

Islam and Tolerance

in Wider Europe



Islam and Tolerance in Wider Europe

Edited by Pamela Kilpadi

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CONTENTS

About Us	vii
The Authors	ix
Introduction	1

Part one: Europe's Transforming Identity

- What Values for Europe? ▪ *Michael Emerson* 9
- The Role of Islam in Europe: Multiple Crises? ▪ *Amel Boubekeur and Samir Amghar* 16
- The Southern Gate to Fortress Europe ▪ *Rutvica Andrijašević*..... 21

Part two: Ethnic Relations in the Caucasus

- 'Reliable' and 'Unreliable' Peoples: The Ingush-Ossetian Conflict and Prospects for Post-Beslan Reconciliation ▪ *Ekaterina Sokirianskaia* 45
- Conflict in Georgia: Religion and Ethnicity ▪ *Archil Gegeshidze*..... 62
- Inter-Group Relations and Conflicts in the North Caucasus: Stereotypes and Realities
▪ *Alexey Gunya* 70

Part three: Political Ideology and Religious Tolerance in Russia

- Ideology and Intolerance ▪ *Pavel Bayov* 77
- Muslims in the Russian and Tatarstan Media: Prospects for Media Policy Promoting Tolerance
▪ *Irina Kouznetsova-Moreno*..... 80
- Outsourcing De Facto Statehood:
Russia and the Secessionist Entities in Georgia and Moldova ▪ *Nicu Popescu*..... 87

Part four: Political Identity and Human Rights in Turkey

- Islamic Identity and the West: Is Conflict Inevitable? ▪ *Ihsan Dağı* 103
- Religion and Conflict: Lessons from the Frontlines of Social Transformation in Women's Human Rights ▪ *Nüket Kardam and Yannis Toussulis* 112
- The Role of the Media and Local Initiatives in the Presentation of the Annan Plan in North Cyprus
▪ *Dilek Latif*..... 122

Part five: Islam and Policy in Central Europe

- Muslim Minorities and Czech Society ▪ *Jiří Schneider*..... 131
- The Mosque Debate and Anti-Muslim Sentiment in Slovenia ▪ *Natalija Vrečer*..... 136

Part six: Lessons from the Post-War Balkans

- Interethnic Policymaking for Interethnic Tolerance ▪ *Islam Yusufi*..... 143
- Islam in Southeast European Public Discourse: Focusing on Traditions of Tolerance
▪ *Simeon Evtatiev*..... 145
- Religion, Media and National Security in Albania ▪ *Aldo Bumçi*..... 153
- Stumbling Block on the Road to Democracy: Security Sector Reform in Serbia
▪ *Mladen Momčilović* 165
- Local Governance Reform in Kosovo: Milestones for the Promotion of Tolerance
▪ *Algirdas Petkevicius*..... 170

From the Archives

- Recent Publications 181
- Photo Archives..... 187

p a r t s i x

Lessons from the Post-War Balkans

Local Governance Reform in Kosovo:

