

Doc. 10170
28 April 2004

Situation in Kosovo

Opinion¹
Committee on Culture, Science and Education
Rapporteur: Mr Edward O'Hara, United Kingdom, Socialist Group

I. Conclusions of the Committee

The Committee on Culture, Science and Education wishes to support the report of the Political Affairs Committee (Doc. 10157) with the following amendments which supplement rather than criticise that report. They relate to the fields of culture, science, education, youth and media that were left open for comment by the Committee.

Amendments

In the draft resolution

- A. In paragraph 3, after "deaths" add the words:
", many injuries and severe damage to property including important cultural monuments".
- B. After paragraph 4, the following paragraph:
"The Assembly also draws attention to the cultural sector as cause, victim and also long-term solution to the conflict in the area. It recalls its Recommendation 1511 on the cultural situation in Kosovo and notes the more recent information report Doc 10127."
- C. After paragraph 4, add the following paragraph:
"The Assembly has been impressed by the widespread concern and condemnation by non-governmental organisations of destruction of cultural property in Kosovo. It forcefully requests the active contribution from the non-governmental sector in Kosovo, both Serb and Albanian, to the reconstruction of cultural property and the development of civil society in Kosovo."
- D. At the end of paragraph 6, add the following:
"This is notably true of the sectors of culture, cultural heritage and education for which responsibility has been transferred to the Provisional Instrument of Self Government (PISG), Ministry for Culture, Youth and Sport (MCYS) and Ministry of Education, Science and Technology (MEST). The MCYS has still not drawn up an inventory of cultural property or finalised a law on the cultural heritage. In the educational field, the ethnic communities are still divided and not all university degrees are recognised."

¹ See Doc. 10157 tabled by the Political Affairs Committee.

- E. After paragraph 6, add the following paragraph :
“The Assembly welcomes the decision of the Kosovo authorities to accept responsibility for repairing the damage caused in the March riots and to allocate funds for this purpose. It stresses however the need for damage assessment and restoration work to be carried out by local and international experts selected without regard to ethnic or religious belonging.”
- F. After paragraph 9, add the following paragraph:
“The Secretary General of the Council of Europe has also issued a direct appeal, following the March riots, for the European Union, the Council of Europe and UNESCO to share the responsibilities at present attributed to UNMIK related to the protection, conservation and enhancement of the cultural heritage of Kosovo. The significance of such concerted international action lies partly in the lack of ethnic or religious conditions attached to this very necessary assistance.”
- G. After paragraph 10, add the following paragraph:
“Construction is an important economic sector. It should however be subjected to the usual controls of urban and spatial planning, and should take account of the need to preserve and enhance the cultural and natural heritage.”
- H. At the end of paragraph 11 (v), add the following words:
“and protection of cultural property”
- I. After paragraph 12 (vii), add the following paragraphs :
“maintain ethnic and religious independence in the inventory, repair and maintenance of cultural property by the responsible PISG;
ensure due protection of the ruins of cultural property until proper solutions have been found for reconstruction or redevelopment with the agreement of the owners;
encourage programmes for inter-ethnic exchanges, combined classes, development of appropriate text books and other teaching materials together with educational activities (in and out of school) that might break down ethnic barriers ”
- J. At the end of paragraph 13 (ii), add the following words :
“and the reconstruction of cultural property”

In the draft recommendation

- A. After paragraph 1, add a the following paragraph :
“The Assembly also notes the commitment of the Council of Europe to the development of democratic values, civil society and interethnic co-operation in Kosovo.”
- B. At the end of paragraph 3 (ii), add the following words :
“and the development of youth participation”
- C. After 3 add a new para as follows:
“It further recommends that the Committee of Ministers
- i. maintain support for the Regional Programme for the cultural and natural heritage in South East Europe (RPSEE) and the place of Kosovo in it and for the role of the Council of Europe as foreseen in the Kosovo Standards Implementation Plan;
 - ii. allocate extra resources for the Council of Europe to implement the proposal made by the Secretary General for the setting up of an International Independent Commission for cultural heritage in Kosovo;
 - iii. provide the extra funding necessary for the development of teacher training, history teaching and human rights education in Kosovo in line with Council of Europe standards;
 - iv. develop interethnic projects involving young people and young political leaders in Kosovo;

- v. ensure the continuation of its other on-going activities in Kosovo in the fields of culture, education, youth and sport;
- vi. maintain its support in collaboration with OSCE for the development of broadcasting standards and in particular public-service broadcasting in Kosovo;
- vii. recall to the media that they are obliged to check before publication the accuracy of information which might incite violence."

II. Explanatory memorandum

Introduction

1. The Committee on Culture, Science and Education considered the cultural situation in Kosovo in 2001 on the basis of study visits carried out by Mrs Popotodorova in October 2000 and April 2001. Her report (Doc. 9053) and the resulting Recommendation 1511 covered the “soft” sectors of education and culture (including cultural heritage) and media. An insight in the educational problems of post-war Kosovo was provided in a paper Prof. Daxner (who co-headed UNMIK’s education department in 2000) wrote for a report on the education of refugees and IDPs in 2003 (Doc. 9996 Appendix 1). Most recent is my information report on protection of the cultural heritage in Kosovo (Doc. 10127); this report drew on a study visit carried out in October 2003 and was approved at a committee meeting in Paris on the very day that news was coming through of the latest outbreak of violence (18 March 2004).

