

Developing a Strategy for Kosovo's First 120 Days

Conference Summary Report

April 12-14, 2007

*Pocantico Conference Center
of the Rockefeller Brothers Fund
Tarrytown, NY*

Conference Introduction

As the role and function of the international presence in Kosovo is transferred from the United Nations (UN) to the European Union (EU), the responsibility of Kosovo's government to effectively manage its own affairs will increase dramatically. In addition to meeting the needs of its people, the Kosovo government is also responsible for properly implementing the recommendations set forth in the report of the special envoy of the Secretary-General on Kosovo's future status. For all of these reasons it is vitally important in the first days of this new era for Kosovo's leaders to focus on such key challenges as the rule of law, the protection of minorities, jobs and economic development—the hallmarks of responsive and effective governance.

This two-day conference, from April 12-14, 2007, was designed to assist the Kosovo government in developing a sound strategy for governance during the critical first 120 days after the United Nations Security Council vote.¹ Such a plan for the immediate post-status decision period is urgently needed if the Kosovo government is to successfully manage the transition to independence and stable governance. The conference participants included Kosovo's



Conference participants.

governmental and non-governmental leaders, international experts and leaders from other post-conflict societies.

This initiative represents a unique partnership between organizations that have related experiences and resources to provide to the Kosovo government, during this initial period of post-independence. The **Rockefeller Brothers Fund** is a private, globally-engaged foundation that is currently funding efforts to strengthen democracy, encourage interethnic tolerance, and promote sustainable development in the Western Balkans. The **East-West Management Institute** has been working in Kosovo since 1999, supporting the development of civil society and increasing public accountability and transparency of the negotiations process. It is a trusted actor both among politicians and civil society activists and will play a significant role in assisting the transition to a stable state in the region. The **Project on Justice in Times of Transition**, an independent program of the Foundation for a Civil Society working in collaboration with the Institute for Global Leadership at Tufts University, has held a number of programs with Kosovo's leaders since 2002, including events designed to help the senior leadership prepare for final status negotiations.

This initiative was made possible through the generous support of the **Rockefeller Brothers Fund** and the **Charles Stewart Mott Foundation**.

¹ Upon the entry into force of the Kosovo Status Settlement, there will be a 120 day transition period, during which UNMIK's existing mandate will remain unchanged. To ensure immediate supervision over implementation of the Settlement by Kosovo, however, the ICR will possess the authority to monitor such implementation and make recommendations to UNMIK on actions to be taken to ensure compliance See UNOSEK website: <http://www.unosek.org/docref/020707EXECUTIVE%20SUMMARY-F.doc>

Conference Summary

Held at the Pocantico Conference Center from April 12-14, 2007, the conference on “*Developing a Strategy for Kosovo’s First 120 Days*” was designed to provide senior Kosovar political and civil society leaders with an opportunity to jointly consider the significant challenges they will face in building an independent and democratic nation as envisioned in the Ahtisaari Plan presented to the United Nations Security Council (UNSC) in March 2007.

The gathering was chaired by **Ambassador Frank Wisner** and **Ambassador Wolfgang Petritsch** and facilitated by **Stephen Heintz**, President of the Rockefeller Brothers Fund. In addition to the participation of a number of experienced and distinguished practitioners/leaders from Afghanistan, Timor-Leste, Northern Ireland, South Africa and Sri Lanka, the participants from Kosovo were joined by a number of significant U.S. leaders including: Under Secretary of State for Political Affairs **Nicholas Burns**, former U.S. President **William J. Clinton**, former Secretary of State **Madeleine Albright**, former U.S. Ambassador to the United Nations **Richard Holbrooke** and former White House Chief of Staff to President Clinton **John Podesta**.



President William J. Clinton addressing the conference participants. On the left are Prime Minister Agim Çeku and Ambassador Wolfgang Petritsch. On the right are Ambassador Frank Wisner and President Fatmir Sejdiu.

