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Achieving Positive Peace?

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Acronyms

AAK	Aleanca për Ardhmërinë e Kosovës (Alliance for the Future of Kosovo)
ACA	Anti-Corruption Agency
AKR	Aleanca Kosova e Re (New Kosovo Alliance)
AKSh	Armata Kombëtare Shqiptare (Albanian National Army)
BiH	Bosnia and Herzegovina
CEFTA	Central European Free Trade Agreement
CIMIC	Civil–Military Cooperation
CPIA	Country Policy and Institutional Assessment
DFID	Department for International Development
DPKO	Department of Peacekeeping Operations
EU	European Union
EULEX	European Union Rule of Law Mission in Kosovo
EUSR	European Union Special Representative
FBKSh	Fronti për Bashkim Kombëtar Shqiptar (Front for Albanian National Unification)
FRY	Federal Republic of Yugoslavia
FYROM	Former Yugoslav Republic of Macedonia
GDI	Gender-related Development Index
GDP	Gross Domestic Product
GEM	Gender Empowerment Measure
HDI	Human Development Index
ICJ	International Court of Justice
ICO	International Civilian Office
ICR	International Civilian Representative
IR	International Relations
JSC	Joint Stock Company
KAN	Kosovo Action Network
KEK	Korporata Energjetike e Kosovës (Kosovo Energy Corporation)
KFOR	Kosovo Force
KLA	Kosovo Liberation Army

KP	Kosovo Police
KPC	Kosovo Protection Corps
KPS	Kosovo Police Service
KSF	Kosovo Security Force
KTa	Kosovo Trust Agency
KVM	Kosovo Verification Mission
LDD	Lidhja Demokratike e Dardanisë (Democratic League of Dardania)
LDK	Lidhja Demokratike e Kosovës (Democratic League of Kosovo)
LKÇK	Lëvizja Kombëtare për Çlirimin e Kosovës (National Movement for the Liberation of Kosovo)
LPK	Lëvizja Popullore e Kosovës (Kosovo National Movement or Popular Movement of Kosovo)
LPRK	Lëvizja Popullore për Republikën e Kosovës (Popular Movement for the Republic of Kosovo)
NATO	North Atlantic Treaty Organization
NLA	National Liberation Army
OECD	Organization for Economic Cooperation and Development
OMIK	OSCE Mission in Kosovo
OSCE	Organization for Security and Co-operation in Europe
PAK	Privatization Agency of Kosovo
PD	Partia e Drejtësisë (Justice Party)
PDK	Partia Demokratike e Kosovës (Democratic Party of Kosovo)
PDKI	Partia Demokristiane për Integrim (Christian Democratic Party for Integration)
PIK	Police Inspectorate of Kosovo
PISG	Provisional Institutions of Self-Government
POEs	Publicly Owned Enterprises
PSHDK	Partia Shqiptare Demokristiane e Kosovës (Albanian Christian Democratic Party of Kosovo)
PSK	Partia Socialiste e Kosovës
RTK	Radio Television Kosovo
SAA	Stabilization and Association Agreements
SAP	Stabilization and Association Process

SDSKiM	Srpska Demokratska Stranka Kosova i Metohije (Serb Democratic Party of Kosovo and Metohija)
SFRY	Socialist Federal Republic of Yugoslavia
SLKM	Srpska lista za Kosovo i Metohiju (Serbian List for Kosovo and Methohija)
SLS	Samostalna Liberalna Stranka (Independent Liberal Party)
SOEs	Socially Owned Enterprises
SPOKM	Srpski Pokret Otpora Kosova I Metohije (Serbian Movement of Resistance in Kosovo)
SMSG	Special Representative of the Secretary-General
STM	SAP (Stabilization and Association Process) Tracking Mechanism
TMK	Trupat e Mbrojtjes të Kosovës (Kosovo Protection Corps)
UÇK	Ushtria Çlirimtare e Kosovës
UÇK	Ushtria Çlirimtare Kombëtare
UÇPMB	Liberation Army of Presevo, Medvedja and Bujanovac
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Interim Administration Mission in Kosovo
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
VTCs	Vocational Training Centers

1 INTRODUCTION

After lengthy and nerve-racking status negotiations, on 17 February 2008 a long-held dream came true for Kosovo Albanians: Kosovo declared its independence from Serbia. Within a short time, Kosovo has established many of the symbols and requirements of an independent state, including a constitution, which took effect on 15 June 2008, a national anthem, a flag and state seals, passports, identity cards, driver's licenses, an intelligence service and a lightly armed civil defense force, the Kosovo Security Force. Membership of the World Bank and the International Monetary Fund was also achieved in June 2009. However, while necessary, none of these are things that make a state really viable in the sense of being consistently peaceful, democratic and able to provide for the needs of its citizens.

As of September 2010, Kosovo's independence has been recognized by 70 countries. Serbia still adheres to its vow never to accept Kosovo's independence. On the UN Security Council, Russia and China also oppose recognition, as do several non-permanent members. Five of the 27 EU member states – Cyprus, Greece, Romania, Slovakia and Spain – still refuse to recognize Kosovo as a sovereign state for reasons associated with their own minority problems and fears of secession precedents. This lack of unity in the EU is one of the reasons for the current weaknesses and only moderate achievements of the European Union's biggest and most cost-intensive mission, the European Rule of Law Mission (EULEX), and the paralyzed policy of the EU in Kosovo.

In July 2010, the International Court of Justice (ICJ) – which was asked by Serbia in October 2008 to rule on whether the declaration was a breach of international law – has pronounced that Kosovo's declaration of independence is legal, which makes Kosovo's independence relatively well-established politically. While the ICJ's decision is a major setback for Belgrade, Prishtina hopes that the ICJ's opinion will provide a strong impetus for more countries to recognize its status.

Kosovars had high expectations that independence would be followed by rapid progress and development, particularly a swift improvement in their country's bleak economic position and dire social conditions. However, more than two-and-a-half years after independence, the picture is uninspiring and the progress expected by Kosovars has largely been absent.

Despite the declaration of independence, Kosovo remains at a crossroad and is labeled as an “unfinished state”. This is not only because general international recognition has not been secured but also because the Kosovo government is not in control of the whole of its territory, in which the presence of five international organizations – EULEX, the Kosovo Force (KFOR), the Organization for Security and Co-operation in Europe (OSCE), the International Civilian Office (ICO) and the United Nations Interim Administration Mission in Kosovo (UNMIK) – is still needed to support the development of a stable, European-oriented, multi-ethnic democracy. Kosovo’s fragile and incomplete peace is sustained by some 10,000 NATO troops, 1,700 international police, judges and prosecutors from the European Union, 200 international and 500 national OSCE staff members, and 200 ICO staff members.

As will be analyzed in this study, covering the period from the end of the war in June 1999 to July 2010 when the ICJ ruled on Kosovo’s declaration of independence, despite some visible successes in Kosovo over these years, many problems remain. The international presence has managed to create a reasonably stable democratic fundament which is largely accepted by Kosovars. It has also been possible to establish democratic political institutions and to hold free and fair elections. However, much remains to be done to develop a democratic political culture.

Unquestionably the greatest achievement since the end of the war in 1999 is the improved security situation and the considerable reduction in direct violence. This was demonstrated when there was no renewal of direct violence between Kosovo Albanians and Serbs at the time of Kosovo’s declaration of independence, despite the politically strained and emotional climate. Interethnic violence between the two ethnic communities is now rare. This positive development can be put down to the presence of UNMIK and primarily to the important stabilizing function of KFOR. However, while a growing readiness for coexistence has become apparent between Kosovo Albanians and Serbs in the Serb enclaves and areas of settlement in the south, this does not apply to Kosovo Serb dominated northern Kosovo where the political influence of the Serbian government over Kosovo Serbs remains strong. This continues to be the biggest security flashpoint.

While the international organizations have successfully managed to improve the security situation, the economic and social position of the country is still calamitous, and unemployment and poverty are Kosovo’s most intractable problems. Kosovo is the poorest country in Europe, with gross domestic product (GDP) per capita of just €1,759

in 2009. One in two Kosovars is without work and there is still no promise of improvement. More than half of the population lives on less than €1.42 a day. Kosovo also has the youngest population in Europe with 70 per cent below the age of 30. This means that every year about 30,000 young Kosovars enter a labor market that can offer them very limited prospects. The survival of many Kosovars is only secured by the remittances sent by the substantial Kosovar diaspora.

Thus, using peace and conflict theorist Johan Galtung's concept of structural, as opposed to direct, violence (See section 2.2), it may be said that direct violence has been curtailed, but structural violence (which Galtung describes as violence built into the structure of a society, which "shows up as unequal power and consequently as unequal life chances"¹) pervades the young state.

Against this background, this study will analyze the degree of direct and structural violence in Kosovo and will assess the extent to which Kosovo fulfills the state function of providing its people with security and welfare. The study will also analyze the extent to which Kosovo has moved beyond negative peace towards positive peace, which is more than the absence of war and violent conflict.

The research questions and hypotheses for this study have been developed on the basis of a systematic discussion of the relevant theoretical approaches and will be presented at the end of chapter two, which deals with these approaches.

The study is divided into six chapters. In chapter two, approaches to state functions and the issues surrounding peace and violence are discussed. The first section of this chapter dealing with state functions and fragile statehood is mainly based on the approaches of political theorist Ulrich Schneckener. The discussion of state functions makes it necessary first to define the terms "state" and "fragile state", and here various approaches are presented. After having discussed various definitions of states and fragile states, the chapter goes on to examine the state functions of providing security, welfare and legitimacy/rule of law. For each of the three functions, indicators are provided against which deficits in the particular state function can be assessed. Additionally, this chapter looks at different types of statehood, factors that destabilize

¹ Johan Galtung: Violence, Peace and Peace Research. Journal of Peace Research. Volume 6. No. 3. Oslo 1969. pp. 167–191. In: Matthew Evangelista (ed.): Peace Studies. Critical Concepts in Political Science. Routledge. New York 2005. p. 26.

states, factors that stabilize fragile states, the different national actors involved in creating stability or instability, threats arising from fragile statehood, international state-building strategies including its risks and side effects and the unintended consequences of international engagement. The chapter closes with some principles for international engagement in fragile states. The second section of the theoretical analysis of peace and violence is based on Johan Galtung's peace theory. First, the distinctions between direct, structural and cultural violence are addressed and second, definitions are given of negative and positive peace, on which this study draws. At the end of this chapter, the research questions and hypotheses for the study are formulated.

The empirical part of this study starts with chapter three, which begins with a delineation of the geographic and demographic characteristics of Kosovo. This is followed by an overview of historical developments in Kosovo in recent decades and an analysis of the economic situation. The chapter concludes with an analysis of the evolution of Kosovo's political system, including an account of the current political parties and non-parliamentary groups.

Chapter four analyzes the extent to which the security function is fulfilled and direct violence curtailed in Kosovo. Its first section assesses the security situation in the country, the second section analyzes the factors that threaten Kosovo's stability and the third section examines the tasks of the international and national security providers as well as their capabilities, successes and shortcomings in countering acts of direct violence and providing a safe and secure environment.

Chapter five evaluates the extent to which the welfare function is fulfilled in Kosovo and structural violence curtailed. The chapter consists of five sections. The first examines Kosovo's two most serious problems, unemployment and poverty, and reviews the impact of the state's social protection system on reducing poverty as compared with that of migration and remittances. In further sections, Kosovo's education and health systems are analyzed as well as the extent of social inequality in the country, with particular reference to young people, women, minorities and the rural population.

Chapter six summarizes the main results of the study. It discusses the dilemmas presented by the international involvement and its contribution to peace-building in the context of other missions, and raises the question whether democratization introduced from the outside can succeed at all.

The study uses a combination of empirical methods:

- Participant observation (informal interviews and field notes²)
- Unstructured interviews
- Semi-structured interviews
- Analysis of primary and secondary sources

Through participant observation, the researcher is able to observe and understand the interactions of people from the position of an insider. As a participant, the researcher must sustain access once it has been granted, and maintain relationships with people in the field. The relationship between the participant as observer and the people in the field setting is one of the key components of this method.³ Therefore, the author's tasks and responsibilities during her one-year field mission within the framework of KFOR from October 2006 to October 2007 were of considerable advantage. Essential information was gathered through informal interviews, resembling casual conversation, and unstructured interviews conducted with Kosovar political representatives and members of international organizations as well as with ordinary Kosovar citizens.

By participant observation, including informal interviewing combined with the development of field notes, and conducting unstructured interviews, a basis for semi-structured interviews and primary and secondary source analysis was laid.

A list of key questions was drawn up on the basis of which semi-structured interviews were conducted. Of these, 16 interviews were conducted with staff members of the UN Department of Peacekeeping Operations in New York between January and May 2009 and 18 interviews were conducted with Kosovar political representatives and primarily, the general public throughout Kosovo in September 2009.⁴ All interviews were conducted face-to-face, however when further information was required the follow-up interviews were done by phone or by e-mail. All semi-structured interviews were audio-recorded and transcribed for analysis purposes. Interviews with Kosovars were conducted in either English or German. When the interviewee did not speak either

² Russell H. Bernard: *Research Methods in Anthropology: Qualitative and Quantitative Approaches*. Alta Mira Press. Lanham 2006. Fourth Edition. p. 211.

³ Danny L. Jorgensen: *Participant Observation. A Methodology for Human Studies*. Applied Social Research Methods Series. Volume 15. Sage Publications. California 1989. pp. 20.

⁴ See list of interviewed people in chapter 9.2.

of these languages, his or her response was translated by an interpreter during the interview. Occasionally, where interview partners' ability to express themselves in English or German was limited, there have been minor corrections to grammar and phraseology to assist understanding.

Additionally, primary and secondary sources were analyzed on the basis of detailed document research. The relevant official documents such as the Kosovo Constitution, Kosovar laws and government documents as well as EU and UN resolutions and regulations have been included in this study.

Documents from the following Kosovar and international think tanks have been used: International Crisis Group (ICG), Jane's Sentinel Country Risk Assessments, Freedom House, European Stability Initiative (ESI), Kosovar Stability Initiative (IKS), and Kosovar Institute for Policy Research and Development (KIPRED). Another important source is studies by the United Nations Development Programme (UNDP) as well as the results of the periodically conducted UNDP polls.

Further documents, analyses, studies and reports – mostly available through the Internet – were analyzed from the following organizations: the UN Security Council, UNMIK, NATO/KFOR, the OSCE, the US State Department, the World Bank, the ICO and the European Union Special Representative in Kosovo (EUSR).

The main online news sources used in this study are: *Southeast European Times*, *New York Times*, *Die Presse*, *Der Standard*, *Die Zeit*, Reuters, B92, Radio Free Europe, Radio Television Kosovo (RTK) and EULEX Press Releases. Quotations from Albanian or German literature have been translated into English by the author.

The following nomenclature has been adopted in this study: As opposed to the Albanian forms “Kosovë” or “Kosova”, the form “Kosovo” is used throughout this study, following the usage of most English-language publications. For other Kosovan place names, UN practice is followed: both the Albanian and Serbian versions, divided by a slash, are used on all occasions.⁵ In this study, the term “Kosovar” embraces all inhabitants of Kosovo regardless of their ethnicity. For additional clarity, the author distinguishes where relevant between Kosovo Albanians and Kosovo Serbs.

⁵ UNMIK/REG/2000/43. 27 July 2000. On the number, names and boundaries of municipalities.

2 THEORETICAL APPROACHES TO STATE FUNCTIONS AND PEACE

2.1 State functions and fragile statehood

Theoretically, in the modern world, the state has to perform a twofold function as regards the political order: firstly, the state must organize and guarantee public order domestically within its defined territory and secondly, all states together represent the international system and, thus, the global order, which they must maintain collectively. Ineffective, weak, failing or failed states – which the German political theorist Ulrich Schneckener terms ‘fragile statehood’ – have the tendency to destabilize both functions and cause problems at the national, regional and global level. Indeed there are a number of states that are unable to provide basic public functions and services to their citizens and fall short of performing their duties and responsibilities as members of the international community. In other words, fragile states remain unstable, insecure, and prone to conflict – putting both the poor and the rich at risk.⁶

Fragile states are currently a hot topic for scholars, who have not only produced a substantial body of literature on such states, but also coined numerous terms such as ‘Quasi-states’, ‘Para-states’, ‘Anomic-states’, ‘Shadow-states’ or ‘Network-states’ to describe types of significant state failure and dysfunction and aspects of inadequate or missing service provision and governance in various states in Southeast- and East-Europe, Africa, Asia and Latin America.⁷ Fragile states are by no means a new phenomenon, however, Western governments have paid increasingly urgent attention to the problem since 11 September 2001. Until that day, fragile statehood was largely perceived by Western governments as of purely local importance, and best left to development experts and agencies to deal with. However, the events of 11 September demonstrated how dangerous failed states such as Afghanistan could be, not only to their own people, but to communities around the world, and the issue of fragile states became intrinsically tied to the field of international security policy. This led to a paradigm shift in security thinking and Western policy makers became aware that if

⁶ Ulrich Schneckener: *Fragile Statehood, Armed Non-State Actors and Security Governance*. In: Alan Bryden, Marina Caparini (eds.): *Private actors and security governance*. Lit. Zürich 2006. p. 23.

⁷ Ulrich Schneckener: *Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern*. Nomos. Baden-Baden 2006. p. 9.

local problems are ignored, they have the potential to produce global risks. The phenomenon of state fragility became a matter for international politics since such failure can impact beyond the borders of the directly affected state.

In this context, both the National Security Strategy of the United States and the European Security Strategy regard failing and failed states as a security threat to the US and the EU. The US National Security Strategy points out that “America is now threatened less by conquering states than ... by failing ones”⁸ and the European Security Strategy considers that “state failure is an alarming phenomenon that undermines global governance, and adds to regional instability.”⁹ However, to use Ulrich Schneckener’s terminology:

“Fragile states should not be understood as a threat per se, but as an enabling factor or a catalyst for potential threats and ... as an obstacle to solving key global security issues.”¹⁰

In this context, as the journal *Foreign Policy* rightly noted, it remains a challenge to work out which failed states are global security threats and which are simply tragedies for their own people.¹¹

The report “A more secure world” by the High-Level Panel, initiated by the former UN Secretary-General Kofi Annan, emphasizes that the problem of fragile statehood plays a central part in today’s pertinent security problems. The following six clusters of threats with which the world must be concerned, now and in the decades ahead, were identified by the Panel: (1) Economic and social threats, including poverty, infectious disease and environmental degradation; (2) Inter-State conflict; (3) Internal conflict, including civil war, genocide and other large-scale atrocities; (4) Nuclear, radiological, chemical and biological weapons; (5) Terrorism; and (6) Transnational organized crime.¹² In order to tackle these security problems, the international community needs to address the issue of fragile statehood at the same time. Ulrich Schneckener explains this connection between state institutions and the problems that

⁸ The National Security Strategy of the United States of America. Washington, DC 2002. p. 1.

⁹ European Security Strategy. A secure Europe in a better world. Brussels 2003. p. 4.

¹⁰ Ulrich Schneckener: Fragile Statehood, Armed Non-State Actors and Security Governance. In: Alan Bryden, Marina Caparini (eds.): Private actors and security governance. Lit. Zürich 2006. p. 24.

¹¹ Foreign Policy: The Failed States Index 2009. Online via Internet: URL: http://www.foreignpolicy.com/articles/2009/06/22/the_2009_failed_states_index [accessed 16 03 2010].

¹² Report of the Secretary-General’s High-level Panel on Threats, Challenges and Change. A more secure world: Our shared responsibility. United Nations. New York 2004. p. 23.

have to be addressed with the help of the following examples: the implementation of successful disaster-prevention policies is hardly possible without the involvement of state institutions. Likewise, fighting poverty and fairly distributing resources require a state framework. Furthermore, the containment of organized crime and the fight against transnational terrorist networks call for, among other things, state mechanisms of control and means of enforcement. Additionally, the reconciliation of regional conflicts and civil wars is directly linked to the creation of legitimate state structures. It follows that the stable social, economic, political and cultural development of a society is barely conceivable without the framework of a state. At the same time, without state monopoly of force there is the risk of a long-lasting civil war with spin-off consequences for other states.¹³ Given these considerations, the strengthening of state institutions – in other words, state-building – becomes increasingly important for security and development policy. However, before examining state functions and state-building, it is imperative first to define the “state” as well as the “fragile state”.

2.1.1 Defining the “state”

The term fragile statehood implies that there also exist forms of non-fragile, properly functioning, stable or consolidated statehood. The basis for the analysis of statehood is the modern state, as it initially developed in the seventeenth and eighteenth century in Europe. Currently prevalent notions of the state have been largely shaped by Max Weber. Therefore, this analysis starts with a Weberian definition of the state, namely that the state is “a human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory”¹⁴ – ‘territory’ is one of the characteristics of the state. Weber maintains that

“the right to use physical force is ascribed to other institutions or to individuals only to the extent to which the state permits it. The state is considered the sole source of the ‘right’ to use violence.”¹⁵

¹³ Ulrich Schneckenner: Fragile Statehood, Armed Non-State Actors and Security Governance. In: Alan Bryden, Marina Caparini (eds.): Private actors and security governance. Lit. Zürich 2006. p. 24.

¹⁴ Max Weber: Politics as a Vocation. Online via Internet: URL: <http://www.sscnet.ucla.edu/polisci/ethos/Weber-vocation.pdf> [accessed 16 03 2010]. Originally a lecture given at Munich University in 1918. Italics retained from the original.

¹⁵ Ibid.

In other words, the state is sovereign, meaning that no political authority exists above it. The legitimate institutions that Weber mentions are the military and the police, the bureaucracy and courts.¹⁶ However, not only public, but also private actors and institutions can use force as long as they are authorized by the state to do so.

Legal and political philosopher Georg Jellinek holds that the state is characterized by three elements. In his *Allgemeine Staatslehre* (General Theory of the State), published in 1900, he argues that the principal elements necessary to any state are territory, nation and government (ruling power).¹⁷

While Georg Jellinek's "three-element theory" is well known in the German literature, the Montevideo Convention on the Rights and Duties of the State is internationally prevalent. This convention, signed on 26 December 1933 at Montevideo, Uruguay and entering into force one year later, established the standard definition of a state under international law, which is set out in Article 1. In contrast to Jellinek's definition, the convention refers to four necessary elements of a state:

"The state as a person of international law should possess the following qualifications: a) a permanent population; b) a defined territory; c) government; and d) capacity to enter into relations with the other states."¹⁸

Additionally, Article 3 of the convention states that "the political existence of the state is independent of recognition by the other states" (known as the declarative theory of statehood). In contrast to the declarative theory of statehood stands the constitutive theory of statehood which refers to recognition by other states as a requirement for statehood.¹⁹

The Arbitration Commission of the European Community's Conference for Peace in Yugoslavia (Badinter Arbitration Committee), which was in place between 1991 and 1993 in order to provide the Conference on Yugoslavia with legal advice, follows the Montevideo Convention in its definition of a state. The committee rendered 15 legal opinions on the break-up of the Socialist Federal Republic of Yugoslavia. The Badinter Arbitration Committee Opinion No. 1 states that:

¹⁶ Max Weber: *Wirtschaft und Gesellschaft. Grundriss der verstehenden Soziologie*. JCB. Mohr. Tübingen 1980. Fifth Edition. pp. 825.

¹⁷ Friedrich Koja: *Allgemeine Staatslehre*. Manz. Vienna 1993. p. 10.

¹⁸ Montevideo Convention on Rights and Duties of States. 26 December 1933.

¹⁹ Gerard Kreijen: *State Failure, Sovereignty and Effectiveness*. Martinus Nijhoff Publishers. Leiden 2004. p. 16.

“the State is commonly defined as a community which consists of a territory and a population subject to an organized political authority; that such a State is characterized by sovereignty.”²⁰

The committee also considered that the existence or disappearance of the state is a question of fact and that the effects of recognition by other states are purely declaratory.

Moreover, the state contains an empirical and a juridical aspect, thus entities can be states either *de facto* or *de jure*. Empirical sovereignty, also called internal sovereignty, is defined as “the state’s actual physical ability to control territory, expropriate the means of violence, administer the population, and shape social and political life.”²¹ By contrast, juridical sovereignty, also known as external sovereignty,

“is the theoretical right states have to do such things, and this is achieved through diplomatic practices, treaties, and international norms. States earn empirical sovereignty, conversely, through physical violence, control, and administration.”²²

In other words, juridical sovereignty refers to external recognition by other members of the international system; thus only states that possess juridical sovereignty may enter into international agreements and can be admitted to international organizations, such as the United Nations. Due to the aspects of international and diplomatic relations, various scholars, such as Ulrich Schneckener, Robert Jackson and Carl Rosberg, underline that juridical statehood is more important than empirical statehood.²³

In practice, there are a number of postcolonial states that have been recognized as having a *de jure* claim to that territory by at least one other generally recognized nation, but lack empirical preconditions. On the other hand, there are entities with complete or partial control over their territory that are *de facto* self-governing, but are not fully recognized internationally for political reasons (for instance Somaliland, Transnistria, Kosovo, and Northern Cyprus).

²⁰ Conference on Yugoslavia Arbitration Commission: Opinions on questions arising from the dissolution of Yugoslavia. Online via Internet: URL: <http://www.la.wayne.edu/polisci/dubrovnik/readings/badinter.pdf> [accessed 17 03 2010].

²¹ James Ron: *Frontiers and Ghettos. State violence in Serbia and Israel*. University of California Press. Berkeley, California 2003. p. 23.

²² *Ibid.* p. 23.

²³ Compare Ulrich Schneckener: *Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern*. Nomos. Baden-Baden 2006. p. 18.
Robert Jackson. Carl Rosberg: *Why Africa’s Weak States Persist: The Empirical and the Juridical in Statehood*. *World Politics* 35. No. 1. October 1982. Cited in: Gerard Kreijen: *State Failure, Sovereignty and Effectiveness*. Martinus Nijhoff Publishers. Leiden 2004. p. 52.

In addition to the preceding analysis, which primarily concentrated on the “older” discussion concerning the criteria for statehood, this study will focus on the “newer” theoretical approach, explained in section 2.1.3, that Ulrich Schneckener uses to explicate the core of modern statehood.

2.1.2 Defining the “fragile state”

Theorizing about fragile states is a challenge, because of the plethora of terms used to describe them and measures of their degree of fragility. However, despite this substantial body of literature, there is no universal definition of fragile states. Most scholars and organizations characterize fragile states according to their capacity or willingness to provide goods and public services. There are also various indicators used to measure state fragility and create failed-states indexes and rankings. Just as there is no universal definition, there is also no universally agreed list of fragile states. Depending on the definition used, there are anywhere between 30 and 50 of them, with many moving in and out of fragility. Fragile states are estimated to contain around 14 per cent of the world’s population but to account for nearly 30 per cent of those living on less than US\$1 a day.²⁴ Moreover, Paul Collier estimated that “the cost of a single failing state over its entire history of failure, to itself and its neighbors, is around \$100 billion.”²⁵

One of the best-known indexes is the Failed States Index, which is jointly compiled by The Fund for Peace, an independent research organization, and the journal *Foreign Policy*. The Failed States Index is based on 12 indicators of state cohesion and performance – classified into social, economic and political areas – and ranks the assessed countries into the four categories of “alert”, “warning”, “moderate” and “sustainable”. The latest Failed States Index of 2009 ranks 177 countries of which 38 are assigned to the category “alert” and 93 to the category “warning”.²⁶ The 38 states in the “alert” category could also be called fragile states.

²⁴ United Kingdom’s Department for International Development: Drivers of fragility: What makes states fragile? Working Paper No. 7. April 2005. p. 5.

²⁵ Paul Collier: *The Bottom Billion. Why the poorest countries are failing and what can be done about it.* Oxford University Press. Oxford 2007. p. 74.

²⁶ The Fund for Peace: Failed States Index Scores 2009. Online via Internet: URL: http://www.fundforpeace.org/web/index.php?option=com_content&task=view&id=391&Itemid=549 [accessed 30 03 2010].

The United Kingdom's Department for International Development (DFID) and the Organization for Economic Cooperation and Development (OECD) have comparable definitions of fragile states, which concentrate on service provision. DFID's definition of fragile states covers "states where the government cannot or will not deliver core functions to its people."²⁷ The most important functions of the state considered by DFID are: territorial control; safety and security; management of public resources; delivery of basic services; and protection and support for the ways in which the poorest people sustain themselves. The OECD Development Assistance Committee identifies 43 fragile states, and according to their 2007 definition, states are fragile when

"state structures lack political will and/or capacity to provide the basic functions needed for poverty reduction, development and to safeguard the security and human rights of their populations."²⁸

This definition has subsequently been modified to a state that is "unable to meet its population's expectations or manage changes in expectations and capacity through the political process."²⁹

Canada's Country Indicators for Foreign Policy focuses on three fundamental components needed for the state to function properly: authority, capacity and legitimacy. The degree of fragility of a state is measured by the extent to which the actual characteristics of a state differ from the ideal.³⁰ Hence, fragile states

"lack the functional authority to provide basic security within their borders, the institutional capacity to provide basic social needs for their populations, and the political legitimacy to effectively represent their citizens at home and abroad."³¹

The United States Agency for International Development (USAID) applies the term fragile state to "a broad range of failing, failed, and recovering states". USAID holds that it is more important to understand how far and quickly a country is moving from or toward stability than it is to categorize a state as failed or not. Therefore,

²⁷ United Kingdom's Department for International Development: Fragile States. Definition. Online via Internet: URL: <http://www.dfid.gov.uk/About-DFID/Finance-and-performance/Making-DFIDs-Aid-more-effective/How-we-give-aid/Fragile-states/> [accessed 30 03 2010].

²⁸ OECD: Concepts and Dilemmas of State Building in Fragile Situations. From Fragility to Resilience. 2008. p. 16.

²⁹ Ibid.

³⁰ David Carment. Yiagadeesen Samy: An increasingly fragile world. Carleton University. Canada 2010. Online via Internet: URL: <http://www.carleton.ca/cifp/app/serve.php/1270.pdf> [accessed 30 03 2010].

³¹ Country Indicators for Foreign Policy: Extent and Sources of State fragility and Failure. Core factors in fragility and failure. Online via Internet: URL: <http://www.carleton.ca/cifp/> [accessed 30 03 2010].

USAID's strategy differentiates between "fragile states that are vulnerable from those that are already in crisis". Vulnerable states are those states that are

"unable or unwilling to adequately assure the provision of security and basic services to significant portions of their populations and where the legitimacy of the government is in question. This includes states that are failing or recovering from crisis."

while states in crisis are those states

"where the central government does not exert effective control over its own territory or is unable or unwilling to assure the provision of vital services to significant parts of its territory, where legitimacy of the government is weak or nonexistent, and where violent conflict is a reality or a great risk."³²

The World Bank's definition of fragile states was first adopted in 2008, replacing the classification "Low Income Countries Under Stress". The World Bank applies the term fragile state to "countries facing particularly severe development challenges: weak institutional capacity, poor governance, and political instability."³³ Their definition of fragile states covers low income countries with a Country Policy and Institutional Assessment (CPIA) score of 3.2 or below. Countries are considered core fragile states if their CPIA is below 3.0. Countries are considered marginal fragile states if their CPIA score is between 3.0 and 3.2. This involves around thirty countries.

According to Tobias Debiel a properly functioning state will fulfill six core functions: security governance; political governance; judicial governance; administrative governance; social governance and economic governance. Hence, fragile states are

"hobbled by marked deficits in producing these 'goods' and this in turn implies that the population will as a rule have to contend with a severe lack of security and basic social services."³⁴

³² USAID: Fragile States Strategy. January 2005. p. 1.

³³ The World Bank: Fragile and Conflict-Affected Countries. Online via Internet: <http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/STRATEGIES/EXTLICUS/0,,contentMDK:22230573~pagePK:64171531~menuPK:4448982~piPK:64171507~theSitePK:511778,00.html> [accessed 30 03 2010].

³⁴ Tobias Debiel: Dealing with fragile states. Entry points and approaches for development cooperation. Center for Development Research. Discussion Papers on Development Policy No. 101. Bonn 2005. pp. 4.

Due to the large number of countries affected, he distinguishes between two subtypes: unstable states and states at risk or failing states. Moreover, Debiel makes the important emphasis that

“the term ‘fragile states’ does not cover failed states whose public institutions have come close to total collapse and which are virtually unable to provide services. However, a country in the process of ‘recovering’ from armed conflict or near collapse will again fall under the category of ‘fragile states’.”³⁵

From the foregoing it is clear that there is a range of ways to define, measure and rank fragile states; nevertheless there is significant overlap. For the purpose of this study, a broad approach is used that aims to take account of most of the relevant definitions. However, it will particularly focus on the approach of Ulrich Schneckener, who defines fragile statehood in terms of “state structures and institutions which have severe deficits in performing key tasks and functions vis-à-vis their citizens”, and thus “fragile states are characterized by deficits in governance, control and legitimacy.”³⁶ Ulrich Schneckener’s definition is chosen in order to be in line with his definitions of the three basic state functions, which will be analyzed in our case study of Kosovo.

2.1.3 Core functions of the state according to Ulrich Schneckener

Ulrich Schneckener’s definition of fragile states demonstrates the need to distinguish between the terms statehood and state, and this study will likewise use the term statehood to avoid restricting the analysis simply to the state, characterized by the government and its bureaucratic apparatus. By contrast, statehood encompasses a range of actors such as political parties and public institutions as well as different levels of governance such as sub-national and local. Therefore, statehood is a functional term that focuses on core state functions, on the political decision-making process and on the implementation of decisions as well as on the political order in general.³⁷

This section focuses on Ulrich Schneckener’s interpretation of the characteristics of a state, which can be described as “new” in comparison with some of the “old” theoretical approaches presented above. In order to analyze the different forms and the

³⁵ Ibid.

³⁶ Ulrich Schneckener: *Fragile Statehood, Armed Non-State Actors and Security Governance*. In: Alan Bryden, Marina Caparini (eds.): *Private actors and security governance*. Lit. Zürich 2006. p. 31.

³⁷ Ibid.

scale of fragile statehood, Ulrich Schneckener distinguishes three basic state functions constituting the core of the modern state. His approach is based on the studies of Jennifer Milliken and Keith Krause, who describe the three core functions of a state as security, representation and welfare.³⁸ The functions distinguished by Ulrich Schneckener are security, welfare and legitimacy/rule of law, and he suggests that generally, a sustainable state can only be expected when all three functions are fully developed. Thus Schneckener's approach goes beyond the mere focus on the state's monopoly of the use of force and this allows authoritarian and semi-authoritarian regimes, such as North Korea, Cuba, Uzbekistan or Belarus, to be considered as fragile states, although they are generally classified as "strong" due to their military capability. Such regimes may generally be to some extent stable since they are able to exercise their monopoly of force. However, their considerable deficits in terms of the political order and public service provision are not expected to improve but rather lead to a gradual collapse of the state in certain circumstances (for instance after the death of the ruling dictator). Hence, regime stability cannot be equated with state stability. The continued existence of certain regimes is in many cases a danger to statehood since they undermine the core of the state by authoritarian, feudal or clientelistic structures.

A number of relevant indicators for each of the three functions can be applied to assess the degree of erosion of statehood. Some of these are based on quantitative data such as the Human Development Index, the Corruption Perception Index compiled by Transparency International, the Freedom House Index of political freedom and civil liberties or the World Bank's Governance Indicators. However, in order to analyze state collapse or non-existence of a function, multiple indicators have to be assessed as negative as discussed below.

2.1.3.1 Security

A basic state function is the provision of security for its citizens – in terms of both internal and external security. The core of this function is the control of the territory by means of the state's monopoly of the use of force expressed in the enforcement of state control over natural resources and in the existence of a national army and police force to contain local conflicts and to disarm non-state armed groups. The state has to maintain

³⁸ Jennifer Milliken: State failure, collapse and reconstruction. Blackwell. Malden 2003. pp. 4.

its monopoly on the use of force as well as its monopoly on raising taxes and revenues. The monopoly on the use of force must not be misused or threaten the citizens in general or particular groups of citizens. The following indicators are used to assess deficits in the security function:³⁹

- degree of control over the integrity of national territory
- degree of control of external borders
- presence of continuing or recurring violent conflicts
- number and political relevance of non-state armed groups
- condition of the state's security apparatus
- degree of crime and development of crime rates
- level of threat emanating from the state organs against the citizens (for instance use of torture or massacre)

Human Security

Since the state often fails to fulfill its security obligations and sometimes even becomes a threat to its own people, attention must shift from the traditional concept of national or state security to the security of the people – “human security”.⁴⁰ Whereas Ulrich Schneekener in his analysis of state functions only focuses on national security, this study aims to highlight the particular importance of human security.

