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Remarks at the Institute of International and European Affairs

Dublin, April 13, 2010

Kosovo: Two Years On

Ladies and Gentlemen,

- **In my presentation today, I intend to highlight three areas of interest: progress and challenges of the past two years, secondly, the EU's priorities for and commitments toward Kosovo, and thirdly the EU's policy-making efforts for Kosovo under the Lisbon treaty. I believe that there is support and goodwill in place to anchor Kosovo firmly toward a European future, and this moment in my view should not be lost. The challenge is for the EU i) to oversee the process of change and reform, and ii) to hold out an attractive enough beacon to Kosovo and to Serbia that they are prepared to push through some difficulties and controversies to reach it in a regional context.**
- **Since the declaration of independence in February 2008, Kosovo's institutions are working, albeit not always at their fullest potential. Parliament has passed laws, the government is making and implementing decisions, and a new Constitutional Court has started its**

work. Also, EULEX, the largest EU rule of law mission, is present in Kosovo with some 1600 police officers, judges and prosecutors in place to oversee major reforms in all areas of rule of law. Further progress on this front requires practical cooperation with authorities in both Belgrade and Pristina. Recently held municipal elections, where all communities participated and made sure their vote mattered, indicate that democratic processes have begun to take centre-stage. While there were some irregularities, in general the elections met international standards. The most encouraging sign to emerge from the elections was participation of Kosovo Serbs living in new majority Serb municipalities. Participation of Serbs in northern Kosovo was minimal, but-if the new municipalities in southern and central areas are successful-they offer an example that may lead Kosovo Serbs in the north to choose participation in the future. The European Union has established an “EU House” in northern Kosovo to increase outreach to the population in the area. In Kosovo now, the people are indeed speaking and intend to be heard.

- There is steady progress in addressing concerns of minority communities and the delicate but necessary process of reconciliation. A**

fine example of this is the recent launch of a 30 month, 5 million euro project by the European Commission Liaison Office (ECLO) to close lead contaminated camps in northern Mitrovica. This enables 90 Roma, Ashkali and Egyptian families to move from these camps to south Mitrovica Roma Mahalla and other areas and to healthier lives. The project will also offer educational and financial support so that these communities can integrate fully into lives in south Mitrovica.

- These are encouraging development for us, the EU partners of Kosovo, and for the people in Kosovo.**
- However, the transition from the present to a European future is indeed fraught with numerous challenges, a fact well known to the Kosovo authorities and their international friends. The list of immediate issues to be addressed include the fight against organized crime and corruption including revamping the judicial system, ensuring full accountability of public institutions, access to health, education and economic opportunities and substantially increasing the participation of women and communities into the fabric of political and social life. This brings me to what we all here consider the bedrock upon which all democratic states rest, the rule of law, For without the rule of law legitimate progress can never see the light of day.**

- **Ladies and Gentlemen, the centrality of rule of law can be traced back in common law tradition to the time of the Magna Carta and the Bill of Rights, where, “even kings were subject to the law.” The rule of law permeates every single area of life be it the conduct of business and trade and attracting foreign investments, establishing an effective administration, forging personal and commercial bonds and the list goes on.**
- **Recent years have shown that the rule of law no longer remains within the realms of legal or political life but has permeated into the area of finance and economics and beyond. As the world grapples with increased globalization and consequences that derive from it, the rule of law proportionately comes under examination in areas such as judicial review, habeas corpus, due process, access to justice and accountability of elected leaders to their electorate. To quote your former President Mary Robinson: “Without the rule of law, government officials are not bound by agreed standards of conduct. Without the rule of law, the dignity and equality of all people is not affirmed and their ability to seek redress for grievances and fulfillment of societal commitments is limited.” This must not be so in the case of Kosovo and**

is the reason why the EU has determined the rule of law as the crucial area upon which to focus its attention and concentrate its collective efforts.