The Pocantico conference proved to be very timely and helped Kosovo’s leadership consider the many significant issues they will need to address immediately, following action on the Ahtisaari plan by the UNSC. Discussions with leaders from other post-conflict societies and the U.S. also helped identify concrete steps the Kosovar leaders can take to address three specific areas that require urgent action:

1. Communications and Risk Management
2. The Constitution and the Legislative Process
3. Preparations for the Donor Conference & Defining Relations with the International Civilian Office (ICO)

In addition, the participants also discussed the need for united political leadership in Kosovo during the crucial period in Kosovo’s history. As a result, one of the accomplishments of the

meeting was the signing of the *Pocantico Declaration* – a declaration by the Kosovar Unity Team that its members are committed to collaborative work on key issues that will have to be addressed during the 120-day transition period (see page 5).



From left to right are: Ambassador Frank Wisner, Under Secretary Nicholas Burns, President Fatmir Sejdiu, Ambassador Richard Holbrooke, President of the PDK Party Hashim Thaçi, and Prime Minister Agim Çeku.

Conference participants also discussed a host of concerns relating to accountability, credibility and legitimacy. These underscored that the manner in which the Ahtisaari plan is implemented will affect public (domestic and international) perceptions and expectations of the new nation and its political leadership. There was general agreement that public participation is absolutely essential during this historic period, and that Kosovo's government must create a forum for the free exchange of ideas. In addition, everyone agreed that Kosovo's Albanian and Serb

populations must be actively and equally engaged in planning for the new nation. Mechanisms for doing so were considered and discussed. Deliberations also underscored the need for Kosovo's leadership to take ownership of the transition in order to lay the foundation for a sustainable democratic political culture.

The conference stressed the need for the Kosovo Albanian leadership to take energetic measures to reach out to all of Kosovo's ethnic communities, particularly the Kosovo Serb population. It is imperative that the Kosovo Serbs are assured of their safety, political and cultural rights, and are provided with an opportunity for full inclusion in Kosovar society, including politics and the economy.

A number of concrete action steps were identified that will be followed up on by the Unity Team and the Kosovo and International Task Forces. These action points are described below in further detail.

Pocantico Declaration

A major outcome of the conference was the *Pocantico Declaration*, signed by the five members of the Unity Team: President **Fatmir Sejdiu**, Prime Minister **Agim Çeku**, President of the Assembly **Kolë Berisha**, and the leaders of the two main opposition parties, **Hashim Thaçi**, President of PDK and **Veton Surroi**, President of ORA. In the *Pocantico Declaration* the Unity Team pledges to collaborate and work together in the planning and implementation of significant aspects of the Ahtisaari plan, particularly during the first 120 days.



Signing of the Pocantico Declaration. Seated from left to right are: President of the ORA party Veton Surroi, President Fatmir Sejdiu, President of the PDK Party Hashim Thaçi, Prime Minister Agim Çeku and President of the Assembly Kolë Berisha. Standing from left to right are: Rockefeller Brothers Fund President Stephen Heintz, Ambassador Wolfgang Petritsch, and Ambassador Frank Wisner.

The Declaration reads as follows:

We, the founding Unity Team, realize that we are present as the leaders of Kosovo on the eve of its birth as a new democratic state. We are dedicated to helping to build an inclusive, multi-ethnic, stable, and prosperous state and society under the rule of law. We further recognize that there is a great deal of work ahead for the institutions, leaders, and people of Kosovo. To that end, during the crucial first 120 days, we pledge to work together on the following key areas of the transition:

- *Implementation of the “Ahtisaari Package” as the overall framework for our new state, most importantly the adoption of a new constitution*
- *Diplomacy, especially in securing passage of a resolution by the United Nations Security Council*
- *Building new, peaceful, and productive relations with Kosovo’s neighbors, including Serbia*
- *Relations with the international community, in particular the proposed International Civilian Office (ICO) and International Military Presence (IMP)*
- *Membership in key international organizations, in particular the UN, the international financial institutions and NATO, and accession to the EU*

- *The convening of an International Economic Opportunity Conference with representatives of the multi-lateral and bi-lateral donor agencies and the private sector*
- *The development and promulgation of appropriate and inclusive state symbols*
- *Security and Risk Management*
- *Supporting the adoption of a new election law and scheduling of local and general elections no later than six months following the independence of Kosovo*
- *Reconciliation among Kosovo's ethnic communities – in this regard it is important to place emphasis on the return of refugees and the identification and return of missing persons*

All other matters of governance and policy will be managed through robust democratic debate in the normal process of multiparty competition within Kosovo's institutions.

