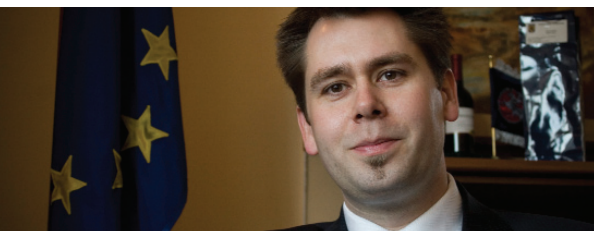


The background of the entire image is the flag of the European Union, featuring a circle of twelve gold stars on a blue field. The stars are arranged in a circle, with some appearing slightly larger or more prominent than others, giving a sense of depth and movement. The text is centered within this circular arrangement.

EUROPEAN UNION

Preparing for a
future international
and EU presence
in Kosovo



Casper Klynge is leading the planning efforts for an EU mission fostering the rule of law in post-status Kosovo.

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The EU is fully committed to play a significant role in post-status settlement Kosovo. Therefore, the European Union has decided to intensify preparations for a future EU and international presence in Kosovo, in close coordination with other international actors.

2007 will be the year of an expected United Nations Security Council decision on status for Kosovo, but it will also be a year of great responsibilities.

The international community and the European Union are playing an important role in the status process, and are preparing to play an important role in post-status settlement Kosovo.

The EU support the efforts of UN Special Envoy Martti Ahtisaari and believe that his comprehensive proposal submitted by the UN Secretary General to the Security Council on 26 March 2007, creates the basis for a new UNSC Resolution. The EU calls for the Security Council to adopt such a resolution in a timely manner. Resolving the status of Kosovo will enhance the development and the stability of the entire region.

The international community's and the EU's future role are expected to be reflected in the establishment of an International Civilian Office (ICO) and an EU mission in the broader rule of law area under the European Security and Defence Policy (ESDP), as well as an enhanced European Commission (EC) presence, fostering Kosovo's regional integration and EU perspective. It would also include an international military presence provided by NATO (KFOR), an OSCE mission, and major capacity building effort by the EU, implemented by the European Commission, the World Bank, UNDP, and other partners.



Torbjorn Sahlstrom is leading the EU's preparations for an International Civilian Office (ICO)



Political and security arrangements are being prepared by two structures: the **ICO-EUSR Preparation Team**, representing the international community under European guidance, and the **European Union Planning Team for Kosovo (EUPT)**, working for the EU in setting up a future ESDP rule of law mission.

The purpose of the ICO-EUSR Preparation Team is:

- to prepare for a future International Civilian Office, led by an International Civilian Representative, double-hatted as EU Special Representative (ICR/EUSR). The ICR would oversee the implementation of the settlement, and have some clearly defined and reviewable executive powers; *
- to prepare, in close cooperation with the Kosovo authorities and the transitional administration of the United Nations (UNMIK), for a transfer of authority from UNMIK towards the Kosovo authorities, and, to a limited extent, to a future international presence.

The ICO-EUSR Preparation Team plans for an office of around 70 international staff, based primarily in Pristina, with sub offices in Mitrovica and Belgrade.

The “double-hatted” ICR/EUSR is expected to act

- as ICR in questions regarding the oversight of the implementation of the Kosovo status settlement;
- as EUSR when offering the EU’s advice and support in the political process as well as in promoting overall EU coordination and coherence in Kosovo, including in the area of rule of law.

The ICR is foreseen to be an EU national, appointed by an International Steering Group following consultations within the European Union. The ICR would report directly to the International Steering Group, which will provide guidance to the ICR.

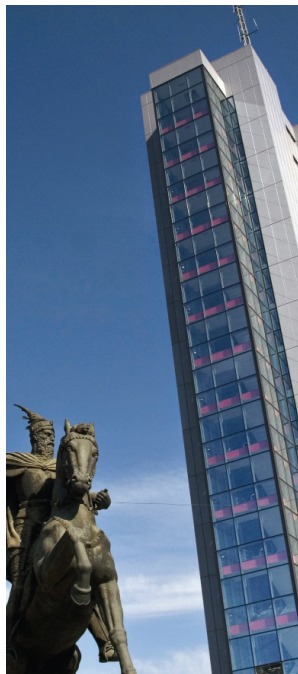
* These clearly specified executive powers would include the authority: to make certain defined appointments in the economic sphere; to investigate and prosecute serious and sensitive crimes, jointly with Kosovo authorities or independently; to annul decisions taken and laws passed by governmental bodies or by Assemblies (at central and local level) which are at odds with the letter or spirit of the settlement; to sanction, or, in extremis, remove individuals, whom he/she judges to be acting in a manner designed to prevent implementation of the settlement.