- There remain several hurdles to establishing a firm rule of law system in Kosovo. There are challenges in particular with regard to corruption and organized crime both in Kosovo but also in the region. Individuals have to be held accountable for their actions and cannot seem to be above the law. The US ambassador to Kosovo has repeatedly emphasized that members of the political elite cannot consider themselves above the law. In his words he said, “They are not special, and they are not different. They are like you and me and everybody else. They have to answer to the law.” It is indeed encouraging to see the establishment of new judicial institutions, new entities that have recently handed down legally sound, well reasoned opinions in a case involving community rights and in addressing elections challenges. In the fight against corruption and fraud, this judicial independence becomes even more of an imperative.**
- The expectations from Brussels are clear. There is a clear demand for reforms confirming obligations of EU membership. In turn, Kosovo seeks visa liberalization, preferential trade conditions and budget support. The annual assessment of the European Commission issued**

last year identified areas needing reform and has initiated constructive dialogue through the Stabilization and Associations Process. It is to be hoped that the next few months will also usher in a period of closer regional cooperation between Kosovo and Serbia ensuring steady progress toward their European perspectives.

- As EUSR, I hope to make this year as focused and even more productive as the last two have been. The EU has its work cut out to partner Kosovo in combating crime and corruption, continuing with outreach efforts in the north, engaging civil society in democratization and Europeanization initiatives, overseeing reforms and overhauling public and private sector enterprise so as to encourage direct foreign investments into Kosovo. The overarching theme in these efforts is to ensure eventual local ownership and a solid European identity ready to embrace its European future.**
- Success of any mission deployed in a post-conflict context inevitably needs broad political support. New institutional arrangements in European foreign policy following the passage of the Lisbon Treaty will hopefully enhance the need to focus on ensuring this support for the EU in Kosovo. The upgrade of the HR/VP position and her External Action**

Service has been a welcome development in the new arrangements and will shore up common foreign policy objectives of all 27 member states. In the case of Kosovo, it is hoped that it can draw all 27 states together without prejudice to the status question in key areas of rule of law and overall economic progress. I also expect that a further strengthening of compliance with international standards in the area of human rights, particularly of children, women and communities will follow.

- What does all of this mean for Kosovo? These new foreign policy developments are a time to further develop arrangements with the EU and to ensure that messages from both sides are coherent and targets achievable. Kosovo needs to trust the EU way forward, and on its part prove to be a credible partner interested in developing a free market economy, attracting investment, generating employment and allowing everybody to be an equal participant in a collective future. More than mere diplomatic assistance, the people of Kosovo need social and economic support and a genuine commitment on the EU's part to keep Kosovo's European perspective dynamic and constructive.**
- It has been a privilege to be witness to the growth of a newly emerging European Kosovo. Continued progress will require listening closely to**

the concerns of the local authorities and the public. My work comes with its frustrations and difficulties and we are sometimes not patient enough with the pace of change, we always need to see more! However, I am happy to tell you that a certain dynamism and hope has descended all over Kosovo which is evident to me as I travel the length and breadth of its mountaneous terrain. It is particularly inspiring to meet the youth of the land, brimming with fresh ideas and eager to connect more closely with the outside world. They cannot be disappointed. This period is as much a challenge for the EU as it is for the region in search of its European perspective. Neither side can afford to be wanting in supporting each other's ultimate aspirations.

- Finally, ladies and gentlemen, a word of gratitude for the enormous contribution made by the men and women of Ireland for Kosovo's growth and European perspective. On 20 April, 220 Irish soldiers will leave their base in Pristina to return home. They have assumed infantry duties at mission headquarters, in areas as diverse as patrolling and intelligence gathering, and in helping build so many areas of civil society. They will be deeply missed for their outstanding professionalism and I commend them today for their brilliant work and dedication. In my office as well as in EULEX, we have talented Irish**

colleagues working to make a daily difference in the lives of the people of Kosovo, as police officers, customs officials and legal advisors. They are proud representatives of this land and we have been lucky to have them.

- **Together, we will continue with our work in Kosovo with the assurance that in generations to come we will have sowed the seeds of a better future for Kosovo and its people.**

Thank you very much.