

LEGAL AND POLITICAL SYSTEM FROM THE TRANSITION TIME UNTIL THE PROCLAMATION OF KOSOVO INDEPENDENCE

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Abstract

Through this abstract, we try to present our paper handling, a work that requires a scientific approach. Since the circumstances and legal basis was created by the international community for the liberation of Kosovo, there was an immediate need to build democratic institutions, legal regulation and policy for the operation of Kosovar society. Organization of the United Nations through the Security Council Resolution 1244 installed its presence in Kosovo by UNMIK administration supervised by the Special Representative of the Secretary-General of the United Nations. What was the legal basis of UNMIK in Kosovo, and his mandate? Because there was no legislation basis and no institutions for making of this approval, there was approved legislation relating to certain regulations of this international representation, which on this basis did function Self Government Institutions. What was the role of Self Government Institutions, who did they represent, to why did they answer and who elected them? Role and mandate of UNMIK was executive and exercised direct control over Self-Government institutions, both in the field of politics and in justice policy. Self-Governing independent institutions although chosen and voted for by the people, although not with transparent elections, however, Kosovo representatives in their political decisions did have an international presence supervision, this does not make us to realize that we had democratic institutions, but simply an individual who exercise those positions without political and judicial power. Compromise made by Kosovo Institutions upon acceptance of the Martti Ahtisaari Comprehensive Package, was a painful compromise. What contained the Ahtisaari package? What was the role and importance of the ICO office in Kosovo? Why other minorities were under appreciated in Kosovo and priority was given only to Serb minority under the Ahtisaari package? After the declaration of independence, there was a need, and conditions were created for a new European mission called EULEX Rule of Law. Did EULEX rule of law achieve a satisfactory level in Kosovo; does it fulfill its mandate for what is EULEX called in Kosovo? After the declaration of Kosovo Independence and after the independence's supervision by the international community, leaders of our institutions are they permitted to make decisions about internal problems in Kosovo without the consent of the international community? Are those democratic institutions? In our paper we will try to give answer to those and many other questions.

Keywords: *declaration, independences, self-governing, supervision, Kosovo*