Milestones for the Promotion of Tolerance

Algirdas Petkevicius

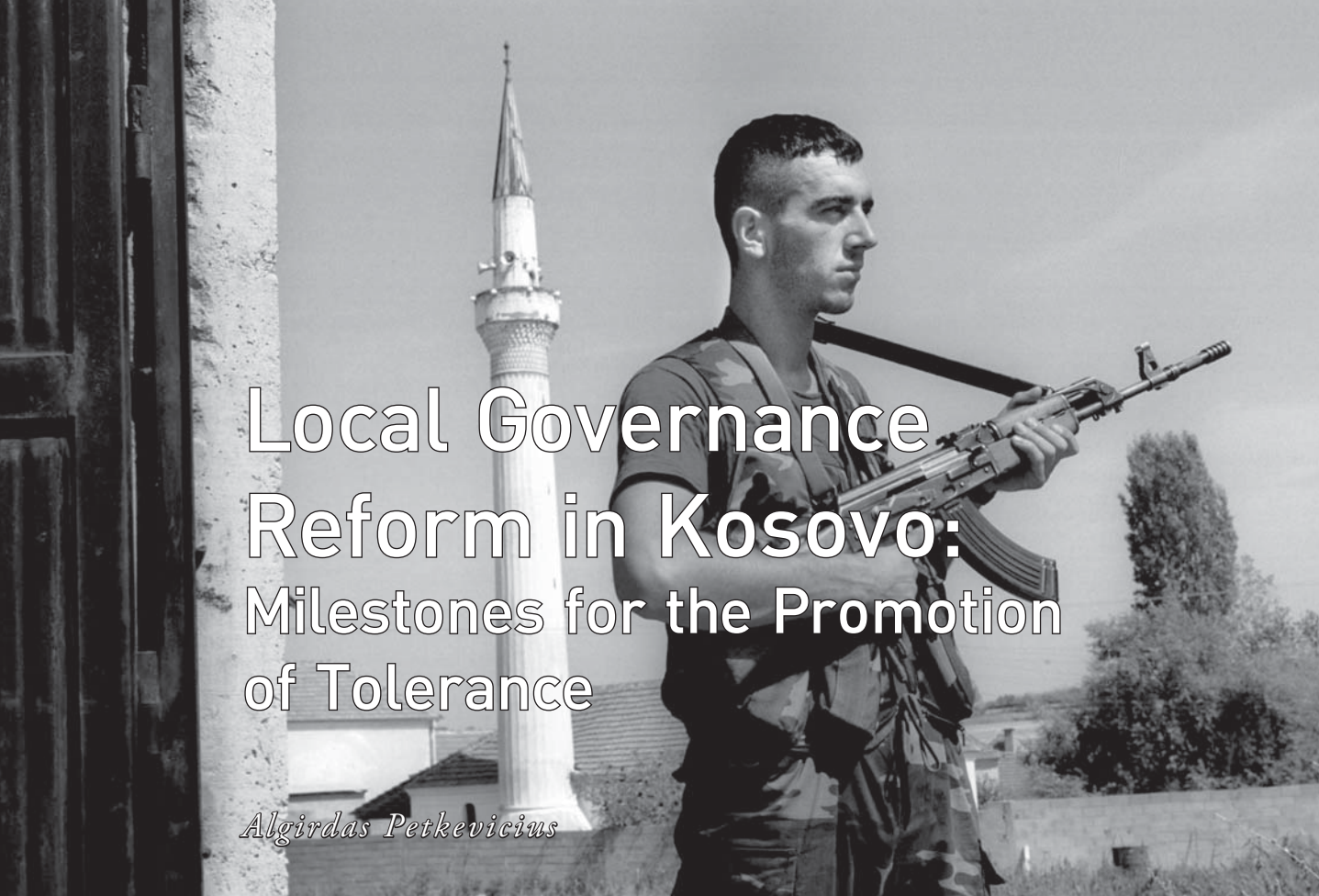
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Local Governance Reform in Kosovo: Milestones for the Promotion of Tolerance

Algirdas Petkevicius

An Albanian fighter during the Kosovo conflict stands guard in the village of Dobrosin. The war in Kosovo between Albanian separatists and Serbian and Yugoslav security forces lasted from 1996 through 1999 ■ Andrew Testa, Panos

The objective of this research is to present and briefly analyze the prospects for local governance reform in Kosovo, emphasizing the impact of this reform on the promotion of ethnic tolerance. Alternative views are presented as to how this reform could contribute to the improvement of relations between the Albanian, Serb and other ethnicities in Kosovo.

Directions of Kosovo local government reform

One of the objectives of ongoing local governance reform in Kosovo is “the integration of all communities into the democratic structures of Kosovo.”¹ Local governance reform is therefore a crucial element of Kosovo peacekeeping efforts. Persistent problems of

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governance in the territory including 1) the high degree of centralization in governance, 2) the large size of existing municipal units (the reason why many villages and areas are not represented in the Municipal Assemblies), and 3) the presence of different ethnic communities within certain municipalities plagued by ethnic tension make local governance reform all the more urgent.²

While alternative solutions for decentralizing Kosovo's governance have been many, ranging from a possible increase in the number of existing municipalities to the creation of pilot sub-municipal units, the most recent solution adopted by the Kosovo Government has been the creation of five new pilot municipalities with the same rights and functions as the existing 30 municipal units.³ In addition, all Kosovo municipalities should acquire an increased range of functions in the fields of transport, environmental protection, energy supply, local economic development and other fields. The portfolio of the reforms (including the transfer of additional competencies to the municipalities) is expected to be completed by 2008, with new pilot municipal units becoming fully operational and a more decentralized model of governance fully applied.⁴ This portfolio is subject to approval by the Parliament of Kosovo.

