite obvious interethnic difficulties, the elections were going to take place and all communities could express their right to vote, thanks to a high number of lists which had registered, including two Serb lists. Following precise questions from

the delegation, a debate took place on the economic situation, the possible outcome of the elections, timing for the setting up of a new government and the ongoing process towards a Status for Kosovo.

During the following meeting, **Mr Ibrahim RUGOVA**, President of Kosovo commented that the campaign had been very quiet and that there were no particular reasons to be worried about the situation at that precise moment. The attention was focused on the potential outcome of the elections and the coalition to be established with other political forces, depending on the results of the elections. Mr RUGOVA indicated that more powers had to be transferred from UNMIK after the elections and that this could also be seen as a factor to improve the serious economic situation.

Replying to several questions from the delegation, he considered that the situation of the minorities in Kosovo was acceptable and that many measures had been undertaken to facilitate their participation in the elections and their daily life in the region. He finally stressed his wish for stability in neighbouring countries, future independence for Kosovo and its entry into the European Union in a few years.

Mr Pascal FIESCHI, Ambassador, Head of Mission of OSCE to Kosovo, explained in a detailed presentation OSCE responsibilities for the organization of the elections, under Pillar III of UNMIK, focusing on the work of the Central Election Commission in order to fulfil this commitment. The question of the late registration of a Serb list and its practical consequences were also raised by the Ambassador.

Having exchanged some views with the delegation on some of the statements that politicians from Kosovo had already made, he considered that the conduct of the media had improved a lot since previous elections and could reply to questions relating to the near future of the region, the duration of the OSCE mandate in Kosovo, the possible development of the situation after the elections and the realistic fulfilment of standards. The importance of training and education for all communities concerned in Kosovo was finally stressed by the Ambassador and the delegation.

An interesting meeting took then place with **Mr Milorad TODOROVIC, Interministerial coordinator for returnees and communities**. All aspects concerning the attitude of the Serbian community vis-à-vis the elections were raised and commented on by the delegation and Mr TODOROVIC. In particular he stressed that the Serbian community did not trust these elections because since the events in March no steps had been undertaken by the international community to improve the situation and that the people in the Serbian enclaves were living in a very difficult situation from a social and economic point of view.

This leads to a very negative viewpoint of the effectiveness of the presence of an international community in Kosovo. Nevertheless, he thought that even if it was very slowly, some progress could be achieved, provided that the situation did not deteriorate further and that - supported on this by Members of the delegation - a broadly agreed respect for multiethnicity in Kosovo was the key for the future of this region.

At the end of the afternoon, another meeting took place with **Mr Ramush HAJREDINCY, leader of the Alliance for the Future of Kosovo (AAK) political party**, during which he showed some confidence in the results to be expected from the elections and replied to questions from the delegation concerning the differences between Albanian political parties in Kosovo.

Finally, **Mr Isak IDRIZ, VATAN (Bosnjak)** and **Mrs Nafiye GAS, KDTP (Turkish Democratic Party of Kosovo)**, **Mr Faik MAROLLI, PDASHK (Askali)** stated that the situation of their communities had improved since the events in March and that they felt that the presence of lists belonging to their communities was an important aspect for the credibility of the elections. Questions were raised concerning the demographic situation of these communities, namely after the events in March.

At the end of the day, during a reception hosted by the Office of the European Commission in Kosovo, Members of the delegation had the possibility to exchange further views with all the international and local authorities that the delegation had met during the day and to comment more fully on some of the issues raised earlier in the day.

As foreseen in the programme, early on Saturday 23, the delegation split to go and observe elections in various parts of the region in the following manner:

Mrs Doris PACK, as Chairperson of the delegation spent the day in Pristina where she had a chance to observe the opening of a polling station, voting procedures in various parts of town and closing and counting in the same polling station as that observed for the opening. No major concerns were highlighted and a very positive feeling on how the single electoral Committees fulfilled their duties was clearly underlined.

Mrs Gisela KALLENBACH and Mr Jelko KACIN observed the opening of polling stations in Kosovo Polje and travelled to the Pec region where they had a chance to observe the behaviour of some Serb enclaves. They had a clear indication that the participation of these communities was very low.

Mr Jacek PROTASIEWICZ and Mr Gyula HEGYI went to the northern part of the region, namely to the town of Mitrovica, where following the March events, the situation is still very tense with physical military separation of the two communities. Having undertaken some unavoidable security measures (change of driver, interpreter and car), they were able to observe the practical absence of participation of Serb community in the elections, in the North part of the town and the region.