To begin with, it is crucial to emphasize that both concepts of security are interdependent in the sense that without national security, human security cannot be achieved, and vice versa. While national security concentrates on the defense of the state from external attack, human security is “people-centered” and emphasizes the protection of individuals and communities from a broad range of threats. The concept of human security was officially introduced in the United Nations' 1994 Human Development Report. The shift away from the traditional concept of national security came about because of rising intra-state conflicts in the second half of the twentieth century. According to the 1994 Human Development Report, human security means:

³⁹ Ulrich Schneekener: *Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern*. Nomos. Baden-Baden 2006. p. 22.

⁴⁰ Commission on Human Security: *Human Security Now*. New York 2003. p. 2.

“first, safety from such chronic threats as hunger, disease and repression. And second, it means protection from sudden and hurtful disruptions in the patterns of daily life – whether in homes, in jobs or in communities.”⁴¹

A more recent definition is given by the Commission on Human Security in its 2003 report “Human Security Now”. There human security is defined as the protection of “the vital core of all human lives in ways that enhance human freedoms and human fulfillment.”⁴² The 1994 Human Development Report highlights two major components of human security: “freedom from fear” and “freedom from want”. The Commission adds “freedom to take action on one’s own behalf”.⁴³ Consequently, human security is more than simply the absence of violent conflict. The Human Development Report identifies seven categories of human security: economic security, food security, health security, environmental security, personal security, community security and political security. Although it is important that human security is not confused with human development, both concepts are deeply interconnected: progress in one field adds to the chances of progress in the other. Finally, human security is important since it complements national security, enhances human rights and strengthens human development.⁴⁴ To achieve the goals of human security, the Commission proposes a framework based on empowerment and protection of people.

2.1.3.2 Welfare

Welfare is the provision of basic public goods and services as well as mechanisms for the distribution of economic resources – both traditionally financed by state revenues (customs, taxes, fees and dues). The welfare function thus covers the entirety of state activities in the areas of social and economic policy, employment, education, healthcare and environmental protection policy as well as management of resources and the development and maintenance of the public infrastructure. In order to measure deficits in this function, the following indicators need to be looked at:⁴⁵

⁴¹ UNDP: Human Development Report 1994. Oxford University Press. New York 1994. p. 23.

⁴² Commission on Human Security: Human Security Now. New York 2003. p. 4.

⁴³ Ibid. p. 10.

⁴⁴ Ibid. pp. 2.

⁴⁵ Ulrich Schneekener: Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern. Nomos. Baden-Baden 2006. p. 22.

- degree to which particular groups in the population have access to economic resources
- degree of continuing economic and/or financial crises (for instance state pension crisis)
- adequacy of state revenues and expenditures
- gap between poor and rich (urban–rural divide)
- level of unemployment or employment
- inequalities in human development (human development index)
- condition of public social protection systems
- condition of the educational and healthcare system
- condition of the public infrastructure
- degree of significant environmental problems (for instance shortage of water)

2.1.3.3 Legitimacy/rule of law

The state should be able to claim legitimacy by being organized in a way that ensures: forms of political participation, legitimacy of decision-making processes, stability of political institutions, rule of law, justice, and effective and accountable public administration. Indicators of state failure in this function include:⁴⁶

- limited political freedom
- limited political participation
- repression of opposition groups
- election fraud
- systematic exclusion of certain groups from decision-making and political participation
- human rights violations
- rejection of the political regime or the political order
- no independent court and legal system
- self-administered justice
- ineffective public administration
- level of corruption and clientelism

⁴⁶ Ulrich Schneckener: *Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern*. Nomos. Baden-Baden 2006. pp. 22.

2.1.4 Types of statehood

Various types of statehood can be differentiated on the basis of capability to perform core functions. The classification is mainly based on the particular state's performance of the security function. However, state functions are interdependent, meaning that without reasonably secure conditions, it would be hard to achieve development in the other two functions. As former United Nations Secretary General Kofi Annan stated:

“In an increasingly interconnected world, progress in the areas of development, security and human rights must go hand in hand. There will be no development without security and no security without development.”⁴⁷

Hence, providing security – which is an essential, though not sufficient, prerequisite for strengthening fragile states – is a crucial requirement for the development of welfare and legitimacy/rule of law. Severe deficits in the welfare and legitimacy functions are most likely to have direct repercussions on the security situation. A country which has a negative performance in the welfare and legitimacy function is very unlikely to have a stable security situation because conflicts between executive bodies and society are unavoidable. Various state types are put forward by different authors; Robert Rotberg, for instance, refers to strong, weak, failed and collapsed states,⁴⁸ while Ulrich Schneckener differentiates between consolidated or consolidating statehood, weak statehood, failing statehood and failed or collapsed statehood.⁴⁹ At the positive end of the spectrum there is the fully functioning modern nation state, which fulfills all the functions, while at the negative end, there is the failed state. However, it is not always possible to categorize a particular country exactly according to the four state types; in reality, mixed state types exist. Each type of statehood has specific implications for the relationship between state and armed non-state actors as well as for the opportunities presented to armed non-state actors.

⁴⁷ United Nations General Assembly: In Larger Freedom. Towards Development, Security and Human Rights for All. Report of the Secretary-General. 21 March 2005. p.55.

⁴⁸ Robert Rotberg: State Failure and State Weakness in a Time of Terror. Brookings Institution Press. Washington 2003. pp. 4.

⁴⁹ Compare Ulrich Schneckener: Fragile Statehood, Armed Non-State Actors and Security Governance. In: Alan Bryden, Marina Caparini (eds.): Private actors and security governance. Lit. Zürich 2006. pp. 32. Ulrich Schneckener: Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern. Nomos. Baden-Baden 2006. pp. 23.

2.1.4.1 Consolidated or consolidating statehood

Ulrich Schneckener's category of consolidated or consolidating statehood applies to countries where all three state functions have been satisfactorily performed over a prolonged period. These countries include the modern democracies of the western industrialized countries as well as those states that became OECD members in the mid-1990s (Korea, Poland, Hungary, Czech Republic and Slovak Republic). In addition, there are a number of non-OECD countries such as Costa Rica, Chile, Uruguay, the Baltic States or Slovenia, which are consolidating despite sporadic crises. These states are undergoing a transformation process from an authoritarian regime towards a democratically constituted state with market economies or have already successfully passed this stage (particularly in Southern and Central Europe and to some extent Latin America and East Asia). All in all, at the beginning of the twenty-first century there are more consolidated states in absolute numbers than ever before.

2.1.4.2 Weak statehood

Weak statehood is characterized by shortcomings in the welfare and/or the legitimacy/rule of law functions while the state's security function is performed more or less effectively. In short, the government and its apparatus are not able to provide sufficient public services and/or they suffer from severe legitimacy problems. Countries with weak statehood can be found in almost all regions; examples include countries in Southeast Europe (Former Yugoslav Republic of Macedonia and Albania), Northern Africa (Egypt), the Middle East (Saudi Arabia, Jordan, Iran) and some states in Sub-Saharan Africa (Zimbabwe, Kenya, Zambia) and Latin America (Venezuela, Bolivia, Peru). As demonstrated by these examples, this category often comprises authoritarian or semi-authoritarian regimes that appear strong through their monopoly of the use of force, however are quite weak as regards the provision of public services and their political and administrative systems, including the rule of law.

Weak states are more threatened by domestic criminal and terrorist groups than by rebels, clan chiefs or warlords. Furthermore, in some cases militias or paramilitary groups, organized by state authorities, may become important to suppress regime opponents or minority groups. All in all, security governance is still very much established, controlled and financed by state institutions (known as "security

governance through government”), but nevertheless often executed ineffectively – due to widespread corruption – and characterized by human rights violations.

2.1.4.3 Failing statehood

Failing statehood means that the state is no longer or has never been able to ensure the security of its population. The monopoly of the use of force, the exclusive control of resources and provision of security is either gravely limited or completely absent, while the state nevertheless possesses some control in at least one of the other two functions. Examples include Algeria, Colombia, Sri Lanka, the Philippines, Indonesia, Nepal, Yemen, Pakistan or Georgia. These states do not entirely control their territory, and are mainly characterized by armed regional conflicts where violent non-state actors occupy and control certain regions. However, these states still deliver public services to the majority of the population and still have some degree of political legitimacy. Depending on the individual case, security governance involves a range of armed non-state actors; the government and its security apparatus is just one player among others (known as ‘security governance beyond government’). Moreover, failing statehood provides favorable conditions for transnational criminal and terrorist networks, which benefit from the security gap and the state’s lack of control.

2.1.4.4 Failed or collapsed statehood

Failed or collapsed statehood implies that none of the three state functions is carried out effectively; in other words statehood as such has collapsed. A central government may still exist, however it has hardly any impact since it lacks resources, capabilities and power. Examples of failed statehood are war-torn countries such as Somalia, Afghanistan, the Democratic Republic of Congo, Sierra Leone and Liberia. In the past, Angola, Tajikistan and Lebanon also belonged to this category. However, this category does not include those countries that collapsed and formed new states from a predecessor state. In this case state dissolution finally leads to state-building. This may proceed peacefully and amicably (for instance in the Soviet Union in 1991, in Czechoslovakia in 1993 or in Eritrea in 1991) or involve violence leading to a military conflict (just as in Yugoslavia or Pakistan/Bangladesh). Compared to the other state types, this condition is also known as “security governance without government”. The country is mainly subjugated by relatively dominant and powerful armed non-state

actors who rule not only regions and townships, but may also have power over natural resources, trade and businesses as well as international humanitarian aid. They act as the central security providers, depending mainly on violence, repression and intimidation, but sometimes also on popular support. Under these conditions, the presence of warlords, mercenaries, criminals or marauders is particularly significant. However, failed statehood is not tantamount to chaos or anarchy; it rather implies that the state-run political order is replaced by a fragile and contested form of political order established by a number of different non-state actors.⁵⁰

Based on the discussion above, the criteria for the classification of state types are represented in Table 1.

Table 1: Types of statehood

(+: Function is fulfilled; +/-: Function is reasonably fulfilled; -/+: Function is rudimentarily fulfilled; -: Function is not fulfilled; N.N.: All combinations possible)

	Security	Welfare	Legitimacy/ Rule of law
Type 1: Consolidated statehood	+	+ or +/-	+ or +/-
Type 2: Weak statehood	+/-	N.N.	N.N.
Type 3: Failing statehood	-/+	N.N.	N.N.
Type 4: Failed statehood	-	-	-

Source: Ulrich Schneckener: *Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern.* Nomos. Baden-Baden 2006. pp. 26.

It can now be assumed that a country's stability gradually declines from type 1 to type 4 while the level of violence or degree of insecurity increases. However, it needs to be understood that this assumption says little about the potential for violence and conflict within a society. It is definitely possible for there to be a greater potential for conflict in a "weak state" than there is in a "failing" or "failed state" although this has not led to any use of violence so far. Further, this classification model does not constitute stages that have to be passed through by any particular country. It is definitely possible for countries of type 2 to turn directly into countries of type 4 or vice versa.

⁵⁰ Compare Ulrich Schneckener: *Fragile Statehood, Armed Non-State Actors and Security Governance.* In: Alan Bryden, Marina Caparini (eds.): *Private actors and security governance.* Lit. Zürich 2006. pp. 32.

2.1.5 Destabilizing factors for statehood

To improve understanding of fragile states, it is important to know the factors that drive fragility. Fragile statehood has a variety of causes, which have to be analyzed separately in each individual case. The increasing need for evaluating the causes and consequences of fragile statehood has led to the emergence of various indices and indicators aimed at measuring the phenomenon. DFID, for instance, identifies weak political institutions as the central driver of fragility. Other drivers are: problems associated with economic development and natural resources; violent conflict; transitions; external shocks; geographical and climatological factors and disease as well as the international system.⁵¹ Volker Matthies classifies this large number of factors by differentiating between structural, process and triggering factors.⁵² Ulrich Schneckener's analysis of the reasons for erosion of statehood is based on the same factors, found at three different levels: the international and regional (macro) level, the national (meso) level and the sub-national (micro) level.

At the macro level are factors arising from the relation between the country concerned and its international and regional environment, for example the activities of external actors, and global and regional political developments affecting the country. Factors at the national or meso level arise from the relation between the state and society or social groups within society, with the activities and disposition of the society's elites playing a decisive role. Ulrich Schneckener regards these factors as pivotal for the analysis of state failure. The sub-national or micro level concerns the relation between the state and sub-national actors such as regions, municipalities or local population groups.⁵³

2.1.5.1 Structural factors

Structural factors – also known as “root causes” or “background factors” – are conditions which result from natural features of a country (such as mineral resources or climate) and long-term political, cultural and socio-economic characteristics (ethnic

⁵¹ United Kingdom's Department for International Development: Drivers of fragility: What makes states fragile? Working Paper No. 7. April 2005.

⁵² Volker Matthies: Krisenprävention. Vorbeugen ist besser als Heilen. Leske und Budrich. Opladen 2000. p. 37.

⁵³ Ulrich Schneckener: Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern. Nomos. Baden-Baden 2006. pp. 26.

diversity, demographic development, “colonial legacy”, regional power constellations). According to Matthies, structural factors point to the existence of the potential for conflict and violence. The de facto outbreak of violent conflict, however, is dependent on the process factors. Structural factors conducive to violent conflict include: unequal life and development opportunities; poverty and social inequality; disproportionate distribution of scarce resources; repression; lack of opportunities for political participation; discrimination and exclusion of certain groups; lack of effective institutions and processes for peaceful transfer and distribution of power as well as social stress and insecurity due to far reaching processes of transformation.⁵⁴

2.1.5.2 Process factors

Process factors – also known as “aggravating factors” or “accelerators” – are conditions which in the medium term (five to ten years) spur and further the erosion of statehood. In contrast to structural factors, the focus here is on the response of the actors involved (in particular of the elites) to internal or external crises. Examples of process factors are: political instrumentalization of social discontent or of ethnic/cultural differences; increase of political or religious extremism, repression by the state, corruption and mismanagement, separatist tendencies and economic crises.⁵⁵

2.1.5.3 Triggering factors

Triggering factors are occurrences that precipitate an abrupt deterioration within days or weeks. They may arise out of longer-term developments, but have a sudden catalytic effect. Some examples of triggering factors are: military intervention by external actors; military coups and revolutions; outbreak of civil war; massive measures of repression (massacres of the opposition); social unrest, infiltration of weapons; cross-border refugee flows and famine.⁵⁶

⁵⁴ Volker Matthies: *Krisenprävention. Vorbeugen ist besser als Heilen*. Leske und Budrich. Opladen 2000. p. 37.

⁵⁵ Ulrich Schneckener: *Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern*. Nomos. Baden-Baden 2006. pp. 27.

⁵⁶ *Ibid.* p. 28.

2.1.6 Stabilizing factors for fragile statehood

Fragile states do not inevitably collapse. Despite their shortcomings and deficits, some can be quite stable, albeit functioning at a relatively low level. In some cases, deficits in statehood and governance persist over decades, and may even intensify on occasion, without causing a complete breakdown of state structures. Fragile states possess some degree of stability though this is likely to be vulnerable to crises and conflicts. The so-called stabilizing factors in operation involve a range of social practices and political mechanisms, often developed by ruling elites, which on the one hand serve to maintain their power but on the other hand also maintain the state structures. These practices include: political patronage and clientelism and neo-patrimonial structures – meaning that powerful “patrons” try to woo relatively powerless and poor “clients” with benefits in exchange for votes; cooptation of certain groups into the elite; forms of power-sharing which offer access to economic resources and political participation to certain social groups; the mobilization of traditional structures and informal practices of self-organization (for instance ethnic networks) to maintain basic functions; the inauguration of “quasi-reforms” where there is no real intention to bring about fundamental change; and the use of repression. Such strategies do not give rise to sustainable statehood or development, but are rather an integral part of the dilemma. The challenge is to transform or remove them in a way that does not add to tensions and instability. Furthermore, in most cases, a transformation and reformation of statehood would require elites and other privileged groups to renounce some of their power and privileges. This issue becomes even more complex when armed actors are involved.⁵⁷

2.1.7 National actors⁵⁸

To assess the strategies for external intervention in the affairs of a fragile state, it is essential to identify and analyze the role of the most important local individuals and groups. The national actors’ interests and influence are of key importance since they may either support external reforms in their own interest, or block them entirely. The following questions have to be taken into consideration: What is the national actors’

⁵⁷ Ulrich Schneekener: *Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern*. Nomos. Baden-Baden 2006. pp. 30.

⁵⁸ Schneekener uses the term “local actors.” In this study, “local” is replaced by “national” since it has a negative and pejorative connotation. “Nationals” are an important part of each international mission and execute essential duties that are necessary for the international operations.

concept of statehood? Who is interested in reforms aimed at consolidating state structures? Who, in contrast, benefits from a weak statehood? Who is virtually promoting the erosion of statehood? How effectively can the respective actors achieve their goals? To what extent are the actors supported by the population? With whom should external actors cooperate to reform and transform statehood?

Tobias Debiel and Ulf Terlinden distinguish between three types of relevant national actors: reformers, preservers and spoilers or veto actors.⁵⁹ Ulrich Schneckener draws on their analysis, suggesting the classifications: change agents, status-quo actors and spoilers that will be examined below.⁶⁰

2.1.7.1 Change agents

As the term implies, change agents are social actors that want to change the status quo in order to remedy grievances and reform state structures. However, change agents are a heterogeneous group within which there can be different views on the state and its society. Therefore, change agents' goals as well as the extent of their objectives can vary, though they share a dismissive attitude towards the incumbent rulers. They do not only include western-oriented reformers but also civil society representatives, public officials, journalists and others.

2.1.7.2 Status-quo actors

This group, either driven by their own interests or encouraged by those in power whom they serve, aims at securing and consolidating the status quo. They have already made their careers within the existing system, benefit from the current situation and fear to lose their power, income, status or privileges. Status-quo actors can be found almost everywhere; whether in the bureaucracy, in the executive branch, in political parties or in the economy and include actors who are able to block changes simply by ignoring them or interposing obstacles. Heads of state or government may act as "blockers", as may the army leadership or leaders of political parties or groups. Status-quo actors may easily be induced to join one of the other groups of either change agents or spoilers, particularly in unstable times of major change. Flexible status-quo actors who perceive

⁵⁹ Tobias Debiel. Ulf Terlinden: Promoting Good Governance in Post-Conflict Societies. Discussion Paper. Gesellschaft für Technische Zusammenarbeit (GTZ). Eschborn 2005. pp. 5.

⁶⁰ Ulrich Schneckener: Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern. Nomos. Baden-Baden 2006. pp. 31.

that they could profit from change may join forces with the change agents, while others who fear to lose their position may ally with the spoilers.

2.1.7.3 Spoilers

According to a definition used by Stephen John Stedman, spoilers are

“leaders and parties who believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it.”⁶¹

Ulrich Schneckener follows this approach and identifies spoilers as actors

“who have the potential to disturb, undermine, or completely truncate processes of post-conflict state building, leading to violence flare-ups ... [and] constantly question the concept of the state’s monopoly of the use of force.”⁶²

Typical spoilers can be armed non-state groups as well as religious or traditional authorities and external actors (neighboring countries and transnational criminal networks) that have an interest in destabilizing the country.

Additionally, Stephen John Stedman distinguishes between spoilers inside and outside a peace process. An inside spoiler may sign a peace agreement and indicate readiness to realize a settlement, but was not negotiating seriously or in the end refuses to implement key obligations under the agreement. Outside spoilers are parties that are excluded from a peace process or who exclude themselves, and use violence to attack it. While inside spoilers use strategies of stealth, outside spoilers often use strategies of violence.

Two examples of spoilers’ accomplishments can be found in Angola in 1992 and Rwanda in 1994. In both cases, the victims of the failed peace were much more numerous than the casualties of the preceding war. The success or failure of spoilers can be influenced by the international actors involved. Where they have developed and implemented effective strategies for dealing with spoilers, damage has been limited and peace has prevailed. However, where international actors have not succeeded in creating

⁶¹ Stephen Stedman: Spoiler Problems in Peace Processes. In: International Security. Volume 22. No. 2/1997. pp. 5–53.

⁶² Ulrich Schneckener: Spoilers or Governance Actors? Engaging Armed Non-State Groups in Areas of Limited Statehood. SFB-Governance Working Paper Series. No. 21. Research Center (SFB) 700. Berlin. October 2009. p. 7.

and implementing such strategies, spoilers have gained ground. Therefore, it is of utmost importance that external actors do not ignore spoilers; only by understanding their position is it possible to manage them and keep peace effectively. The dilemma is that in most cases peace-building activities have to be driven forward against the interest of spoilers, yet progress can only be achieved when some potential spoilers are integrated into the processes. Therefore, the challenge is to include them as stakeholders in a peaceful transformation process. To manage this, international actors need an intimate knowledge of the situation in the country concerned.

The interesting question is why some actors show no interest in peace processes and post-conflict state-building. Ulrich Schneckener identifies four reasons for their alienation, which may be summarized as need or grievance, greed, creed, and autism of violence.⁶³ The first reason, need or grievance, applies when the actors feel that their political claims have not been heard; grievances have not been resolved or their needs have not been met. Under these circumstances, spoilers will continue to fight for their goals and undermine the peace process by threatening, or in the worst case using violence. Greed is a factor when actors who benefited economically and politically from the conflict now fear to lose their power or sources of income. A peace process would imply relinquishing their economic and political benefits. The third set of influences, which Ulrich Schneckener categorizes as “creed”, is at play when actors see their collective and individual identities endangered or insufficiently respected by the peace process. They fear discrimination and social marginalization, so often demand compensation for current or former injustice suffered as well as special rights to maintain their cultural, ethnic or religious traditions and beliefs. In some cases the identity of a group is closely linked to control of a specific territory or access to special sites (historical sites or religious sanctuaries), which a peace agreement – according to the concerned party – should respect. The approach to this problem draws on theories about the recognition of cultural or ethnic groups, which is considered a precondition for political solutions in many conflicts. Finally, it may be that spoilers have succumbed to what Ulrich Schneckener terms “autism of violence” over the years, in the sense that for them the conflict has turned into a way of life and profession and they are unable to envisage any other attitude. Such attitudes are maintained and supported by charismatic

⁶³ Ulrich Schneckener: Warum manche den Frieden nicht wollen. Eine Soziologie der ‚Störenfriede‘. Diskussionspapier. No. 01. Berlin. February 2003. pp. 4.

leadership, strong religious and ideological beliefs, and a moralistic approach to the parties in the conflict, under which the enemy is perceived as unequivocally evil. These perceptions are also reinforced by conspiracy theories. This group of spoilers frequently loses touch with reality and views acts of terror and atrocity as a purge and salvation. They are no longer susceptible to political solutions; in other words, they are incapacitated for peace.

Although the term spoiler carries a negative connotation, it must be recognized that some spoilers – albeit rather few – may interfere in political processes in a constructive manner. Some spoilers raise quite plausible objections to an agreement; for instance when it only aims at stability and excludes justice and reconciliation, when it rewards the “wrong party” (the warlords), or when it becomes apparent that certain regulations will entail new discriminations and injustice. In other words, not everybody who opposes an agreement and is deemed a spoiler is at the same time an opponent of peace. Therefore, the crucial question is how constructive or destructive these actors will be in the course of the international engagement and how successfully the international actors manage to involve the different parties in the peace process.⁶⁴

However sophisticated the classification system is, actually using it to classify national actors may not always be easy. For one thing, the actors’ behavior may differ according to the area being addressed by the peace process, e.g. security, welfare or legitimacy/rule of law. They might support change in one field, but act as a status-quo actor or even spoiler in another. Their behavior might also change over time. A spoiler under certain political circumstances may be transformed into a change agent when the political situation changes. It must also be recognized that some actors may present themselves as reformers to western aid donors but block change in reality.⁶⁵

What is clear from the analysis is that a thorough understanding of the various national actors is crucial if state-building activities by external actors, from UN peace operations to development NGOs, are to succeed.

⁶⁴ Ulrich Schneekener: Warum manche den Frieden nicht wollen. Eine Soziologie der ‚Störenfriede‘. Diskussionspapier. No. 01. Berlin. February 2003. p. 4.

⁶⁵ Ulrich Schneekener: Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern. Nomos. Baden-Baden 2006. p. 33.

2.1.8 Fragile statehood as a global security threat

As noted at the beginning of this chapter, the West's approach to fragile states changed considerably in the aftermath of 11 September 2001. No longer was fragile statehood and its impact seen simply in the context of humanitarian emergencies or of threats to regional security and stability. From that day on, fragile states were identified as having the potential to produce global risks, and became an issue of utmost importance for international security. Ulrich Schneckener identifies four closely interrelated threats that are fostered and fueled by fragile statehood: terrorism, "new wars", armed non-state actors and shadow globalization.⁶⁶

2.1.8.1 Fragile statehood and terrorism

Fragile statehood does not cause terrorism, but rather is a breeding ground for terrorism and a factor promoting the development of the infrastructure essential for terrorists. On the one hand, the conditions of fragile statehood may give rise to local terrorist structures, which often have a transnational impact, while on the other hand, fragile states may serve as bases for the global activities of transnational terrorist networks such as al-Qaeda. Areas outside the control of the state are particularly favorable for establishing training camps. Moreover, terrorist groups skillfully take advantage of state deficits to finance their activities, spread their messages or recruit followers. However, failed states or civil war regions do not necessarily provide an inviting environment for transnational terrorist groups; they prefer those fragile states that possess an adequate technical infrastructure but have at the same time severe difficulties in controlling the country.⁶⁷

2.1.8.2 Fragile statehood and "new wars"

The collapse of state structures is often connected with civil wars and violent conflicts described by Mary Kaldor, Herfried Münkler and other scholars as "new wars".⁶⁸ In Mary Kaldor's publication *New and Old Wars*, her central argument is that during the 1980s and 1990s a new type of organized violence developed, particularly in Africa,

⁶⁶ Ibid. pp. 12.

⁶⁷ Compare Ulrich Schneckener: Transnationaler Terrorismus. Charakter und Hintergründe des „neuen“ Terrorismus. Suhrkamp. Frankfurt am Main 2006.

⁶⁸ Herfried Münkler: Die neuen Kriege. Rowohlt. Reinbek bei Hamburg 2002.

Eastern Europe and Asia. Fragile states are considered to be particularly vulnerable to these so-called new wars, which are characterized by “a mixture of war, crime and human rights violations.”⁶⁹ The actors are global and local as well as public and private. A further characteristic of the new wars is the changed mode of warfare with strategies drawn from experience of both guerrilla warfare and counter-insurgency. The object is to achieve power over the population by eliminating everyone considered an outsider or holding opinions that are frowned upon, and by spreading terror and destabilization. The strategic goal of these wars is to stimulate extremist politics based on fear and hatred and they weaken and finally destroy the state structures. However, they do not only involve non-state actors; even state actors participate in plundering resources or setting up militias. Kaldor sees the key to any long-term solution in

“the restoration of legitimacy, the reconstruction of the control of organized violence by public authorities, whether local, national or global. This is both a political process – the rebuilding of trust in and support for public authorities – and a legal process – the reestablishment of a rule of law within which public authorities operate.”⁷⁰

2.1.8.3 Fragile statehood and armed non-state actors

Armed non-state actors are characterized by two features: firstly, they are eager and able to use violence to achieve their goals and secondly, they are not integrated into state institutions such as regular armies, police or special forces. They may, however, be officially or informally supported by state actors, and state officials themselves may be involved in their activities, particularly for personal gain. The following armed non-state actors can be distinguished: 1) rebels or guerrillas; 2) militias or paramilitaries; 3) clan chiefs or “big men”; 4) warlords; 5) terrorists; 6) criminals and gangs; 7) mercenaries and private security companies and 8) marauders.⁷¹

Fragile states allow these armed non-state actors considerable scope, and they can seriously hamper the successful performance of the three core state functions discussed in section 2.1.3. They systematically undermine state institutions and exploit

⁶⁹ Mary Kaldor: New and old wars. Organized Violence in a Global Era. Stanford University Press. Stanford, California 2006. Second Edition. p. 12.

⁷⁰ Ibid. p. 11.

⁷¹ For armed non-state actors' specific characteristics see: Ulrich Schneckener: Fragile Statehood, Armed Non-State Actors and Security Governance. In: Alan Bryden, Marina Caparini (eds.): Private actors and security governance. Lit. Zürich 2006. pp. 25; Ulrich Schneckener: Transnationaler Terrorismus. Charakter und Hintergründe des „neuen“ Terrorismus. Suhrkamp. Frankfurt am Main 2006. pp. 31.

the control and legitimacy deficits of the government. In particular, capable actors, such as rebels, militias, warlords or clan chiefs, may even replace the state by providing a limited degree of security and offering some kind of welfare to the local population, although these services are often arbitrary and unreliable and have the potential to further destabilize the state's legitimacy. The results are rival claims to or oligopolies of force.

2.1.8.4 Fragile statehood and “shadow globalization”

Eroding state structures facilitate, due to the government's lack of control and legitimacy, the development of transnational illegal activities, which in turn contribute to the process of collapse and create new problems for the whole region. Typical activities are: money laundering, petty crime, transnational corruption, trafficking in human beings, drug trafficking, smuggling of arms, unregulated transshipment points, inter-regional smuggling routes and illegal migration. The establishment of transnational “black markets”, which could also be referred to as “shadow globalization”, is attended by a significant expansion of the informal and criminal sector since conventional sources of income gradually cease to exist for the majority of the population. Thus, aspects of fragile statehood are transferred from one country to another and simultaneous processes compound themselves until ultimately almost all states of the region are affected by shadow globalization. As Tobias Debiel puts it, “... local conflicts can ... easily spread to bordering states by ‘spillover’ effects and embroil the entire sub region.”⁷² Examples of such cumulative developments can be found in West Africa, Central Africa, the Horn of Africa, the Western Balkans, Central and Southern Asia or in the Caucasus.

All these developments – terrorism, new wars, armed non-state actors and shadow globalization – are by no means limited to the most serious cases of state collapse, where statehood is virtually inexistent (such as Somalia, Afghanistan or the Democratic Republic of the Congo), but also take place in a range of countries that have limited state structures and where statehood is on the brink. It is important to keep such states in mind, particularly when there is a need to take preventive measures against

⁷² Tobias Debiel: *Fragile Peace. State Failure, Violence and Development in Crisis Regions*. Zed Books. London 2002. p. 2.

looming erosion of state capacity. Given the four threats that fragile states are exposed to, it is in the international community's interest to pay attention to them and to take action to consolidate institutions and structures in these states. As Francis Fukuyama stated,

“state-building is one of the most important issues for the world community because weak or failed states are the source of many of the world's most serious problems.”⁷³

Given this perception, it is important to analyze the ways in which the international community deals with fragile states. According to Debiel, four distinct *modi operandi* can be identified:⁷⁴

1. Non-engagement and conscious passivity
2. Exerting influence and pressure on local forces (for instance through assistance and support programs)
3. The threat and use of coercive measures (through diplomatic, economic or military sanctions. Military measures may range from imposing a no-fly zone – for instance over Iraq – to the employment of special forces – for instance in Sierra Leone – or even to extensive military operations – for instance in Kosovo)
4. The (short-term) assumption of government functions (via protectorates or quasi-protectorates. This is the most prevalent form of intervention and was adopted in Kosovo, Bosnia and East Timor)

In practice, however, a combination of these approaches is applied, particularly because external actors often cannot agree on a common position but rather pursue their own interests and priorities. Also, as highlighted by Debiel, international actors often reverse their policy after a phase of extensive action. However, this sequence of reactions – ignoring, posturing, intervening and then reversion to ignoring again might be the least successful way to promote state-building processes.

⁷³ Francis Fukuyama: *State-Building. Governance and World Order in the twenty-first Century*. Profile Books. London 2004. p. ix.

⁷⁴ Tobias Debiel. Stephan Klingebiel. Andreas Mehler et al.: *Between Ignorance and Intervention. Strategies and Dilemmas of External Actors in Fragile States*. In: Policy Paper No. 23. Development and Peace Foundation. Bonn 2005. p. 3.

However, before moving on to address the issue of state-building – or “statehood-building” in Ulrich Schneckener’s terminology⁷⁵ – it is necessary to provide a working definition of state-building that will be drawn on in this paper.

2.1.9 International actors and the process of state-building and peace-building

This section defines the terms state- and nation-building as they will be used in this study. The chapter intentionally does not compare the numerous theoretical approaches (for instance of Francis Fukuyama, Simon Chesterman, Michael Ignatieff, Jochen Hippler, James Dobbins, Karl Deutsch and others) not only because there already is a substantial body of analysis comparing these approaches, particularly in connection with Kosovo,⁷⁶ but also because state- and nation-building is not the main focus of this case study. The chapter’s focus is rather on the international actors’ state-building strategies and the challenges these actors have to face. This chapter starts by providing two definitions that will be applied throughout this study.

Francis Fukuyama defines state-building simply as “the creation of new government institutions and the strengthening of existing ones.”⁷⁷ He differentiates this from nation-building, which in contrast “focuses on society as a whole and in particular on the development of a common national identity,”⁷⁸ while stressing that the two processes are likely to go hand in hand. State-building activities might well be part of further-reaching nation-building efforts; while state-building will not be successful if the state and its policies are out of tune with the aspirations of society as a whole. Theoretically, state-building should foster the consolidation of peace in a number of ways. However, state-building activities do not necessarily lead to greater stability at least in the short or medium term. They may even provoke quite the opposite state of

⁷⁵ Ulrich Schneckener: *Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern*. Nomos. Baden-Baden 2006. p. 367.

⁷⁶ See Arta Ante: *State Building and Development: Two Sides of the same Coin? Exploring the case of Kosovo*. Dissertation. University of Vienna. July 2008.

Bekim Baliqi: *Externes State-Building durch die Vereinten Nationen: Am Fallbeispiel des Kosovo*. Dissertation. University of Vienna. August 2008.

Bernhard Filla: *State-Building and the Creation of Political Institutions in Kosova/Kosovo*. Master thesis. University of Vienna. June 2009.

⁷⁷ Francis Fukuyama, *State-Building. Governance and World Order in the twenty-first Century*. Profile Books. London 2004. p. ix.

⁷⁸ Ulrich Schneckener: *Addressing fragile statehood: dilemmas and strategies of international statebuilding*. In: Volker Rittberger, Martina Fischer (eds.): *Strategies for Peace. Contributions of International Organizations, States, and Non-State Actors*. Barbara Budrich. Opladen 2008. p. 199.

affairs, particularly in weak or failing states, since some mechanisms, structures or institutions that provided a certain stability have to be jettisoned.

State-building can be conducted in three basic ways, each of them requiring different external measures: first, stabilizing and strengthening existing institutions and structures; second, reforming, transforming and reshaping existing institutions and structures and third, rebuilding and establishing structures and institutions which either were absent before or did not exist in this form. Of course, these three approaches may not be seen separately from each other, but often need to be pursued simultaneously.⁷⁹

State-building through stabilization focuses on reinforcing already existing institutions and structures. Regime change is generally unnecessary; the focus is rather on supporting local elites in resolving grievances and curtailing processes of erosion. Measures include strengthening the security apparatus, consolidating law enforcement, tackling corruption and supporting political participation. States where such efforts are appropriate are already in a democratization process, which needs to be further supported by external actors. An example of state-building through stabilization is provided by the European Union's Stabilization and Association Agreements, part of the Stabilization and Association Process with the Western Balkan states.⁸⁰

The second approach to state-building – reform – focuses on improving, transforming and reshaping existing state structures and institutions. Regime change is a possibility in the medium or long term. Measures include reform of the security sector and the police, constitutional reform, promotion of democratization and macroeconomic reforms. This type of state-building is appropriate to most fragile states, but particularly to those countries in which a democratization process is still imminent. An example is the 2001 Ohrid Agreement in the Former Yugoslav Republic of Macedonia.

The third type of state-building – rebuilding – focuses on reconstructing and establishing new state structures and institutions and is thus the most far-reaching variant. It is primarily related to post-conflict societies in which most state structures have collapsed in the course of a war, but also to states where essential elements of statehood never existed. In most cases regime change is a necessary precondition for rebuilding. Measures include the establishment of police and armed forces, the establishment of an independent judiciary and political and administrative structures,

⁷⁹ Ulrich Schneekener: Staatszerfall und fragile Staatlichkeit. In: Weltprobleme im Zeitalter der Globalisierung, Bayrische Landeszentrale für politische Bildungsarbeit 2007. pp. 384.

⁸⁰ Compare chapter 3.3.1 Economic development, section about European and regional integration.

the promotion of a civil society and the creation of an independent media. Examples for this type of state-building are in Bosnia since 1996 and Kosovo since 1999.

2.1.9.1 International state-building strategies: risks and side effects

External actors involved with a fragile state can differ considerably in their assumptions for instance about the role of the state, the behavior of national actors, the causes of fragile statehood, the priorities in state-building, the necessary resources and the necessary time frame for change. They consequently pursue different state-building strategies, based on their diverse world views. These strategies can roughly be assigned to the main International Relations (IR) theories. In general, Ulrich Schneckener distinguishes between four state-building strategies: “Liberalization First”; “Security First”; “Institutionalization First” and “Civil Society First”.⁸¹ Although these will be analyzed separately below, it is important to appreciate that the four strategies are complementary rather than mutually exclusive. Moreover, these strategies are followed simultaneously. Table 2 will summarize the main distinctive features of the four strategies.