The planned municipal governance reform is intending to decentralize a significant share of governmental affairs to the municipalities. In this way each municipality, as a service provider to all the residents within its jurisdiction, should acquire an increased responsibility for ensuring the same level of services to different ethnic communities. The hope is that the provision of equal quality services to all residents will help promote ethnic tolerance at local levels.

Multi-lingual education and other initiatives are also important for the promotion of ethnic tolerance but are not within the scope of this essay.

Ethnic considerations in reforms

Local governance reform in Kosovo has always been dominated by an interethnic agenda with tense relations between the municipalities with predominantly Serb populations and the Kosovo Provisional Institutions of Self-Government (PISG). Attempts to improve governance and service provision have been undermined by the possibility that, in case decentralization proceeds and/or new municipalities with the predominating Serb population are set up, the Serb municipalities may ignore the PISG and become the tools of Belgrade policy.

In general, the Kosovo government's commitment to promoting local economic development promises to boost ethnic tolerance as new jobs are created and the representatives of various ethnic communities begin work. At the same time, solutions proposed by the Serb Government include wide-ranging autonomy for all Serb settlements across Kosovo, such as the autonomy in judicial affairs, natural and mineral resources and other fields traditionally belonging to the realm of the central government.⁵ There is little chance that these solutions would be acceptable to the Kosovo government.

While it is not possible to foresee the final outcomes of the reform, it is clear that a gradual approach will prevail. Plans to create several pilot sub-municipal units in 2005 include the town of Gracanica, with a predominantly Serb population living within the

municipality of Pristina—the capital of UNMIK-administered Kosovo. It remains to be seen whether this trend will develop.

Local governance reform as a tool for increased tolerance

Local governments may play a significant role in promoting interethnic tolerance. A good example is the municipality of Kamenica in Kosovo, with the efforts of the municipal administration to boost tolerance between ethnicities by promoting open dialogue, innovative security arrangements, and other programs widely recognized as a good practice.

Apart from the creation of certain pilot municipal units that may provide some ethnic communities in Kosovo with the possibility of managing their own affairs in a more efficient way, ethnic tolerance must also be encouraged by improving communications between the central and regional authorities, exchanging transparent information more frequently, translating official documents into all official languages, and fostering the safe freedom of movement of Serbs in Kosovo.

Serb municipalities (especially those in the northern parts of Kosovo) frequently assert that they do not receive timely and correct information from the Kosovo governmental institutions (namely the Ministry of Finance) and that centralized funds for capital investment distributed by the PISG are allocated without due transparency. The lack of available data on the level of investment resources that have been allocated for the municipal capital investment projects throughout Kosovo (such information is not available from the Ministry of Finance website and is not distributed in paper copies), frequently fosters allegations that funds were distributed on the basis of ethnic considerations. Thus the development and regular update of key PISG ministries websites, as well as improved document translation and information communication practices appear necessary.

Translation. It is clear that further efforts are necessary to promote the use of official languages (Albanian and Serb in particular) in municipal work.⁶ As mentioned, PISG institutions have inadequate capacities for ensuring that public documents are

adequately translated into all official languages in Kosovo. Legal and other official documents, both at the central and municipal levels are frequently translated incorrectly. The reasons for this appear to be technical rather than political. As stated by Ulrich Steinle and Senad Sabovic, “Despite the still relatively heated political



An American NATO KFOR peacekeeping soldier from a company of the 1/160 Infantry on patrol in 2005 in the ethnically mixed village of Zegra in Kosovo
■ Andrew Testa, Panos



Sufism: Kosovar Albanian Dervishes dance during festivities to celebrate the coming of spring ■ Andrew Testa, Panos

situation in Kosovo when it comes to inter-ethnic relations, ... problems with the translation of legal texts derive not so much from political differences, but apparently from shortcomings that we can generally label as ‘technical.’”⁷ The use of various languages in municipal practice differs depending on their location. Possible measures that could be taken to rectify the situation include an increased reliance on private service providers for translation, increased quality checks, and the training of translators.