(Signed April 14, 2007)

Action Points: Priorities for the First 120 Days

The primary objective of the conference was to assist the leaders of Kosovo, including important representatives from the Serb community, to identify and prioritize the key challenges of the transition to independence, and, with the guidance of international experts and leaders, to develop an action plan for the successful implementation of the Ahtisaari plan.

Over the course of the conference, participants identified three areas of particular urgency. 1) **Improving communications and risk management planning**; 2) **Adopting a new Constitution and fundamental legislation**; and 3) **preparing for a donor conference and defining relations with the proposed International Civilian Office (ICO).**² In order to focus on these issues in detail, three conference working groups were formed to consider these issues in depth. Each working group included members of Kosovo's government and civil society, and experts and former governmental leaders from South Africa, Northern Ireland, East Timor, Sri Lanka, Afghanistan, Europe and the United States. Summaries of the recommendations of the three working groups are provided below.

Communications and Risk Management

A central theme throughout the conference was the importance of a **communications and outreach strategy**. The working group recognized that first and foremost, such a strategy should be implemented immediately in order to provide adequate mechanisms capable of reaching all of Kosovo's communities. The group suggested that the creation of a **communications office** would assist the government in explaining and providing information on the implementation of the Ahtisaari plan. The communications office could serve as a key mechanism for the Kosovo government to be proactive in addressing concerns among Kosovo's diverse communities about how the UNSC vote may affect them. Possible duties of the communications office include planning of post-status events and celebrations, creating a website, monitoring outside press, appointing an official spokesperson, and managing an active campaign of public outreach across Kosovo including minority communities.

² The International Civilian Office (ICO) is the body that houses the International Civilian Representative (ICR), which is double-hatted as the EU Special Representative and will be appointed by an International Steering Group (ISG) comprising key international stakeholders. The ICR will have ultimate supervisory authority over the implementation of the Kosovo Status Settlement. The ICR will have specific powers conferred upon him/her to allow him to take the actions necessary to oversee and ensure successful implementation of the Settlement. These include the authority to annul decisions or laws adopted by Kosovo authorities and sanction or remove public officials whose actions are determined by the ICR to be inconsistent with the letter or spirit of the Settlement. The ICR will also be the final authority in Kosovo regarding the civilian aspects of the Settlement. See UNOSEK website: <http://www.unosek.org/docref/020707EXECUTIVE%20SUMMARY-F.doc>

A second recommendation of the working group was the creation of **situation management teams on the municipal level**. These teams could serve, in conjunction with the communications office, as a means of communicating to the public on a more grassroots level. The working group discussed in depth the importance of symbols and images, particularly in how they will represent the future of an inclusive, multi-ethnic Kosovo. There was strong consensus that the **issue of**



President William J. Clinton and RBF President Stephen Heintz meet with Kosovo civil society representatives.

symbols and images should be resolved early, before the UNSC vote, and that while the Kosovo government will ultimately decide on symbols, attempts should be made to incorporate public opinion.

The conference participants agreed that a strong communications strategy is urgently needed to improve internal relations within Kosovo, and relations with Kosovo's regional neighbors and the international community as a whole.

The Constitution and Legislative Process

A primary point made by the working group, which was also addressed throughout the conference, is that a consultative process is vital to the sustainability and ownership of the Constitution and the legislative processes. Given the 120 day timeframe proposed in the Ahtisaari plan, the working group also recommended that both the constitutional and legislative processes should commence immediately. The working group formulated several further recommendations for consideration. First, it was agreed that the constitution-drafting process should build upon the work of Kosovo's Constitutional Working Group, which has been studying for several months various constitutional models and has already begun drafting several components.

The working group discussed the formation of the **Constitutional Commission**, which as described in the Ahtisaari plan will consist of 21 persons (15 from the ethnic majority, 3 from the Serb community, and 3 from other ethnic communities). The working group recommended that the Commission should be comprised of politicians who represent their communities including Kosovo's diverse communities. They further suggested that the formation of the Constitutional Commission should be considered prior to the formal launch of the constitutional process, so that it can be immediately activated after the UNSC vote.