“Liberalization first” constitutes the most prevalent model in development policy. It focuses on political and economic liberties and aims at democratization and the establishment of market economies. The strategy derives from the liberal approach of the IR-theories, in particular the theorem of democratic peace, according to which democratic market economies are seen as the best guarantor of peace and stability in internal as well as external affairs. This theory further assumes that democracies are less susceptible to conflict than non-democracies and do not go to war against each other. According to the “liberalization first” strategy, fragile states suffer from a lack of transparent and democratic governance structures and the absence of economic freedom, which is reflected in limited access to global markets, technological backwardness and lack of investment. The “liberalization first” strategy is based on a top-down approach, applied over the short- to mid-term (five to ten years) and concentrates on the following priorities: holding free and fair elections; protecting

⁸¹ The analysis of the four state-building strategies is based on the following two books:
Ulrich Schneckener: Addressing fragile statehood: dilemmas and strategies of international statebuilding. pp. 203. In: Volker Rittberger. Martina Fischer (eds.): Strategies for Peace. Contributions of International Organizations, States, and Non-State Actors. Barbara Budrich. Opladen 2008. pp. 203.
Ulrich Schneckener: Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern. Nomos. Baden-Baden 2006. pp. 375.

political liberties and private property; promoting good governance in terms of effective administration and extensive economic reforms, including privatization processes and market liberalization to achieve or improve integration into international markets. With the adoption of the Millennium Development Goals in 2000, the “liberalization first” strategy was modified and expanded by welfare aspects such as poverty reduction, and the development of educational and public health systems.

The “security first” strategy argues that, first and foremost, “security and stability must be established as the essential foundation for long-term development in fragile states.”⁸² This is also a top-down approach, deriving from the international relations theory of realism, and follows the principle that “there can be no development without security”. Therefore, external actors should focus on providing physical security and in particular the restoration of the state’s monopoly on the use of force. The “security first” perspective emphasizes that without security a country cannot begin a democratization process. This strategy also has a short- to mid-term time frame and its priorities are: curtailing the activities of armed non-state actors; security sector reform combined with programs aimed at disarmament, demobilization and reintegration (DDR) of combatants; training of armed forces, border troops, the police and the judiciary; the transformation of war into peacetime economies; the fight against crime and the strengthening of the state’s ability to effectively control its territory and its borders.

Traditional United Nations peacekeeping missions followed the “security first” approach because their main goal was to stabilize the situation by separating the conflicting parties or to monitor a ceasefire or peace agreement. However, the international actors’ spectrum of tasks has widened and this approach is no longer adequate given the multidimensional character of today’s missions.

The “institutionalization first” strategy focuses on strengthening legitimate and effective institutions at the national and local level to enable them to deliver crucial services. This is again a top-down approach, on a mid- to long-term timescale (ten to 20 years). Its activities are primarily concerned with: establishing and strengthening political institutions (parliaments, councils); promoting the rule of law (for instance establishing constitutional courts); strengthening and reforming public administration,

⁸² Kurt Klotzle: International Strategies in Fragile States: Expanding the Toolbox? Bertelsmann Group for Policy Research at the Center for Applied Policy Research. No. 1/2006. Munich 2006. pp. 14.

in particular tax, customs and fiscal authorities; fighting corruption; establishing a welfare state; and creation of institutions and procedures for conflict management and dispute settlement (for instance ombudsman offices and arbitration panels). Crucial to the legitimacy of such measures is the participation of all relevant societal groups in these institutions. Therefore this strategy is compatible with informal or formal power-sharing models and other forms of political participation, which do not necessarily have to meet democratic standards. The main idea of any power-sharing model is

“that two or more ethnic groups have to rule the common polity jointly and take decisions by consensus. No single group can decide important matters without the consent of the other(s).”⁸³

The fourth strategy places civil society at the center of state-building activities and consequently – unlike the other approaches – adopts bottom-up processes. The basic assumption of adherents to this strategy is that a consolidation of the state and its institutions must emanate from the very bottom of society and must be supported by society as a whole. The goal of the strategy is the empowerment of civil society. Therefore, advocates of this approach focus on the following activities: improving opportunities for political participation; developing the media and a (critical) public; supporting disadvantaged and marginalized groups; advising governments to respect basic civil liberties and human rights (for instance freedom of the press, rights to free speech, freedom of assembly); promoting NGOs, human rights groups and other associations; fostering projects relating to women’s and children’s rights, education, culture and social work. In the case of post-conflict countries, further measures include the provision of basic humanitarian services, psychological support, the repatriation of refugees and displaced persons, methods of non-violent conflict management and reconciliation processes.

Table 2 summarizes the characteristics of the four state-building strategies.

⁸³ Ulrich Schneckener: Models of Ethnic Conflict Regulation: the Politics of Recognition, p. 25. In: Ulrich Schneckener, Stefan Wolff (eds.): Managing and Settling Ethnic Conflicts. Perspectives on Successes and Failures in Europe, Africa and Asia. Hurst & Company. London 2004.

Table 2: State-building strategies

Strategy	Examples of priorities	Time-horizon	IR-theory
Liberalization First	Democratization, economic reform, privatization, integration into the world economy	Short- to medium term (5–10 years)	Liberal approaches, particularly democratic peace theory
Security First	Strengthening the state's monopoly of force, strengthening the security apparatus, security sector reform	Short- to medium term (5–10 years)	Realist approaches
Institutionalization First	Strengthening political and administrative institutions, promoting the rule of law	Medium- to long term (10–20 years)	Institutionalist approaches
Civil Society First	Strengthening social cohesion, enhancing political participation, supporting NGOs, associations, parties	Medium- to long term (10–20 years)	Social-constructivist approaches

Source: Ulrich Schneckener: Addressing fragile statehood: dilemmas and strategies of international statebuilding. In: Volker Rittberger, Martina Fischer (eds.): *Strategies for Peace. Contributions of International Organizations, States, and Non-State Actors*. Barbara Budrich, Opladen 2008. p. 210.

Each of these strategies may have a number of possible adverse effects and unintended consequences. The “liberalization first” strategy underrates the destabilizing potential of rapid democratization and the liberalization of markets. On the one hand, particularly in post-conflict situations, elections often tend to polarize and fuel tensions between the various social groups. On the other hand, economic reforms generally serve the interests of certain families or clans who already rank among the economic elite. These processes deepen the economic divide and privatization in particular is often related to corruption, “shadow-economies” and economic crime. This hinders the development of public welfare institutions, financed via taxes and fees.

The stability- rather than reform-oriented “security first” strategy runs the risk of turning into a “security-only” strategy. The concentration on the state security apparatus may cause the establishment and consolidation of authoritarian or semi-authoritarian structures that have a negative effect on other areas of state-building; for example, allowing the ruling elites to gain further political power, which enables them to block or

rescind reforms, repress oppositional forces or marginalize certain population groups. All these processes could in the long-term bring about unintended destabilization.

Notwithstanding the “institutionalization first” strategy’s broader agenda of measures to establish public institutions, it has the tendency to strengthen those actors whose primary intention is to secure their position in power rather than to consolidate statehood.

While the “civil society first” strategy’s adherents act on the assumption that a badly organized civil society is the core problem, they overlook the fact that most fragile states are afflicted by the weakness of public institutions, while private and social actors may be powerful. The state is inundated by non-state actors who have taken over its functions. The support of NGOs and civil actors runs the risk of strengthening just those parallel structures and thus hampering the development of a legitimate state order. To exclude this risk, it is crucial for external actors to have a good knowledge of the various national actors’ interests.⁸⁴

As noted at the beginning of this section, different international organizations, multilateral donors and governments involved with a fragile state often pursue different strategies and sometimes a mix of strategies is deployed by a single organization. Often different actors within a single international bureaucracy or government with contrary strategic preferences and differing policy backgrounds compete with one another. For instance development ministries usually tend to support the “liberalization first” or “civil society first” strategy, while defense and interior ministries favor the “security first” approach. The simultaneous deployment of diverse strategies is one of the reasons for the often criticised lack of coordination between the various external actors. The larger the international engagement, the worse are the consequences of this factor. The problem of international actors facing challenges of strategic coordination is strongly articulated by Jones Bruce. For Bruce, international actors’ efforts to end civil wars

“suffer from an inconsistency in conflict management strategies across different phases of the peace process; those who mediate agreements sometimes fail to coordinate with those who must implement them. All too often different actors pursue different strategies within a given phase of the peace process. Or, when

⁸⁴ Ulrich Schneekener: Addressing fragile statehood: dilemmas and strategies of international statebuilding. In: Volker Rittberger, Martina Fischer (eds.): *Strategies for Peace. Contributions of International Organizations, States, and Non-State Actors*. Barbara Budrich. Opladen 2008. pp. 210.

they do agree on a strategy, their efforts to operationalize it are at times diffuse and contradictory.”⁸⁵

2.1.9.2 Unintended consequences of international intervention

Apart from the lack of coherence described above, other problems and dilemmas are connected with an international intervention, which confront both external actors in the field as well as those at headquarters. In general, every external intervention runs the risk that the conditions in the particular country will confound all the good intentions. There can be many reasons for this including lack of political will on the part of those involved, or their ignorance, lack of knowledge or incompetence. In this context, Elizabeth Cousens underlines that

“international actors often lack knowledge of local terrain, languages, histories, and habits. [However], war-torn societies need highly context-sensitive approaches to build political stabilization, reform and reconstruction, and international efforts that are informed enough to adapt themselves to changing circumstances in real time.”⁸⁶

The biggest challenge in the field is to avoid or minimize counterproductive effects, such as weakening statehood or increasing conflicts as much as possible. Here, decisive factors might be how these challenges are tackled, what national actors are chosen to cooperate with, how they are influenced and whether measures to stabilize, reform or rebuild are encountered with resistance.⁸⁷

This section will highlight the main problems that have the potential to have a negative effect on the outcomes of state-building.

The first challenge arises from the fact that international state-building comprises four interdependent levels of interaction which crucially impact upon the outcome. The first level of interaction is between the national actors (conflict parties) themselves, the second level is between local and external actors and the third is between the different external actors. The fourth level of interaction concerns the

⁸⁵ Bruce D. Jones: The Challenges of Strategic Coordination. In: Stephen Stedman, Donald Rothchild, Elizabeth Cousens (eds.): Ending Civil Wars. The Implementation of Peace Agreements. Lynne Rienner, Boulder 2002, p. 89.

⁸⁶ Elizabeth Cousens, Chetan Kumar: Peacebuilding as Politics. Cultivating Peace in Fragile Societies. Lynne Rienner, Boulder 2001, p. 15.

⁸⁷ Ulrich Schneekener: Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern. Nomos, Baden-Baden 2006, p. 38.

internal structure of the external actors. This is the level of national capitals or headquarters of international organizations such as New York or Brussels. In theory, these levels should be closely connected and cooperate with each other in order to be successful. However, the reality is quite different and there are huge deficiencies in cooperation. This can partly be explained by the varying criteria that exist on each level – the different objectives and priorities external and internal actors pursue as well as their diverse time frames. Moreover, external actors in the field and external actors at headquarters have to work under different conditions and often have a different understanding of the situation. Consequently, a gap often widens between the actors in the field who are confronted with the difficulties on the ground and the actors at headquarters who are busy with bureaucratic procedures. For the latter, factors that have little to do with the actual situation in the field often play a decisive role.⁸⁸

Every external intervention changes the situation in the country concerned. This is of course intended since some national actors are intentionally supported while efforts are made to hold others back. Consequently, this leads to changes in the local power structures, which can contribute to an increase in social problems and conflicts. In the worst case, external actors themselves may become a target for extremists or other actors; and thus become a conflict party themselves and unintentionally add to instability.

For Ulrich Schneekener, some other dilemmas that might occur at the field level and to which external actors have to find case-specific solutions also play an important role: external support versus rent-seeking behavior; “ownership” versus external hegemonic control; security-first versus a comprehensive approach; dealing with spoilers and para-state structures and finally the duration dilemma.⁸⁹ Each of these challenges will be briefly addressed below.

External actors often face the problem that local political elites’ cooperation is driven by the desire to maximize “political rents” and external funds. This intensifies their dependence on external support and presents the risk that clientelistic structures

⁸⁸ Ulrich Schneekener: *Fragile Staatlichkeit. States at Risk zwischen Stabilität und Scheitern*. Nomos. Baden-Baden 2006. pp. 368.

⁸⁹ *Ibid.* pp. 370.

Ulrich Schneekener: *Addressing fragile statehood: dilemmas and strategies of international statebuilding*. In: Volker Rittberger, Martina Fischer (eds.): *Strategies for Peace. Contributions of International Organizations, States, and Non-State Actors*. Barbara Budrich. Opladen 2008. pp. 200.

and the “shadow-economy” are strengthened by financial or humanitarian support and that short- or medium-term reforms are hindered.

The problem of “ownership” versus external hegemonic control involves the extent to which state-building measures should be managed by local or external actors. On the one hand, it is crucial that important decisions are taken by the national actors themselves (ownership) and that they assume responsibility for certain measures. On the other hand, however, the preference for ownership risks overlooking that in critical cases significant measures or decisions are neglected. This problem comes close to the so-called “footprint dilemma” discussed by Paris and Sisk who rightly argue that

“a dominant international presence (a “heavy footprint”) may be required to maintain security and to oversee (or even enforce) the implementation of a peace agreement, including the process of initiating political and economic reforms; on the other hand a less intrusive international presence (a “light footprint”) may be required to allow local political, social, and economic life to achieve a post-conflict equilibrium on its own terms.”⁹⁰

Another challenge is deciding the strategy that should be the external actors’ main focus. Should they primarily concentrate on improving security and consolidating the security sector or should they take a broader approach. As already discussed in the previous section, each strategy has its pros and cons. In the end what is crucial is whether external actors are able to combine the particular advantages of the different strategies and to what extent they are able to benefit from the interdependencies between the different approaches. Since none of the strategies can succeed on its own, they have to be adapted to the particular circumstances.

The spoilers and para-state structures considered in earlier sections often present international state-builders with another dilemma. The challenge is to push through state-building measures against the interests of those actors while at the same time trying to integrate them into the processes.

External actors must deal with the fact that the political interest, their mandate, budget and projects are only temporary. National actors are aware of this time frame which may determine their own actions. Therefore, those who have limited interest in change will try to retard the external actors’ initiatives. However, for change agents, the situation is parlous since they fear being left alone by the international community

⁹⁰ Roland Paris. Timothy Sisk: *The Dilemmas of Statebuilding. Confronting the Contradictions of Postwar Peace Operations*. Routledge. New York 2009. p. 307.

eventually. Since they cannot be sure of long-term support, they might not even make themselves known.

In this context, the “duration dilemma” noted by Paris and Sisk is an issue. While state-building requires long-term international engagement in a country, Paris and Sisk point out that prolonged or open-ended presence of the international community in a state also has side effects:

“first, over time, important segments of the local population tend to grow increasingly irritated – or even hostile – towards the continued presence of powerful outside actors, which can, in turn, undermine externally-assisted statebuilding efforts. Second, very lengthy or open-ended missions can produce ... passivity within the local population, including a lack of interest in taking on the responsibilities of self-government.”⁹¹

In addition to these problems at the field level, the following issues arising at the headquarters level are also of importance for the success or failure of a state-building mission: coordination and coherence; political focus; strategic and operative planning and resource provision as well as legitimacy.

Coordination and coherence are among the most prominent examples of external actors’ difficulties in state-building. Coordination involves consultation between the various actors, information sharing on projects and mutual assistance with common problems. Coherence, as discussed in detail above, involves the need for activities to interact, developing a common strategic approach and avoiding discrepancies. However, to coordinate activities and to achieve coherence often proves challenging due to the different starting points taken by the actors as described above.

The extent to which the international community is able to maintain the political focus on state-building over the longer term is crucial. If political attention declines so too does public interest and both have a considerable effect on the provision of financial and human resources.

Another problem is that most external actors do not develop any systematic state-building strategies and have difficulties planning concrete measures. In practice, the norm is for international organizations to make ad-hoc decisions and requests to

⁹¹ Roland Paris, Timothy Sisk: *The Dilemmas of Statebuilding. Confronting the Contradictions of Postwar Peace Operations*. Routledge. New York 2009. p. 307.

their members to provide resources. The fundraising processes may also prove to be difficult. Moreover, there are often discrepancies between pledged and actual funds.

The last dilemma facing external actors relates to legitimacy. International state builders have to strive to assure the legitimacy of their actions, which is often challenging. On the one hand, they need to meet the diverse expectations of the national population, including particular interest groups or the ruling elites of the country concerned. On the other hand, their activities also have to be considered legitimate in their own country. Moreover, external governments, seeking the support of their national constituencies for an international mission, incline to formulate their mandate in a way that often proves ineffective in the field, and ultimately proves to generate neither successful outcomes in the field nor please their own public.

2.1.9.3 Principles for international engagement in fragile states and situations

If, as Roland Paris and Timothy Sisk suggest, “at best, the many dilemmas of postwar state-building can only be managed, not resolved,”⁹² what is crucial is that international actors are aware that there are dilemmas and undertake an analysis of them. Since international engagement will not by itself put an end to state fragility, the OECD has adopted some generally agreed principles that can help maximize the positive impact of the engagement and minimize unintentional harm. The organization lists the following “Principles for Good International Engagement in Fragile States and Situations”, which are aimed at supporting international actors to promote constructive engagement between national and international stakeholders in countries with problems of weak governance and conflict:⁹³

1. “Take the context as the starting point.” It is crucial for international actors to understand the specific context in each country, and develop a shared view of the strategic response that is required.
2. “Do no harm.” International interventions can inadvertently create societal divisions and worsen corruption and abuse, if they are not based on strong conflict and governance analysis.

⁹² Roland Paris, Timothy Sisk: *The Dilemmas of Statebuilding. Confronting the Contradictions of Postwar Peace Operations*. Routledge. New York 2009. p. 309.

⁹³ OECD: *Principles for Good International Engagement in Fragile States and Situations*. April 2007.

3. “Focus on state-building as the central objective.” International engagement should focus on two main areas: firstly, supporting the legitimacy and accountability of states and secondly, strengthening the capability of states to fulfill their core functions.
4. “Prioritise prevention.” A greater emphasis on prevention will reduce fragility, lower the risk of future conflict and contribute to long-term global development and security.
5. “Recognise the links between political, security and development objectives.” The challenges faced by fragile states are multi-dimensional. Possible tensions and trade-offs between objectives need to be addressed.
6. “Promote non-discrimination as a basis for inclusive and stable societies.” Real or perceived discrimination is associated with fragility and conflict, and can lead to service failures. Gender equity, participation of youth, social inclusion and human rights should be promoted.
7. “Align with local priorities in different ways in different contexts.” Where governments demonstrate political will to foster development, but lack capacity, international actors should seek to align assistance. Activities which undermine national institution-building, such as developing parallel systems, should be avoided and functioning systems within existing local institutions should be strengthened.
8. “Agree on practical coordination mechanisms between international actors.” International actors should work jointly with national reformers in government and civil society to develop a shared analysis of challenges and priorities. Coordination should avoid inconsistencies and thus avoid undermining stabilization efforts.
9. “Act fast ... but stay engaged long enough to give success a chance.” Assistance to fragile states must be flexible enough to take advantage of windows of opportunity and respond to changing conditions on the ground.
10. “Avoid pockets of exclusion.” International actors need to address the problem of “aid orphans” – states where there are no significant barriers to engagement, but international engagement and aid volume is low to avoid destabilization.

Peacekeeping guidelines that, while of a different style, are nevertheless complementary to those of the OECD, are offered by Jan Pronk, who served as the Dutch Minister for Development Cooperation between 1973 and 2002. His fifteen guidelines focus on the way United Nations peacekeepers should actually behave in the

field, which is ultimately of considerable importance to the success or failure of a mission. Even though state-building missions aim to create conditions for sustainable self-government in the country concerned, by providing assistance to national authorities rather than imposing foreign rule, in practice the authority wielded by international state-builders is intrusive, no matter how well meaning it may be. Therefore, the behavior of the individuals involved is important. Disrespectful behavior will reinforce resentment of the intrusion, while appropriate behavior may help allay it. Pronk's guidelines are as follows:⁹⁴

1. "United Nations peacekeepers in a country are visitors. Their presence is temporary. Their function is catalytic, no more. Peace ought to be home grown.
2. There is no peacekeeping without peace. Peace, to be made by the parties to a conflict themselves, should precede efforts to keep the peace.
3. The sovereignty of a state has to be respected, but brought into balance with the protection of the people within that state. Keep that balance!
4. Respect national traditions and domestic cultures.
5. International staff members should respect national staff members, their views and their positions. They are vulnerable: they have no ticket to leave the country. They know their country better than you. National staff members should have patience with international staff members. They could have chosen comfort back home. They are idealists, or anyway, they have once been idealists.
6. All UN staff members have the duty to follow a unified approach, in whichever agency they work, as peacekeepers or as humanitarian and development workers. That implies a commitment to the same goals and a duty to respect the same boundary conditions, for instance those set by the Security Council representing the international community. A unified approach by all UN agencies also implies the duty to consult each other about each other's work, the duty to cooperate and to use a common infrastructure and common services. Finally this unified approach requires the acceptance of a unified command.
7. Delegate, decentralize, trust your staff and show this to them.
8. Work as a team.

⁹⁴ Jan Pronk: Peacekeeping guidelines, 25 February 2007. Online via Internet: URL: <http://www.janpronk.nl/weblog/english/february-2007.html> [accessed 10 04 2010].

9. The field is more important than headquarters. People in headquarters should understand this. But those who are working in the field, when critical about headquarters, should be aware that they are not “the” field, but that, farther away, other colleagues may consider them too as a headquarter.
10. Never be satisfied. There is no room for complacency, despite many achievements.
11. Insecurity, risk, uncertainty and political pressure are not a hindrance, but a challenge. They are not exceptions to a normal and stable pattern. They are not exogenous factors, but inherent to peacekeeping.
12. Fight bureaucracy. Fight also the bureaucrat in yourself. ... keep the spirit of a pioneer.
13. Care for people. People first.
14. Peacekeeping is a calling, not a job.
15. Please, stay.”

While the OECD’s principles apply to state-building generally (as illustrated for instance by principle number three: “focus on state-building as the central objective”), Pronk is specifically addressing peacekeepers. Nevertheless, both sets of guidelines are relevant to all those dealing with fragile states. In particular, Pronk’s guidelines for individual behavior have general application.

The distinction between state-building and the tasks of peacekeeping and peace-building highlighted by the two sets of guidelines, as well as the subject of the next subchapter which focuses on peace as understood by Johan Galtung, necessitate a brief definition of the terms related to peace support operations. The “Agenda for Peace”, which was produced by former Secretary-General Boutros Boutros-Ghali in 1992, provides the basis for defining these terms.

The Agenda for Peace, which analyzes the UN’s capacity for maintaining peace and makes recommendations on how to strengthen and improve it, defines four consecutive phases of international action to prevent or control conflicts. Those phases are: preventive diplomacy, peacemaking, peacekeeping and post-conflict peace-building.⁹⁵

⁹⁵ Boutros Boutros-Ghali: An Agenda for Peace. Preventive diplomacy, peacemaking and peace-keeping. Report of the Secretary-General. A/47/277 – S/24111. 17 June 1992.

Preventive diplomacy is defined as “action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur.”⁹⁶

Peacemaking is “action to bring hostile parties to agreement, essentially through such peaceful means as those foreseen in Chapter VI of the Charter of the United Nations.”⁹⁷

Peacekeeping is “the deployment of a United Nations presence in the field, ... normally involving United Nations military and/or police personnel and frequently civilians as well.”⁹⁸

Post-conflict peace-building is “action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict.”⁹⁹ Peace-building measures may include: disarmament, demobilization and reintegration programs; repatriating refugees; de-mining; advisory and training support for security personnel; monitoring and supervising electoral processes; advancing efforts to protect human rights; reforming or strengthening governmental institutions and promoting formal and informal processes of political participation.

⁹⁶ Boutros Boutros-Ghali: An Agenda for Peace. Preventive diplomacy, peacemaking and peace-keeping. Report of the Secretary-General. A/47/277 – S/24111. 17 June 1992.

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Ibid.

2.2 Basic elements of peace theory according to Johan Galtung

These theoretical approaches to achieving, maintaining and reinforcing peace do not answer the fundamental question of what “peace” actually means. A full understanding of this term, whose interpretation often varies according to the user, is essential to answering one of the underlying questions addressed by this study, namely the extent to which signs of a so-called “positive peace” can be discerned in Kosovo after 11 years of international intervention. To define the terms “peace” and “violence” this study draws on the peace theory put forward by Johan Galtung, one of the founding fathers of peace and conflict studies.

2.2.1 Definition and types of violence

In one of his earliest substantive contributions – “Violence, Peace and Peace Research” (1969) – Galtung understands “peace” as “absence of violence.”¹⁰⁰ However, he notes that this is not a definition since it is an obvious case of *obscurum per obscurius*.¹⁰¹ For Galtung, creating peace obviously “has to do with reducing violence (cure) and avoiding violence (prevention). And violence indicates harming and/or hurting.”¹⁰² Consequently, a definition of peace depends on how “violence” is defined and, to know about peace, an adequate understanding of violence is required first. Thereby, Galtung notes that it is not so important to find *the* definition or *the* typology because there are obviously many types of violence. It is rather more important to identify theoretically significant dimensions of violence that focus thinking, research and action towards the most important problems.

In general, violence is referred to as the infliction of somatic harm by an actor with the intention to hurt (direct violence). However, for Galtung this concept is drawn too narrowly. He extends it to include mental harm and thus states that “violence is

¹⁰⁰ Johan Galtung: Violence, Peace and Peace Research. Journal of Peace Research. Volume 6. No. 3. Oslo 1969. pp. 167–191. In: Matthew Evangelista (ed.): Peace Studies. Critical Concepts in Political Science. Routledge. New York 2005. pp. 21–52.

¹⁰¹ “Obscurum per obscurius” Latin phrase meaning explaining an obscurity by something still more obscure. Italics retained from the original. Johan Galtung: Violence, Peace and Peace Research. Journal of Peace Research. Volume 6. No. 3. Oslo 1969. pp. 167–191. In: Matthew Evangelista (ed.): Peace Studies. Critical Concepts in Political Science. Routledge. New York 2005. p. 22.

¹⁰² Johan Galtung: Peace by Peaceful Means. Peace and Conflict, Development and Civilization. Sage. London 1996. p. 2.

present when human beings are being influenced in a way that their actual somatic and mental realizations are below their potential realizations.”¹⁰³ He highlights that one of the characteristics of violence is that it is avoidable by further defining it as “any avoidable impediment to self-realization.”¹⁰⁴ This definition goes beyond the mere focus on somatic or direct violence and includes what he calls “structural violence”. Finally, Galtung defines violence as

“the cause of the difference between the potential and the actual, between what could have been and what is. Violence is that which increases the distance between the potential and the actual, and which impedes the decrease of that distance.”¹⁰⁵

Galtung’s key words “actual” and “potential” make the definition similar to the concept of violence held by Ted Gurr, who assumes that people engage in violence due to “relative deprivation” – the discrepancy between what people think they deserve and what they actually get. Gurr’s assumption is that “the potential for ... violence varies strongly with the intensity and scope of relative deprivation among members of a society.”¹⁰⁶

Galtung’s practical example is that a person dying from tuberculosis in the eighteenth century could not be described as suffering violence because at the time death from the disease was completely unavoidable. However if a person dies from tuberculosis today, when tuberculosis is curable, then violence is present according to his definition. In other words, when the potential is higher than the actual and the actual is avoidable, then violence is present. “When the actual is unavoidable, then violence is not present even if the actual is at a very low level.”¹⁰⁷ Another example helps to clarify this. Life expectancy of just thirty years during the Stone Age was not an expression of

¹⁰³ Johan Galtung: Strukturelle Gewalt. Beiträge zur Friedens- und Konfliktforschung. Rowohlt. Reinbek bei Hamburg 1975. p. 9.

¹⁰⁴ Johan Galtung: The True Worlds: A Transnational Perspective. Free Press. New York 1980. p. 69. Cited in: Zhu Dasheng, Jin Xiping, George McLean: The Human Person and Society. The Council for Research in Values and Philosophy. Washington, DC 1997. p. 24.

¹⁰⁵ Johan Galtung: Violence, Peace and Peace Research. Journal of Peace Research. Volume 6. No. 3/1969. pp. 167–191. In: Matthew Evangelista (ed.): Peace Studies. Critical Concepts in Political Science. Routledge. New York 2005. p. 23.

¹⁰⁶ Ted Gurr: Why men rebel. Princeton University Press. New Jersey 1974. Fourth Edition. p. 24. Compare chapter 5.4 Youth bulge.

¹⁰⁷ Johan Galtung: Violence, Peace and Peace Research. Journal of Peace Research. Volume 6. No. 3. Oslo 1969. pp. 167–191. In: Matthew Evangelista (ed.): Peace Studies. Critical Concepts in Political Science. Routledge. New York 2005. p. 23.

violence, but the same life expectancy today – whether due to wars or social injustice or both – would fall, according to the definition, under the rubric of violence.

To the two types of violence he defined initially – direct (personal) and indirect (structural) violence – Galtung later added a third type – cultural violence – which he described in his 1990 work of that name.¹⁰⁸ Thus, violence was once more redefined as “avoidable insults to basic human needs and more generally to life, lowering the real level of needs satisfaction below what is potentially possible.”¹⁰⁹

2.2.1.1 Direct violence

Direct or personal violence (from here on referred to simply as direct violence) is the most feared form of assault and is defined as physical violence, which is concrete and visible with a will to harm/hurt.¹¹⁰ For instance, when a war is fought there is direct violence since killing or injuring a person certainly puts his actual somatic realization below his potential somatic realization. In contrast to structural violence, direct violence needs a sender or an actor who intends its consequences (so is also termed personal violence). Direct violence is visible as behavior. However, violent human action does not emanate from nowhere but has roots. Two roots are: firstly, a structure that itself is violent by being too repressive, exploitative or too tight or too loose for people’s comfort and secondly, a culture of violence.¹¹¹

2.2.1.2 Structural violence

Indirect or structural violence (hereafter referred to simply as structural violence) as indicated above, “is built into the structure, and shows up as unequal power and consequently as unequal life chances.”¹¹² Therefore, there is no individual provoking the gap between the potential and the actual and from whom the harm emanates.

¹⁰⁸ Johan Galtung: Cultural Violence. *Journal of Peace Research*. Volume 27. No. 3/1990. pp. 291–305. In: Johan Galtung: *Peace by Peaceful Means. Peace and Conflict, Development and Civilization*. Sage. London 1996. pp. 196–210.

¹⁰⁹ Johan Galtung: *Peace by Peaceful Means. Peace and Conflict, Development and Civilization*. Sage. London 1996. p. 197.

¹¹⁰ Johan Galtung: *Conflict Transformation by Peaceful Means. The Transcend Method*. United Nations. Geneva 1999.

¹¹¹ Johan Galtung: *Violence, War and Their Impact. On Visible and Invisible Effects of Violence*. *Polylog. Forum for Intercultural Philosophy* 5/2004. Online via Internet: URL: <http://them.polylog.org/5/fgj-en.htm> [accessed 19 04 2010].

¹¹² Johan Galtung: *Violence, Peace and Peace Research*. *Journal of Peace Research*. Volume 6. No. 3. Oslo 1969. pp. 167–191. In: Matthew Evangelista (ed.): *Peace Studies. Critical Concepts in Political Science*. Routledge. New York 2005. p. 26.

Structural violence is invisible, with no will to harm. It kills slowly but may be as much or more destructive than direct violence. It is the unequal distribution of resources, and in particular, the unequal distribution of the “power to decide over the distribution of resources”¹¹³ that give rise to structural violence. In this context, the resources that are unequal are not only material or economic (unequal distribution of income), but also non-material, such as unequal education chances, limited healthcare and illiteracy. The situation is still further intensified when the people with low incomes have inadequate education, poor health and little power at the same time. Given these characteristics, structural violence can be equated with “social injustice” or can further be described as “human insecurity”, a term that will be further explained below. Both direct and structural violence impinge upon physical and psychological integrity, basic material needs (for instance for nutrition and health), human rights (such as freedom of expression, free movement, need for mobilization, need for work) and psychological needs (solidarity, friendship, happiness and self-actualization).

2.2.1.3 Cultural violence

Cultural violence is defined as

“those aspects of a culture ... – exemplified by religion and ideology, language and art, empirical science and formal science (logic, mathematics) – that can be used to justify or legitimize direct or structural violence.”¹¹⁴

Cultural violence is invisible, but there may be a clear intent to harm, even kill, indirectly, through words and images; in short, symbolically. This is the violence of priests, intellectuals and professionals, while the military focus on direct violence and the economy often builds and is based on violent structures.¹¹⁵ One way cultural violence works is by altering the moral color of an act from red/wrong to green/right or at least to yellow/acceptable. Galtung highlights that entire cultures can hardly be classified as violent and therefore he uses the expression “aspects of culture” in his definition of cultural violence. Cultural violence makes direct and structural violence look and even feel right; as an example Galtung refers to the theory of a “Herrenvolk”

¹¹³ Ibid. p. 26.

¹¹⁴ Johan Galtung: *Peace by Peaceful Means. Peace and Conflict, Development and Civilization*. Sage. London 1996. p. 196.

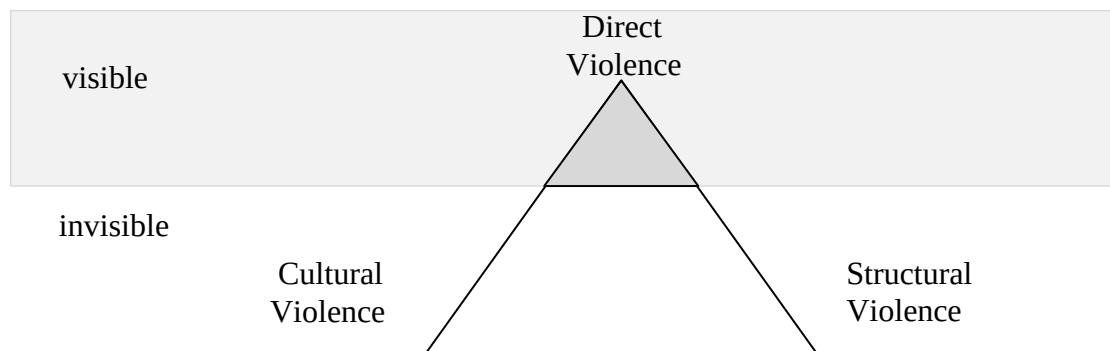
¹¹⁵ Johan Galtung: *Conflict Transformation by Peaceful Means. The Transcend Method*. United Nations. Geneva 1999.

(master race). While Galtung describes direct violence as an event and structural violence as a process with ups and downs, he views cultural violence as “an *invariant*, a ‘*permanent*’, remaining essentially the same for long periods, given the slow transformation of basic culture.”¹¹⁶

Galtung holds that the potential for violence is in human nature; however circumstances cause the realization of that potential. Thus it follows that “cultural and structural violence cause direct violence”, making use of violent actors who rebel against the structures and using the culture to legitimize their use of violence as an instrument.

Galtung demonstrates the interrelation between direct, structural and cultural violence using a violence triangle (Figure 1).

Figure 1: Direct-Structural-Cultural violence triangle according to Johan Galtung



Source: Johan Galtung: Violence, War, and their Impact. On Visible and Invisible Effects of Violence. Forum for Intercultural Philosophy 5/2004. Online via Internet: URL: <http://them.polylog.org/5/fgi-en.htm> [accessed 19 04 2010].

Violence can start at any corner of the direct-structural-cultural violence triangle and is easily transmitted to the other corners.¹¹⁷ These three types of violence can be differentiated as described above between visible and invisible violence. The triangle has built-in vicious cycles. For Galtung, the visible effects of direct violence are: the killed, the wounded, the displaced and the material damage. However, the invisible effects may be even more brutal: “direct violence reinforces structural and cultural

¹¹⁶ Johan Galtung: Peace by Peaceful Means. Peace and Conflict, Development and Civilization. Sage. London 1996. p. 199. Italics retained from the original.

¹¹⁷ Ibid. p. 208.

violence.”¹¹⁸ And this, in turn, may lead to even more direct violence. Although the cultural and structural aspects of a conflict are invisible, they play the most important role during its rehabilitation and reconciliation. What follows is that peace must also develop in the culture and in the structure, not only in human minds.

Galtung contrasts the violence triangle with a peace triangle in which cultural peace creates structural peace, with symbiotic, equitable relations between diverse partners, and direct peace, with acts of cooperation, friendliness and love. This could be a virtuous rather than a vicious triangle, and also be self-reinforcing. This virtuous triangle would be achieved by working on all three corners at the same time, not expecting that basic change in one will automatically cause changes in the other two.¹¹⁹

2.2.2 Defining peace

“Peace cannot be kept by force. It can only be achieved by understanding.”