Safe freedom of movement. Efforts to promote the safe freedom of movement of ethnic minorities in Kosovo have also been of particular concern to the international community. Following the March riots in 2004, these concerns increased and led the OSCE to conclude that “additional measures are required in order to rebuild the trust and to improve security for minorities.”⁸ While it is recognized that the international KFOR (Kosovo Force) may provisionally ease tensions, efforts on the side of both the Albanian and Serb communities are also necessary. The municipal administrations can definitely play a vital role in easing tensions related to the lack of freedom of movement by organizing regular meetings and discussions, promoting ethnic tolerance, helping coordinate the work of municipal Community Committees, and remedying discriminatory practices in employment.

International community initiatives

In addition to security arrangements provided by the international KFOR (Kosovo Force), the international donor community in Kosovo has undertaken significant initiatives aimed at the promotion of the dialogue between different ethnicities. A good example is the OSCE Mission program bringing together the representatives of different ethnic communities to discuss sensitive issues at seminars, conferences and roundtable discussions and ensure that security arrangements are in place to create good preconditions for their participation.

Significant tolerance-building programs supported by international donors also focus on legislative reform and capacity building support to structures such as Community Committees that deal directly with discrimination and human rights issues.

While significant in scope and aspirations, the efforts of the international community in Kosovo could be even more effective if they also supported programs promoting the transparency and availability of public information along with translation units within Kosovo ministries and municipalities.

Recommendations

It appears inevitable that greater decentralization and territorial administrative reform will take place, bringing Kosovo's governance more in line with most European territorial-administrative systems. Increased decentralization can provide municipal administrations with more opportunities for bringing citizens together for the resolution of local affairs. The work of the municipal Community Committees should be further strengthened, if they are to respond adequately to the concerns of various ethnic communities and, together with international actors, oversee the fair distribution of finances and jobs for different communities. An obvious potential advantage of the territorial-administrative redivision of Kosovo is increased trust on the part of residents served by the municipal administrations, while possible disadvantages might include the introduction of additional languages in municipal work and municipal isolation or separation.

A brief review of local governance reform in Kosovo and the increased roles that the municipal administrations may play in an effort to strengthen ethnic tolerance reveals that further decentralization or territorial-administrative reform may empower municipal administrations with new opportunities to play a vital role in easing ethnic tensions. By strengthening interethnic dialogue, improving the delivery of equal services to all residents, solving translation problems, and strengthening the work of the Community Committees, the international community may succeed in supporting local governing structures to ensure the future peace and security of Kosovo.

Kosovar children in 1999 on a climbing frame in a refugee camp in Macedonia look over the Shar mountains toward their homeland ■ Andrew Testa, Panos



Notes

- ¹ *Governmental work program on reform of local government*, adopted by the Kosovo Government on February 22, 2005.
- ² This issue is perceived to be of greater importance by the international community than by Kosovo institutions. See the Appendices for a chart outlining the ethnic composition of Kosovo's population.
- ³ See the Appendices for a 2005 list of pilot municipal units to be established.
- ⁴ See the Appendices for a list of competencies to be decentralized to the municipalities by 2008.
- ⁵ See "A plan for the political solution to the situation in Kosovo and Metohija," Ministry of Foreign Affairs of Serbia and Montenegro, http://www.mfa.gov.yu/Facts/plan_kim_e.html.
- ⁶ Steinle, Ulrich, Sabovic, Senad, "Lost in Translation" or How to Make Three Languages Speak One Legislative Voice // Assembly Support Initiative Newsletter, No. 15, February 2005.
- ⁷ Stoyanova, Anna, *Assessment of Language Policy Implementation in Municipal Practices* // Assembly Support Initiative Newsletter, No. 15, February 2005.
- ⁸ "Human Rights Challenges Following the March Riots," Department of Human Rights and Rule of Law, Organization for Security and Cooperation in Europe, Mission in Kosovo, 2004, p.6.