The purpose of the EUPT for Kosovo is to plan for a future ESDP mission that will:

- support the Kosovo authorities by monitoring, mentoring and advising on all areas related to the rule of law, in particular in the police, judiciary, customs and correctional services;
- ensure, in close cooperation with the Kosovo authorities, that serious crimes are properly investigated, prosecuted and that any outcome of these procedures are thereafter properly enforced;
- have some limited and clearly defined executive powers in the broader field of the rule of law area. These powers will be carried out in consultation with the EUSR;
- these activities will be coordinated with European Community programmes implemented by the European Commission.

The EU is planning for a mission with approximately 1,800 international police, judges, prosecutors, and customs officials, based in Headquarters in Pristina or employed throughout the judicial and police system in Kosovo.



The Head of the ESDP mission will be appointed by the Council of the European Union. The EU Political and Security Committee (PSC) will provide the political guidance and strategic direction of the ESDP Mission. The Head of Mission will report to the High Representative for the Common Foreign and Security Policy.

The purpose of the EUPT for Kosovo is to plan for a future ESDP mission that will support the Kosovo authorities by monitoring, mentoring and advising on all areas related to the rule of law, in particular in the police, judiciary, customs and correctional services.

The **European Commission** office in Kosovo will have a key role in implementing the EU's policy of anchoring Kosovo's status in a long-term European perspective, through:

- Deploying all enlargement tools under the Stabilisation and Association Process, such as regular reporting and a European Partnership;
- A permanent technical and political dialogue with Kosovo's authorities to provide guidance to their reform efforts;
- The provision of substantial financial assistance (EUR 1.8 billion to date) to build and improve Kosovo's institutions, foster socio-economic development and further advance Kosovo's regional integration;
- Fostering Kosovo's participation in regional and Europe-wide initiatives such as the Central and Eastern European Free Trade Agreement, Energy Community Treaty, the European Common Aviation Area and the opening up of Community programmes;
- Preparation of a post status donors' conference to help meet Kosovo's post-status needs.

The European Commission opened an office in Pristina in September 2004, notably to accompany Kosovo's reform efforts through the implementation of European Partnership recommendations and to implement EU financial assistance; it will have around 80 people working in Pristina by the end of 2008.

European Future. EUR 1,8 billion have been provided by the European Commission to date to build and improve Kosovo's institutions and foster socio-economic development. Kosovo's future challenge will be its reform road towards the European Union.



Guiding principles for the envisaged international/EU presence in Kosovo

- All preparations made by the EU in its planning for a future presence in Kosovo are made without prejudice to the outcome of the status negotiations. A new UN Security Council resolution is necessary for the future implementation of a status solution, in particular for the civilian and military international presence overseeing implementation.
- The EU is working on the understanding that after the status settlement, the governance of Kosovo will be in the hands of its people and their elected authorities. This implies a major shift from international governance towards Kosovan governance.
- Via a set of clearly defined executive powers, anticipated to be subject to review, and expected to be laid out in the settlement, the future international presence will provide strong guarantees and safeguards concerning status settlement implementation and the principles of the rule of law.
- As confirmed by the June 2003 Thessaloniki Summit, where the EU reiterated its unequivocal support to the European perspective of the Western Balkan countries, Kosovo is firmly anchored in the framework of the Stabilisation and Association Process.
- All EU actors in Kosovo work in full coherence and complimentary to one another to foster settlement implementation, stability, socio-economic development and Kosovo's European vocation.



The EU is working on the understanding that after the status settlement, the governance of Kosovo will be in the hands of its people and their elected authorities. In February 2007, this was underlined by HR Javier Solana and President Fatmir Sejdiu in Pristina.