2. One basic message running through these reports has been to draw attention to the cultural sector as cause, victim and also long-term solution with regard to the conflict in the area.

3. The sensitivity of the cultural sector has been evidenced by the events in March which appear to have been sparked off by media misrepresentation of an incident and to have led to attacks on cultural property representative of the two ethnic communities (Orthodox churches in Kosovo and Islamic mosques in Belgrade and Nis). Strong and widespread international criticism immediately followed.

4. The possibilities of reconstructing a lasting multi-ethnic society in Kosovo is however also seriously undermined by the less dramatic but chronic separation of educational provision for the two ethnic communities. Education is not only a function and result of good governance, but one of its constituent elements. Education for democratic citizenship is a major policy area in the Council of Europe’s current work

Cultural heritage and the violence of March 2004

5. The general conclusions of my information report, drafted in the early part of 2004, were the need for inventory and legislation, for resources for the Provisional Instrument of Self Government (PISG) Ministry of Culture, Youth and Sport (MCYS) (financial and technical) and for inter-ethnic cooperation. It was regretted that neither Serb nor Albanian experts were for different reasons able to assist in restoration work on orthodox monuments. It was noted that Albanian Kosovars were perhaps rather less concerned about the religious heritage than Serb.

6. Some concern was expressed at the downsizing of KFOR and the problems of policing monuments and their ruins. It was pointed out that this was a reflection of restoration of normalcy.

7. Following the outbreak of violence it is clear that the international presence is precariously low. In particular it would seem that the staff available to UNMIK in such a crucial area as cultural heritage (where it is the sole effective liaison between the Serb Orthodox Church and the Kosovo authorities i.e. MCYS) needs reinforcement. In a sense this can be done through cooperation with other international organisations. The excellent working relations between UNMIK and the Council of Europe are therefore very much to be welcomed.

8. The suddenness of the violence, and the immediacy of the international condemnation of it, seems to have had the effect of a wake-up call on the Kosovo authorities. These have now earmarked funds for the restoration of property damaged in the riots. It would appear that they are accepting the responsibility that goes with the gradual transfer of powers to the PISG. But it is important also that greater awareness of the importance of the common heritage in Kosovo grows within the Albanian Kosovar community in general.

9. A further major step forward may be made if it emerges, as is foreseen in a reconstruction policy paper drafted by UNMIK, that both sides (Serbs from Belgrade and MCYS in Kosovo) agree to cooperate on restoration of orthodox monuments.

10. It will also be significant if the major international organisations are able to cooperate as proposed by the Secretary General of the Council of Europe in his letter to the EU, UNESCO and UNMIK following the riots.

11. In conclusion it can be noted with some satisfaction that the international community does now react with indignation at the wanton destruction of historic cultural property such as the 14th century monastery of Devic, badly damaged in the course of the riots.

Action by the Council of Europe (with other international organisations)

12. **Culture and heritage** has been transferred from UNMIK to the PISG Ministry for Culture, Youth and Sport. Following the study on the state of the cultural heritage in Kosovo (2001), the Council of Europe has helped develop a general cultural strategy (through the MOSAIC project managing an open strategic approach in culture), it is now carrying out (together with the EU Commission) a Regional Programme for Cultural and Natural Heritage in South-East Europe (2003-2005). This involves seven Balkan states and also Kosovo. Of particular importance in Kosovo is assistance on drafting a heritage law and on drawing up an inventory. There are a number of specific projects in parts of Kosovo as well as elaborating a prioritised intervention list for rehabilitation of monuments and sites.

13. UNESCO for its part has conducted a survey of 40 selected sites in Kosovo (2003) and is intending to hold a donors' conference to fund their restoration.

14. Following the events in March 2004, the Secretary General of the Council of Europe made a proposal for the setting up of an International Independent Commission for Cultural Heritage in Kosovo. This is to involve the European Union, the Council of Europe and UNESCO in "sharing the responsibilities at present attributed to UNMIK related to the protection, conservation and enhancement of the cultural heritage in Kosovo".

15. **Youth.** The Council of Europe is giving assistance in training courses for youth leaders from the ethnic communities and in youth policy formulation.

16. Competence for **education** has been transferred to the PISG Ministry for Education, Science and Technology. The Council of Europe has assisted in the preparation of laws on general and vocational education and on higher education. Priority areas for future action could be history education and human rights education (materials and teacher training)

17. **Media** is in the hands primarily of the OSCE Mission in Kosovo (OMiK). This contributes to the creation of conditions that support freedom of the press and freedom of information in Kosovo. Activities include independent media support, regulation and licensing of the media in Kosovo. It works with the media Policy Advisory Board to develop laws and standards for the media and has been assisting in the establishment and attempts to develop Radio-TV Kosovo (RTK) as a genuine public service broadcaster. The OSCE Representative of Freedom of the Media has just (22 April) issued a report on the role of the media in the March 2004 events in Kosovo, and critical in particular of RTK. The Temporary Media Commissioner has also issued a report on television and violence (released on 24 April).

18. The Council of Europe has been involved in the preparation of a draft law on the Independent Media Commission and broadcasting. This has still to be adopted and implemented.

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