–Albert Einstein

Galtung noted that “an extended concept of violence leads to an extended concept of peace.”¹²⁰ In other words, one consequence of redefining violence was the need to revise also the definition of peace. Consequently, Galtung differentiated between two types of peace and coined the terms “positive” and “negative” peace.

2.2.2.1 Negative and positive peace

For Galtung, negative peace is at hand when there is an absence of direct violence, while positive peace exists only when there is an absence of both direct and structural violence. Disarmament is an important aspect of negative peace since it withdraws the option to resort to violence and can be a link to building the social and economic conditions for positive peace. A further core idea that Galtung highlights is that peace should be pursued by peaceful means. Tobias Debiel points out that negative peace

¹¹⁸ Johan Galtung: Violence, War and Their Impact. On Visible and Invisible Effects of Violence. Polylog. Forum for Intercultural Philosophy 5/2004. Online via Internet: URL: <http://them.polylog.org/5/fgj-en.htm> [accessed 19 04 2010].

¹¹⁹ Johan Galtung: Peace by Peaceful Means. Peace and Conflict, Development and Civilization. Sage. London 1996. p. 208.

¹²⁰ Johan Galtung: Violence, Peace and Peace Research. Journal of Peace Research. Volume 6. No. 3. Oslo 1969. pp. 167–191. In: Matthew Evangelista (ed.): Peace Studies. Critical Concepts in Political Science. Routledge. New York 2005. p. 41.

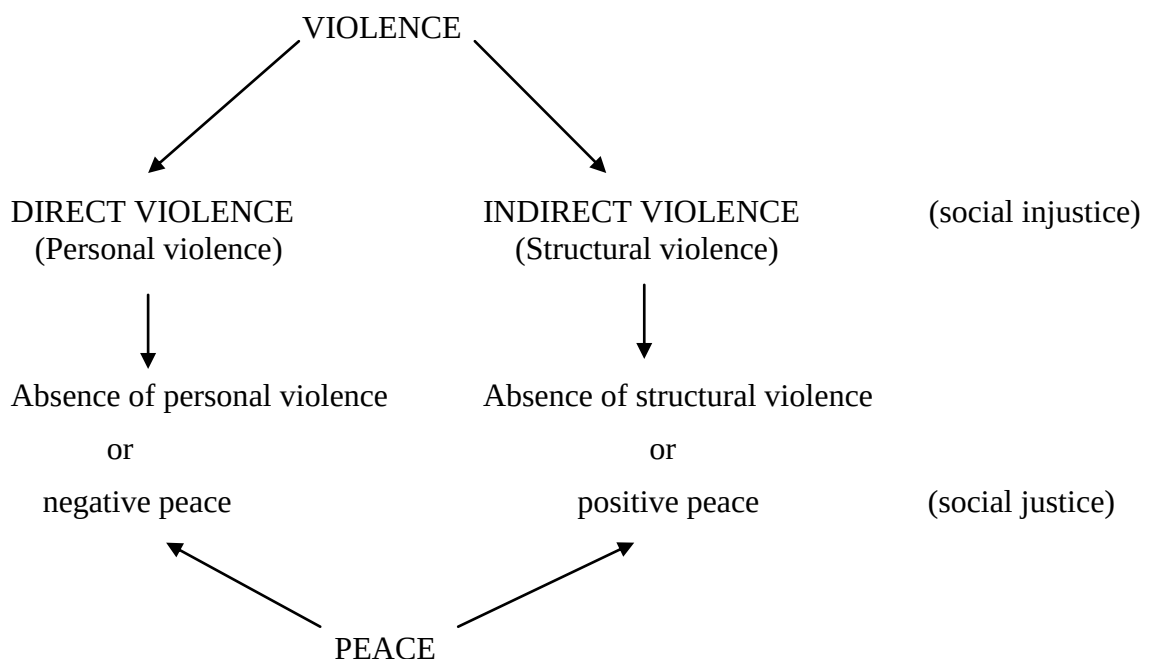
could also be referred to as fragile peace: “Even though a temporary settlement has been found to blatant warlike clashes, the economy, state and society remain shaped and influenced by structures of violence.”¹²¹

The interpretation of peace that will be used throughout this study refers to Galtung’s definition of positive peace, which is

“more than the absence of violence; it is the presence of social justice through equal opportunity, a fair distribution of power and resources, equal protection and impartial enforcement of law.”¹²²

Figure 2 below demonstrates the extended concepts of violence and peace, where peace is not merely the absence of direct violence (negative peace) but also absence of structural violence (positive peace).

Figure 2: The extended concepts of violence and peace



Source: Johan Galtung: Violence, Peace and Peace Research. Journal of Peace Research. Volume 6. No. 3. Oslo 1969. pp. 167–191. In: Matthew Evangelista (ed.): Peace Studies. Critical Concepts in Political Science. Routledge, New York 2005. p. 42.

¹²¹ Tobias Debiel: Fragile Peace. State Failure, Violence and Development in Crisis Regions. Zed Books. London 2002. p. 1.

¹²² International Peace Bureau: Online via Internet: URL: <http://www.ipb.org/i/pdf-files/Peace-law-section-coming-on-IPB-site-09092009.pdf> [accessed 19 04 2010].

According to Galtung's peace theory, bringing about peace is thus not only a matter of controlling and reducing the overt use of violence, but also involves attempts to introduce measures of social justice or "human fulfillment"¹²³ – a term that later replaced social justice in Galtung's work – and has to do with development. Therefore, Galtung connected peace theory not only with conflict theory but also with development theory. And peace research is equally connected with conflict research and development research. While conflict research is more relevant for negative peace, development research is more relevant for positive peace, though with significant overlaps.¹²⁴

According to this definition of positive peace, peace-building should be a process by which a society moves beyond negative peace towards positive peace, as demonstrated in social structures and institutions. Kenneth Bush argues that peace-building should be "a twofold process of *deconstructing* the structures of violence, and *constructing* the structures of peace."¹²⁵

¹²³ Peter Lawler: A question of values. Johan Galtung's peace research. Lynne Rienner. Boulder, Colorado 1995. p. 84.

¹²⁴ Johan Galtung: Violence, Peace and Peace Research. Journal of Peace Research. Volume 6. No. 3. Oslo 1969. pp. 167–191. In: Matthew Evangelista (ed.): Peace Studies. Critical Concepts in Political Science. Routledge. New York 2005. p. 42.

¹²⁵ Kenneth Bush: Commodification, Compartmentalization, and Militarization of Peacebuilding. p. 25. In: Tom Keating. Andy Knight (eds.): Building Sustainable Peace. University of Alberta Press. Alberta 2004. Italics retained from the original.

2.3 Assimilating Schneckener and Galtung's theories: Specification of research questions and hypotheses

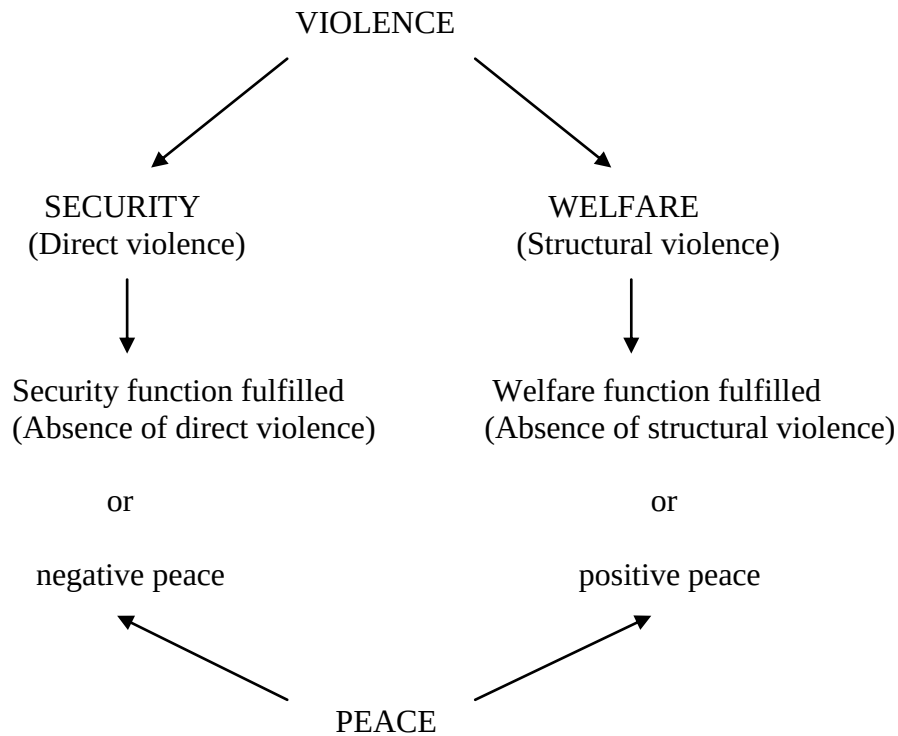
The theoretical and conceptual outline of this study is mainly based on Ulrich Schneckener's theory of state functions and Johan Galtung's theory of violence and peace. In simple terms, the study will relate the security function to direct violence and the welfare function to structural violence.

The main assumptions for the relationship between the realization of state functions and the degree of negative and positive peace are:

- Assessing the extent to which the security function is fulfilled implies assessing the extent of direct violence, and
- Evaluating fulfillment of the welfare function implies evaluating the extent of structural violence.
- If the security function alone is fulfilled, then there is peace, but it is negative peace, while
- If both security and welfare functions are fulfilled, then positive peace is achieved.

The following figure illustrates these relationships:

Figure 3: The extended concepts of violence and peace in relation to security and welfare



Source: Based on Johan Galtung's extended concepts of violence and peace (see Figure 2).

On the basis of these assumptions, the following general research questions have been developed:

- To what extent is the state's security function fulfilled and direct violence curtailed?
- To what extent is the welfare function fulfilled and structural violence curtailed?
- To what extent has Kosovo moved beyond negative peace towards positive peace? Are any early indications of positive peace visible?

Starting with these general research questions, additional research questions can be formulated. The first set of questions (category "A") pertains to the development of positive peace; the second set of questions (category "B") concerns the international organizations' role in and contribution to establishing a basis for positive peace in Kosovo and the third category (category "C") applies to the national actors' efforts to achieve positive peace.

Category “A” questions:

- What is the likelihood of Kosovo achieving positive peace?
- Where can structural violence be identified?
- How has the economic situation developed in Kosovo since 1999 and what dangers result from its poor economic position?
- Under what conditions can increasing structural violence result in direct violence?

Category “B” questions:

- What are the various international actors’ tasks in Kosovo and with what problems and dilemmas are they confronted?
- To what extent did the international organizations provide the basis for the state functions of security and welfare and where can shortcomings be found?
- To what extent did the international organizations provide the basis for positive peace beyond the existing negative peace?
- How successful was the international engagement in Kosovo from the point of view of Kosovars on the ground in contrast to that of the international actors?

Category “C” questions:

- To what extent do Kosovo’s institutions provide security and welfare to its citizens; where can shortcomings be detected and where is the state falling short of fulfilling these functions?
- What does the population perceive to be the greatest threats?
- Whom does the population blame for inadequate performance of the welfare function?

These research questions will be addressed in the context of an analysis of Kosovo’s political system, the economic situation, and the state of the security and the welfare system in Kosovo.

3 KOSOVO

The Republic of Kosovo (formerly the province officially named Kosovo and Metohija within the Republic of Serbia) is situated in the central Balkan Peninsula, in South-Eastern Europe. It is landlocked, and is surrounded by mountain ranges and hills. There are borders with Serbia in the north-west and north-east, the Former Yugoslav Republic of Macedonia in the south, Albania in the south-west, and Montenegro to the west.

Map 1: Kosovo



Source: Statistical Office of Kosovo: Online via Internet: URL: http://www.ks-gov.net/ESK/eng/index.php?option=com_content&view=article&id=122&Itemid=24 [accessed 29 06 2009].

Most of Kosovo's southern border with Macedonia is composed of the Sar mountain range, which is an extension of the mountain complexes of Northern Albania. The highest peak is 2,565 meters, which is also the highest in Kosovo. The mountains are Alpine, and are used primarily as summer pastures by the local farmers.

Though much of the terrain is mountainous, there are two large plains: the Kosovo Plain to the east, and the Dukagjini or Metohija Plain in the south-west.

Between them runs a range of hills that occasionally reach above 1,000 meters. The central part of this region is known as the Drenica.

The climate of Kosovo is predominantly continental: warm summers and cold winters with Mediterranean and Alpine influences.

The terrain also includes several rivers and lakes. The two most important rivers in Kosovo are the White Drin in the southern part of Kosovo, which flows into the Adriatic Sea, and the Ibar River in the north-west, which flows into the Morava and Danube Rivers and ultimately into the Black Sea.¹²⁶

Kosovo is divided into 37 administrative divisions, known as municipalities.¹²⁷ Its capital is Prishtinë/Priština. Other large towns include Prizren/Prizren, in the south-west, Pejë/Peć in the west and Mitrovicë/Mitrovica in the north. The municipality of Mitrovicë/Mitrovica is divided by the Ibar river into a southern district, which is mostly inhabited by Kosovo Albanians, and a northern district, which is predominantly Serb.

The principal language in Kosovo is Albanian, although the Serb population speaks Serbian. According to the Constitution of June 2008, both Albanian and Serbian have official status throughout Kosovo, while Turkish, Bosnian and Roma may also be granted official status at a municipal level.¹²⁸

Islam and Christianity, both Orthodox and Catholic, coexist in Kosovo. Islam, mainly Sunni, is the main religion, professed by some 85 per cent of the population. Islam in Kosovo is not extremist. Kosovo Albanians' religious traditions and their life styles are western oriented.¹²⁹ The minority Bosniak, Gorani, and Turk populations are also largely Muslim. The Serbs, by contrast, are principally adherents to Orthodox Christianity, as represented by the Serbian Orthodox Church. Around eight per cent of ethnic Albanians in Kosovo are Roman Catholic.¹³⁰

¹²⁶ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Geography.

¹²⁷ See Map 1 and the list of Kosovo municipalities in Appendix 8.1. Municipalities web sites of the Republic of Kosovo: Online via Internet: URL: <http://kk.rks-gov.net/> [accessed 10 09 2010].

¹²⁸ Constitution of the Republic of Kosovo: Article 5.

¹²⁹ Compare chapter 4.2.3 Political and religious extremism.

¹³⁰ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Demography.

3.1 Geographic and demographic characteristics

Reliable statistics, essential for long-term project planning, budget projections, and decision-making, are sadly lacking where Kosovo is concerned. All that can be stated categorically is that its area equals 10,887 square kilometers (4,203 square miles) – stretching up to 190km North to South and 150km East to West. Even something as simple as the size of the population is based on estimates.

The last reliable census figures date back to 1981. The 1991 census, which was organized by the Serb authorities, was boycotted by ethnic Albanians. Considerable population fluctuation during and after the war in 1999 further complicates the picture. As of July 2010, estimates range between 1,804,838 to 2,180,686 inhabitants.¹³¹ If accurate, this would amount to about 200 persons per square kilometer. Kosovo's ethnic composition is 92 per cent Kosovo Albanians and 5.3 per cent Kosovo Serbs, with the remaining 2.7 per cent made up of other minority groups such as Bosniak, Gorani, Roma, Turk, Ashkali, and Egyptian.¹³² Table 3 shows Kosovo's population by ethnic origin between 1971 and 2010.

Table 3: Kosovo population by ethnic origin

Year	Total population	Ethnic origin (%)		
		Albanian	Serbian	Others
1971	1,243,093	73.7	18.4	7.9
1981	1,584,440	77.4	13.2	9.3
1991	1,956,196	81.6	9.9	8.5
2010	2,180,686	92	5.3	2.7

Source: Based on the Statistical Office of Kosovo: General Statistics. Kosovo in Figures 2007. p. 12. Statistical Office of Kosovo: Key Indicators of Population.

Areas where Kosovo Serbs form the majority of the population are in the municipalities of Leposaviq/Leposavić, Zubin Potok/Zubin Potok, Zvečan/Zvečane and

¹³¹ The World Factbook: Kosovo. Online via Internet: URL: <https://www.cia.gov/library/publications/the-world-factbook/geos/KV.html> [accessed 22 08 2010]. In this study the higher population figure is accepted.

Statistical Office of Kosovo: Key Indicators of Population. Online via Internet: URL: http://www.ks-gov.net/ESK/eng/index.php?option=com_content&view=frontpage&Itemid=1 [accessed 22 08 2010].

¹³² Statistical Office of Kosovo: Key Indicators of Population.

the northern part of Mitrovicë/Mitrovica – all in the far north of the territory – and in the southern municipality of Shtërpcë/Štrpce (see Map 1). The International Crisis Group aptly describes the difference between North and South Kosovo:

“Crossing the river feels like traversing a border within the EU’s Schengen zone: there are no signs or formalities, but suddenly everything is different: license plates, street and shop signs, currency and the language heard on the street. The North is part of Kosovo but feels like part of Serbia.”¹³³

The lack of reliable census data has caused difficulties in planning national and international projects and in specifying budget allocations to the municipalities. Moreover, it may have deterred possible investors. Census delays have also resulted in a lack of real data on poverty, employment, and educational levels in Kosovo. The Statistical Office of Kosovo has been preparing for a new official census since 2003. Three test censuses have been conducted, the most recent being between 27 October and 10 November 2008 in six municipalities (Prishtinë/Priština, Prizren/Prizren, Dragash/Dragaš, Mamushë/Mamuša, Lipjan/Lipljan, Vushtrri/Vučitrn).¹³⁴ Following these, the Statistical Office of Kosovo proposed to set the date of the official census as early as possible in 2009. However, in June 2009, Kosovo’s government set a new date for the census, which is now scheduled to take place between 30 March and 11 April 2011.¹³⁵

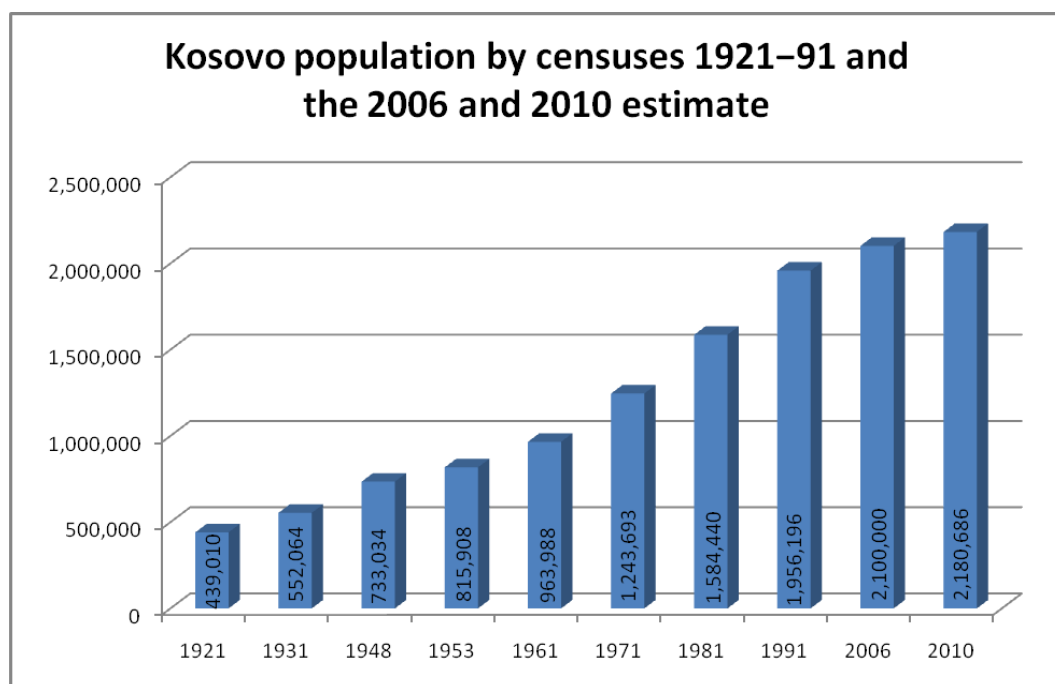
Kosovo is characterized by its higher-than-average population growth – indeed, the highest in Europe since World War II. Figure 4 illustrates Kosovo’s continuous population growth in absolute numbers. The period of greatest growth was 1981–91, with an increase of 371,756 inhabitants.

¹³³ International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 18.

¹³⁴ Statistical Office of Kosovo: Report on the test census 27 October–10 November 2008. Prishtina 2008. pp. 3.

¹³⁵ Republic of Kosovo Office of the Prime Minister: Online via Internet: URL: <http://www.kryeministri-ks.net/?page=2,9,708> [accessed 29 06 2009].

Figure 4: Kosovo population by censuses 1921–91 and the 2006 and 2010 estimate



Source: Based on the Statistical Office of Kosovo: Population Statistics. Demographic changes of the Kosovo population 1948–2006. pp. 7.

The fertility rate varies enormously between rural and urban areas, and between Kosovo Albanian and Kosovo Serbian families. In general, a Serbian family is considerably smaller than an Albanian family, though the fertility rate of Albanians is declining and currently averages 2.5 children per Kosovo Albanian woman while in 1981 it was 6.74 in rural areas and 2.74 in urban areas.¹³⁶

Kosovo's infant mortality rate is among the worst in Europe: for every 1,000 live births, between 35 to 49 babies die.¹³⁷ Kosovo also has the youngest population in Europe, with an average age of 25 years. Of the total population, 33 per cent are under 14 years old, 61 per cent are aged between 15 and 64, and six per cent are 65 and over.¹³⁸

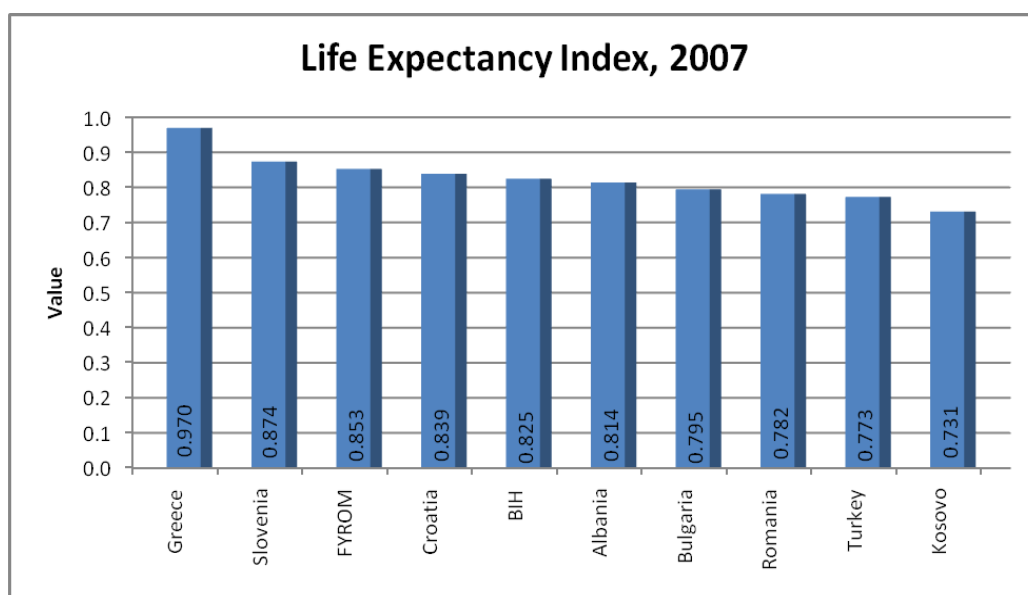
¹³⁶ Population Reference Bureau: Data by Geography. Kosovo. Summary. Online via Internet: URL: http://www.prb.org/Datafinder/Geography/Summary.aspx?region=213&region_type=2 [accessed 02 02 2009].

¹³⁷ UNICEF in Kosovo: The Children. Early years. Online via Internet: URL: <http://www.unicef.org/kosovo/children.html> [accessed 22 02 2010]. Compare chapter 5.3.1 Indicators of health outcomes.

¹³⁸ Statistical Office of Kosovo: Key Indicators of Population. Compare chapter 5.4 Youth bulge.

As of 2007, Kosovo males had an average life expectancy of 67 years compared with 71 for females.¹³⁹ Figure 5 compares the life expectancy indices of the Balkan countries and shows that Kosovo ranks lowest in terms of life expectancy in the whole Balkan region. The life expectancy index a component of the Human Development Index, shows how countries rank relative to one another in terms of life expectancy at birth, where an index over 0.800 points to high human development; between 0.500 and 0.800 to medium human development; and below 0.500 to low human development.

Figure 5: Life Expectancy Index in the Balkan region, 2007



Source: UNDP Kosovo: Energy for Development. Kosovo Human Development Report 2007. p. 4.

The overall illiteracy rate in Kosovo is about 5.8 per cent,¹⁴⁰ but typically higher among women, in rural areas and among older residents. Almost 14 per cent of women over 15 years old living in rural areas are defined as illiterate; the rate for comparable men is 4.0 per cent.¹⁴¹

One way of measuring Kosovo's overall level of development is by using the UNDP's human development index (HDI). (The compiling of the HDI, which combines the three indicators of life expectancy, educational attainment and income into a composite index, was a breakthrough in that it creates a single statistical indicator for

¹³⁹ Statistical Office of Kosovo: Elderly persons in Kosovo aged 100 years and above. Prishtina 2007. p. 11.

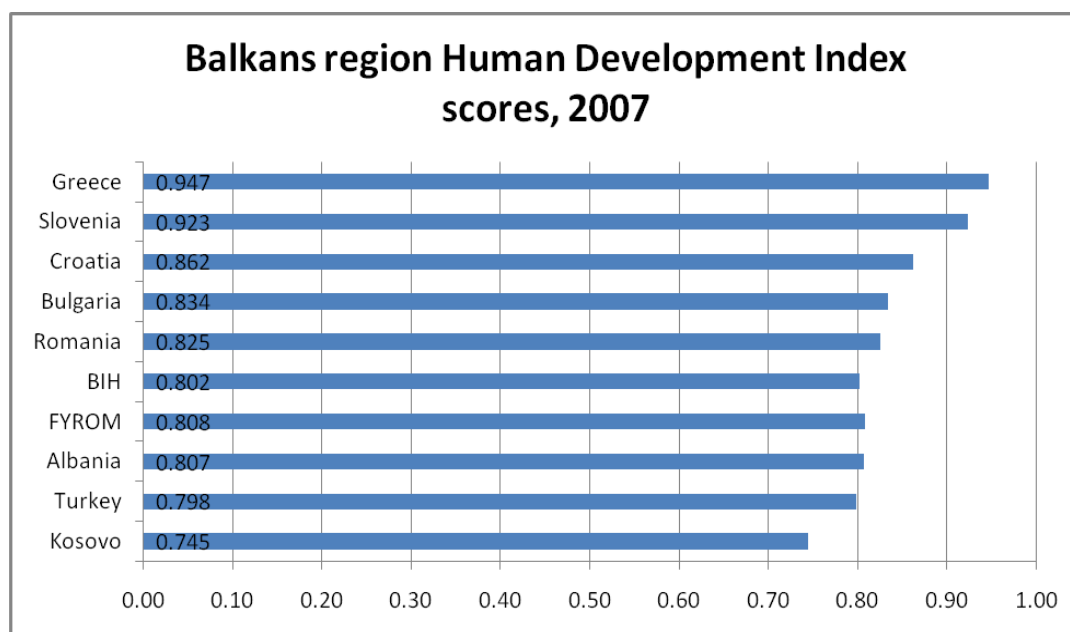
¹⁴⁰ The World Bank: Kosovo Public Expenditure and Institutional Review. Volume I. September 2006. p. 95. Compare chapter 5.2.2 Indicators of educational outcomes.

¹⁴¹ Statistical Office of Kosovo: Literacy in Kosovo. 2004. pp. 1.

both social and economic development. The index sets a minimum and a maximum for each dimension, called goalposts, and then shows where each country stands in relation to these goalposts, expressed as a value between zero and one.¹⁴² In short, the HDI measures a country's average achievements in three basic aspects of human development: health, education and standard of living. Health is measured by life expectancy at birth; knowledge by a combination of the adult literacy rate and the combined primary, secondary, and tertiary gross enrollment ratio; and standard of living by GDP per capita.¹⁴³)

Kosovo's performance as measured by the HDI is the lowest in the Balkans as shown in Figure 6. Kosovo is not ranked in the UNDP's global human development index, but its overall HDI score would place it in the "medium human development" category.

Figure 6: HDI scores of Balkan countries, 2007



Source: UNDP Kosovo: Energy for Development. Kosovo Human Development Report 2007. p. 3.

¹⁴² UNDP: The Human Development Index. Online via Internet: URL: <http://hdr.undp.org/en/statistics/indices/hdi/> [accessed 02 02 2009].

¹⁴³ See chapter 5.2.2 Indicators of educational outcomes, Figure 28 for the Education Index.

3.2 Key historical events

Both Albanians and Serbs consider Kosovo to be their land, and the political tensions and disputes on this matter date back many centuries. For the Serbs, Kosovo is a region of great strategic and economic importance, as well as the cradle of the Serbian nation. It is the location of the legendary battle against the Ottoman conquerors in 1389, and has a heavy concentration of Serbian historical, religious and cultural monuments. Serbs have tried to substantiate their claim that before they arrived in the region in the sixth and seventh centuries, Kosovo was almost uninhabited, and that Albanians only arrived in the fifteenth century with the Turks. On the other hand, Albanians claim that they are Kosovo's original inhabitants, indeed the descendants of the ancient Illyrians.¹⁴⁴

The Serbian description of Kosovo as the cradle of the Serbian nation gives the impression that Kosovo was a Serb heartland from the outset. However, the reality is different. Roughly 900 years separate the Serb migration into the Balkans in the sixth century and the final Ottoman conquest in 1459. However, Kosovo was Serb-ruled for only the last two-and-a-half of those nine centuries, or less than one-third of the entire period. Bulgarian tsars held Kosovo from the 850s until the early eleventh century, and Byzantine Emperors until the final decades of the twelfth.¹⁴⁵

There are numerous theories about the exact origins of the Illyrians, and whether or not they are the ancestors of the modern Albanians. However, according to international scholars, the Albanian claim seems plausible. The fact that this region was inhabited by other people before the Serbs did not fit in with the Serbian account of their history and so appears to have been simply excluded from the record. This argument over whether the Illyrians were the ancestors of the Albanians continues, even today, to divide Serbian and Albanian accounts of Kosovo's history.

While the Serbs' claim to Kosovo originated mainly from a selective reading of history and nationalist mythology, the Albanians, by contrast, can rely on a second empirical argument based on demography. Albanians point to the fact that they constitute more than 90 per cent of the population and thus outnumber Serbs or any other nationality.

¹⁴⁴ For a detailed historical background see: Noel Malcolm: Kosovo. A short history. New York University Press. New York 1998; Miranda Vickers: Between Serb and Albanian. A History of Kosovo. Hurst. London 1998; Tim Judah: Kosovo. War and Revenge. Yale University Press. New Haven 2000; Tim Judah: Kosovo. What everyone needs to know. Oxford University Press. New York 2008.

¹⁴⁵ Noel Malcolm: Kosovo. A short history. New York University Press. New York 1998. p. 41.

Balkan history in modern times is characterized by a sequence of battles and wars, fomented by foreign powers and domestic interest groups intentionally deploying nationalist ideology. In keeping with this trend, although history was not the root cause of the war in Kosovo, it was heavily used as a political propaganda instrument. Albanians and Serbs have their own immiscible and mythologized perspectives of the past with which they seem to have difficulty coming to terms. This chapter aims both to dispel historical claims that emanate from nationalist mythology rather than historical facts, and to highlight the way communist education often used a selective view of history and suppressed facts that interfered with a more accurate account.

Since Serbian and Albanian political leaders both appeal to the past to explain or justify their policies, it is necessary to begin this account in ancient times to pinpoint events that influenced the later period. However, it should be noted that the events of ancient history cannot have any implications for modern politics. By looking at these events, one seeks to understand why the people of Kosovo behave as they do today.

Research into the Iron Age has shown that a culture with distinct features that can without doubt be called Dardanian existed in the eighth century BC in the territories that written sources later called Dardania. The Dardanians can, with a degree of certainty, be considered Illyrians.¹⁴⁶

History becomes a little more focused when the area was conquered by Rome and incorporated into the Roman Empire. Illyrians, who spoke a proto-Albanian language, lived outside the towns in the Roman province of Dardania, which included Kosovo and Skopje. Throughout the third and fourth centuries AD, the Illyrian regions suffered numerous invasions by Teutonic tribes, the Goths, the Huns and the Avars. By the sixth century, the Slavs had begun to cross the Danube and Serbs and Croats, who were first described as one people, descended into the Balkans. However, these large migrations did not wipe out pre-existing societies in the central Balkans. In the seventh century, Serbian principalities arose in Rascia (to the north of modern day Kosovo), where Slavic immigrants merged with autochthonous people.

During the tenth century, the central Balkan regions became the scene of conflict between the Byzantines and the Bulgarians. The Bulgarian Empire, which comprised most of the land between the Black Sea and the Adriatic, including all Albanian inhabited regions, was defeated by the Byzantines, who then reestablished their rule

¹⁴⁶ Miranda Vickers: *Between Serb and Albanian. A History of Kosovo*. Hurst. London 1998. p. 4.

over the Albanian speaking regions. In 1054, the Christian world finally split into the Eastern Orthodox and Roman Catholic Churches and as a result, the Albanian people of the Balkans came under the influence on the one hand, of the Greeks and Slavs and, on the other, of Rome and Venice.¹⁴⁷

In the 1160s the new medieval Serb kingdom of the Nemanjids emerged, and was to dominate the history of the region for the next 200 years. By the time King Stefan Nemanja I abdicated in 1196, he had conquered the whole of Eastern Kosovo. In 1216 his son Stefan II took over Western Kosovo and so the whole territory of Kosovo was now under Serbian rule. One year later, Stefan II was crowned King of Serbia by a papal legate who had been sent from Rome especially for this purpose. During the Nemanjids' rule Kosovo became the administrative and cultural center of the Serbian state.

In the thirteenth century, several Serbian territorial expansions occurred, however the height of the medieval state was reached under Stefan Dusan in the fourteenth century. Under Dusan's rule Serbia was the major power in the Balkans, and the multi-lingual empire stretched from the Danube to the Gulf of Corinth, with the capital in Skopje. In 1346, Dusan was crowned "Emperor of the Serbs and the Greeks" by the Serbian Patriarch. With his death in 1355, the empire began to break up. Dusan's son, Tsar Uros, succeeded, but his death in 1371 at the Battle of Marica in Bulgaria against the invading Ottomans marked the end of the Nemanjids dynasty.

The truth is that the Battle of Marica was far more decisive in opening up the Balkans to the Turks and in weakening the Serbs than the later and more famous Battle of Kosovo, which was fought on 28 June 1389 near today's Fushë Kosovë/Kosovo Polje (The Field of Blackbirds), just outside Prishtinë/Priština.

However, it was the Battle of Kosovo that played a unique role in forming Serbian mythology and identity. According to classical Serbian history, the Serbian Prince Lazar was defeated by the invading Ottoman Turks at Kosovo Polje, and in the Serbian view, medieval Serbia's fate was sealed. The Serbs, critically weakened in this seemingly decisive battle, subsequently became part of the Ottoman Empire. The Serbian myth says that Serbia alone fought against the Ottomans, but the reality seems to have been different. There is historical evidence that it was a Christian alliance of

¹⁴⁷ Miranda Vickers: Between Serb and Albanian. A History of Kosovo. Hurst. London 1998. p. 5.

Serbs, Bosnians, Croats, Hungarians and Albanians that confronted the Ottoman army.¹⁴⁸

Over the next 600 years, the Battle at Kosovo Polje has exercised a powerful grip on the Serbian imagination; the call to “avenge Kosovo” was an emotional one during the nineteenth century reawakening of Serbian nationalism.

However, the Serbian inclination to describe this battle as decisive is puzzling since Serbia was able to continue to resist the Ottoman Empire for a further 70 years. The remainder of Serbia was only conquered by the Islamic Ottoman Turks in 1459 with the fall of its last capital, Smederevo. It was this that marked the end of medieval Serbia.¹⁴⁹

The crusade of Varna in 1444 and the second battle of Kosovo in 1448 between the Hungarian Kingdom and the Ottomans both ended in devastating Hungarian losses. However, they provided the basis for the major revolts against Ottoman rule led by the well-known Albanian nobleman Gjergj Kastriot or “Skenderbeg” (meaning Lord Alexander in Turkish), today’s Albanian national hero. Skenderbeg fought against the far larger and better equipped Ottoman army for 25 years, until his death in 1468. Skenderbeg’s successes became highly significant to the Albanian people and have been heroically embellished to form part of the Albanian mythology.