On the evening of election day, Ms PACK had the opportunity to assist at a press conference organized by UNMIK / OSCE, where first statements on how the election had been conducted were issued.

Early on the Sunday morning, the delegation had a breakfast meeting during which Members had a chance to exchange their views on what every group could observe on election day. Having taken into account all views expressed by Members and found a common line for the delegation a preliminary statement was issued (annex B).

Later in the morning, Mrs PACK, head of the delegation met with Mr Andrey TEHOV, Ambassador, Head of Mission of the Council of Europe Election Observation Mission to Kosovo and Mr Gunter KRUG, Head of the Delegation of the Congress of Local and Regional Authorities of the Council of Europe and, having taken into account the various positions, a common line was agreed ahead of a press conference which took place at 14.00 that day.

The delegation left Pristina early in the afternoon.

CONCLUSION

At the end of its election observation mission, having also taken fully into consideration the final results of the elections (see annex C) the ad hoc delegation considered that:

- ✓ the elections were conducted in a peaceful atmosphere, a very efficient management body has been set up for these elections, which was able to conduct all operations in a very professional manner.
- ✓ even if the turnout was lower than in previous elections, it clearly indicated the will of Kosovars to progress towards reliable and efficient institutions.
- ✓ despite the low participation of the Serbian community in the elections, due to a politically organized boycott, (which is to be strongly condemned), no evident signs of physical threats were registered on election day.
- ✓ a fully legitimate multiethnic Parliament is now elected and, taking into account the results of the elections, a new government should be set up as soon as possible in order to implement the needed standards.
- ✓ multiethnicity is indeed the key element for a peaceful development of Kosovo.

Finally, the delegation considered that the European Parliament should urge the European Council and Commission to play a more active role in the development of this important European region.

European Parliament

AD HOC DELEGATION FOR OBSERVATION OF ELECTIONS IN KOSOVO

21-24 October 2004

Final Programme (changes are underlined)

Members of the delegation:

Ms Doris Pack, Head of the delegation (Germany)

Mr Jacek Protasiewicz (Poland)

Mr Gyula Hegyi (Hungary)

Mr. Jelko Kacin (Slovenia)

Ms Gisela Kallenbach (Germany)

Secretariat: Contact numbers +32.496.599470/+32.475.351948

Mr Pietro Ducci

Ms Sarah Whittall

TV Team:

Ms Charlotte Hjorth

Mr Jean-Pol Detimmerman

Mr Olivier Martin

Thursday, 21 October

During the afternoon, arrival of MEP'S and staff in Pristina

Transfer to **Hotel Victory**
 Mother Teresa, p.n. Pristina
 Tel: +381.38.543.267
 Fax: +381.38.543.286

Logistical briefings with drivers and the head of interpreters (secretariat only)

Friday, 22 October

- 10:00 -10:30 Mr G. Mamberto, Head of EC liaison office in Kosovo
Mr Arnaud Danjean, Adviser to Personal Representative
of the EU High Representative for CFSP in Kosovo
Mr Bas Backer, Head of Netherlands Office
Venue: European Agency for Reconstruction (EAR), 8th floor
- 10:30 - 11:00 European Union Member State Meeting
Venue: EAR 8th floor big meeting room
- 11:00 - 12:00 Mr Jean Christian Cady – Police and Justice (Pillar I)
Mr Kai Vittrup, Police Commissioner, (Pillar I)
Mr Francesco Bastagli - UN Civil Administration (Pillar II)
Mr Andreas Wittkowsky , Head Political and Legal Office , (EU Pillar)
Venue: EAR (small meeting room 8th floor)
- 12:00 - 13:00 Briefing by the Head of the Council of Europe Election Observation Mission
to Kosovo
Venue: Council of Europe premises
- 13:00 - 14:00 Lunch hosted by Mrs Pack with EU Representatives in Kosovo
Mr Giorgio Mamberto, EC Liason Office
Mr Bas Backer, Netherland Office
Mr Odran Hayes, European Agency for Reconstruction
Mr Arnaud Danjean, Adviser to Personal Representative
of the EU High Representative for CFSP in Kosovo
Mr Andreas Wittkowsky , Head Political and Legal Office , EU Pillar
Venue: Pjata Restaurant
- 14:15 - 14:45 Mr. Soren Jessen-Petersen Special Representative
of the Secretary-General
Venue: UNMIK HQ Room 511
- 15:00 - 15:30 Briefing by KFOR/UNMIK on security issues
Venue: UNMIK HQ 6th floor
- 16:00 - 16:30 Mr. Bajram Rexhepi, Prime Minister
Venue: Office of Prime Minister
- 16:45 - 17:15 Mr I. Rugova, President of Kosovo
Venue: Presidency, Rr Hamdi Gashi, Velania
- 17:45 - 18:20 Ambassador Fieschi OSCE Pillar III
Venue: OSCE Building, 5 floor, room 512
- 18:30 - 18:45 Mr Milorad Todorovic, Interministerial Coordinator for Returnees and
Communities,
Venue: EAR 8th floor

