

# Kosovo politics holding back EU trials on organ trafficking

TODAY @ 09:29

BY ANDREW RETTMAN AND EKREM KRASNIQI

BRUSSELS AND PRISTINA - EU efforts to shed light on allegations of organ trafficking in Kosovo risk being delayed by a power struggle in Pristina.

The plan is to create a new court in The Hague in early 2015 on the model of the International Criminal Tribunal for the former Yugoslavia.

It will try suspects on evidence collected by the Special Investigative Task Force (SITF), a Brussels-based unit of Eulex, the European rule of law mission in Kosovo.

The allegations of organ trafficking first came out in a report by Swiss senator Dick Marty in 2010.

Marty said top leaders of the KLA - the Kosovo guerrillas who fought Serbia in the 1990s, including Kosovo PM Hashim Thaci - abducted Albanian and Serb civilians, murdered them, and sold their body parts on the black market.

The SITF says it has enough proof so that "charges can be filed" against "certain senior [KLA] officials".

It wants to try them in The Hague because Kosovo is too dangerous for witnesses and its courts lack international credibility.

EU countries on 29 September changed Eulex' mandate so it can "support the relocated judicial proceedings" - trials on foreign soil.

Kosovo foreign minister Enver Hoxhaj also told EUobserver that Pristina is in talks "with the Dutch government and with Brussels" on the bilateral agreements they need to go ahead.

But Kosovo's inability to form a new government after elections in June means its parliament cannot pass the necessary laws on working with the tribunal.

"There is legislation that needs to be approved by the Kosovo assembly so that the creation of [the] court is compatible with Kosovo law", SITF spokesman Joao Sousa said.

The political mess comes after Thaci's party, the PDK, won the most votes but not a majority.

Four opposition parties - the LDK, the AAK, Nisma, and Vetvendosje -

did get enough votes to form a ruling coalition. But Kosovo's president and its constitutional court could not get Thaci to stand aside, creating a stalemate.

The situation is also causing delays for EU efforts to "normalise" Kosovo relations with Serbia because parliament cannot formalise the agreements.

### A matter of weeks?

For his part, Hoxhaj said there will be a coalition deal in a matter of "some weeks".

"I don't think the stalemate we have at home will impact badly on the special court ... this will be one of the key priorities for the next government".

But independent analysts are less optimistic.

Avni Zogiani, a lawyer who runs the anti-corruption NGO, Cohu, in Pristina said the situation "suits" Thaci because it helps him to evade trial on the Marty allegations and on broader accusations of graft.

Zogiani has documented Thaci family links to dodgy public procurement contracts in the EU and US protectorate.

But he said international powers have so far shielded the PM from justice in return for Serbia "normalisation", which is unpopular because it gives autonomy to Kosovo Serbs.

He warned that if they confront him he is likely to cause trouble by calling on ex-KLA men to hold protests in Pristina.

"If Thaci is arrested, for sure he would try to get his people on the streets and he would join those forces who are against the dialogue [with Serbia] ... The internationals get political stability in return for their loyalty. This is why Kosovo politicians have become millionaires while 50 percent of ordinary people live in poverty".

The Thaci minister, Hoxhaj, dismissed Zogiani's claims as "unfounded ... conspiracy theories".

He said Kosovo authorities have "nothing to hide" and have "enormous political will" to go ahead with the SITF tribunal to clear the KLA's name.

"Kosovo fought for freedom and liberty. Since the Marty allegations were made public they have shaken the image of Kosovo and we are very keen to close this chapter".

'Few are innocent'

Doris Pack, a German centre-right politician and former MEP who has worked on Kosovo since the break-up of the former Yugoslavia, agreed with Hoxhaj to an extent.

She told this website the Marty allegations are “unconvincing”.

She said if the SITF has compelling evidence against Thaci then it does not matter if he stays in power and she cast doubt on predictions that his clan would cause instability.

“If they really have something on Thaci then he can be brought to trial even if he is still prime minister”, she noted.

“I don’t think there would be street protests or that everything would stop. People understand that this case must be closed and if someone is punished the majority of Kosovars would accept it”.

Pack also said the best recipe for stability would be a coalition between Thaci’s PDK party and the LDK.

But she agreed with Zogiani that corruption in Kosovo’s political elite and in the top ranks of the international community in Pristina is holding back development.

She noted that the opposition leader, Ramush Haradinaj, avoided war crimes charges because “witnesses were no longer willing to testify”.

“The internationals who ruled Kosovo for the past 10 years created networks of corruption but no one can bring them to court because they are internationals”, she said.

“Very few people are innocent in this region.”