Nevertheless, during the centuries of Ottoman rule, Albanians converted to Islam in large numbers led by the most powerful individuals and families. By accepting Islam they gained opportunities to build their careers in society and state, which was the Ottoman strategy in all the territories inhabited by Albanians, and beyond.¹⁵⁰ Meanwhile, the ethnic balance of the region steadily changed in favor of Albanian speakers as Kosovo Serbs migrated northwards.

A crucial development took place during the Austro-Ottoman wars in the seventeenth century, when Serbs left Kosovo in large numbers. In 1690, refusing to convert to Islam and fearing carnage, the Orthodox Patriarch of Pejë/Peć, Arsenije, turned to the Austrian Emperor Leopold I for support. Thereupon, Leopold I granted the Serbian population asylum in the Habsburg territories where they also enjoyed special political and religious status. (Popular tradition is that about 37,000 Serbian families

¹⁴⁸ Miranda Vickers: *Between Serb and Albanian. A History of Kosovo*. Hurst, London 1998. p. 13.

¹⁴⁹ Noel Malcolm: *Kosovo. A short history*. New York University Press, New York 1998. p. 92.

¹⁵⁰ Xhabir Hamiti: *The position of Islam and other religions in territories inhabited by Albanians*. p. 4. Online via Internet: URL: <http://www.xhabirhamiti.eu/> [12 05 2010].

migrated from Kosovo to Vojvodina and Hungary, though in fact it was only some 30,000 people in all).¹⁵¹ This exodus, known as the Great Serb Migration, shifted the majority of Serbs northward to the region of Belgrade where they have remained ever since. Additionally, the abolition of the patriarchate at Pejë/Peć in 1766 substantially diminished the importance of Kosovo as a Serbian cultural center. As a result, Kosovo became underpopulated and Kosovo's fertile land quickly attracted a new wave of immigrants from the mountains of Albania. Most of the new arrivals became Muslims in order to register their rights to the newly possessed land. Ethnic Albanians increasingly identified with the region, and by the late nineteenth century, Prizren had become an important center of Albanian culture and national consciousness.¹⁵²

The nineteenth century was characterized by uprisings associated with the emergence of nationalism. Prince Miloš Obrenović, who led the second of two Serb rebellions, secured complete autonomy for Serbia in 1833.

After repressing a major revolt in Bosnia in 1875, the Ottomans almost managed to conquer Serbia, and in 1877 Russia, joined by Serbia and Montenegro, declared war on the Turks. The international crisis that followed was resolved first with the Treaty of San Stefano in 1878 and then with its revision, the Treaty of Berlin. The treaty recognized the independence of Serbia, Montenegro and Romania while Bulgaria was granted autonomy and Bosnia-Herzegovina came under Austro-Hungarian rule. The ceding under the treaty of Albanian-inhabited territories to Slavic states caused extensive resentment and led to a resistance movement in Kosovo against the Treaty of Berlin and finally against Ottoman rule itself.

The Albanian national movement in Kosovo began when 300 Albanians called a meeting in Prizren where they founded the Prizren League. The political aims of the league were to prevent the dismemberment of the Albanian territories of the Ottoman Empire, to defend Albanian territorial integrity and to unite the four Albanian-inhabited provinces of Janina, Monastir, Shkoder and Kosovo into one political and administrative unit – still under the umbrella of Ottoman rule. In a letter to Britain's delegate to the Berlin Congress, the league declared:

¹⁵¹ Noel Malcolm: Kosovo. A short history. New York University Press. New York 1998. p. 92.

¹⁵² Jane's Sentinel Country Risk Assessments: The Balkans. Kosovo. Internal Affairs. Encyclopedia Britannica: Kosovo. 2008. Encyclopedia Britannica Online via Internet: <http://search.eb.com/eb/article-9046111> [accessed 17 07 2008].

“Just as we are not and do not want to be Turks, so we shall oppose with all our might anyone who would like to turn us into Slavs or Austrians or Greeks, we want to be Albanians.”¹⁵³

As the Ottoman Empire weakened, the League considered total autonomy within the Empire as the best option to preserve their interests and safety. The League gradually became anti-Christian, and the Muslim leadership encouraged a policy similar to “ethnic cleansing”. As a result increasing numbers of Serbs left Kosovo for Serbia.¹⁵⁴

The independence of Albania and Serbia’s territorial gains – including Kosovo – in the Balkan Wars of 1912–13 worsened Serbian–Albanian relations. Serbia asserted an historical claim to Kosovo, whether it was predominantly inhabited by Albanians or not, and the policy of the Serbian State towards Kosovo has been based on this claim ever since.¹⁵⁵ In 1918, Serbia, including Kosovo, entered the new “Kingdom of Serbs, Croats and Slovenes”, renamed Kingdom of Yugoslavia after 1929.¹⁵⁶

Throughout the inter-war period, Serbia tried to resettle Serbs in Kosovo in order to turn round the population imbalance. However, this so-called “colonization” process was met with resistance from local ethnic Albanians.¹⁵⁷ During the “first Yugoslavia”, Kosovo had no special status but was considered as a district in Southern Serbia. Albanians were discriminated against in political, economic, social, and cultural spheres, and many were forced or intimidated into leaving. In July 1921, Kosovo Albanians presented a petition to the League of Nations requesting reunion with Albania. The petition stated that since 1918, Serbs had killed 12,371 people in Kosovo and imprisoned 22,000. However, this request was turned down.¹⁵⁸

During World War II, Kosovo was annexed to Greater Albania under Italian patronage, while the northern tip of Kosovo was occupied by Germans, and a strip of land in Eastern Kosovo went to Bulgaria.¹⁵⁹ Consequently, Serbs, especially recent settlers, were driven out. After World War II, the pre-war situation was restored, with the Albanian population achieving greater rights from the mid-1960s onwards. Until then the Albanian repression continued to some extent while Aleksandar Ranković

¹⁵³ Miranda Vickers: *The Albanians. A modern history*. Tauris. London 1995. p. 33.

¹⁵⁴ Miranda Vickers: *Between Serb and Albanian. A History of Kosovo*. Hurst. London 1998. pp. 42.

¹⁵⁵ Florian Bieber. Židas Daskalovski: *Understanding the War in Kosovo*. Cass. London 2003. p. 16.

¹⁵⁶ On the historical background from 1918–99 see: Dušan Janjić: *Kosovo between conflict and dialogue*. Forum for Ethnic Relations. Belgrade 2004. p. 5.

¹⁵⁷ Miranda Vickers: *Between Serb and Albanian. A history of Kosovo*. Hurst. London 1998. pp. 105.

¹⁵⁸ Miranda Vickers: *The Albanians. A modern history*. Tauris. London 1995. p. 96.

¹⁵⁹ Noel Malcolm: *Kosovo. A short history*. New York University Press. New York 1998. pp. 290.

served as Yugoslav Minister of the Interior. Ranković was a Serbian communist as well as a nationalist and was removed from office in 1966 after having bugged Tito's conversations. For the Albanians in Kosovo the removal of Ranković was a turning point in their fight for national rights.¹⁶⁰

After World War II, Yugoslavia under Marshal Josip Broz Tito became a Communist federation, the Federative People's Republic of Yugoslavia. The Constitution of 1946 established six socialist republics (Bosnia-Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia), Vojvodina became an autonomous province, while Kosovo remained an autonomous region, with lesser competencies than an autonomous province.

The Yugoslav constitution of 1963 promoted Kosovo to an "autonomous province". Amendments of 1971 were incorporated in the Yugoslav constitution of 1974 which remained in force until the final break-up of Yugoslavia. These gave the autonomous provinces of Kosovo and Vojvodina a status almost equivalent to that of the six republics, with their own direct representation on the main federal Yugoslav bodies. The constitution also gave the autonomous provinces the right to issue their own constitutions.¹⁶¹

However, the constitution of 1974 failed to meet the aspirations of the Kosovo Albanians who were demanding a *Kosova-Republika*. The status of Vojvodina and Kosovo differed from that of the republics in that the statehood of the regions was not accepted. In the constitution of 1974, Albanians were merely defined as a nationality of Yugoslavia and not as a nation, which is why Kosovo was given autonomy but not designated a republic. The sovereignty implied in being designated a nation also contained the crucial right to secession.¹⁶² By calling for a republic, Kosovo Albanians referred to their distinct ethnicity and the reality that Kosovo, with an area of 10,887 square kilometers and a population of more than one million, was no less entitled to republic status than Montenegro with an area of 13,812 square kilometers and a population of only 550,000.¹⁶³

¹⁶⁰ Miranda Vickers: *Between Serb and Albanian. A history of Kosovo*. Hurst. London 1998. pp. 162.

¹⁶¹ Noel Malcolm: *Kosovo. A short history*. New York University Press. New York 1998. p. 327.

¹⁶² Miranda Vickers: *Between Serb and Albanian. A history of Kosovo*. Hurst. London 1998. pp. 178.

¹⁶³ Heinz Vetschera: The secession of Kosovo – a precedent for the Region? In: Ernst Felberbauer, Predrag Jureković, Frederic Labarre (eds.): *Cutting or Tightening the Gordian Knot? The future of Kosovo and the peace process in the Western Balkans after the decision of independence*. Austrian National Defense Academy. Vienna 2008. p. 88.

On the other hand, the constitution of 1974 did require that Kosovo Albanians received equal rights to Serbs. Albanian rights were increased step by step, and a process of what was seen as political, economic and cultural Albanianization began in Kosovo, with Albanians largely taking over the province's administration. These concessions to Albanians promoted Albanian nationalism, encouraging on the one hand emigration from Albania to Kosovo and on the other hand an increasing Serb emigration from the province. The already small Serb minority reduced gradually so that in the census of 1981 Albanians made up 77 per cent of the population while Serbs only made up 13 per cent.¹⁶⁴ Serbs also left Kosovo because of its poor economic situation,¹⁶⁵ which deteriorated further because, in general, the Serbs who left were better educated and technically qualified than the new Albanian immigrants; by now, the province lagged far behind the rest of Yugoslavia economically.

3.2.1 The Serbian–Albanian dispute over Kosovo

With the potential for instability already high, an economic downturn combined with rapid population growth led to pressure on resources, which led to riots by Albanian students in 1981, one year after Tito's death. A student demonstration in Prishtinë/Priština, initially calling for better university conditions, developed into a political mass revolt demanding that Kosovo be granted full republic status. Thousands of workers, especially Trepča miners, along with teachers, students, civil servants and Albanians from all walks of life, gathered in the streets to shout slogans: "Kosovo Republic", "Stop the Exploitation of Trepča", "Protect the Rights of Albanians Outside Kosovo", "Improve Living Conditions for Students and Workers", "Stop Repression, Free Political Prisoners".¹⁶⁶ Among today's Albanians, the 1981 demonstrations are considered a key political turning point of the Yugoslav era. Following the protest, Prishtinë University was described as a hotbed of Albanian nationalism, and Yugoslav security forces re-established a stronger grip over the province. Despite Kosovo's autonomy, renewed Serbian repression began. This encouraged the rise of Albanian nationalism and, last but not least, the emergence of extremism. Extremist Albanians

¹⁶⁴ See Table 3 on page 64.

¹⁶⁵ Noel Malcolm: Kosovo. A short history. New York University Press. New York 1998. pp. 330.

¹⁶⁶ Julie Mertus: Kosovo. How myths and truths started a war. University of California Press. California 1999. p. 30.

who clamored for an “ethnically clean” Kosovo, widespread threats and violence led once again to Serb migration from Kosovo.

Serbian nationalism was also given renewed impetus by these developments, which Slobodan Milošević used to take over Serbia’s leadership. One expression of Serbian nationalism was the Memorandum of the Serbian Academy of Sciences and Arts published in September 1986, which called for a revocation of Kosovo’s autonomy and de-Albanianization of Kosovo.¹⁶⁷

From the mid-1980s, increasing Serb nationalism under Milošević exacerbated tensions in the province. Milošević became head of the Serb Communist Party in 1987 and president of the Serbian Republic in 1989. He stripped Kosovo of its autonomy and used the 600th anniversary of the Battle of Kosovo to reassert Serbia’s dominance. Milošević’s regime tried to set up direct jurisdiction over Kosovo by limiting the rights of Albanians through a systematic campaign for their social exclusion. Serbia took direct control of the province’s administration, forced many Kosovo Albanians from their jobs, and overhauled the education system to make education for Kosovo Albanians much less accessible. Jobs could now easily be given to the “more educated” Serbian population. Many inequitable laws were passed; one that outraged many Albanians was a law which prohibited the shift of real property from a Serb to an Albanian. By imposing these harsh living conditions, Milošević tried to change the ethnic balance of Kosovo in favor of the Serbs. As William G. O’Neill writes,

“Milosevic and other Serb extremists even talked of ‘demographic genocide’ to describe the relatively high Albanian birthrate in Kosovo and the ever increasing Albanian share of Kosovo’s population, coupled with Serb emigration.”¹⁶⁸

Recurrent demonstrations by Albanians were quashed forcibly. The most noteworthy riot was the five-day demonstration for national liberation and autonomy by expelled mineworkers from Trepča in November 1988. In February 1989, another hunger strike by miners broke out; many miners and mine managers were arrested and

¹⁶⁷ Heinz Vetschera: The secession of Kosovo – a precedent for the Region? In: Ernst Felberbauer, Predrag Jureković, Frederic Labarre (eds.): Cutting or Tightening the Gordian Knot? The future of Kosovo and the peace process in the Western Balkans after the decision of independence. Austrian National Defense Academy, Vienna 2008, p. 89.
See Kosta Mihailović, Vasilije Krestić: Memorandum of the Serbian Academy of Sciences and Arts. Answers to criticism. Belgrade 1995.

¹⁶⁸ William O’Neill: Kosovo. An Unfinished Peace. Lynne Rienner, International Peace Academy Occasional Paper Series, Colorado 2002, p. 21.

imprisoned for up to 14 months. These events are remembered and romanticized today as Kosovo's own Solidarity movement – the earliest sustained resistance to Serbian oppression under Milošević.¹⁶⁹

Another incident that is always mentioned by Kosovars is the removal of Albanians from their jobs in state institutions in the summer of 1990. In April of that year, thousands of Kosovo Albanian schoolchildren were reportedly poisoned by Serbs. Violence resulted and Albanians attacked the homes of local Serbs. In response, Serbia took over the police force in Kosovo and transferred 25,000 policemen from Serbia to the province. By the end of the summer more than 15,000 Kosovo Albanians had been removed from state jobs.¹⁷⁰

The dismantling of Kosovo's autonomy was completed in September 1990 when the Serbian constitution was changed and Kosovo was redefined as a region within the Serbian republic. Under "emergency measures", Albanian workers were expelled en masse from state institutions and a process of forced Serbianization began. The Albanian community responded by declaring Kosovo a republic, naming Dr Ibrahim Rugova as President, and organizing parallel political structures. In September 1991, the Kosovo parliament approved an independence resolution, which was then confirmed by referendum. In October 1991 the parliament declared Kosovo an independent republic.¹⁷¹

Ibrahim Rugova was elected as President of Kosovo in May 1992. As head of the Democratic League of Kosovo (LDK), which had been founded in December 1989 as a peaceful resistance movement to Serbian rule, Rugova had stood up for achieving independence by peaceful means, following Gandhi's example of passive resistance. Rugova embodied the struggle for independence for the Kosovars and was much respected internationally for his moderate position and non-violent methods. The LDK established a parallel government to provide education and health services to the Albanian population; many Albanians were either excluded from or chose not to use the equivalent services provided by the Serbian government. The policy pursued by Rugova

¹⁶⁹ International Crisis Group: Trepča: Making sense of the labyrinth. Balkans Report No. 82. Washington – Prishtinë/Priština. 26 November 1999.

¹⁷⁰ Iain King. Whit Mason: Peace at any price. How the world failed Kosovo. C. Hurst & Co. London 2006. pp. 38.

¹⁷¹ International Crisis Group: Kosovo Conflict History. Online via Internet: URL: <http://www.crisisgroup.org/en/key-issues/research-resources/conflict-histories/kosovo.aspx> [accessed 06 07 2009].

and the LDK was three-fold: to prevent violent revolt; to “internationalize” the problem, which meant seeking forms of international involvement; and to deny systematically the legitimacy of Serbian rule by creating a Kosovo Republic.¹⁷²

In the beginning, Rugova’s strategy of passive resistance was widely supported by the Kosovo Albanian population, and up to the Dayton Peace Accord of November 1995, the Kosovo Albanian answer to Belgrade’s apartheid-like regime was non-violent. However, the situation began to change when Rugova’s methods failed to yield results. A radicalization process began especially among young Kosovo Albanians and eventually created a massive student movement as well as a small, but efficient, militant and armed underground.

In the Dayton Agreement, which ended the Bosnian War, Kosovo was totally neglected and the international community failed to arbitrate between Kosovo Albanians and the Serb government. Since the international community made no serious efforts to resolve the province’s ongoing problems, Rugova came under increasing attack from radicals who claimed that his pacifism was tantamount to passivity. Many Kosovo Albanians were deprived of their hopes and perspectives, and began to believe that Rugova’s policy of “passive resistance” had failed. An armed resistance emerged in 1997 with the first public appearance of the Kosovo Liberation Army (KLA) – in Albanian, Ushtria Çlirimtare e Kosovës (UÇK)¹⁷³ – whose main goal was to secure the independence of Kosovo.¹⁷⁴

¹⁷² Noel Malcolm: Kosovo. A short history. New York University Press. New York 1998. pp. 348.

¹⁷³ The Albanian acronym of the armed group, “UÇK”, is the same as that of the National Liberation Army (Ushtria Çlirimtare Kombëtare (UÇK) in the Former Yugoslav Republic of Macedonia. Therefore the English acronym “KLA” is used to avoid confusion. This paper refers to the Macedonian group by its English acronym “NLA”.

¹⁷⁴ Compare chapter 3.4.2 Non-parliamentary groups for details of the Kosovo Liberation Army.

3.2.2 The war in Kosovo

The political crisis in Albania contributed to the KLA's increasing power. In the spring of 1997, the collapse of a massive pyramid financial scheme drove about two-thirds of the population into abysmal poverty and provoked widespread unrest. Weapons depots all over the country were looted by desperate people. Soon, tens of thousands of Kalashnikovs and other automatic weapons were circulating throughout the country. The KLA now had easy access to small arms at a low price, significantly increasing its firepower.¹⁷⁵

With the frustration of Dayton and the sudden availability of weapons, the character and intensity of the armed resistance changed. The KLA became more sophisticated in its methods and increased its activity in 1997 and early 1998, with attacks especially on Serb police stations and police officers.

When in February 1998, innocent civilians, mostly women and children, were killed by Serbian forces in the KLA stronghold of Drenica, interethnic tensions escalated and the KLA began a guerrilla war against the Serb Yugoslav authority. The police reportedly burned homes and killed dozens of ethnic Albanians in the ensuing raids. This fighting sparked the first mass exodus of Albanians from Kosovo, with thousands now displaced from their homes. As the bloody incidents increased, the major Western powers finally paid attention to the problem. In March 1998, the UN Security Council (UNSC) in its Resolution 1160 condemned "the use of excessive force by Serbian police forces against civilians and peaceful demonstrators in Kosovo, as well as all acts of terrorism by the Kosovo Liberation Army."¹⁷⁶ Starting in July 1998, Milošević steadily increased the level of violence against the Albanian majority and by September there were an estimated 200,000 displaced ethnic Albanians.¹⁷⁷ When the guerrilla war continued and Milošević's ethnic cleansing campaign progressed, NATO threatened Milošević with air strikes – demanding that the Serbian army stop attacks on civilians and security forces withdraw from Kosovo within 96 hours. After negotiations with the US envoy Richard Holbrooke, a ceasefire agreement was reached in October 1998. Milošević agreed to pull back the bulk of his military forces from Kosovo, allow the return of internally displaced persons and refugees, and permit the deployment of

¹⁷⁵ William O'Neill: Kosovo. An Unfinished Peace. Lynne Rienner. International Peace Academy Occasional Paper Series. Colorado 2002. p. 22.

¹⁷⁶ S/RES/1160 (1998), 31 March 1998.

¹⁷⁷ Jane's Sentinel Country Risk Assessments: The Balkans. Kosovo. Internal Affairs.

the OSCE Kosovo Verification Mission (KVM). Following the agreement, the KVM was deployed, consisting of 1,500 international observers,¹⁷⁸ to monitor the implementation of the agreement.¹⁷⁹

Despite the presence of an international observer force, violence continued and the situation worsened significantly. On 15 January 1999 about 45 Albanians, some of them children, were found murdered in the village of Rečak/Račak. Ambassador William Walker, the head of the OSCE Mission, immediately accused the Serbs of being responsible. Belgrade, however, asserted that the KLA had staged the massacre to justify Western intervention. The Rečak incident later became the basis of one of the indictments of war crimes against Milošević.

As fighting continued into February, the six-nation Contact Group – the United States, Russia, Britain, France, Germany and Italy – organized a conference with Serb and Kosovar leaders in Rambouillet, near Paris, in order to negotiate an end to the war. The international community's proposals called for the disarmament of the KLA and the withdrawal of Serb forces. This was to be secured through the stationing of a 30,000-strong peacekeeping force in Kosovo under the umbrella of NATO. The plan also provided for a restoration of Kosovo's autonomy and its independent institutions, but left the issue of future status for reconsideration after three years.¹⁸⁰ Milošević rejected this proposal, declaring that the presence of a NATO force to supervise its implementation in Kosovo would be an unacceptable infringement of Serbian sovereignty. Since no agreement was reached, another conference was held in Paris (on 15–18 March 1999) where the proposal was signed by the Kosovo Albanians. Once again, Milošević refused to sign, and the negotiations failed a second time.

Finally, NATO launched the threatened bombing campaign over the Federal Republic of Yugoslavia on 24 March 1999, without specific UNSC authorization. After 78 days, Milošević capitulated, agreeing to admit the Kosovo Force (KFOR)¹⁸¹ into Kosovo and withdraw his forces. The first elements of KFOR, a contingent of military forces from NATO and non-NATO countries, entered Kosovo on 12 June 1999, with an initial strength of 50,000. By 20 June, the withdrawal of Serbian forces was complete. Under the Military Technical Agreement signed by KFOR and the governments of the

¹⁷⁸ OSCE: Online via Internet: URL: <http://www.osce.org/item/22063.html> [accessed 07 06 2009].

¹⁷⁹ The Independent International Commission on Kosovo: The Kosovo Report. Conflict, international response, lessons learned. Oxford University Press. Oxford 2000. pp. 75.

¹⁸⁰ Ibid. p. 82.

¹⁸¹ See chapter 4.3.1 Kosovo Force for a detailed analysis of KFOR's role in Kosovo.

Federal Republic of Yugoslavia and the Republic of Serbia at the end of the conflict, the international security force was authorized to “take all necessary action to establish and maintain a secure environment for all citizens of Kosovo and otherwise carry out its mission.”¹⁸²

One of the impacts of the Kosovo war was the massive flight of people from their homes. At least 500,000 were internally displaced and over 6,000 killed. It is estimated that over 800,000 Kosovo Albanians fled to neighboring Albania, Montenegro, and the Former Yugoslav Republic of Macedonia during the course of the conflict.¹⁸³

3.2.3 Kosovo under UN administration

On 10 June 1999, the UNSC passed Resolution 1244, mandating KFOR’s presence and the creation of the United Nations Interim Administration Mission in Kosovo (UNMIK), which was to

“provide an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, and which will provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions”, with the goal of “facilitating a political process designed to determine Kosovo’s future status, taking into account the Rambouillet accords.”¹⁸⁴

UNMIK consisted of four different components – called “pillars” – which were subordinate to the Special Representative of the Secretary-General (SRSG). Each pillar was led by a Deputy SRSG appointed by the Secretary-General, and run under the auspices of different international organizations. Pillar I was originally led by the United Nations High Commissioner for Refugees (UNHCR) and dealt with humanitarian affairs and the return of refugees and internally displaced persons in the immediate post-conflict emergency phase. However, with the emergency phase over,

¹⁸² Military Technical Agreement between the international security force (“KFOR”) and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia. 9 June 1999.

¹⁸³ Office of the United Nations High Commissioner for Refugees (UNHCR): The Kosovo refugee crisis: an independent evaluation of UNHCR’s emergency preparedness and response. EPAU Evaluation Reports. February 2000. Online via Internet: URL: <http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=3ba0bbeb4&query=Kosovo> [accessed 16 02 2009].

¹⁸⁴ S/RES/1244 (1999), 10 June 1999.

Pillar I was taken over by the UN directly and reformulated in May 2001 as the Police and Justice Pillar. Since then, the pillars have been as follows:¹⁸⁵

- Pillar I: Police and Justice, led by the UN.
- Pillar II: Civil Administration, led by the UN.
- Pillar III: Democratization and Institution Building, led by the Organization for Security and Co-operation in Europe (OSCE).¹⁸⁶
- Pillar IV: Reconstruction and Economic Development, led by the European Union.

Based on UN Security Council Resolution (UNSCR) 1244, UNMIK's main responsibilities include:

- promoting the establishment of substantial autonomy and self-government in Kosovo;
- performing basic civilian administrative functions;
- organizing and overseeing the development of provisional institutions for democratic and autonomous self-government, including the holding of elections;
- transferring its administrative responsibilities while overseeing and supporting the consolidation of Kosovo's local provisional institutions and other peace-building activities;
- facilitating a political process to determine Kosovo's future status;
- overseeing the transfer of authority from Kosovo's provisional institutions to institutions established under a political settlement;
- supporting the reconstruction of key infrastructure and other economic reconstruction;
- supporting humanitarian and disaster relief aid;
- maintaining civil law and order, including establishing local police forces;
- protecting and promoting human rights; and

¹⁸⁵ UNMIK Online: Online via Internet: URL:

<http://www.unmikonline.org/archives/EUinKosovo/uk/about/about.php> [accessed 09 07 2009].

¹⁸⁶ The OSCE Mission in Kosovo (OMIK) forms a distinct component of the United Nations Interim Administration Mission. Even though it would be correct to use the abbreviation OMIK instead of OSCE, the author is using the general term OSCE which refers to the OSCE Mission in Kosovo.

- assuring the safe and unimpeded return of all refugees and displaced persons to their homes in Kosovo.

UNSCR 1244 made no mention of the really burning question: who would have ultimate authority over Kosovo? The lack of clarity intensified extremist views on both the Kosovo Albanian and the Kosovo Serb sides. Both utilized the ambiguity of Kosovo's future political status to legitimize their aggression. Albanian extremists fostered the fear that the Serbs might return, since Yugoslavia's sovereignty over Kosovo remained unsettled by the resolution, and argued that it was therefore important to expel as many Serbs as possible and destroy their homes. Kosovo Albanians also pursued a policy of removing any incentive Serbs might have to return to Kosovo, thus strengthening Kosovo's claim for independence. Likewise, Serb extremists encouraged the remaining Serbs not to cooperate with UNMIK or KFOR, since Kosovo was still part of Serbia and all decisions regarding local administration, public services and security should still come from Belgrade. Serbs who were willing to cooperate with international organizations were threatened by Serb extremists. This ambiguity over Kosovo's future status hampered efforts to promote interaction between the two communities.¹⁸⁷

In April 2002, UNMIK chief Michael Steiner introduced UNMIK's core political project, the "standards-before-status" policy, as a stopgap to put off pressure within Kosovo for independence. The policy stated that if the Provisional Institutions of Self-Government (PISG) made progress towards achieving certain standards, Kosovo's final status could be addressed in mid-2005. The eight standards concerned functioning democratic institutions, rule of law, freedom of movement, refugee returns and reintegration, economic progress, property rights, dialogue with Belgrade and the establishment of the Kosovo Protection Corps.¹⁸⁸

Whatever progress had been achieved was utterly shattered by the March riots of 2004, the worst fighting between Serbs and Albanians since the end of the war. What started as demonstrations against UNMIK and the perceived lack of progress toward independence turned into riots that claimed a total of 19 lives, of whom 11 were Kosovo

¹⁸⁷ William O'Neill: Kosovo. An Unfinished Peace. Lynne Rienner. International Peace Academy Occasional Paper Series. Colorado 2002. p. 30.

¹⁸⁸ UNMIK Press Release: SC/7999. Implementing "Standards Before Status" Policy Core Political Project for UN Kosovo Mission. Online via Internet: URL: <http://www.un.org/News/Press/docs/2004/sc7999.doc.htm> [accessed 09 07 2009].

Albanians and eight were Kosovo Serbs. In all, 954 persons were injured in the course of the clashes. Approximately 730 houses belonging to minorities, mostly Kosovo Serbs, were damaged, along with 36 Orthodox churches, monasteries and other religious and cultural sites. In less than 48 hours, 4,100 minority community members were newly displaced, exceeding the 3,664 that had returned throughout 2003.¹⁸⁹ KFOR's and UNMIK's responses were disorganized and negatively affected their credibility, particularly amongst Serbs. According to a Serbian woman interviewed by the author:

“KFOR didn't do anything to prevent that violence. The only thing that they did was they evacuated Serbs from monasteries, from certain areas – villages – and that's it. They really didn't do anything to stop the violence, which is a shame in my view.”¹⁹⁰

Igballe Rogova, a participant in the demonstrations in 2004, gives the following account of the riots:

“It started with protests against UNMIK, and I'm a witness, I was in the streets myself protesting against UNMIK. But then, I don't know where this group came from. It was very well planned; this mysterious extremist group was sent into the crowd and said 'let's go and burn the churches'. Young people followed them and we went home; we said 'no, we don't want violence'. Still today we don't know who they were, this mysterious group. So the situation turned violent, and I blame the international community for that. I don't blame Albanians.”¹⁹¹

In response, the UN Secretary-General Kofi Annan dispatched the Norwegian diplomat Kai Eide as a special envoy to investigate the situation in Kosovo. Eide reported in October 2005 that there was nothing to gain from further delay in resolving the status question. The failure to take action would only lead to further instability. In November 2005, the Contact Group produced a set of “Guiding Principles” for the resolution of Kosovo's future status. Some key principles included: no return to the pre-March 1999 situation, no changes in Kosovo's borders, and no partition or union of

¹⁸⁹ United Nations Security Council: Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo. S/2004/348. 30 April 2004.

¹⁹⁰ Interview with a female Kosovo Serb (anonymity requested). Prishtinë/Priština 19 September 2009.

¹⁹¹ Interview with Igballe Rogova, Executive Director of the Kosovo Women's Network. Vienna 27 November 2009.

Kosovo with a neighboring state.¹⁹² Annan then appointed Martti Ahtisaari, former president of Finland, to lead the future status process. From February through September 2006, Ahtisaari's office engaged the negotiating teams of Kosovo and Serbia in several rounds of direct talks in Vienna.

3.2.4 The way to independence

After a significant delay to allow for Serbia's 21 January 2007 elections, Ahtisaari presented his draft Comprehensive Proposal for the Kosovo Status Settlement to both Belgrade and Prishtinë/Priština on 2 February, covering a wide range of issues related to Kosovo's future. The status negotiations were formally closed on 10 March, and the proposals were put before the UNSC on 26 March. The Security Council could not agree on a resolution backing supervised independence, so the Troika¹⁹³ initiated another round of negotiations between Prishtinë/Priština and Belgrade. Talks ended on 10 December without a compromise status settlement. At a summit on 14 December, EU leaders discussed preparations to proceed towards supervised independence based on the Ahtisaari plan, which would include the deployment of the 1,800 strong European Union security and rule of law mission (EULEX).

Two months later, on 17 February 2008, Kosovo made a unilateral declaration of independence. In the declaration, Kosovo committed to fulfilling its obligations under the Ahtisaari Plan, embracing multi-ethnicity as a fundamental principle of good governance, and welcoming a period of international supervision. Kosovo's independence was quickly recognized by the United States and most European Union countries. Serbia, backed by Russia, called the declaration illegal. Kosovo Serbs soon elected their own assembly¹⁹⁴ as an act of defiance against Kosovo's new constitution, which came into effect on 15 June 2008.¹⁹⁵

As of September 2010, 70 countries have recognized Kosovo including 22 EU member states and the United States. Five EU member countries, Cyprus, Greece,

¹⁹² Guiding principles of the Contact Group for a settlement of the status of Kosovo. Online via Internet: URL: <http://www.unosek.org/unosek/en/docref.html> [accessed 09 07 2009].

¹⁹³ The Troika comprises representatives of the European Union, the Russian Federation and the United States.

¹⁹⁴ Kosovo Serbs launch new assembly. In: BBC News. 28 June 2008. Online via Internet: URL: <http://news.bbc.co.uk/2/hi/europe/7478865.stm> [accessed 09 07 2009].

¹⁹⁵ International Crisis Group: Kosovo Conflict History. Online via Internet: URL: <http://www.crisisgroup.org/en/key-issues/research-resources/conflict-histories/kosovo.aspx> [accessed 09 07 2009].

Romania, Slovakia and Spain refuse to recognize Kosovo due to their own minority problems. The rate of recognitions is currently less than one a month and Kosovo is not yet recognized as a member of the United Nations. However, in May and June 2009, the International Monetary Fund and World Bank voted to admit Kosovo as a full member and in July 2010, the International Court of Justice ruled that Kosovo's declaration of independence is legal under international law, leading Prishtina to hope that this advisory opinion would provide a strong impetus for more countries to recognize its status.

3.2.5 The EU in Kosovo

According to the international community's plans, UNMIK was to be succeeded, after the declaration of independence, by an international mission undertaken by the EU, as set out in the Ahtisaari plan. Belgrade strongly opposed the replacement of UNMIK by an EU mission operating on the basis of Kosovo's independence and its new constitution based on the Ahtisaari plan, and succeeded in enforcing its own idea of a status neutral EU mission, in parallel with a continuing, albeit reduced UNMIK presence. In November 2008, the UN Secretary-General submitted the so-called "Six-Point Plan", negotiated between the UN and Serbia, which provided for a status-neutral role for the EU mission and the extension of UNSCR 1244. Under the "Six-Point Plan", the protection of the rights of the Kosovo Serb population with regard to policing, customs, justice, transportation and infrastructure, the borders of Serb communities and Serb Orthodox religious heritage was transferred to the Serbian government.¹⁹⁶ Kosovo Albanians strongly objected to the plan, arguing it amounted to a de facto partition of the country on an ethnic basis and violated the constitution.

On 16 February 2008, the European Union Rule of Law Mission in Kosovo – EULEX Kosovo (*Lex* is the Latin for law) – was launched by the EU Council. It was initially headed by Yves de Kermabon, who will be succeeded on 15 October 2010 by Xavier Bout de Marnhac of France, appointed Head of Mission on 27 July 2010.¹⁹⁷ EULEX reached its initial operating capability on 9 December 2008 and its full operational strength on 6 April 2009. The mission's aim is to assist and support the

¹⁹⁶ Vedran Džihic. Helmut Kramer: Kosovo after Independence. Is the EU's EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 16.

¹⁹⁷ EULEX Kosovo: New Head of EULEX Kosovo Mission appointed. 27 July 2010. Online via Internet: URL: <http://www.eulex-kosovo.eu/en/news/000249.php> [accessed 28 07 2010].

Kosovo authorities in rule of law matters, particularly in the areas of police, judiciary and customs.¹⁹⁸ EULEX is implementing its mandate throughout Kosovo, and has largely taken over from UNMIK – the full handover took place in December 2008. Since then, UNMIK has no longer been operational, in the sense of lacking executive powers; some UNMIK staff remain but its presence is drastically reduced.¹⁹⁹ As of September 2009, UNMIK’s operational strength had dwindled to 150 staff members including eight UNMIK police officers (compared with about 4,387 UNMIK police officers in 2000).²⁰⁰

In addition to EULEX, the EU is represented in Kosovo by:²⁰¹

- the European Commission Liaison Office to Kosovo
- European Union Special Representative (EUSR)/International Civilian Representative (ICR)
- the Presidency of the European Union
- the EU Member States

The European Commission Liaison Office in Kosovo opened in September 2004 and is responsible for realizing the European agenda in Kosovo with the aim of promoting Kosovo’s accession to the European Union. The Liaison Office’s role includes deployment of enlargement tools under the Stabilization and Association Process²⁰² and fostering Kosovo’s regional and European integration. It is further supposed to strengthen Kosovo’s institutions, develop the economy and realize the achievement of European standards.

The mandate of the EUSR for Kosovo is based on the EU’s objective in Kosovo which is to “support and assist the Kosovo authorities in developing a stable, viable,

¹⁹⁸ See chapter 4.3.3 EULEX for a detailed account of EULEX operations in Kosovo.

¹⁹⁹ See chapter 4.3.2 UNMIK Police.

²⁰⁰ Interview with Mustafa Tekinbas, UNMIK Senior Police Adviser to the SRSg. Prishtinë/Priština 8 September 2009. As of September 2009, UNMIK had a total strength of 150 substantive staff members (involved to fulfill UNSCR 1244) and 300 support staff members (such as security personnel, drivers or engineers).

²⁰¹ The European Commission Liaison Office to Kosovo: How is the EU represented in Kosovo? Online via Internet: URL: <http://www.delprn.ec.europa.eu/?cid=2,41> [accessed 30 06 2010].