The working group also discussed the **timing of the constitutional process and the schedule for key legislation**. They recommended that the Constitution should be finalized within the first 60

days in order to allow adequate time for additional supplemental legislation to be passed during the second 60 day period. While the second 60 day period should focus on legislation, it was noted that the legislative process should occur in parallel to the constitutional process, and that the formulation of further legislation should be used to underscore fundamental components of the Constitution. The working group strongly recommended that the Kosovar leadership undertake a proactive process to **engage the public** in developing the new Constitution to reinforce the legitimacy of the final product.

Preparations for the Donor Conference and Defining Relations with the International Civilian Office

In order for Kosovo to prove to the international community that it is ready to govern, it must be well prepared for the donor conference. The working group developed a series of recommendations, and suggested that planning for the donor conference begin immediately. The working group recommended that a **dedicated team be created to coordinate planning and present priorities and options** to the Provisional Institutions for Self-Government (PISG) as soon as possible. Political leadership should be part of this process, and should be integrally involved in the preparations for the donor conference.

The working group stressed the need for Kosovo to present a **credible program of economic governance** to the donor and business communities. It is essential that the government demonstrate that it is able to properly account for all donor funds. As part of this effort, the issue of corruption should be addressed at the outset of the conference to reinforce the government's commitment to assuring the integrity of financial management. It was also recommended that the Kosovo government consider using the conference as a vehicle to engage the private sector within Kosovo, the region and the wider international arena. Finally, it was recommended that the donor conference be framed broadly as an economic opportunity conference, and that it include local and international private sector representatives. Additionally, it was recommended that the government be prepared to seek wider resources such as guarantees, debt relief and technical assistance.

On the issue of the International Civilian Office (ICO), the working group recommended that the Kosovo government should proactively **define the terms of its relationship with the ICO** before the ICO's official work begins (at the end of the 120 day period). The parameters of this relationship should then be effectively communicated to the public.

A primary conference theme resonated in this working group: the need for Kosovar leadership to take ownership of this critical period where Kosovo's identity will be shaped, and to take a proactive role in projecting the right image to its citizens as well as to the international community.

Next Steps

The Pocantico conference proved to be an invaluable opportunity to identify some of the most significant priorities for the 120 day period after the UNSC vote, and to strategize on the process for transforming these priorities into reality. The conference participants reached a wide

consensus that a tripod partnership between the Kosovo government, civic organizations and international experts will be needed to ensure successful implementation of the Ahtisaari plan. As such, the partners of this conference are working to provide assistance to the Unity Team and the Kosovo government through the existing Kosovo Task Force (comprised of Kosovo civic leaders) and a newly created parallel International Task Force that will provide access to relevant international experts.

In partnership with the Rockefeller Brothers Fund, the East-West Management Institute will expand its Kosovo Task Force to help the Kosovo government (at both central and municipal levels) and civil society to prepare for the upcoming challenges it will face after its final status has been determined. More specifically, the objectives of the Kosovo Task Force are:

- To assist the Unity Team, Kosovo government and Kosovo civil society in developing and implementing a common vision for the administration of the first 120 days of its new internationally sanctioned status (including approaches to upcoming challenges such as ensuring security and developing constructive approaches towards the new Serb municipalities).
- To assist the Kosovo government in preparing for and managing a series of activities to be held in association with the celebrations and events to be held after final status determination.
- To identify critical fields where external support is needed in order to meet the requirements of the Ahtisaari plan, including possible advisory services from the International Task Force members.
- To become the vehicle for the implementation of the strategy/outcomes of the *“Developing a Strategy for the First 120 Days”* conference, including facilitation of future International Task Force assistance and development of additional action plans for implementation of the recommendations from the conference.

At the same time, the Project on Justice in Times of Transition is in the process of creating an International Task Force that can help to provide the Unity Team with access to relevant international expertise and experience as it formulates a strategy for the implementation of the Ahtisaari plan. Working in close partnership with RBF, EWMI and its Kosovo Task Force, the International Task Force will focus on how to help the Unity Team to improve its communications capacity, especially relating to the institutional and structural changes that will be introduced during the first 120 day period. Strategic planning advice will also be provided in response to the priority areas identified at the conference, which include the constitutional consultation process, developing relations with the incoming International Civilian Office, and preparing for a first donor conference, likely to be held a few months after the 120 day period.