18:45 - 19:20 Mr Ramush Hajredinaj, AAK
Other Communities
Ms Nafiye Gas, KDTP (Turkish Democratic Party of Kosovo)
Mr Isak Idriz, VATAN (Bosnjak)
Mr Faik Marolli, PDASHK (Askali)
Venue: EAR 8th floor

19:30 - 20:30 Reception at “Grand” Hotel Pristina

Saturday, 23 October

06.30 Departure from the hotel of 3 observer teams of the EP to the following destinations:
- Ms Pack: Pristina town and surroundings,
- Mr Protasiewicz/Mr Hegyi: region of Mitrovica,
- Ms Kallenbach/Mr Kacin: region of Kosovo Polije, Pec.

Return late evening following closing of the polling stations and vote counting

Sunday, 24 October

9:00 Breakfast meeting
Debriefing of the three teams visits to polling stations and preparation of the preliminary statement

11.30 Preparation of the Press Statement with the Council of Europe
Venue: Council of Europe Offices

13:00-15:00 Joint Press Conference with election observation teams of other international organisations
Venue: ABC Cinema

15.15 Departure for the airport

16:40 Departure of members and staff via Vienna

EUROPEAN PARLIAMENT



Pristina, 24 October 2004

AD HOC DELEGATION TO OBSERVE THE
PARLIAMENTARY ELECTIONS IN KOSOVO
ON 23 OCTOBER 2004

PRELIMINARY STATEMENT

The European Parliament sent an ad hoc delegation in Kosovo from 22 to 24 October to observe the parliamentary elections, composed of five members. Mrs Doris PACK (Christian Democrats, Germany) was leading the delegation accompanied by Mr Jacek PROTASIEWICZ (Christian Democrats, Poland) Mr Gyula HEGYI (Socialists, Hungary) Mr Jelko KACIN (Liberals, Slovenia) and Mrs Gisela KALLENBACH (Greens, Germany).

As a preliminary statement, before the final results are known and from what the delegation could observe on election day, the delegation would like to welcome the fact that the elections were conducted in a peaceful atmosphere. Doris PACK underlines that a very efficient election management body was set up for these elections, able to conduct all operations in a remarkable way, even compared to other countries in the region where inter-ethnic issues are less relevant.

As far as the results are concerned, the delegation underlines that even if the turnout was lower than in the last elections, it was good and showed a clear indication of the will of the Kosovars to progress towards effective institutions able to endorse further transfer of competences from the international community which will make them responsible and accountable on the achieved standards.

The delegation welcomes the fact that two Serbian lists participated in the elections, although it deeply regrets the low level of participation of the Serbian community due to a politically organized boycott that leads to nowhere.

Nevertheless, the delegation considers that a multi-ethnic Parliament is now elected and it will be in this Institution that the will of the all the communities will be expressed.

The delegation hopes that a new government, with new responsibilities, will be set up in very short term in order to implement the needed standards.

The delegation will report to the European Parliament and recommend to call the European Council and Commission to play a more active role in the development of Kosovo.

ELECTION RESULTS IN KOSOVO (*)**Regular seats**

Entity Name	% Votes	Seats
LDK	45,42	47
PDK	28,85	30
AAK	8,39	9
ORA	6,23	7
PSHDK	1,80	2
KDTP	1,21	1
PD	1,02	1
Koalicija Vakati	0,72	1
LPK	0,66	1
PLK	0,51	1
Others	5,18	

Abbreviations of the main entities:

LDK	Democratic League of Kosovo
PDK	Democratic Party of Kosovo
AAK	Alliance for the Future of Kosovo

Set-aside seats

Entity Name	Seats
Serbian List for Kosovo and Metohija	8
KDTP	2
IRDK	2
Gradanska Incijativa Srbija	2
KV	2
PDAK	1
SDA	1
GIG	1
PREBK	1

(*) Sources: OSCE