²⁰² Compare discussion of European and regional integration in chapter 3.3.1 Economic development and chapter 4.3.3 EULEX.

peaceful and multi-ethnic Kosovo, cooperating peacefully with its neighbours.”²⁰³ Therefore, it is the task of the EUSR in Kosovo, Dutchman Pieter Feith, to offer the EU’s advice and support to the Kosovo government in the political process; to provide overall coordination of the EU presences in Kosovo (for instance the European Commission Liaison Office and EULEX); and to contribute to the development and consolidation of respect for human rights and fundamental freedoms in Kosovo. The EU Special Representative reports to the Council of the European Union, the inter-governmental body representing the 27 EU member states.²⁰⁴

Pieter Feith currently holds a double mandate being not only the EUSR in Kosovo, but also the International Civilian Representative for Kosovo. He was appointed to this role on 28 February 2008 in Vienna by the International Steering Group, which consists of states which have recognized the independence of Kosovo and support the full implementation of the Comprehensive Proposal for the Kosovo Status Settlement. The ICR is charged with supervising the implementation of the Comprehensive Proposal by the Kosovo government,²⁰⁵ and is assisted by the International Civilian Office in the execution of this mandate. The EUSR/ICR has therefore status-neutral as well pro-independence functions. This ambiguity has aroused reasonable doubts about whether the EU has a clear and common policy in Kosovo.

In addition to the EU presence itself, EU member states are represented in Prishtinë/Priština on a bilateral basis and are also active in supporting Kosovo towards a European future.

²⁰³ European Union Special Representative in Kosovo: Online via Internet: URL: <http://www.eusrinkosovo.eu/?id=9> [accessed 30 06 2010].

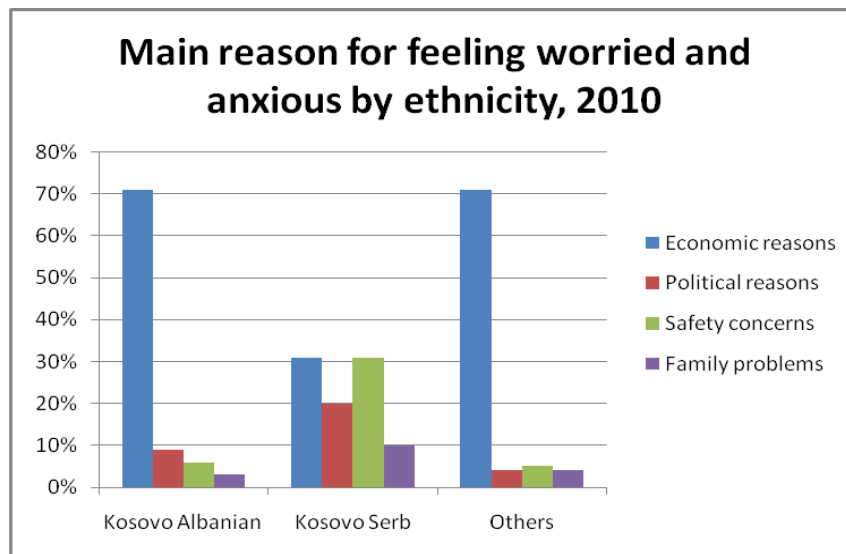
²⁰⁴ The European Commission Liaison Office to Kosovo: Online via Internet: URL: <http://www.delprn.ec.europa.eu/?cid=2,43> [accessed 30 06 2010].

²⁰⁵ International Civilian Office Kosovo: Online via Internet: URL: <http://www.ico-kos.org/?id=2> [accessed 30 06 2010].

3.3 Kosovo's economy

The declaration of independence was not the panacea that many Kosovo Albanians had hoped for; two-and-a-half years after independence, Kosovo's feeble economy has still not improved. The labor market is extremely depressed with about 48 per cent of the state's two million inhabitants unemployed, and poverty remains widespread. According to the World Bank, 45 per cent of the population is poor and 15 per cent extremely poor.²⁰⁶ Living standards in Kosovo are far lower than in neighboring countries. Per capita GDP amounted to €1,759 in 2009 and the average monthly pension is only around €45.²⁰⁷ As shown in Figure 7, economic factors are now by far the most important cause of anxiety among Kosovo Albanian and other minorities, being cited as their main concern by 71 per cent of those questioned in a 2010 UNDP survey, while for Kosovo Serbs economic and safety concerns are equally important (both cited by 31 per cent).

Figure 7: Main reason for feeling worried and anxious by ethnicity, 2010



Source: UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 4.

The roots of economic hardship in Kosovo date back to the former Yugoslavian era. Despite having much arable land – 53 per cent of Kosovo's total land area is

²⁰⁶ See chapter 5.1 Unemployment and poverty.

²⁰⁷ See chapter 5.1.1.1 The pension system.

agricultural land²⁰⁸ – and rich mineral resources, Kosovo has always been the poorest and the least-developed part of the former Yugoslavia. Agriculture is mainly based on subsistence farming for individual households, characterized by small farms, low productivity and the lack of advisory services, nevertheless, agriculture contributes around 19 per cent of Kosovo's overall GDP and is still one of the country's biggest employers, providing jobs for 16.5 per cent of the population, primarily on an informal basis.²⁰⁹ During the 1970s and 1980s, Kosovo's development became a priority for the former communist regime and significant investments were made in infrastructure and extractive industries. Thus, over the two decades 1970–90, the share of industry and mining in Kosovo's output increased from one-third to one-half, whilst that of agriculture fell. However, this improvement was not lasting due to the suspension of Kosovo's autonomy in 1989 and the increase in Serbian repression, so that by the mid-1990s output had fallen back to the levels of the 1970s. Throughout the 1990s, Kosovo's economic and social climate was contaminated by poor economic policies, international sanctions, limited trade and financial accessibility, and ethnic conflict. World Bank data indicate that Kosovo's GDP contracted by 50 per cent between 1990 and 1995, falling to less than \$400 per capita.²¹⁰ During this period, industry, mining and infrastructure were characterized by massive disinvestment in net terms. Many public enterprises fell into decline and cooperatives broke up. Throughout the 1990s, the vast majority of Kosovo Albanians were removed from their jobs, which led to increasing unemployment combined with a wave of migration. Diaspora remittances became the main source of income and the economy was progressively replaced by shadow economic activities.²¹¹

The economic impact of the war in Kosovo was fatal and brought an already struggling economy to a halt. Industrial output collapsed and agricultural production fell sharply. The heaviest impact was on private property, especially on family economies and businesses, as well as private enterprises.

²⁰⁸ Kosovo Ministry of Agriculture, Forestry and Rural Development: Online via Internet: URL: <http://mbpzhr-ks.org/WebEng/Engindex.htm> [accessed 13 11 2009].

²⁰⁹ US Department of State: Background Note Kosovo. 21 July 2010. Online via Internet: URL: <http://www.state.gov/r/pa/ei/bgn/100931.htm> [accessed 23 08 2010].

²¹⁰ The World Bank: Kosovo. Economic and Social Reforms for Peace and Reconciliation. Technical Paper No. 509. Washington, DC 2001. pp.2.

²¹¹ Compare chapter 5.1.2 Migration and remittances as ways out of poverty.

Following the cessation of hostilities in June 1999, the institution entrusted with managing the disastrous economic situation was the European Union. According to UNSCR 1244, the European Union and other international organizations were

“to develop a comprehensive approach to the economic development and stabilization of the region affected by the Kosovo crisis, including the implementation of a Stability Pact for South Eastern Europe ... in order to further the promotion of democracy, economic prosperity, stability and regional cooperation.”²¹²

For this purpose, the EU decided to establish and finance the “European Union Pillar” (UNMIK Pillar IV for Economic Reconstruction).²¹³ The EU, as a regional player, then took the lead for a UN mission for the first time. The pillar’s mandate was threefold: firstly, the reconstruction of key infrastructure and economic development; secondly, the establishment of economic institutions and their transfer to local authorities and thirdly, the promotion of peace and stability.²¹⁴

3.3.1 Economic development

With the international engagement, it became obvious that the economy of Kosovo would need fundamental structural changes to develop into a free-market oriented economy ready to prepare for entry into the EU. Basic economic legislation and easy business registration laid the foundations for the development of private small- and medium-sized enterprises after 1999. The institutionalization of a sound currency was given first priority. The immediate introduction of the deutsche mark, later replaced by the euro, provided a low inflation environment for most of the post-conflict period.²¹⁵

The first phase of the international administration in Kosovo was the emergency stage, characterized by massive reconstruction of damaged and destroyed houses and infrastructure along with the provision of basic services. One of the key priorities of donor programs was to reconstruct Kosovo’s basic infrastructure. Over 50,000 houses

²¹² S/RES/1244 (1999), 10 June 1999.

²¹³ Compare chapter 3.2.3 Kosovo under UN administration.

²¹⁴ Andreas Wittkowsky: Squaring the Circle. A Short History of UNMIK’s European Union Pillar, 1999–2008. In: Südosteuropa Mitteilungen. Journal 01/2009. p. 17.

²¹⁵ Ibid. pp. 22.

have been rebuilt, providing homes for about 300,000 people, and 1,400km of roads have been repaired.²¹⁶

The construction of health clinics and schools has ensured that the basic infrastructure for health and education services is largely in place. However, while reports often like to emphasize this, the term basic infrastructure can be misleading. In most rural villages it often means a ruinous building without essential equipment or sanitary facilities. In short, despite billions of euros spent on reconstruction, people still often live in life threatening conditions.

Kosovars' own initiatives, which have resulted in some remarkable rebuilding activity, have primarily been backed by foreign donor support, totalling approximately €2.7 billion between 1999 and 2007.²¹⁷ A total of €1.96 billion of donor funds had been spent by the end of 2003.²¹⁸ However, donor support has been gradually decreasing since 2001. Grants fell by 70 per cent between 2000 and 2003 and have continued to decline.²¹⁹ In 2008, foreign aid amounted to €275 million, down from €352 million in 2007 and €465 million in 2006.²²⁰ Nevertheless, Kosovo remains the biggest recipient of donor aid in the region. Overall EU assistance to Kosovo is estimated at over €1 billion for the period 2007–10, covering support to Kosovo's political and economic development and financing the EU contribution to the international presence in Kosovo.²²¹

As donor aid declined, a brief reconstruction-driven boom in Kosovo was not sustainable. While GDP rose by 21.2 per cent in 2000, the growth rate fell back to only 3.8 per cent in 2005 and has remained around this level apart from an uptick to 5.4 per

²¹⁶ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Economy.

²¹⁷ The World Bank: Kosovo Country Brief 2009. Online via Internet: URL: <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/ECAEXT/KOSOVOEXTN/0,,contentMDK:20629286~menuPK:297777~pagePK:141137~piPK:141127~theSitePK:297770,00.html> [accessed 04 11 2009].

²¹⁸ Report on Activities of the European Commission/World Bank Office for South East Europe 2003. Brussels 2004. p. 12. Online via Internet: URL: <http://www.southeasteurope.org/documents/joreport2003.pdf> [accessed 04 11 2009].

²¹⁹ The World Bank: Kosovo Economic Memorandum. 17 May 2004. p. ii.

²²⁰ UNDP Kosovo: Early Warning Report Kosovo. No. 23. October–December 2008. January 2009. p. 4.

²²¹ Commission of the European Communities: Communication from the Commission to the European Parliament and the Council. Western Balkans: Enhancing the European Perspective. 5 March 2008. p. 8. Online via Internet: URL: http://ec.europa.eu/enlargement/pdf/balkans_communication/western_balkans_communication_050308_en.pdf [accessed 17 11 2009].

cent in 2008 as shown in Table 4.²²² Much higher growth is needed to improve the calamitous labor market situation.

Table 4: Real GDP growth and GDP per capita, 2005–09

	2005	2006	2007	2008	2009
Real GDP growth (%)	3.8	3.9	3.9	5.4	3.8
GDP per capita (euro)	1,482.1	1,519.8	1,611.0	1,759.0	1,759.0

Sources: Based on the World Bank: Kosovo Economic Memorandum. 17 May 2004. p. ii.

Central Bank of the Republic of Kosovo: Annual Report 2008. June 2009. p. 20.

Central Bank of the Republic of Kosovo: Annual Report 2009. June 2010. p. 19.

Economic growth is still highly dependent on the diaspora and foreign aid. In 2009, remittances from the diaspora totalled about €500 million, approximately 13–15 per cent of Kosovo’s GDP.²²³ Donor financed activities and aid are estimated to be equivalent to around eight per cent of GDP.²²⁴ Although domestic production in Kosovo was very low at the end of 2000, SRSG Bernard Kouchner took a favorable view of the economic achievements of the reconstruction phase. “The power plants, roads and schools are all functioning. The shops are full. Building is booming. Kosovo begins 2001 with a solid economic framework and a balanced budget,” Kouchner stated in a New Year’s speech.²²⁵ Although the emergency phase was definitely characterized by essential economic improvements, Kouchner’s assertion seems something of an overstatement in light of the fact that even today most roads and schools are in a state of disrepair and households and businesses suffer power cuts for several hours each day. Kosovo’s energy and transport sectors are still underdeveloped and in poor condition.²²⁶ These are major obstacles to achieving economic competitiveness and a business environment conducive to solid growth and development. The following macroeconomic data, however, speaks for itself.

²²² Central Bank of the Republic of Kosovo: Annual Report 2009. June 2010. p. 19. According to International Monetary Fund estimates, the growth rate is 3.8% and according to the Kosovo Ministry of Economy and Finance it is 4.4%.

²²³ The World Bank: Kosovo. Unlocking Growth Potential: Strategies, Policies, Actions. A Country Economic Memorandum. 29 April 2010. p. x.

US Department of State: Background Note Kosovo. 21 July 2010. Online via Internet: URL: <http://www.state.gov/r/pa/ei/bgn/100931.htm> [accessed 23 08 2010].

²²⁴ US Department of State: Background Note Kosovo. 21 July 2010. Online via Internet: URL: <http://www.state.gov/r/pa/ei/bgn/100931.htm> [accessed 23 08 2010].

²²⁵ UNMIK Press Release 461: 30 December 2000. Kouchner to Kosovo: A Peaceful New Year. Online via Internet: URL: <http://www.unmikonline.org/press/press/pr461.html> [accessed 04 11 2009].

²²⁶ Compare energy supply section in this chapter on page 103.

After the groundwork was laid, the EU Pillar created the necessary legislation to regulate the basic requirements of a market economy, including regulations relating to company registration, property rights, internal and external trade, external investment, transportation, procurement, telecommunications and energy.²²⁷ The key measures aimed at making Kosovo more competitive in regional and European markets are analyzed below.

Banking and Insurance

One of UNMIK's first moves was the establishment of the Banking and Payments Authority of Kosovo. This institution became the Central Banking Authority of Kosovo in August 2006, with increased capacities and reinforced independence. The Central Banking Authority is a public entity with the authority to license, supervise and regulate financial and insurance institutions operating in Kosovo and simultaneously performs central banking operations with the exception of issuing a currency.²²⁸ According to the EU Pillar's end of mission report, accomplishments have been the restoration of public confidence in the banking sector and an increase in deposits in commercial banks from €93 million to over €1.1 billion between 2000 and 2007.²²⁹ Despite the global financial and economic crisis, the banking sector in Kosovo has remained stable.

European and regional integration

The European Council has often affirmed that the future of the Western Balkans lies within the European Union. In February 2008, the Council reiterated its commitment fully and effectively to support the European perspective for the Western Balkans. It asked the Commission to use community instruments to further economic and political progress and to propose concrete measures to enable the broader region to advance towards European integration.²³⁰ The so-called Stabilization and Association Process (SAP) is the strategic framework within which Western Balkan countries are to advance

²²⁷ Andreas Wittkowsky: Squaring the Circle. A Short History of UNMIK's European Union Pillar, 1999–2008. In: Südosteuropa Mitteilungen. Journal 01/2009. p. 23.

²²⁸ Central Bank of the Republic of Kosovo: Online via Internet: URL: <http://www.bqk-kos.org/english/functions%20responsibilities.htm> [accessed 09 11 2009].

²²⁹ European Union Pillar: The 10 Key Achievements. End of Mission Report 1999–2008. p. 15.

²³⁰ Commission of the European Communities. Communication from the Commission to the European Parliament and the Council. Western Balkans: Enhancing the European Perspective. 5 March 2008. p. 2.

towards EU accession via Stabilization and Association Agreements (SAA).²³¹ Early on, Brussels tried to incorporate Kosovo into the SAP; however, because this was devised to apply to sovereign countries, the EU Pillar supported the creation of a tailor-made instrument for Kosovo – the SAP Tracking Mechanism (STM) – which was introduced in March 2003. Following a similar procedure to that applied to sovereign states participating in the SAP, regular STM meetings are supposed to evaluate Kosovo's progress on political, economic and institutional reforms.²³² Additionally, as regional cooperation among Western Balkan countries is a significant aspect of the SAP, the EU Pillar, in close collaboration with Kosovo institutions, has aimed to integrate Kosovo into the region in areas of common interest, such as energy, transport, trade, combating crime and corruption, repatriation of refugees and border control.²³³ However, as will be discussed in more detail in chapter 4.3.3, the refusal of five EU member states to recognize Kosovo's independence has so far prevented the EU from integrating the independent Kosovo into the SAP.²³⁴

Trade regime and customs administration

Kosovo was subject to the former Yugoslav trade regime and customs administration until June 1999. Between 10 June 1999, when UNSCR 1244 mandated UNMIK, and 3 September 1999, there were no customs check points at Kosovo's borders. Goods flowing into Kosovo were not subject to tariff or non-tariff barriers. In September 1999, the UNMIK Customs Service was formed, which established customs border controls in Kosovo and promulgated an external trade regime and customs administration.²³⁵ The adoption of a trade regime was considered to be crucial in order to stimulate private sector-led economic growth and reconstruction and create the conditions for thriving

²³¹ European Commission: Online via Internet: URL:

http://ec.europa.eu/enlargement/enlargement_process/accesion_process/how_does_a_country_join_the_eu/sap/index_en.htm [accessed 17 11 2009].

²³² European Union Pillar: The 10 Key Achievements. End of Mission Report 1999–2008. p. 15.

²³³ EU Presidency statement. Western Balkans – fostering the integration momentum. 28 March 2009. Online via Internet: URL:

<http://www.eusrinkosovo.eu/pdf/March09Western%20Balkans.pdf> [accessed 17 11 2009].

²³⁴ Vedran Džihic. Helmut Kramer: Kosovo after Independence. Is the EU's EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 19.

²³⁵ The World Bank: Kosovo. Economic and Social Reforms for Peace and Reconciliation. Technical Paper No. 509. Washington, DC 2001. p. 58.

exports.²³⁶ In December 2008, the UNMIK Customs Service became Kosovo Customs. The EULEX Customs Component monitors, mentors and advises this body but only exercises customs executive responsibilities when required.²³⁷

As a result of UNMIK reforms, Kosovo now has one of the most open trade and investment regimes in Europe with the aim of attracting foreign investment and building up the domestic tax base to reduce dependence on aid funding and remittances. The tax system, which has been created from scratch, consists of customs duties, excise tax and value-added tax (initially a sales tax) on imports, currently set at a flat rate of 16 per cent. Kosovo has among the lowest export and import levies in the region. The tariff on imports is ten per cent while exports are tariff free.²³⁸ Exemptions exist for imports of raw materials and for pharmaceutical goods, which are zero rated. Excise tax on fuel, tobacco, alcohol and luxury goods is between ten and 50 per cent of the value of the goods, varying according to product, or a fixed amount per specified quantity. The rate of personal income tax ranges from zero to ten per cent according to the level of annual income, with the highest rate applicable to those with salaries above €450 a month. Corporate tax rates also vary according to the level of earnings. The highest rate applies to entities earning more than €50,000 a year and was reduced to ten per cent of earnings (half the previous figure) in 2009.²³⁹

The bulk of Kosovo's tax revenues is collected at the border. Revenue collected by Kosovo Customs accounted for about 70 per cent of total government revenues in 2009, up from 60 per cent in 2007.²⁴⁰ In 2009, Kosovo Customs collected €635 million, compared to €605 million in 2008 and €114 million in 2000.²⁴¹ Despite increased tax revenues, Kosovo had a budget deficit of €8.1 million in 2008 and €85.6 million in 2009.²⁴²

Besides the collection of revenue, Kosovo Customs is also responsible for fighting crime and smuggling of drugs and other prohibited goods. The European

²³⁶ The World Bank: Kosovo. Economic and Social Reforms for Peace and Reconciliation. Technical Paper No. 509. Washington, DC 2001. p. 58.

²³⁷ Compare chapter 4.3.3 EULEX.

²³⁸ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Economy. 28 July 2010.

²³⁹ Economic Initiative for Kosovo: Investor Guide. Investing in Kosovo 2009. May 2009. pp. 32.

²⁴⁰ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 23.

²⁴¹ Kosovo Customs: Online via Internet: URL: <http://www.dogana-ks.org/?cid=2,33> [accessed 23 08 2010].

²⁴² Central Bank of the Republic of Kosovo: Annual Report 2009. June 2010. p. 19. Compare section State revenues and expenditure on page 107.

Commission reports that anti-smuggling units have started to patrol on all roads, with the exception of those in northern Kosovo. However, trains coming from Serbia into Kosovo are not subject to customs or other controls.²⁴³

Kosovo also benefits from non-reciprocal, customs-free access to the EU market based on the EU Autonomous Trade Preference Regime.²⁴⁴ Furthermore, in December 2008, Kosovo was nominated as a beneficiary country under the US Generalized System of Preferences program, which is designed to promote economic growth in the developing world. Under this program, a wide range of products Kosovo might seek to export are eligible for duty-free entry to the United States.²⁴⁵

Starting in 2001, the Western Balkan countries took part in a network of bilateral free trade agreements. Between 2003 and 2006 the EU Pillar negotiated and signed such agreements between Kosovo and Albania, Bosnia and Herzegovina, Croatia and the Former Yugoslav Republic of Macedonia. This regime was replaced in 2006 by the enlargement of the Central European Free Trade Agreement (CEFTA) aimed at integrating Kosovo into regional economic structures.²⁴⁶ CEFTA members now include: Albania, Bosnia and Herzegovina, Croatia, Kosovo, FYR Macedonia, Moldova, Montenegro and Serbia, creating a regional free trade area for over 25 million people to which Kosovo exporters have duty free access.²⁴⁷ At the end of November 2008, the Kosovo Customs Director General introduced new “Kosovo Customs” stamps, and communicated their introduction to the CEFTA members. However, products carrying these Kosovo “certificate of origin” stamps are currently refused entry into, or transit through, Serbia and are charged with Customs duties by Bosnia and Herzegovina as products originating from a non-CEFTA party.²⁴⁸

²⁴³ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels, 2009. p. 29.

²⁴⁴ Economic Initiative for Kosovo: Investor Guide. Investing in Kosovo 2009. May 2009. p. 20.

²⁴⁵ Office of the United States Trade Representative: Online via Internet: URL: http://www.ustr.gov/sites/default/files/uploads/gsp/asset_upload_file269_15529.pdf [accessed 19 11 2009].

²⁴⁶ Andreas Wittkowsky: Squaring the Circle. A Short History of UNMIK’s European Union Pillar, 1999–2008. In: Südosteuropa Mitteilungen. Journal 01/2009. p. 25.

²⁴⁷ European Union Pillar: The 10 Key Achievements. End of Mission Report 1999–2008. p. 28.

²⁴⁸ United Nations Security Council: Report of the Secretary-General on the UNMIK. 17 March 2009. p. 8.

Trade

With both agriculture and industry devastated by the war and output improving only sluggishly, Kosovo is heavily dependent on imports. As shown in Table 5, exports – virtually non-existent in the aftermath of the conflict – have recovered somewhat in the ensuing years, particularly since the privatization of some of the leading manufacturers, but they remain very low, reaching a peak of €198 million in 2008 before falling to €165 million in 2009 in the wake of the global financial crisis. Kosovo urgently needs to increase exports as its domestic markets are too small to underpin economic revival. However, export capacity is hampered by Kosovo's poor road, rail and air transport infrastructure as well as the slow recovery of domestic production. The latter factor has also increased dependency on imports. As shown in Table 5, imports have risen steadily since the end of the war and the trade deficit has widened. After a further slight rise in imports to €1.93 billion in 2009, the deficit stood at approximately €1.8 billion.²⁴⁹

Table 5: Exports and imports, 2001–09 (€'000)

Year	Exports	Imports	Trade balance
2001	10,559	684,500	-673,941
2002	27,599	854,758	-827,159
2003	35,621	973,265	-937,644
2004	56,567	1,063,347	-1,006,780
2005	56,283	1,157,492	-1,101,209
2006	110,774	1,305,879	-1,195,105
2007	165,112	1,576,186	-1,411,074
2008	198,463	1,928,236	-1,729,773
2009	165,328	1,935,541	-1,770,214

Source: Statistical Office of Kosovo: External Trade Statistics 2009. June 2010. p. 10.

The main categories of imports in 2009 were: machinery and transport equipment (23 per cent), manufactured goods (19 per cent), food and live animals (17 per cent) and mineral fuels (15 per cent). Manufactured goods were the predominant export category, accounting for 51 per cent of the total in 2009. Inedible raw materials

²⁴⁹ Statistical Office of Kosovo: External Trade Statistics 2009. June 2010. pp. 5.

other than fuel accounted for 23 per cent, food and live animals 9.0 per cent, and machinery and transport equipment 5.0 per cent.²⁵⁰ EU countries and CEFTA member states, with which Kosovo conducted 74.4 per cent of trade in 2009, remain its main trade partners.²⁵¹

Privatization

Among the many factors hampering Kosovo's economy since the end of the 1999 conflict is lack of foreign investment due to the country's longstanding status issue, the complex relationship with Serbia and the volatile security situation. Foreign direct investment rose from €250 million in 2006 to €420 million in 2007 but fell back again in 2008 to about €350 million.²⁵²

The authorities hoped to attract foreign investment through sweeping privatization of Kosovo's moribund state-owned industry, but the program was dogged by so many problems that foreign investors were, if anything, still more deterred, and it has totally failed to revive the economy.

There are three basic classes of enterprises in Kosovo. Privately-owned enterprises now make up the majority of the business sector in terms of both numbers of firms and share of output but there is also a large publicly owned sector with its roots in the former communist regime, which features two types of operation: publicly owned enterprises (POEs) and socially owned enterprises (SOEs). Under Communism, POEs corresponded roughly to state-owned enterprises in other socialist countries, but social ownership was a concept unique to the former Yugoslavia, in which enterprises were owned neither by the state, nor by employees, but by "society".²⁵³

Before 1999, SOEs were considered the flagships of industrial and agricultural development and made up the backbone of Kosovo's economy, accounting for 90 per cent of all industrial entities. However, both SOEs and POEs suffered from under-investment, mismanagement and frequent management changes and became increasingly ineffective over the years. The EU Pillar opted against propping them up and focused instead on boosting the private sector. The aim was to reshape Kosovo's economy to become self-sustainable, driven by private domestic and foreign

²⁵⁰ Statistical Office of Kosovo: External Trade Statistics 2009. June 2010. p. 13.

²⁵¹ Central Bank of the Republic of Kosovo: Annual Report 2009. June 2010. p. 50.

²⁵² Economic Initiative for Kosovo: Investor Guide. Investing in Kosovo 2009. May 2009. p. 17.

²⁵³ The World Bank: Kosovo Public Expenditure and Institutional Review. Volume II. 2006. p. 1.

investment, and this was pursued through a massive transfer of assets into the private sector. In 2002, the Kosovo Trust Agency (KTA), a component of the EU Pillar, was established to administer and restructure Kosovo's 25 POEs and to privatize the SOEs.

Kosovo's major POEs, such as the Prishtina International Airport, Kosovo Electricity Corporation (KEK), Post and Telecommunications of Kosovo (PTK), Kosovo Railways, district heating enterprises, and landfill, water, waste and irrigation services, were all incorporated in 2005–07.²⁵⁴ Incorporation has clarified these companies' legal status and allowed the establishment of proper management and oversight procedures. It took place in two steps: first, POEs were turned into Joint Stock Companies – (JSC) under the Law on Business Organizations and then the assets were transferred to newly created operating companies, wholly owned by the parent JSC – a process known as “spin off”.²⁵⁵

The KTA's first so-called privatization wave involving six SOEs began on 15 May 2003. Only 22 bidders – of which only five were foreign investors – took part and the six enterprises were finally sold for only €4.6 million. The second wave involving 18 enterprises was initiated on 2 July 2003. There were considerably more bidders with 180 participating, however the vast majority of them –157 bidders – were again local. In 2003–04 the privatization process nearly ground to a halt. Unsettled property rights in particular posed a big obstacle. The third wave, planned to take place at the end of 2003, had to be cancelled due to disagreement with the UN administration and was only reopened on 14 July 2004.²⁵⁶ The legislation was finally modified in April 2005 and the KTA restarted the process.

Little progress has been made on privatizing SOEs located in Serbian community areas (such as the Brezovica ski resort or the Trepca mine) where local leaders, supported by Belgrade, continue to counter the process. Due to the interethnic sensitivities, the UN ordered the KTA to refrain from pushing privatization forward without local consent.²⁵⁷

²⁵⁴ European Union Pillar: The 10 Key Achievements. End of Mission Report 1999–2008. p. 20.

²⁵⁵ Compare the Kosovo Trust Agency explanations for the Incorporation process of POEs. Online via Internet: URL: <http://kta-kosovo.org/html/index.php?module=htmlpages&func=display&pid=104> [accessed 10 12 2009].

²⁵⁶ Helmut Kramer. Vedran Džihic: Die Kosovo Bilanz. Scheitert die internationale Gemeinschaft? Lit. Vienna 2006. Second Edition. p. 131.

²⁵⁷ European Union Pillar: The 10 Key Achievements. End of Mission Report 1999–2008. pp. 17.

Privatization was considered to be essential to economic development in Kosovo and Kosovars initially attached much importance to the process. Therefore, the standstill was strongly resented by Kosovars, who came to regard the privatization process generally as complete failure on the part of UNMIK.

For example, Hamdi Berisha, former translator for the UNMIK Police, criticizes the execution of the process:

“UNMIK did absolutely nothing to improve Kosovo’s economy. They had this Kosovo Trust Agency whose job was to deal with privatization. They privatized all former state-run companies and they sold these companies for a cheap price. People thought that ... locals would get jobs and that there would be some improvement in the economy, but it created more and more unemployment. Nothing improved because they didn’t really choose at all who they’re selling these properties to. They just wanted to sell for a cheap price.”²⁵⁸

Bekim Kryeziu, translator for the Swiss KFOR, was disappointed by the standstill of the privatization process:

“The privatization process in Kosovo was a disaster ... UNMIK didn’t try to do anything concrete for the economy. We have had a quite well-known woman, her name was [Marie] Fucci [Director of the Kosovo Trust Agency], she stopped the privatization process for almost three years. Not a single firm or enterprise was privatized until [Joachim] Rücker came, the former head of UNMIK Pillar IV.”²⁵⁹

On 30 June 2008, the KTA was replaced by the Privatization Agency of Kosovo (PAK) and as of August 2010, there had been 45 waves of privatization (30 by KTA).²⁶⁰ During 2009, tender processes were launched for 114 SOEs, increasing the total number of privatized enterprises to 569 by the end of 2009 when total privatization proceeds amounted to €451 million (11.7 per cent of GDP).²⁶¹ Kosovo’s three largest exporters are privatized companies: the mining company “Ferronikeli”, the “M&Silloi” flour mill and the steel factory “Llankos”.

²⁵⁸ Interview with Hamdi Berisha, translator for SETEC Engineering in Pejë/Peć and former translator for UNMIK Police in Suharekë/Suva Reka. Suharekë/Suva Reka 15 Sept. 2009.

²⁵⁹ Interview with Bekim Kryeziu, translator for Swiss KFOR in Suharekë/Suva Reka. Suharekë/Suva Reka 17 Sept. 2009. Statement translated by the author.

²⁶⁰ Privatization Agency of Kosovo: Online via Internet: URL: <http://www.pak-ks.org/?id=58> [accessed 23 08 2010].

²⁶¹ Central Bank of the Republic of Kosovo: Annual Report 2009. June 2010. pp. 26.

Energy supply

Energy is a politically hot topic in Kosovo, as achieving an adequate supply is fundamental to any further economic development and one of the Kosovo government's main objectives. Although Kosovo possesses the world's fifth-largest proven reserves of lignite, with estimated 11–14 billion tons, ten years after the conflict the country still suffers from chronic power shortages due to the poor electricity supply system. There are numerous challenges including inadequate maintenance, billing and collection problems and weak management of the energy provider, combined with underinvestment, despite persistently high subsidies from the budget.

“The private sector is considered the best booster of the domestic economy, but almost 80% of local entrepreneurs ... have identified energy shortages as the main problem in business development, ahead of tax problems and corruption,”²⁶²

says Shpend Ahmeti, executive director of the Institute for Advanced Studies GAP, a Kosovo think-tank. This deters investors and hampers the revival of Kosovo's small industrial sector. The Kosovo Ministry of Economy and Finance estimates that unreliable power supply has cost micro-, small- and medium-sized businesses alone over €1 billion annually, to the severe detriment of employment, investment and exports.²⁶³ The energy crisis is also detrimental to general welfare as well as security in Kosovo.

The electricity sector is dominated by KEK (Korporata Energjetike e Kosovës), which is Kosovo's most difficult utility to modernize. The Corporation is a publicly owned enterprise, which was incorporated in 2006 as a JSC and is now fully managed by local staff.²⁶⁴ Currently all necessary steps are underway to allow the company's privatization, but so far KEK still controls all four aspects of the business including coal mining, generation, network and supply.²⁶⁵ The energy system is based on two lignite mines and two old lignite power plants, “Kosova A” and “Kosova B”. In addition KEK

²⁶² V. Kasapolli: Powering the New Kosovo. In: Osservatorio Balcani e Caucaso, 27 June 2008. Online via Internet: URL: <http://www.osservatoriolbalcani.org/article/articleview/9744/1/407> [accessed 12 11 2009].

²⁶³ Kosovo Ministry of Economy and Finance: Midterm Expenditures Framework 2010–2012. p. 56.

²⁶⁴ European Union Pillar: The 10 Key Achievements. End of Mission Report 1999–2008. p. 21.

²⁶⁵ The necessary step in the privatization process is the legal unbundling which will divide KEK into two companies: generation company (to produce coal and electricity) and distribution company (to distribute power and deal with sales).

runs two small hydro power plants, transmission and distribution networks covering the whole of Kosovo and the supply division handling energy sale functions.²⁶⁶

Over the past decade KEK has undergone several waves of reform. In 1999, the company was in a very poor condition. Therefore, UNMIK, through the EU Pillar, was given the responsibility for improving KEK as well as building up a modern energy sector from scratch. Since 1999, approximately €500 million from donors and a similar amount from Kosovo's consolidated budget have been mobilized to upgrade KEK's efficiency. However, only a small part of this large sum has been spent on restoring the power plants,²⁶⁷ Kosovo's ongoing energy problems have not been solved and the energy sector continues to face severe difficulties.

UNMIK was also tasked to draw up a legal framework for the industry, create new institutions and cooperate with partners at the local and international level. To establish the legal framework, four important laws were passed as UNMIK Regulations: The Law on Energy, the Law on Electricity, the Law on the Energy Regulator and the Law on the Independent Commission of Mines and Minerals. Two new regulatory authorities were set up providing independent oversight of the sector: the Energy Regulatory Office and the Independent Commission for Mines and Minerals.²⁶⁸ To promote cooperation in the region and European integration, UNMIK signed the Athens Memoranda in 2002 and 2003, which created a Regional Electricity Market in Southeastern Europe. A further treaty, the Energy Community Treaty, signed in October 2005, created a single energy market in the EU and Southeastern Europe. Its objective is to improve energy efficiency and the security of energy supply through unimpeded trade in electricity and coordinated sector investments.²⁶⁹

While EU and UNMIK reports highlight their achievements in the energy sector, Kosovars view it as clearly one of UNMIK's biggest failures. Corruption is a big problem, involving not only KEK but also UNMIK itself, which has been particularly prone to corruption in this area. Many factors, such as the limited service provision have

²⁶⁶ Kosovo Energy Corporation: Online via Internet: URL: <http://www.kek-energy.com/kek-cmnPg.jsp?mlD=162&cat=161&l=2> [accessed 12 11 2009].

²⁶⁷ European Union Pillar: The 10 Key Achievements. End of Mission Report 1999–2008. p. 21.

²⁶⁸ European Union: UNMIK. Brochure on Energy and Mining. Energy Sector in Kosovo. Online via Internet: URL: http://www.unmikonline.org/archives/euinkosovo/upload_facts/Brochure%20on%20Energy%20v2.pdf [accessed 12 11 2009].