Working in close collaboration and partnership with the RBF, the East-West Management Institute and the Project on Justice in Times of Transition will utilize these Task Forces to help facilitate a more stable transition in Kosovo during this important and challenging period.

Conference Participants

1. Kosovo Participants: Unity Team

Fatmir Sejdiu, President

Agim Çeku, Prime Minister

Kolë Berisha, President of the Assembly

Hashim Thaçi, President of the PDK Party and Assembly Member

Veton Surroi, President of the ORA Party and Assembly Member

2. Kosovo Participants: Government Officials

Lutfi Haziri, Deputy Prime Minister, Minister for Local Government Administration

Branislav Grbić, Minister of Communities and Returns

Ahmet Isufi, Vice President of the AAK Party

Ismet Beqiri, Mayor of Prishtina

Sladan Ilić, Assembly Member, Serb List for Kosovo and Metohija Party (SLKM)

Skender Hyseni, Political Advisor to the President, Spokesman for the Unity Team

Vjosa Osmani, Advisor to the President for Legal Matters and Protocol

Viktor Ula, Political Advisor to the Prime Minister

But Dedaj, Political Advisor to the President of the Assembly

Robert Wilton, Political Advisor to the Prime Minister

3. Kosovo Participants: Experts and Civil Society Representatives

Shpend Ahmeti, Economist, World Bank

Argjentina Grazhdani, Policy and Development Expert,

Visar Hoti, Chief Executive Officer, TEMA Multimedia

Nebi Qena, Director, News and Current Affairs for Radio Television Kosovo

Jeta Xharra, Journalist, Country Director for BIRN

4. International and US Participants

President William Jefferson Clinton, former President of the United States of America

Madeleine Albright, Principal, The Albright Group LLC; former Secretary of State, United States of America

Ambassador R. Nicholas Burns, Under Secretary of State for Political Affairs, United States of America

Margaret Cleaver, former Private Secretary for Foreign Affairs to Prime Minister Tony Blair

Ben Crampton, Special Advisor, International Civilian Office (ICO) Preparation Team

Rosemary DiCarlo, Deputy Assistant Secretary in the Bureau of European and Eurasian Affairs.

Laurie Dundon, The Albright Group LLC

Asbraf Ghani, former Minister of Finance, Afghanistan

Stephen B. Heintz, President, Rockefeller Brothers Fund

Ambassador Richard Holbrooke, Vice Chairman, Perseus LLC, former U.S. Ambassador to the United Nations and member of the cabinet (1999–2001)

Wendy Luers, Co-Chair, Project on Justice in Times of Transition
Chris Maccabe, British Joint Secretary of the British-Irish Intergovernmental Conference, and Political Director of the Northern Ireland Office in Belfast
Ram Manikkalingam, former advisor on the Peace Process to President Kumaratunga and representative of the Club de Madrid
Kati Marton, Author and Journalist
Roelf Meyer, former Minister of Defense, Minister of Constitutional Affairs and Chief Negotiator for the talks which led to the ending of Apartheid in South Africa
Fron Nabzi, Vice President, East-West Management Institute
Jennifer Palmieri, Vice President of Communications, Center for American Progress
Ambassador Wolfgang Petritsch, Permanent Representative of Austria to the United Nations in Geneva
Timothy Phillips, Co-Chair, Project on Justice in Times of Transition
John Podesta, President and Chief Executive Officer of the Center for American Progress; former Chief of Staff to President Clinton
Ambassador Nelson Santos, Permanent Representative of Timor-Leste to the United Nations in New York
Ambassador Frank G. Wisner, The Special Representative of the Secretary of State to the Kosovo Status Talks

5. Conference Organizers

Haki Abazi, Program Officer, Rockefeller Brothers Fund
Ina Breuer, Executive Director, Project on Justice in Times of Transition
Astrit Istrefi, Program Director of Kosovo Programs, East-West Management Institute
William S. Moody, Program Director, Rockefeller Brothers Fund
Catherine Sykes, Senior Program Manager, East-West Management Institute
J. Walter Veirs, Program Officer, Charles Stewart Mott Foundation