

Elements for negotiations to make progress in Mitrovica in 2004

*European Stability Initiative
Presented at King Baudouin Foundation, Brussels
11 March 2004*

1. The restoration of property rights and freedom of movement

A precondition for progress in Mitrovica is the full resolution of residential property rights and the restoration of freedom of movement in Mitrovica and Zvecan.

The Housing and Property Directorate (HPD) has registered a total of 2,585 property claims in Mitrovica and Zvecan, of which 1,266 relate to South Mitrovica and 1,287 to North Mitrovica. If the right will and resources are mobilised, these claims could be resolved within a short period of time.

We propose the following measures:

- **All of the responsible authorities should work together to create a functioning system for the restoration of property rights, with a view to substantially resolving the return problem in 2004.**
- The establishment of a **local Return and Reconstruction Task Force (RRTF) for Mitrovica**, modelled on successful arrangements for organising return and reconstruction in Bosnia and Herzegovina. Its tasks would include:
 - (a) ensuring **substantial reconstruction funds** to support a significant return process in 2004;
 - (b) assisting the municipalities and the HPD to identify housing solutions for those required to vacate claimed properties, in accordance with genuine humanitarian criteria;
 - (c) establishing robust mechanisms for the **planning, implementing and monitoring of the return process**, enabling obstacles to be identified and swiftly overcome.

2. The development of a joint development and assistance strategy for Mitrovica and Zvecan

The only way to achieve a stable and prosperous future for the region is if all communities and institutions work together to formulate and implement a credible, joint strategy for improving the economic and social situation.

Kosovo institutions are already making a substantial contribution to the local communities in both Mitrovica and Zvecan by subsidising the operations of the Trepca complex.

A credible development strategy for the Mitrovica region could be built around the following elements:

- (a) a multi-annual programme of investment to improve the deteriorating infrastructure in Mitrovica-Zvecan;
- (b) the revival of viable elements of Trepca, together with a programme for addressing the region's serious environmental legacies;
- (c) the development of Mitrovica-Zvecan into a centre of excellence in higher education in Kosovo, including the possible establishment of a multilingual South East European University in Mitrovica .

A credible economic revival strategy for Mitrovica would be possible only with substantial support from the international community. This proposal is designed to make it possible for the international community to redirect its resources towards development, rather than security.

We therefore propose the following measures:

- The establishment of a joint **Mitrovica-Zvecan Development Agency**, with a board made up of representatives of both municipalities, the local business community and civil society. The Agency would prepare joint development strategies for the Mitrovica-Zvecan region, and would promote the needs of the region to the international donor community. It would also investigate how to establish Mitrovica as a centre of higher learning in the region.
- The establishment of a **Trepca Revival Task Force**, to bring together the relevant Kosovo and municipal institutions to support the efforts of Trepca's management to overcome obstacles to the revival of viable operations.
- We invite international donors – including the government of Serbia – to support the creation of a **Development Fund for Mitrovica-Zvecan**, to increase the effectiveness of both Kosovo and international development spending.

3. The transfer of administrative authority for Northern Mitrovica from UNMIK to a multi-ethnic municipality of Zvecan-Mitrovica

The parties agree that following substantial progress in the return of property the area of North Mitrovica currently administered by UNMIK would be joined with the municipality of Zvecan to form a multi-ethnic municipality of Zvecan-Mitrovica. UNMIK would support the creation of a functioning and multi-ethnic municipal administration, to serve all the citizens of Zvecan-Mitrovica.

We propose the following measures:

- Any change to municipal boundaries should take place **only once the following conditions are satisfied:**
 - (a) the HPD certifies that at least 60 percent of the property claims for North Mitrovica have been resolved and that the process is self-sustaining;
 - (b) UNMIK confirms that there are no further parallel courts or law-enforcement agencies operating outside the framework of Kosovo's institutions of self-government.
- Once this is done the Special Representative of the Secretary-General should bring about the change in the municipal boundary, authorise municipal elections in Mitrovica and Zvecan, and initiate the establishment of a multi-ethnic municipal administration for Zvecan-North Mitrovica.

Implementing the compromise solutions outlined here would provide immediate benefits for the citizens of Mitrovica and Zvecan, and for the first time would create a real perspective for a better future.

It would be also an important step towards fulfilling standards and creating an effective and integrated institutional structure for all of Kosovo.