²⁶⁹ Andreas Wittkowsky: Squaring the Circle. A Short History of UNMIK's European Union Pillar, 1999–2008. In: Südosteuropa Mitteilungen. Journal 01/2009. p. 26.

also contributed to KEK's extremely tainted public image. However, the biggest blow to its reputation was a scandal early in the postwar period. In 2003, following allegations of high-level corruption, the former head of the KEK supervisory board, Jo Trutschler, was convicted in Germany of embezzling €3.9 million.²⁷⁰ Although the authorities say the case put an end to corruption in the sector, the incident caused such a stir that people still talk about it today, and KEK and UNMIK have fought a public perception of widespread corruption ever since. The UNDP poll results of January 2010 indicate that about 50 per cent of Kosovars still perceive KEK as the most corrupt institution in the country,²⁷¹ and UNMIK's blemished reputation has never recovered as the author's interviews confirm:

“UNMIK came to Kosovo with the idea to fight corruption; however UNMIK itself had corrupt people in their organization. Corruption within UNMIK is almost at the same level as it is in our institutions. Let's take KEK for example; so many millions have been invested. With this huge amount of money we should have a nuclear power plant and not such an old power plant. So much money was spent and we have only one guy who got punished, a German – Jo Trutschler – who got only four years in prison for stealing about four million euros.”²⁷²

Billing and collection presents a further serious problem that continues to affect KEK. According to the European Commission 2009 Progress Report on Kosovo, technical and financial losses continue to be high. Commercial losses accounted for 20 per cent of KEK's potential earnings from marketable energy and a further 20 per cent was stolen by customers who illegally connected themselves to the network. Only some 60 per cent of the energy available for sale was paid for and KEK's efforts to send out disconnection teams have had only a limited impact. In 2008, the corporation lost some €90 million through stolen power.²⁷³ Since 2004, KEK has divided the territory of Kosovo into three service categories – A, B and C – according to electricity bill payment levels. All Serbian enclaves due to their poor payment record have been categorized as “C”. In these areas, KEK conducts collective electricity disconnection. However, these measures are not solving the problem, but are leading to considerable

²⁷⁰ Helmut Kramer. Vedran Džihic: Die Kosovo Bilanz. Scheitert die internationale Gemeinschaft? Lit. Vienna 2006. Second Edition. p. 134.

²⁷¹ UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 5. See chapter 4.2.1 Crime and corruption, Figure 12.

²⁷² Interview with Bekim Kryeziu. Statement translated by the author.

²⁷³ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 40.

protests, with consequent impact on security in the country. Demonstrations due to power outages are frequent, particularly among Kosovo Serbs, who perceive the disconnections as politically motivated and ethnically discriminatory.

Kosovo's electricity demand has been constantly rising, and it is projected to continue to grow significantly over the next 20 years, calling for extensive new generation capacity. However, a lifetime of poor maintenance has severely limited the capacity of the power plants. The two lignite plants should be able to provide 1,478MW of electricity; however the effective operating capacity is less than 900MW. The hydropower plants, with a total installed capacity of 43 MW, produce less than 35MW.²⁷⁴ This situation and the dilapidated state of KEK mean Kosovo must rely on costly power imports amounting to €42 million in 2008.²⁷⁵ In the worst case, the Ministry of Economy and Finance reports that the average cost of imported power could come to €500 million per year before long.²⁷⁶

To resolve the longstanding tensions over limited energy supply, the Ministry of Economy and Finance has two main objectives for the electricity sector: firstly, the privatization of the KEK distribution and supply systems and secondly, the development of a new power plant.²⁷⁷ It is hoped that the privatization of KEK will improve and expand the distribution network, enhance performance in both supplying electricity and collecting revenue, and improve the security of supply and service quality to both residential and business consumers. KEK needs significant investment as well as a strong management, which only a private strategic partner can provide. Privatization will also remove the electricity sector from dependence on government subsidies, which can then be diverted to other government initiatives such as education and healthcare.

In July 2009, the Government of Kosovo in close cooperation with the US Government, the World Bank and other organizations, decided to build a new power plant "Kosova Re" or "Kosovo C" that is hoped to provide 24-hour power to Kosovo's population and end the frequent power cuts. The project, which will cost around €3.5 billion, is the largest investment to be made in the country since independence. The new

²⁷⁴ Kosovo Ministry of Economy and Finance: Midterm Expenditures Framework 2010–2012. p. 56.

²⁷⁵ Helmar Dumbs. Thomas Roser. Wieland Schneider: Kosovo. Traum und Wirklichkeit nach einem Jahr Unabhaengigkeit. In: Die Presse, 17 February 2009. Online via Internet: URL: <http://diepresse.com/home/politik/aussenpolitik/452819/index.do> [accessed 11 11 2009].

²⁷⁶ Kosovo Ministry of Economy and Finance: Midterm Expenditures Framework 2010–2012. p. 56.

²⁷⁷ Ibid. p. 57.

coal-based power plant is expected to add 2,100MW to the country's power capacities. The work is planned to start in 2011 and should be completed by 2015 or at the latest by 2017. The new plant is aimed at not just stabilizing the energy situation in Kosovo and providing the population with continuous power but also, most importantly, at boosting the economic development of the country.²⁷⁸

State revenues and expenditure

Given the fragile state of the economy, the Kosovo government's revenues are small, reaching only €1,146.7 million in 2009 or around 30 per cent of GDP. This was a considerable improvement (21.7 per cent) over the previous year, but still far from adequate, and government spending, up 29.7 per cent to €1,232.3 million, exceeded revenues.²⁷⁹

The pitiful inadequacy of the resources available to the government relative to Kosovo's needs is due not only to the disastrous state of the economy but also to the weakness of the tax gathering machinery. The ratio of tax revenues to GDP in Kosovo is below the average of countries in the region, which stands at 36 per cent of GDP. Tax revenues collected at the border continue to represent the main source of revenue.²⁸⁰

Government spending reached 32 per cent of GDP in 2009, which is the highest this ratio has been in the postwar period. However, this ratio is still low compared to the average in the region, which stands at around 38 per cent. Capital outlays amounted to 10.3 per cent of GDP in that year, with road infrastructure accounting for a massive 39.7 per cent of the total.²⁸¹ While investment in infrastructure is essential to developing the economy and ameliorating the serious unemployment problem, the government's decision to deploy so much of its limited resources to infrastructure is questionable since it leaves so little for spending on welfare. It is arguable that the serious security implications of the extreme poverty in Kosovo mean that welfare spending should be given a higher priority.²⁸²

²⁷⁸ Besa Beqiri: Kosovo OKs new power plant. In: Southeast European Times. 17 July 2009. Online via Internet: URL: http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2009/07/17/feature-01 [accessed 29 08 2009].

²⁷⁹ Central Bank of the Republic of Kosovo: Annual Report 2009. June 2010. pp. 31.

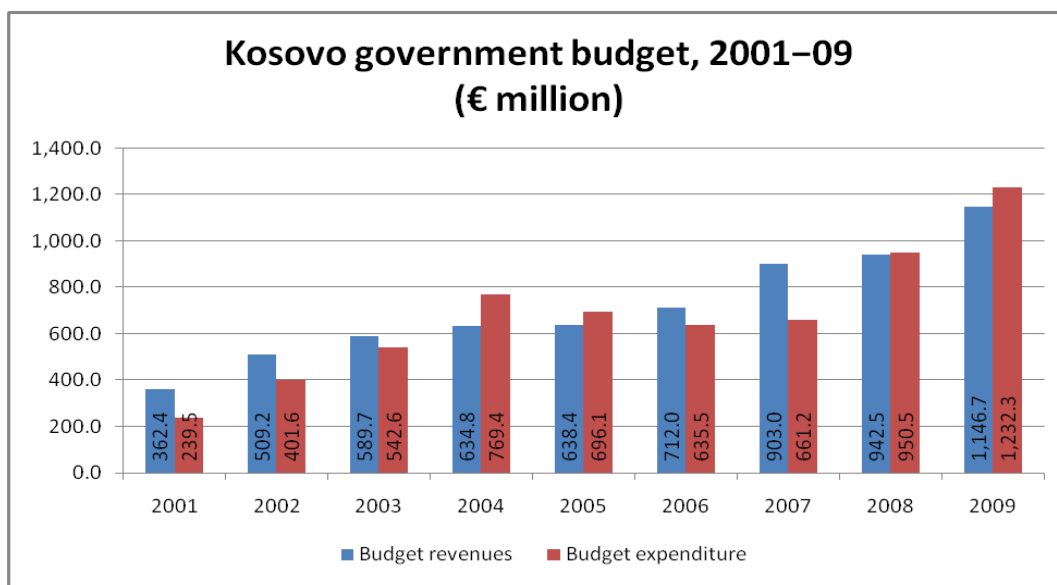
²⁸⁰ Compare section Trade regime and customs administration of this chapter.

²⁸¹ Central Bank of the Republic of Kosovo: Annual Report 2009. June 2010. pp. 31.

²⁸² Compare chapter 5.

Figure 8 shows the Kosovo government's revenues and expenditure.

Figure 8: Kosovo government budget, 2001–09 (€ million)



Source: Based on the Central Bank of the Republic of Kosovo: Annual Report 2005. May 2006. p. 36. Central Bank of the Republic of Kosovo: Annual Report 2009. June 2010. p. 31.

Government revenues and expenditure are projected to fall in 2010 to €1,029.2 million and €1,156.6 million respectively,²⁸³ so unless Prishtina can find additional resources, either by borrowing, or from aid, spending cuts pose another threat to the fragile socio-economic situation.²⁸⁴

3.3.2 Conclusion

In the two-and-a-half years since independence Kosovo's bleak economic position has not improved and continues to be characterized by severe unemployment, low productivity, very low exports and a widening trade gap, a small domestic market, poor infrastructure and chronic energy shortages.

Popular outrage at the situation grows and could significantly undermine political stability. The March 2010 UNDP poll shows 63 per cent of Kosovars ready to take part in protests about the state of the economy, which, since May 2008, is increasingly blamed on the government rather than, as in the past, on UNMIK. Recent

²⁸³ Kosovo Ministry of Economy and Finance: Macroeconomic Review January–May 2010. p. 1.

²⁸⁴ Kosovo Ministry of Economy and Finance: Medium Term Expenditure Framework 2010–2012. Prishtina 2009. p. 13.

polls show that over 90 per cent of Kosovars now hold their own government to account.²⁸⁵

The EU's failure to solve Kosovo's economic problems can partly be explained by the strategic dilemmas often facing international organizations described in chapter 2.1.9.1. In this instance, the immediate priority was to improve security, but while pursuing this objective, the development of a comprehensive economic strategy received too little emphasis. Economic aid measures have not been adequately tailored to the conditions in Kosovo and consequently have largely failed to strengthen local institutions.²⁸⁶

For Kosovo to develop a sustainable economy, foreign assistance remains crucial. Foreign financial support, direct investments and remittances from the diaspora²⁸⁷ are needed to spur economic growth and mitigate social grievances. Among the many priorities on which Kosovo's economic future depends are an effective strategy for strengthening small- and medium-sized enterprises as the basis of the national economy, the significant betterment of economic relations with Serbia and improvements in basic infrastructure, particularly energy provision.

The long-term policy is to integrate Kosovo into the EU, but Kosovo's current economic weakness makes it impossible to set a timetable for reaching this goal. A more immediately achievable objective is greater integration with the economies of the Western Balkan countries in preparation for potential EU accession and this needs to be pursued with vigor.

²⁸⁵ UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. pp. 2.

²⁸⁶ Vedran Džihic. Helmut Kramer: Kosovo after Independence. Is the EU's EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 14.

²⁸⁷ See chapter 5.1.2 Migration and remittances as ways out of poverty for a detailed analysis of the impact of the diaspora.

3.4 The political system of Kosovo

Several constitutional reforms between 1946 and 1974 increased Kosovo's autonomy, but did not acknowledge the rising interethnic tensions between Kosovo Serbs and Albanians. After 1974, the Serbs felt discriminated against by the dominating Kosovo Albanians, who intensified their pursuit of republican status for Kosovo from 1980 onwards. Unease between Serbs and Albanians in Kosovo, increased simultaneously with the rise of nationalism among all ethnic groups in Yugoslavia, and in Kosovo this culminated in 1989 with the abolition by Serbia of the autonomous status that Tito had granted in 1974. This resulted in the progressive decline of the former Yugoslav political system in Kosovo and the emergence of the Kosovo Albanian political system.

Political demands led to the creation and rise of a myriad of underground political groups and armed formations in Kosovo. During the first phase from 1989 to the international engagement in 1999, the Kosovo Albanian political arena was dominated by a single political party, the Democratic League of Kosovo (Lidhja Demokratike e Kosovës – LDK) under Ibrahim Rugova although it faced a challenge from the more militant KLA.²⁸⁸

When the international community took responsibility for the province's administration in 1999, Kosovo had undergone a major political change. The Kosovo Albanians had almost completely opted out of the official ex-Yugoslav political process and had organized a system of parallel institutions.

In 1999, a pluralistic party system started to emerge, with many former KLA leaders engaging themselves in the political scene. A number of them founded the Democratic Party of Kosovo (Partia Demokratike e Kosovës – PDK), which drew upon remnants of the KLA, while others participated in founding a separate political party, the Alliance for the Future of Kosovo (Aleanca për Ardhmërinë e Kosovës – AAK).²⁸⁹ However, these and other Kosovo Albanian parties were essentially nationalist groupings, focused almost exclusively on the achievement of independence, and at the time of writing they have yet to be clearly defined by any other political agenda. As Shkelzen Maliqi writes:

²⁸⁸ Fred Cocozzelli: Political Parties in Kosovo 2003. In: Global Security and Cooperation Quarterly 11. Winter 2004.

²⁸⁹ Ibid.

“Kosovo Albanian political organisations are not real parties, but merely pluralised elements of a national liberation movement whose overriding goal is the establishment of an independent Kosova.”²⁹⁰

Meanwhile, Kosovo Serb political parties are merely extensions of parties in Serbia.²⁹¹ Voting remains largely based on clan and regional ties, complicating the effort to create a stable democratic government.²⁹²

3.4.1 The parliamentary system

Kosovo’s constitution, which came into force on 15 June 2008, established the country’s electoral system and the structure of the unicameral Kosovo Assembly. Under the constitutional framework, the President of Kosovo is the head of state and represents the Republic of Kosovo internally and externally. The president is elected by the assembly in a secret ballot and serves a term of five years with the right to stand for re-election once. The Prime Minister is the head of government and is also elected by the Kosovo Assembly. The assembly consists of 120 seats, of which ten are guaranteed for ethnic Serbs, and ten for other minorities. Of these, there are four seats for the Roma, Ashkali and Egyptian communities, three seats for the Bosniaks, two seats for the Turks, and one seat for the Gorani community.

Kosovo now features a plethora of small competing parties. However, currently the main parties are the PDK, led by Prime Minister Hashim Thaçi; the LDK, formerly led by Ibrahim Rugova and subsequently by President Fatmir Sejdiu; and the AKR, led by Behgjet Pacolli.

Since 1999, the main Kosovo Albanian political parties have moved towards a moderate position, working within institutional frameworks and participating in the legislative and executive bodies. The more extreme parties are small and without real public support. Particularly since the Kosovar declaration of independence, none of the

²⁹⁰ Shkelzen Maliqi: *The Albanian Movement in Kosovo*. In: David Dyker, Ivan Vejvoda (eds.): *Yugoslavia and After. A Study in Fragmentation, Despair and Rebirth*. Longman. New York 1996. p. 151.

²⁹¹ UNDP Kosovo: *Human Development Report Kosovo 2004. The Rise of the Citizen: Challenges and Choices*. Prishtina 2004. pp. 60.

²⁹² Freedom House: *Freedom in the World 2010. Kosovo (2010)*. Online via Internet: URL: <http://www.freedomhouse.org/template.cfm?page=22&year=2010&country=7972> [accessed 27 08 2010].

main parties have had an interest in appearing to be extreme, since the political reality is that Kosovo needs support from the international community.²⁹³

Given the lack of distinguishing political agendas, Kosovar voters tend to be influenced by the personality of the party leaders regardless of their political platforms. For example, the people of the Drenica region, a stronghold of the KLA, would always vote for Thaçi, while voters in the Dukagjini region always support AAK leader Ramush Haradinaj.

Personal connections are an even more important influence on voting, given Kosovo's family- and clan-based society. Supporters may join a party because of a personal connection with the party's leader, or kinship with one of the party's representatives – regardless of whether that relative has a major or minor role. As a result of this phenomenon, parties tend to produce internal cliques – often geographically based – with strong leaders who support the candidates regardless of their political agenda.²⁹⁴

This may change as the parties develop their individual post-independence political platforms on which all are currently working, but at present only the New Kosovo Alliance (Aleanca Kosova e Re – AKR), has a well-defined platform (see below).²⁹⁵

Parties represented in parliament are partly funded by the state. As the largest party, PDK receives about €500,000, LDK about €300,000, and AAK about €150,000.²⁹⁶ However, these subsidies cover only a small percentage of the parties' expenses.

The Office of the Auditor General of Kosovo, the highest institution of economic and financial oversight in Kosovo, provides an independent evaluation of the accountability and financial practices of the government's ministries, municipalities and public-owned enterprises²⁹⁷ – but while the Office of the Auditor General conducts audits for all other organizations funded by the Kosovo budget, strangely it is not

²⁹³ Interview with Petrit Hysaj, Assembly Monitoring Assistant with the OSCE in Prishtinë/Priština. Prishtinë/Priština 10 September 2009.

²⁹⁴ UNDP Kosovo: Human Development Report Kosovo 2004. The Rise of the Citizen: Challenges and Choices. Prishtina 2004. p. 61.

²⁹⁵ The ORA Reformist Party used to have a relatively detailed party platform. However it did not pass the threshold at the 2007 elections and will thus not be mentioned further in this research.

²⁹⁶ Radio Television of Kosovo (RTK): Online via Internet: URL: <http://www.rtklive.com/index.php?newsId=36808> [accessed 20 07 2008].

²⁹⁷ Kosovo Government: Office of the Auditor General. Online via Internet: URL: <http://www.ks.gov.net/oag/english/anglisht.htm> [accessed 20 07 2008].

legally obliged to audit the political parties. Neither the Office of the Auditor General nor the Kosovo Anti-Corruption Agency (ACA) is entitled to investigate funding of political parties. Therefore, the general perception among Kosovars is that corruption among political parties is widespread. The central administration/government is ranked fourth in the list of Kosovo institutions where citizens perceive “large-scale” corruption.²⁹⁸ The Anti-Corruption Action Plan is addressing the problem and proposes the creation of an independent agency to review the activities of parties and candidates.²⁹⁹

The Central Election Commission is currently in charge of evaluating political parties’ financial reports. The purpose of these audits is to ensure that Kosovo’s political parties understand and uphold transparency as an essential value in their developing democratic society. Auditors from the Central Election Commission have found many serious instances of underreported expenditure, which implies that the income used to finance campaign expenditure has also been underreported to a similar extent.³⁰⁰

As of September 2009, the Central Election Commission lists 40 registered political parties in Kosovo, representing all ethnic communities.³⁰¹ The following sections analyze the most important of these.

²⁹⁸ See chapter 4.2.1 Crime and corruption, Figure 12. UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 6.

²⁹⁹ Kosovo Anti-Corruption Agency: The Anti-Corruption Action Plan: Social and Economic Necessity for Kosovo. October 2006. p. 29.

³⁰⁰ Central Election Commission: Political Party Registration Office. Report on political entity campaign financial disclosures for 2007 Kosovo elections. 21 April 2008. p. 8. Online via Internet: URL: http://www.kqz-ks.org/SKQZ-WEB/en/legislacioni/materiale/financa/CFDR_en.pdf [accessed 20 07 2008].

³⁰¹ See Appendix 8.2 for a list of registered political parties in Kosovo.

3.4.1.1 Kosovo Albanian political parties

Democratic Party of Kosovo (PDK)³⁰²

The PDK, headed by Hashim Thaçi, formerly the political leader of the KLA, has close links with Albanian groups in the United States, Switzerland and Germany. PDK stands for an independent, free and democratic Kosovo like all other ethnic-Albanian political parties. The party has stated it now considers itself centrist and wants to adopt a social democratic ideology. It has ties with social democratic foundations abroad.

Thaçi, who founded the PDK in 1999, is famous for his role in the Rambouillet peace talks where he managed to sideline Rugova to become the Kosovo Albanian negotiating team's leader. With the PDK's victory in the 2007 elections, Thaçi became Prime Minister and is known as the man who led Kosovo to independence.³⁰³

Like many parties in former communist countries, the PDK struggles with the negative connotations of left wing parties, and clearly needs to improve its image as a party of guerrillas. The PDK is mainly supported by poor, rural, Albanian dominated regions, which experienced much violence and loss of life during the war, such as the Drenica Valley, the former KLA stronghold, where many of the bloodiest battles were fought.

Today, the party is remarkably tolerant of and cooperative with local Serbs, offering them Serbian as an official language, special municipalities, special positions in institutions and right of veto on laws that deal with minority rights.

To date the party has yet to formulate its agenda. Besides independence for Kosovo, its top priorities are social justice and the fight against youth unemployment and corruption.³⁰⁴

Summed up, the PDK can be described as a Social Democratic party and the main leftist (moderate left) party in Kosovo, despite Hashim Thaçi having stated that the PDK now considers itself centrist.

³⁰² The following description of the parties is mainly based on two internet sources: Jane's Sentinel Security Assessment and European Forum for Democracy and Solidarity.

³⁰³ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Internal Affairs. Political Parties.

³⁰⁴ European Forum for Democracy and Solidarity: Online via Internet: URL: <http://www.europeanforum.net/country/kosovo> [accessed 22 07 2009].

Democratic League of Kosovo (LDK)

The LDK, now led by President Fatmir Sejdiu, was the main political party before the 1998–99 war when its former leader, Ibrahim Rugova, became famous for his policy of passive resistance.³⁰⁵ When Rugova's passive resistance did not achieve the goal of independence, the LDK was thrust aside by the KLA. Notwithstanding this, the party won the 2001 and 2004 elections and has been in government ever since. Following the 2007 elections, the LDK formed a coalition government with the PDK.³⁰⁶

LDK leader, Rugova was Kosovo's president from 2002 to 2006, when he died of lung cancer. The parliament then nominated Fatmir Sejdiu, who had been president of the LDK since its inception in 1989, as the country's new president.³⁰⁷ Rugova's death seemingly marked the end of the party's supremacy in Kosovo politics; he had kept the fractious LDK together. However, Sejdiu's first weeks in office impressed international observers as he brought valuable maturity and impartiality to the role. His approval rating reached 90 per cent by December 2008.

The party portrays itself as modern and democratic, uniting Kosovo Albanian traditions with their future aspirations. Its orientation is liberal; favoring a free market economy. Other priorities are European integration, education – in the student's native language – authentic development of culture, fair social policy, accessible healthcare, and guaranteed minority rights.³⁰⁸

The LDK is in contact with liberal parties elsewhere in the world and has requested membership of the Liberal International.³⁰⁹ Summed up, the LDK is a conservative and liberal conservative party and is the main right wing (moderate-right) party in Kosovo.

³⁰⁵ Compare chapter 3.2.1 The Serbian–Albanian dispute over Kosovo.

³⁰⁶ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Internal Affairs. Political Parties.

³⁰⁷ Kosovo President Fatmir Sejdiu is still the leader of the LDK although Article 88 of the Kosovo Constitution states that the President cannot exercise any political party functions.

³⁰⁸ European Forum for Democracy and Solidarity: Online via Internet: URL: <http://www.europeanforum.net/country/kosovo> [accessed 22 07 2009].

³⁰⁹ The Liberal International is the world federation of liberal and progressive democratic political parties. Founded in 1947 it has become the pre-eminent network for promoting liberalism, strengthening liberal parties and for the promotion of liberal democracy around the world.

New Kosovo Alliance (AKR)

The New Kosovo Alliance was founded in March 2007 by Behgjet Pacolli, a successful businessman and owner of the general contracting and engineering company Mabetex, and the main source of the party's finance. Effective management of the economy is its main concern and development is given a high priority. According to its website:

“For Us, New Kosova Alliance, the driving force of our activity is the Sovran and Independent state of Kosova, prospered, with developed economy and integrated into Euro-Atlantic structures.”³¹⁰

Although the 2007 elections were the first in which the AKR competed, it won 12.3 per cent of the votes, or 13 seats in the assembly,³¹¹ making it the third biggest party in parliament and the largest official opposition to the PDK-LDK coalition. The party's ideological platform is centrism.

Democratic League of Dardania (LDD)

The LDD was originally called the Democratic League but was renamed to avoid confusion with the LDK; Dardania is an ancient name for Kosovo. The LDD was founded in January 2007 by the former speaker of the Kosovo Assembly, Nexhat Daci, who in December 2006 failed to win the leadership of the LDK and left to establish his own party: the LDD. Daci was acting president of Kosovo from the death of Ibrahim Rugova on 21 January 2006 until 11 February 2006 when Fatmir Sejdiu was elected president. The party's slogan is: *pavarësi, paqe, prosperitet* – independence, peace and prosperity. The LDD has a liberal-oriented platform. Initially, the party held seven seats in the Assembly of Kosovo and increased this to 11 in the 2007 elections when it managed to win 10.1 per cent of the votes.³¹² The LDD is a liberal conservative party and the second largest right-wing (moderate-right) party in Kosovo.

³¹⁰ AKR: Online via Internet: URL: <http://akr-ks.com/www.akr-ks.com%20e%20reja/statuti%20dhe%20programi%20eng%20ver/programi%20ne%20gjuhen%20angleze%2016.10.2007.pdf> [accessed 22 07 2009].

³¹¹ European Forum for Democracy and Solidarity: Online via Internet: URL: <http://www.europeanforum.net/country/kosovo> [accessed 22 07 2009].

³¹² Ibid.

Alliance for the Future of Kosovo (AAK)

The AAK is headed by Ramush Haradinaj, a former Kosovo Liberation Army commander. Like the PDK, the party struggles with its image of representing Albanian militants.

In the 2007 elections, the AAK won 9.6 per cent of the votes making it the fifth largest party in parliament.³¹³ Its main support comes from the Dukagjini region, which includes the towns of Pejë/Peć and Deçan/Dečani, considered to be bases of Haradinaj and KLA activities during the war. It is clear that the party would lose ground without its leader Haradinaj, who is said to have about two to six thousand people ready and available to take his orders if Kosovo's security were to be threatened.³¹⁴

Following the October 2004 election, the LDK chose the AAK as its coalition partner and the party entered government in December, with Haradinaj named Prime Minister. Although his tenure was brief, it was evaluated positively by many Kosovo Albanians and the international community due to his efforts to raise standards in Kosovo. He resigned in March 2005 after he was indicted by the International Criminal Tribunal for the former Yugoslavia. The indictment alleged that Haradinaj committed crimes against humanity and violations of the laws or customs of war between March and September 1998. On 3 April 2008, Haradinaj was found not guilty and returned to Kosovo where he received a hero's welcome and immediately resumed his duties as president of the party.³¹⁵

The AAK is now known as a moderate, pro-European party in the center of the political spectrum, which is in favor of ethnic cooperation. Economic priorities set by the party are the creation of new jobs, promotion of small and medium sized business, development of infrastructure, and privatization. In addition, women and youth are well represented in the party, in line with the party's priority of promoting youth and a more prominent role for women in society.³¹⁶ Summed up, the AAK is located slightly to the right of center on the political spectrum.

³¹³ These parties were: Parliamentary Party of Kosovo (Partia Parlamentare e Kosovës), Civic Alliance of Kosovo (Aleanca Qytetare e Kosovës), National Movement for the Liberation of Kosovo (Lëvizja Kombëtare për Çlirimin e Kosovës), Party of Albanian National Union (Partia e Unitetit Kombëtar Shqiptar), Albanian Union of Christian Democrats (Unioni Shqiptare DemoKristiane).

³¹⁴ Interview on 9 September 2009 in Prishtinë/Priština.

³¹⁵ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Internal Affairs.

³¹⁶ European Forum for Democracy and Solidarity: Online via Internet: URL: <http://www.europeanforum.net/country/kosovo> [accessed 22 07 2009].

3.4.1.2 Kosovo Serb political parties

Although the majority of Kosovo Serbs boycotted the 2007 elections, a small number of Kosovo Serb parties participated, winning the ten seats reserved for Serbs. Chief amongst these are Slobodan Petrović's Independent Liberal Party (Samostalna Liberalna Stranka – SLS) and a coalition of smaller Serb parties led by Slaviša Petković's Serb Democratic Party of Kosovo and Metohija (Srpska Demokratska Stranka Kosova i Metohije – SDSKiM). All disapprove of independence for Kosovo but nevertheless are aware that their role is to engage with the authorities in Prishtinë/Priština.

Other main Kosovo Serb Political Parties include the Serbian List for Kosovo and Methohija (Srpska lista za Kosovo i Metohiju – SLKM) and the Serbian Movement of Resistance in Kosovo (Srpski Pokret Otpora Kosova I Metohije – SPOKM). In general, the Kosovo Serb Parties stand for better living and political conditions for the Serbian community in Kosovo.

Serbian List for Kosovo and Metohija (SLKM)

The Serbian List for Kosovo and Metohija is essentially a new form of the Koalicija 'Povratak' (Return), a wide coalition of Serbian-based parties formed to gather the Serbian political forces in Kosovo who supported the 2001 elections. The coalition participated under its new name in the 2004 elections.³¹⁷ As the name 'Return' implies, the coalition's goal is the return of Kosovo to Serbian rule.

The SLKM is led by Oliver Ivanović, an engineer from Mitrovicë/Mitrovica, who in the past was regarded by the international community as public enemy number one. He was held responsible for the "bridge watchers" who took much of the blame for the cleansing of northern Mitrovicë/Mitrovica of its remaining ethnic Albanians.³¹⁸ He also regularly accused the United Nations of miserable failures.

However, Ivanović is a changed man and has become one of the more moderate Kosovo Serb leaders. He has concluded that Belgrade does not necessarily have the interests of the Kosovo Serbs in mind when it calls for election boycotts, and the party has suggested it might take up its reserved seats in the assembly and ministerial positions, in the face of Belgrade's disapproval. Privately, SLKM leaders say that local

³¹⁷ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Internal Affairs.

³¹⁸ See chapter 3.4.2.1 Non-state armed groups for an account of the Bridge Watchers.

Serbs need to compromise with the Albanian majority in order to survive and remain in Kosovo. They complain that Belgrade's position takes too little account of the daily reality of Serb life in Kosovo.³¹⁹

Since the SLKM is a diverse coalition of parties existing in Serbia, it cannot be assigned a specific political orientation.

Serbian Movement of Resistance in Kosovo (SPOKM)

The Serbian Movement of Resistance in Kosovo was formed by Momcilo Trajkovic, a local opponent of Milošević's Kosovo policy. Trajkovic opposed Kosovo's 2001 general elections and the SPOKM also boycotted the general elections in 2004.³²⁰

The SPOKM is an extremely radical party which strongly opposes Kosovo's independence as illustrated by the word "resistance" in the party's name. The party can neither be placed on the right nor the left of the political spectrum; it sometimes holds both extreme left and extreme right positions.

Serbian Democratic Party of Kosovo and Metohija (SDSKiM)

This party is a vehicle for the party leader Slaviša Petković, a Kosovo Parliament member who was appointed Minister for Refugees in the 2004 government by Ramush Haradinaj. During his term as minister, Petković was accused by his own community of misusing public funds and of not caring enough for the Serbian community. He is at times openly critical of Belgrade, however might sometimes be using this merely as a cover-up.

The SDSKiM together with the SLS can be assigned to the right-center of the political spectrum.

3.4.1.3 Radical parties

The 1970s and early 1980s were characterized by the formation of a number of Albanian nationalist groups in Kosovo, which were particularly motivated by the 1981 demonstrations.³²¹ These small groups, which were to serve as the predecessors of the KLA and its political wing the Popular Movement of Kosovo (Lëvizja Popullore e

³¹⁹ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Internal Affairs.

³²⁰ Ibid.

³²¹ See chapter 3.2.1 The Serbian–Albanian dispute over Kosovo.

Kosovës – LPK), were often called Marxist-Leninist or Enverist, after Albania's communist dictator, Enver Hoxha. This is deceptive. Although initially their ideas were conveyed in Marxist jargon, they were not Marxists, or even Enverists, but old-fashioned nationalists. At the time of the LPK's formation, Enverism and Marxism were a façade to avoid being accused of fascism. Another advantage of identifying with the Albanian regime was that these small groups received financial and other support from Enver Hoxha.³²²

In 1982,³²³ a year after the important student demonstrations, the Kosovo National Movement, also known as the LPK was formed by the union of four leftist political organizations: the National Liberation Movement of Kosovo and Other Parts of Albanian Yugoslavia, the Kosovo Marxist-Leninist Organization, the Communist-Marxist-Leninist Party of Albanians in Yugoslavia and the Red National Front. The LPK transformed itself into the KLA in the 1990s.³²⁴

In addition to the LPK (which still exists today under a different name) there were a multitude of other organizations. However, the two most important political parties which supported the armed resistance against the Serb regime were the National Movement for the Liberation of Kosovo or in Albanian, Lëvizja Kombëtare për Çlirimin e Kosovës (LKÇK) and the Popular Movement for the Republic of Kosovo or Lëvizja Popullore për Republikën e Kosovës (LPRK).

Popular Movement of Kosovo (LPK) or Socialist Party of Kosovo (PSK)

The Popular Movement of Kosovo – now Socialist Party of Kosovo (Partia Socialiste e Kosovës – PSK) – was formed in 1982 by the unification of several smaller Albanian Marxist-Leninist factions. The LPK was always an underground movement in Kosovo, but an openly dissident movement in Switzerland where many of its activists lived in exile. In the beginning, the movement was supported by Enver Hoxha's communist government in Albania. The LPK's initial objective was the liberation of Kosovo from Belgrade's repression and Pan-Albanianism – the unification of all Albanian inhabited areas of the Balkans. After the collapse of communism in Albania, the LPK also

³²² Tim Judah: Kosovo. What everyone needs to know. Oxford University Press. New York 2008. p. 76.

³²³ Judah claims in his book "Kosovo. War and Revenge" p. 115 that the LPK was formed in 1993 as a splinter group of the LPRK. This is contradictory to Bieber "Understanding the War in Kosovo" p. 63 and to the historical overview at LPK's website: <http://www.lpk-kosova.com/>.

³²⁴ Florian Bieber. Židas Daskalovski: Understanding the War in Kosovo. Cass. London 2003. p. 63.

renounced its Marxist-Leninist roots; however, it kept its habit of covertness, underground cells and radicalism.³²⁵

After Milošević's raids in Kosovo, the LPK drew closer to Prishtinë/Priština University's student protesters, including Hashim Thaçi who was still a student at that time. They arrived at the decision to prepare for an armed struggle in the early 1990s. Moreover, they began building a network of secret cells across Kosovo and got in touch with well-known armed groups such as that led by Adem Jashari. It is no wonder that many high-ranking KLA members have their roots in the LPK, which was one of the key sources for what became the KLA and is seen as LPK's armed wing.³²⁶

The LPK, currently led by party chairman Emrush Xhemajli changed its name in 2009 to Socialist Party of Kosovo. The PSK modified its radical views and is turning more to political debate rather than radical methods. Nevertheless, it still ranks among the most radical Albanian parties in Kosovo, however with little public support. Now that attaining Pan-Albanianism is no longer a possibility, the PSK has increasingly given up on this objective. Instead, members perceive that the independence of Kosovo by itself helps towards the establishment of a Union of Kosovo and Albania.

The PSK can be classified as a leftist party which is currently in transition from extreme left to moderate left.³²⁷

National Movement for the Liberation of Kosovo (LKÇK)

LKÇK is a former underground movement founded in 1993. Like the LPK, the LKÇK supports the idea of a Greater Albania. The party also networks with Albin Kurti's Vetëvendosje movement, which, while not extremist, shares some LKÇK views. The LKÇK is probably the most radical political force at present operating in Kosovo, opposing the Ahtisaari plan and the presence of the international community in Kosovo, which is seen as an occupying force, as well as the current government, which it accuses of abandoning the idea of a Greater Albania. The party does not refrain from revolts against international personnel and represents the extreme left in Kosovo.³²⁸

³²⁵ International Crisis Group: Who's who in Kosovo. Balkans Report No. 76. 31 August 1999. p. 6.

³²⁶ Tim Judah: Kosovo. War and Revenge. Yale University Press. New Haven 2000. p. 104.

³²⁷ Interview with Petrit Hysaj.

³²⁸ Interview with Petrit Hysaj. Compare chapter 3.4.2.2 Non-state political movements for details of the Vetëvendosje movement.

3.4.1.4 Recent elections and results

On 17 November 2007, Kosovo held parliamentary and municipal elections. Some 97 political entities were certified to run, including 33 Kosovo Serb political entities, despite pressure from Belgrade to boycott the elections. Following pressure and intimidation, four Kosovo Serb political entities withdrew from the race on 31 October.³²⁹ The elections were marked by low voter turnout of about 40 per cent and a near total boycott by the Kosovo Serb community.³³⁰ Only about 2,000 Kosovo Serbs south of the Ibar River participated in the ballot.