Appendices

Ethnic composition of the population of Kosovo local governments (from OSCE Mission in Kosovo municipal profiles, the most recent data available, and various sources):

Municipalities	Albanian population (%)	Serb population (%)	Roma population (%)	Others (%)
Prishtine/Pristina	97.4	2.2	0.1	1.8
Gjilan/Gnjilane	89.4	9.5	0.2	0.8
Gjakovë/ Đakovica	95.5	6	0.4	Egyptians/Ashkali – 4
Viti/Vitina	94	5.5		
Prizren/Prizren	81.6	0.09	2.3	Bosniaks – 9.6 Turks – 6.4
Istog/Istok	92	1.2		Roma/Egyptian – 3.9 Bosniak – 2.9
Klinë/Klina	96.5	0.17	3.3	
Podujevë/ Podujevo	99.1		1.067 (including Ashkali)	
Vushtrri/Vucitern	95.4	4	1.2	Ashkali – 3.9
Kamenice/ Kamenica	82.5	16.6	0.8	
Noveberde/ Novobrdó	61.3	37.3		0.1

Municipalities	Albanian population (%)	Serb population (%)	Roma population (%)	Others (%)
Pejë/Peć	86.3	1.2	1.9	Egyptian – 4.9 Bosniak – 5.4
Deçan/Dečani	98.6			Bosniaks – 0.1 Others – 1.3
Obiliq/Obilić	84	12	2	Ashkali – 1.71 Gorani, Bosniak – 0.3
Fushë Kosovë/ Kosovo Polje	85	8	1	Ashkali – 5.6 Others – 0.5
Mitrovicë/ Mitrovica	n/a	n/a	n/a	n/a
Skenderaj/Srbica	100			
Leposavić/ Leposaviq	n/a	n/a	n/a	n/a
Zubin Potok /Zubin Potok	5.4	93.9		
Zvečan /Zveçan	2.1	72.6		
Lipjan/Lipljan	83.3	12.2		Croats – 0.5 Others – 2.6
Shtime/Štimlje	97.41		0.14	Ashkali – 2.4
Glogovac / Glogovac	100			
Suharekë/ SuvaReka	99.45		0.57	
Dragash/Dragaš	n/a	n/a	n/a	n/a
Rahovec/ Orahovac	97.1	1.7		1.1
Malishevë/ Mališevo	99.9		0.1	
Shtërpçë/Štrpce	33	66.7	0.2	
Kaçanik /Kačanik	100		0.02	
Ferizaj /Uroševac	97.4	0.1		

The establishment of the following pilot municipal units was elaborated by the Kosovo government's program "On the Reform of Local Government" adopted on February 22, 2005.

Pilot municipality, in which a pilot municipal unit is to be created	Pilot municipal unit to be created
Pristina	Gracanica
Decani	Junik
Gjilan	Partesh
Prizren	Mamusha
Kacanik	Hani Elesi

According to the government program "On the Reform of Local Government," the following competencies are to be transferred to the municipalities by 2008:

Executive powers:

- Local economic development
- Protection of cultural heritage
- Building permits
- Local social welfare institutions
- Local infrastructure
- Street names
- Local Transport (bus, taxi)
- Primary and secondary education facilities
- Primary health care facilities
- Sports and cultural facilities
- Emergency response and firefighting

Delegated authority:

- Civil status registration and documentation
- Business registration and licensing
- Social assistance payments
- Public utility services
- Municipal property land
- Environmental protection
- Forestry protection

Islam and Tolerance in Wider Europe offers a refreshing new look at the complex interplay between religion, nationalism and expansionism in an increasingly globalized world, as revealed by a new generation of open society leaders working to build a more tolerant Europe. The authors are fellows and colleagues of the International Policy Fellowships program—an initiative of the Open Society Institute that has attempted to combat ‘brain drain’ while developing policy research capacities, initially in emerging democracies of the former Soviet sphere where concepts such as ‘policy’ and ‘fellowship’ were virtually untranslatable. Since its establishment in the late 1990s, some 250 of its fellows have grown into a network of open society leaders spanning more than 40 countries on nearly every continent.

Each chapter—focusing on Western Europe, the Caucasus, Russia, Turkey, Central Europe, and the Balkans—includes several essays by different authors, all of whom are actively involved in the dynamic policymaking processes transforming their respective countries. Their policy perspectives benefit from a uniquely ‘inside out’ rather than the usual ‘outside in’ orientation found in most English-language information about their communities. Taken as a whole, the compilation offers insightful insider stories and comparisons across countries and regions. The results are illuminating.