The 2007 elections changed the political landscape of Kosovo. As shown in Table 6 below, the PDK won 34.3 per cent of the votes, the LDK 22.6 per cent, the AKR 12.3 per cent, the LDD 10.0 per cent, and the AAK 9.6 per cent. The Reformist Party ORA (Partia Reformiste ORA³³¹) did not pass the five per cent threshold, and thus were awarded no seats. Smaller minority parties also made some gains. Ultimately, these results led to a coalition between the LDK and the PDK, and the elevation of Hashim Thaçi to be Prime Minister of Kosovo. The AKR, LDD and AAK form the opposition.

³²⁹ Freedom House: Nations in Transit 2008. Kosovo [Serbia] (2008). Online via Internet: URL: <http://www.freedomhouse.org/template.cfm?page=47&nit=456&year=2008> [accessed 20 07 2008].

³³⁰ Kosovo's first UN-run poll in 2000 saw an 80% voter turnout.

³³¹ ORA means "clock" in Albanian.

Table 6: Parliamentary election results 17 November 2007

Parties	Votes	% of votes	Seats
Democratic Party of Kosovo (PDK)	196,207	34.32	37
Democratic League of Kosovo (LDK)	129,410	22.63	25
New Kosovo Alliance (AKR)	70,165	12.27	13
Democratic League of Dardania (LDD)	57,002	9.97	11
Alliance for the Future of Kosovo (AAK)	54,611	9.55	10
ORA Reformist Party	23,722	4.14	/
Justice Party	9,789	1.73	/
Others	30,760	5.38	4
Reserved seats for representatives of designated minority ethnic groups	/	/	20
Total	571,666	100.00	120

Source: Europa World Online: Kosovo Assembly (Kuvendi i Kosovës/Skupština Kosova) (Kosovo). London, Routledge. United Nations Office at Vienna (UNOV). Online via Internet: URL: <http://www.europaworld.com/external?url=http://www.europaworld.com/entry/ks.dir.7626735135123> [accessed 13 08 2008].

On 15 November 2009, municipal (mayoral) elections were held in Kosovo. These were the first since Kosovo's declaration of independence and hence the first to be organized by local authorities. The elections have been praised by the EU and US as a milestone in Kosovo's transition to a democratic sovereign state. A total of 37 parties, 19 electoral associations and two coalitions put forward candidates.³³² Although voter turnout was higher than at the 2007 parliamentary elections, it remained low, at about 45 per cent. The Serb election boycott was successful in the north (particularly in the two northern municipalities of Leposaviq/Leposavić and Zvečan/Zvečan), while in the rest of the country a significant number of Serbs participated in the elections. According to the think tank Jane's, in Serb municipalities voter turnout reached 24 per cent.³³³ The generally low voter participation reflects the frustration and disappointment Kosovars feel about their leaders for failing to rectify the high unemployment rate and the bleak economic situation of the country.³³⁴

³³² European Network of Election Monitoring Organizations (ENEMO): ENEMO Election Observation Mission in Kosovo. Municipal elections 2009. Final report. p. 12.

³³³ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Internal Affairs.

³³⁴ Kosovo PM says party did well in local elections. In: Reuters. 16 November 2009. Online via Internet: URL: <http://www.reuters.com/article/idUSBYT638711> [accessed 19 11 2009].

3.4.2 Non-parliamentary groups

The KLA was incontrovertibly the best known of the ethnic Albanian insurgent groups operating in the western Balkans during the 1990s. Nevertheless, other groups were also active during this period. Among these groups were: the National Liberation Army (NLA) in the Former Yugoslav Republic of Macedonia (FYROM) or in Albanian, Ushtria Çlirimtare Kombëtare – UÇK, and the Liberation Army of Presevo, Medvedja and Bujanovac (Ushtria Çlirimtare e Presheves, Medvegjes dhe Bujanovcit – UÇPMB) in south Serbia. All three groups should not be seen as completely separate entities.³³⁵ They all fought for the same objective: a Greater Albania, and there was a great deal of interconnection between them. Together they represent the nationalist Albanian movement, both within Kosovo and beyond in “ethnic Albania”.

The KLA is no longer an active force, but two official branches continue to exist: the War Invalids Association and the War Veterans Association.³³⁶ Members of the War Veterans Association threatened several times in 2007 that if Kosovo were not granted independence from Serbia, they would take up arms again, and they still claim that they are prepared to do so if there were any threat to Kosovo, such as the return of the Serbian army and police, however this scenario does not seem likely.³³⁷

Even today, some members of the War Veterans and the War Invalids Association, still stand for a unified Albanian state. This position, which is also not supported by the majority of Kosovars, puts them at odds with Prime Minister Hashim Thaçi, who has turned his back on this course and now perceives Albania as a neighbor and not a potential mother state. While the leaders of these associations support Thaçi because of his former position as KLA leader, many ex-KLA members feel that he betrayed them.

Little is known about a more obscure armed group called the Albanian National Army or in Albanian, Armata Kombëtare Shqiptare (AKSh). AKSh was primarily composed of members from other insurgent groups who collaborated in organized

³³⁵ JTIC Briefing: Ethnic Albanian insurgent groups - a lingering threat? In: Jane's Sentinel Security Assessments. 23 March 2005. Online via Internet: URL: http://www.janes.com/security/international_security/news/jtic/jtic050323_1_n.shtml# [accessed 27 07 2009]. The following analysis of insurgent groups draws heavily on Jane's reports.

³³⁶ Fatos Bytyci: Kosovo guerrilla veterans warn of new war. In: Reuters. 08 July 2007. Online via Internet: URL: <http://www.reuters.com/article/idUSL0817071620070708> [accessed 27 07 2009].

³³⁷ Interview with Petrit Hysaj.

crime. The membership of all these groups overlap, therefore it is no coincidence that the KLA and the NLA have the same Albanian acronym, UÇK.

3.4.2.1 Non-state armed groups

Kosovo Liberation Army (KLA)

“The KLA has to rank as one of the most successful military organizations in history. Its success has nothing to do with its military prowess; it won no battles. It is, rather, thanks to the fact that emerging on to the scene at the right place, at the right time, it was able to have NATO win its war for it.”³³⁸

The KLA’s exact origins remain vague. Nevertheless, its political ancestry can be traced back to the network of overlapping Marxist-Leninist and clandestine groups described earlier.³³⁹ After World War II, small, subversive groups arose with the goal of detaching Kosovo from Serbia and Yugoslavia. In 1961, Adem Demaçi, who became known as the Kosovar Albanian Nelson Mandela, founded one of the first underground movements for Kosovo’s liberation from Yugoslavia: the Revolutionary Movement for Albanian Unity.³⁴⁰

As political tensions mounted, subversive groups began to proliferate. However, the events that really mobilized these tiny, hard-line nationalist groups were the student demonstrations of 1981, initially provoked by poor university conditions but quickly turning political.

Thus, the KLA was founded in December 1993 with the straightforward objective of liberating Kosovo from the Serb repression. The extent of this objective, however, varied from member to member. While some wanted an independent Kosovo, the majority fought for a Greater Albania.

From 1993 to 1997, some KLA members received military training in secret camps in Albania. At the start, the KLA was a small organization, mounting sporadic attacks on Serbian police officers and state officials as well as Albanians who were perceived to be collaborators. The majority of weapons flowed in from Albania and the organization itself was to some extent financed by donations from the Albanian diaspora.

³³⁸ Tim Judah: Kosovo. What everyone needs to know. Oxford University Press. New York 2008. p. 75.

³³⁹ See chapter 3.4.1.3 Radical parties.

³⁴⁰ Tim Judah: Kosovo. War and Revenge. Yale University Press. New Haven 2000. p. 35.

The catalyst for a decisive increase in KLA support and which turned it away from Rugova's policy of passive resistance was the Dayton Peace agreement in November 1995. The Kosovars were discouraged and frustrated by the outcome of the agreement, which made no mention of Kosovo, leading to growing radicalism among young Albanians and escalating violence between Kosovo Serbs and Albanians.

The formation of the KLA was not at first declared openly, with some rumors suggesting its initial attacks were the work of the armed wing of the National Movement for the Liberation of Kosovo (Lëvizja Nacional-Çlirimtare e Kosovës), a known Albanian émigré group operating out of Switzerland since 1981. Rumors also linked the attacks to the LPK, which was formed in 1982 by the unification of several smaller Albanian Marxist-Leninist factions.³⁴¹ Meanwhile, Rugova denied the KLA's existence and claimed that the violence was the work of the Serbian secret police.

Things changed in 1997, when the KLA's problem of acquiring sufficient weapons was eased by supplies deriving from Albanian army depots looted in the chaos following the disastrous pyramid-investment-scheme crash.

The KLA openly appeared in Kosovo for the first time in November 1997 when three masked men at the funeral of an Albanian teacher, killed by Serbian security forces, declared in public: "Serbia is massacring Albanians. The Kosovo Liberation Army is the only force fighting for the freedom of Kosovo. We shall continue to fight."³⁴²

In February 1998, US Special Representative Robert Gelbard expressed concern about the escalating violence in Kosovo and characterized the actions of the Serb forces as merely an exercise in demonstrating police power while he described the KLA as a terrorist organization.³⁴³ This labeling of the KLA as terrorists might have been perceived by Slobodan Milošević as a green light to act ruthlessly in Kosovo. Within a week of Gelbard's statement, Serb forces launched major actions against KLA-supportive areas around Kosovo and slaughtered the KLA leader Adem Jashari, who became the KLA's first martyr, and other members of the famous Jashari clan.³⁴⁴

³⁴¹ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Internal Affairs.

³⁴² Miranda Vickers: Between Serb and Albanian. A History of Kosovo. Hurst. London 1998. p. 313.

³⁴³ Wolfgang Petritsch. Karl Kaser. Robert Pichler: Kosovo-Kosova. Mythen, Daten, Fakten. Wieser. Klagenfurt 1999. p. 211.

³⁴⁴ The Independent International Commission on Kosovo: The Kosovo Report. Conflict, international response, lessons learned. Oxford University Press. Oxford 2000. pp. 146.

During 1998, the influence of the KLA continued growing. Sporadic attacks became increasingly frequent and coordinated. For Kosovo Albanians, the KLA became a movement worth joining. The consequence was a change in the balance of political power: the influence of Rugova and the LDK started to weaken. For the Serbs and the international community, the KLA became a serious political force, whose influence continued to be crucial even after the end of fighting. The KLA had to be included in any political negotiations so that it did not become a base for the development of terrorism in Kosovo.³⁴⁵

The speed of its emergence and growth in popularity during 1998 meant that the KLA essentially became the hub of a diverse collection of political groups and armed formations. Many villages and groups that had armed themselves affirmed they were part of the KLA and used the name “UÇK” while never truly belonging to it.³⁴⁶

In March 1999, as it became clear that the Paris peace talks would collapse, the Serbs started a massive pre-emptive offensive against the KLA, which was followed by NATO’s 78-day bombardment of Serb assets.

The KLA was officially disbanded in September 1999 and many KLA veterans were recruited into the Kosovo Protection Corps (KPC) – in Albanian, *Trupat e Mbrojtjes së Kosovës*.³⁴⁷

Liberation Army of Presevo, Medvedja and Bujanovac (UÇPMB)

The UÇPMB, an offshoot of the KLA, was a guerilla group named after three small Serbian municipalities on the border with Kosovo that are predominantly inhabited by ethnic Albanians: Presevo, Medvedja and Bujanovac. The group’s objective was for the three municipalities to secede from Serbia and be incorporated into Kosovo. In 2000, NATO estimated the UÇPMB’s total strength at 800, while Serbian sources put it at 1,500.³⁴⁸

The disarmament of the KLA in 1999 marked the beginning of the UÇPMB’s operations. The Military Technical Agreement – which was signed on 9 June 1999 between KFOR and the governments of the Federal Republic of Yugoslavia and the

³⁴⁵ Dušan Janjić: Kosovo between conflict and dialogue. Forum for Ethnic Relations. Belgrade 2004. p. 7.

³⁴⁶ Pavlos-Ioannis Koktsidis. Caspar Ten Dam: A success story? Analysing Albanian ethno-nationalist extremism in the Balkans. In: East European Quarterly. Summer 2008.

³⁴⁷ See chapter 4.3.1 Kosovo Force for an account of the Kosovo Protection Corps.

³⁴⁸ Jane’s Sentinel Country Risk Assessment: The Balkans. Kosovo. Non-State Armed Groups.

Republic of Serbia – established a three-mile “Ground Safety Zone” along Kosovo’s border with the rest of Serbia, which was out of bounds for Yugoslav Army units as well as for NATO forces. Only light-armed local Serbian police were permitted to enter this buffer zone. Members of the UÇPMB took advantage of these conditions and started to make incursions into the Ground Safety Zone. As their attacks increased, Serbian police were pushed back and had to stop patrolling the zone.

NATO, tried to end the assaults by using the political influence of the former political leader of the KLA, Hashim Thaçi. Through his intervention and mediation, the UÇPMB agreed to end the violence in March 2000. Notwithstanding the pledge, the group’s activities escalated in November 2000 when UÇPMB members killed four Serbian police officers in one of their most violent attacks.³⁴⁹

Following negotiations, the UÇPMB withdrew, but clashes continued until May 2001 when the group was disbanded and formally ceased to exist. It is very likely that some members simply replaced the logos on their uniforms and continued fighting in the National Liberation Army in the Former Yugoslav Republic of Macedonia.³⁵⁰

Albanian National Army (AKSh)

The AKSh is a shadowy pan-Albanian extremist armed group that has existed in some form since 1999. However, as is typical of small clandestine groups, it is hard to define and prone to splintering, hence it is not possible to provide a definitive date for its foundation.³⁵¹

In March 2003, AKSh, which had always been regarded as a Macedonia-focused group, appeared in Kosovo and claimed responsibility for a number of attacks in the region. It was declared a terrorist organization by UNMIK in 2003 after it bombed the Zveçan/Zvečan railway bridge in northern Kosovo.³⁵² Until its involvement in the March 2004 riots, AKSh actions had claimed no lives, except for those of two of its own members who blew themselves up in the Zveçan/Zvečan attack. But this soon changed. The emergence of AKSh – in other Balkan countries as well as Kosovo – in 2003 and its attacks, however disorganized, were alarming to security forces.

³⁴⁹ Erik Yesson: Sending Credible Signals: NATO’s Role in Stabilizing Balkan Conflicts. NATO/EAPC Fellowship Final Report. June 2003. pp. 29.

³⁵⁰ Jane’s Sentinel Country Risk Assessment: The Balkans. Kosovo. Non-State Armed Groups.

³⁵¹ Jane’s World Insurgency and Terrorism Profiles: Groups-Europe-Dormant. AKSh.

³⁵² US Department of State: Country Reports on Terrorism. 30 April 2008. Online via Internet: URL: <http://www.state.gov/s/ct/rls/crt/2007/103707.htm> [accessed 27 07 2009].

The attacks credited to AKSh generally show a low level of planning and competence. Its *modus operandi* is described as low risk. Its leaders live underground in Macedonia and the group has very little popular support across the Albanian-majority areas in the southern Balkans.

Again, as it is a clandestine organization, little concrete is known about the numbers involved. While intelligence sources like Jane's report 200 members across the region, of whom 50 to 70 are in Macedonia, the Associated Press reported that "an AKSh paramilitary commander in Kosovo, who identified himself as Preka, said the AKSh could immediately conscript 12,000 people to 'defend this land to the last soldier,' adding they were patrolling all northern Kosovo towns bordering Serbia."³⁵³ Due to its cross-border character, AKSh's actions in neighboring countries could pose a spillover threat to Kosovo.

In the months prior to Kosovo's declaration of independence, AKSh made several appearances in short films broadcast by local media. In October 2007 for example, AKSh appeared on Radio Television Kosovo and announced it was prepared to defend Kosovo from a potential Serb invasion.³⁵⁴

The AKSh's political and fundraising source is the Front for Albanian National Unification (Fronti për Bashkim Kombëtar Shqiptar – FBKSh). FBKSh's aim is the unification of the "Albanian lands"³⁵⁵ and their people into a single Albanian national state. Gafurr Adili, who claims to be the AKSh spokesman in Tirana, and also claims to lead FBKSh, said in 2007 that AKSh "had fighters and supporters in every corner of Kosovo, in every community, village, town, even in parliament, the old or the new one."³⁵⁶ According to a public statement by FBKSh in June 2009, AKSh has stopped its activities in Kosovo due to the fact that Kosovo is now independent and has its own police, the KFOR presence and most notably the newly established Kosovo Security Force. On this basis, FBKSh claims that there is no longer any need for AKSh to be active in Kosovo. The public statement also included proposals to discharge Gafurr

³⁵³ Ethnic Albanian paramilitary group claims to have support throughout Kosovo. In: Associated Press. 21 November 2007. International Herald Tribune. Online via Internet: URL: <http://www.ihf.com/articles/ap/2007/11/21/europe/EU-GEN-Albania-Kosovo-Paramilitaries.php> [accessed 28 07 2009].

³⁵⁴ Freedom House: Nations in Transit 2008. Kosovo [Serbia] (2008).

³⁵⁵ Albanian lands incorporate parts of Montenegro, Macedonia, Greece, Preševo Valley and Kosovo.

³⁵⁶ Ethnic Albanian paramilitary group claims to have support throughout Kosovo. In: Associated Press. 21 November 2007. International Herald Tribune. Online via Internet: URL: <http://www.ihf.com/articles/ap/2007/11/21/europe/EU-GEN-Albania-Kosovo-Paramilitaries.php> [accessed 28 07 2009].

Adili from his position as the AKSh spokesperson because FBKSh insists that he is a liar and doing significant harm to the Front.³⁵⁷

The group's exact goals seem to be rather confused. Freedom House argues that the AKSh supports "creating a 'Greater Albania' in the Balkans."³⁵⁸ In contrast, Arberi,³⁵⁹ who claims to be the leader of the AKSh, has explained that the group is "not fighting for Pan-Albanian unification, but to protect the territorial integrity of Kosovo if it is threatened."³⁶⁰ Jane's intelligence reviews argue that while AKSh endorses a radical Pan-Albanian ideology that aims to unify all Balkan territories inhabited by ethnic Albanians, its primary driving force simply seems to be continuation of violence for criminal purposes.³⁶¹ In this context it is necessary to draw a distinction between the real AKSh and groups that simply use the name of AKSh as a cover for criminal activities. AKSh is trying to discourage this because it considers that AKSh stands for much higher ideologies.³⁶²

AKSh has always been considerably smaller and less organized than the NLA. It now provides a home for more radical former KLA, NLA and UÇPMB members who reject political dialogue, and it is possible that parts of the AKSh may represent a residual KLA. Kosovo Albanian leaders consider the group's activities as obstructive to the work of the international institutions. Prior to the declaration of independence, Kosovo politicians feared that the group could damage efforts to resolve Kosovo's status through internationally mediated negotiations.

Jane's emphasizes that information on AKSh provided by Serb and Macedonian media should be treated with caution and skepticism – for example, the claim in the Serbian media in August 2003, that Islamic terrorists were training in Kosovo.³⁶³ The intelligence services of these countries describe the AKSh as a "large and formidable force closely linked to Islamist extremist groups such as Al-Qaeda".³⁶⁴ However, such claims are politically motivated and no evidence has ever been produced to support

³⁵⁷ Fronti për Bashkim Kombëtar Shqiptar. Zona Nr. 2 „Kosova Historike“. Prishtinë. 16 June 2009.

³⁵⁸ Freedom House: Nations in Transit 2008. Kosovo [Serbia] (2008).

³⁵⁹ Known only by this name.

³⁶⁰ Kosovo Terror Group Issues Fresh Threats. In: B92 News. 21 January 2009. Online via Internet: URL: http://www.b92.net/eng/news/politics-article.php?yyyy=2008&mm=01&dd=21&nav_id=47122 [accessed 27 07 2009].

³⁶¹ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Non-State Armed Groups.

³⁶² Interview with Petrit Hysaj.

³⁶³ Who is Ramush Haradinaj? In: Serbianna. Online via Internet: URL: <http://www.serbianna.com/press/007.shtml> [accessed 27 07 2009].

³⁶⁴ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Non-State Armed Groups.

them. There is no tradition of radical, political Islam among ethnic Albanians in Kosovo, Macedonia and southern Serbia; and AKSh is avowedly secular.³⁶⁵ As emphasized by the International Crisis Group,

“there is no risk that significant numbers of Muslims in Kosovo might support Islamist extremists; such a development would contradict their religious traditions, their political views, and their life styles, which are emphatically Western.”³⁶⁶

Bridge Watchers (Cuvari Mosta)

After the end of the NATO air campaign in 1999, the Serbs that remained in Kosovo did not immediately accept the newly established UNMIK administration. Those who lived in the predominantly Kosovo Serb municipalities, principally in the north, established parallel security, judicial, administrative, education and public-health structures linked to those in Serbia, which continue to be a problem.³⁶⁷

In a 2003 report on parallel structures in Kosovo, the OSCE stated that one of the main entities involved in parallel security in northern Mitrovicë/Mitrovica was the so-called Bridge Watchers³⁶⁸ – organized groups of Serb civilians who patrol and monitor the Serbian side of the Ibar river bridge in Mitrovicë/Mitrovica.³⁶⁹ They consider themselves as a security organization with three main functions: to prevent Kosovo Albanians from entering the north of Mitrovicë/Mitrovica; to gather information on KFOR and UNMIK Police and to gain information on any Kosovo Albanian living in the north. They are not permitted to carry weapons, but show considerable skills in using unconventional and makeshift arms.

Though consisting of local volunteers in civilian clothes, their organization and communication skills suggest that they were originally employees of the Serbian Ministry of Internal Affairs and the Yugoslav Army, with funding apparently coming from the Serbian authorities.

³⁶⁵ Jane's World Insurgency and Terrorism Profiles: Groups-Europe-Dormant. AKSh.

³⁶⁶ International Crisis Group: Bin Laden and the Balkans: The Politics of Anti-Terrorism. Balkans Report No. 119. 9 November 2001. p. 2.

Compare chapter 4.2.3 Political and religious extremism.

³⁶⁷ See page 203.

³⁶⁸ Organization for Security and Co-operation in Europe (OSCE): Department of Human Rights and Rule of Law. Parallel Structures in Kosovo. October 2003. p. 12.

³⁶⁹ Northern Mitrovicë/Mitrovica is mostly inhabited by Serbs and southern Mitrovicë/Mitrovica is predominantly Albanian. See chapter 3.1 Geographic and demographic characteristics.

From mid 2002, the Bridge Watchers started to lose political support from Belgrade and from the local population.³⁷⁰ In November 2002, SRSG Michael Steiner and the late Serbian Prime Minister Zoran Dindić signed an agreement on northern Kosovo, in which Belgrade handed over control of parallel institutions to UNMIK and agreed to the establishment of the Kosovo Police Service (KPS) north of the Ibar.

Although the Bridge Watchers continue to pursue their activities, intelligence sources such as Jane's state that they have lost covert funding from Belgrade. One indicator of this loss of income is that they have increased racketeering activities against Serbian businesses. Although the Bridge Watchers were more visible at the time of Kosovo's declaration of independence, fears of widespread Serb violence were not borne out.³⁷¹

3.4.2.2 Non-state political movements

Lëvizja Vetëvendosje (Movement for Self-Determination)

Not everyone in Kosovo accepts the necessity for the strong presence of the international community, which some see as an obstacle to progress in the country. The Kosovo Albanian political movement Vetëvendosje, (Self-determination) stands for the independence of Kosovo as a corollary of Kosovo Albanians' right to self-determination and demands the withdrawal of the international organizations. Led by the activist Albin Kurti, the movement is based on a clear political agenda but it does not function in the same way as other political groupings and does not participate in elections.

Vetëvendosje had its origins in the widespread activities of the Kosovo Action Network (KAN), whose goal was "the creation of active citizens in Kosovo, dedicated to the promotion of universal values in the field of human rights and freedoms, equality and social justice."³⁷² KAN was founded in 1997 by international activists and led by the American writer Alice Mead. The network initially campaigned against Serbia's occupation of and dictatorship over Kosovo.

UNMIK's fifth anniversary, on 10 June 2004, was marked by a demonstration against UNSCR 1244 where protesters pledged themselves as citizens and activists to fight UNMIK's anti-democratic regime. A year later, on 12 June 2005, when Kosovo's

³⁷⁰ OSCE: Department of Human Rights and Law. Parallel Structures in Kosovo. October 2003. p. 12.

³⁷¹ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Non-State Armed Groups.

³⁷² Vetëvendosje: Online via Internet: URL: <http://vetevendosje.org/> [accessed 24 07 2009].

status negotiations were supposed to begin, the slogan *Jo Negociata – Vetëvendosje!* (“No Negotiations – Self Determination!”) was daubed on the UNMIK headquarters for the first time, which Vetëvendosje sees as the defining moment when KAN evolved into a political movement, in response to what it saw as unambiguous signs that the future status of Kosovo would be negotiated with Serbia.³⁷³

Vetëvendosje’s leader, Albin Kurti was born in 1975 in Prishtinë/Priština and emerged as a student activist during the 1990s, organizing demonstrations against the Milošević regime. He worked as a translator in the office of the General Political Representative of the KLA, Adem Demaçi, and during the NATO airstrikes of 1999 he was arrested by Serbian forces. Initially sentenced to 15 years in jail, he was pardoned and released in December 2001.

On his release, Kurti organized a number of demonstrations against UNMIK, which he perceives as an anti-democratic neo-colonial institution with unlimited powers. When the final status negotiations began, Vetëvendosje became increasingly active in organizing non-violent demonstrations calling for an independent Kosovo and an end to the status talks, claiming that they divided Kosovo’s territory. Vetëvendosje’s activities, particularly its demonstrations, have always been characterized by non-violence. Albin Kurti, who considers non-violent movements as the greatest invention of this century, argues:

“Our demonstrations are gatherings where people march, where activists deliver speeches, and where there is a massive action: 700 bottles with red paint have been thrown on UNMIK and the Government’s buildings; a huge pile of garbage we had collected over a week in the streets of Prishtina has been thrown from a truck...”³⁷⁴

The revolutionary movement has indeed avoided injuring anyone in the course of its activities; demonstrators have only damaged property, especially UNMIK’s, by writing thousands of slogans on UNMIK buildings and deflating tyres or overturning dozens of EULEX cars in August 2009. Activists have also several times expressed their displeasure by throwing rotten eggs at Serbian officials. Since the protests are non-violent, forces have no pretext for attacking them in public.

³⁷³ Albin Kurti: In Dependence. From Stability of Crisis to the Crisis of Stability. In: Reartikulacija. Nr. 6/2009. 26 January 2009. Online via Internet: URL: <http://www.reartikulacija.org/?p=72> [24 07 2009].

³⁷⁴ Ibid.

On 10 February 2007, the movement led a significant rally protesting against Martti Ahtisaari's proposal of "supervised independence" for Kosovo. The UNMIK police fired tear-gas and rubber bullets into the crowd, injuring 80 people, while two unarmed protesters were killed by rubber bullets fired by Romanian UNMIK Police officers.

Following the rally, Albin Kurti was arrested again and placed under house arrest. (He was released on parole prior to the declaration of independence in February 2008.) At the same time, Kosovo Minister of the Interior, Fatmir Rexhepi, and the head of the international UNMIK Police, Stephen Curtis, resigned. A UN investigation found evidence of excessive use of force and noted the unauthorized use of rubber bullets, which were banned after the lethal incident. No one has been prosecuted for this failure and UNMIK allowed the Romanian police officers to leave Kosovo.³⁷⁵

The self-determination movement still exists and continues to be active. Albin Kurti remains a strong critic of the international mission.

"Despite Kosova's declaration of independence, we will continue to be governed by an unelected and unaccountable international administration, which consists now of not just one, but three missions: The International Civilian Office, EULEX and UNMIK,"³⁷⁶

Kurti argues. Vetëvendosje is the only organization in Kosovo that vehemently opposes the international presence in the country. At present, the movement advocates unsupervised independence from the international organizations. Albin Kurti claims that while Kosovo's declaration of independence was a step forward because of the international recognition it achieved, at the same time the declaration took Kosovo three steps back because it was tied by the implementation of the Ahtisaari Plan to executive supervision by two international missions on the basis of UNSCR 1244.³⁷⁷

³⁷⁵ European Stability Initiative (ESI): Return to Europe. People: Albin Kurti. Online via Internet: URL: http://www.esiweb.org/index.php?lang=en&id=311&film_ID=2&slide_ID=6 [24 07 2009].

³⁷⁶ Albin Kurti: Accountability and Responsibility. Online via Internet: URL: <http://www.vetevendosje.org/repository/docs/accountability.pdf> [accessed 24 07 2009]. Compare chapter 4.3.3 EULEX.

³⁷⁷ Albin Kurti: Why Kosovo's declaration of independence has not brought us independence. In: New Kosova Report. 23 February 2009. Online via Internet: URL: <http://www.newkosovareport.com/200902231639/Vetevendosje/Why-Kosovo-s-declaration-of-independence-has-not-brought-us-independence.html> [accessed 25 07 2009].

The government is not responsive to Vetëvendosje's demands and critiques. Since it is categorized as radical by both internationals and the government, the government does not respond to its criticisms.³⁷⁸

3.4.3 Conclusion

The desire for independence among Kosovo Albanians was powerful enough to turn them into radicals and extremists in their struggle against the Serbian repression. Today, however, it can be seen that political extremism has gradually declined since the end of the war in Kosovo. At present, political parties, groups and movements are very unlikely to threaten security and stability.

This chapter's analysis of the creation of Kosovo's political system and the current political parties shows that Kosovo has made significant progress in the development of a non-violent and democratic political culture. Through the international engagement, a reasonably stable democratic basis could be established and Kosovars largely accept democratic rules. It has also been possible to create political institutions and to hold parliamentary and municipal elections in compliance with international standards and without major problems. The 2009 municipal elections have been praised by the EU and US as a milestone in Kosovo's transition to a democratic sovereign state.

It has been shown that none of the parties in power have any interest in appearing extremist. None of the main ethnic Albanian parties in Kosovo's multiparty system, which is to some extent organized around clan or regional ties, are positioned far from the center ground. The three radical parties: the SPOKM, the LKÇK and to some extent the PSK, are all small, have little public support and do not pose a threat to the security situation in Kosovo.

Among the political movements in Kosovo, Vetëvendosje is the only one that directly confronts both internationals and the government and which is categorized by them as radical. However, Vetëvendosje is not a violent organization; its activities are mainly focused on staging demonstrations which are characterized by non-violence.

Outside the political system, the threat from extremist armed groups has also declined. Without doubt, before the declaration of independence, the international

³⁷⁸UNDP Kosovo: Human Development Report Kosovo 2008. Civil Society and Development. p. 94.

community's greatest fear was that violence could emanate from impatient Kosovo Albanian groups perceiving the status negotiations as a protracted stalemate. Achievement of their goal has changed the picture. Of the largest and best known armed formations the KLA, the KPC and the UÇPMB have all been dissolved and no longer pose a threat to Kosovo's security.

One group that continues to exist and might pose some problems is the War Veterans Association comprising former KLA fighters, with the continued enthusiasm among its members for a unified Albanian state.

Former die-hard members of the KLA, as well as of the NLA and UÇPMB, could find a home with the AKSh which is, however, reportedly no longer active in Kosovo. Therefore, the threat of AKSh should not be exaggerated as is sometimes the case in the media.

In advance of Kosovo's declaration of independence, it was in the interests of both Belgrade and some Kosovo Albanians to highlight the existence of Albanian armed groups. Before February 2008, some Kosovo Albanians thought they could badger the international community to grant Kosovo's independence more quickly by referring to a revival of armed insurgency.³⁷⁹ At the same time, Serbian politicians tried their utmost to demonstrate that Kosovo was incapable of governing itself, with Serbian newspapers highlighting that Kosovo needed to remain within Belgrade's control.³⁸⁰ One article stated, that, if given independence "the Albanian-controlled areas of Kosovo would sink even deeper into ... jihad terror under a 'government' composed of war criminals."³⁸¹ The presence of armed groups, threatening civilians, was deftly used to emphasize these arguments.

Kosovo's declaration of independence in February 2008 did not provoke any terrorist or extremist activity. As will be discussed in the next chapter, two-and-a-half years after Kosovo becoming independent, the security situation has remained calm and stable and the absence of renewed violence since the proclamation marks one of the

³⁷⁹ Kosovo's resurgent armed groups. In: Jane's Terrorism and Insurgency News. 31 January 2008. Online via Internet: URL: http://www.janes.com/news/security/terrorism/jtsm/jtsm080131_1_n.shtml [accessed 27 07 2009].

³⁸⁰ Kosovo, Black Hole of Organized Crime. In: Byzantine Blog. Orthodox Journal. 10 October 2006. Online via Internet: URL: <http://byzantinesacredart.com/blog/2006/10/kosovo-black-hole.html> [accessed 28 07 2009].

³⁸¹ Kosovo Independence: End of Europe. In: Global Research. 15 February 2008. Centre for Research and Globalization. Online via Internet: URL: <http://www.globalresearch.ca/index.php?context=va&aid=8098> [accessed 28 07 2009].

biggest achievements of the new state. As the above examples reveal, insurgent groups are sometimes invoked by the media simply to pursue a political goal. Certainly, stability can be influenced by the way any incidents involving insurgent groups are reported by the media in Kosovo and Serbia, and the media is consequently having more influence on the security situation and interethnic relations than the balaclava-clad men themselves.³⁸²

For the Kosovo Albanians, the current struggle is to reorganize Kosovo internally, leaving no space for political extremism. Nevertheless, elsewhere in the state there are factors that could create a fertile ground for violence.

³⁸² Kosovo's resurgent armed groups. In: Jane's Terrorism and Insurgency News. 31 January 2008.

4 THE FUNCTION OF SECURITY IN RELATION TO PEACE

Based on Ulrich Schneckener's indicators of the state's security function discussed in section 2.1.3.1, this chapter's aim is to analyze and evaluate the extent to which the security function, in terms of national as well as human security, is fulfilled in Kosovo. Thus, the chapter starts with an overview of the security situation in the country. In addition to the international organizations' perspective, a particular focus is on Kosovars' personal perceptions of security, with insights gained from the author's interviews. Excerpts from these appear throughout the chapter. Since the security situation in Kosovo is dominated by relations between the Albanian and Serb communities, examination of this issue is an integral part of the analysis.

The second section of the chapter provides an in-depth analysis of the factors and actors that threaten Kosovo's stability. However, unemployment and poverty, the predominant threats, are not dealt with here. Given their significance, they are analyzed thoroughly in the context of the evaluation of Kosovo's social protection system in chapter five. The threatening factors that are examined in this section are: crime and corruption, lack of rule of law, and religious and political extremism.

The final section of the chapter examines the actors that are supposed to provide security, concentrating on the efforts of first, the international security providers and then the national security providers to counter acts of direct violence and establish a safe and secure environment in Kosovo. The assessment of the successes and shortcomings of these institutions and Kosovars' satisfaction with their performance is an essential part of this section.

4.1 Security situation in Kosovo

Two-and-a-half years after Kosovo declared independence, the overall situation in the country has not deteriorated as much as expected by some critics, particularly in Serbia, nor has as much progress been achieved as promised by the Government of Kosovo or its foreign sponsors. Unquestionably, the greatest achievement has been the marked improvement in security with no renewed (large-scale) violence between Kosovo Albanians and Kosovo Serbs. The deployment of the international UNMIK police force, the particularly significant stabilizing presence of KFOR and the establishment of the Kosovo Police have gradually improved the security situation since 1999 and created an atmosphere in which the tasks of civil reconstruction could be assumed.³⁸³ Three benchmarks of development and achievement since 1999 that speak for a positive change in the current security situation – which will be examined more closely below – stand out. Firstly there is the reduction of violence, with the exception of the March riots of 2004 involving Kosovo Albanians and Kosovo Serbs. Unfortunately this incident was a noticeable setback in progress towards a stable, multi-ethnic and democratic Kosovo. Secondly, there has been a growing readiness for coexistence between the Kosovo Albanians and Kosovo Serbs since 2008 apart from in northern Kosovo and thirdly, the establishment of the Kosovo Police which is analyzed separately in chapter 4.3.4.

Despite some civil unrest and security incidents, the overall security situation in Kosovo in the period before and after Kosovo's declaration of independence remained "calm though tense" according to the UN Secretary-General's March 2008 report to the Security Council on the UNMIK mission.³⁸⁴ The interethnic violence that many had feared has largely been avoided and the mass exodus of Kosovo Serbs that some, including the Belgrade authorities, also expected has not taken place. This can be explained by KFOR's determined presence and strength, which restrained the Serbian government from even adumbrating military measures to prevent Kosovo's independence. There were only two significant incidents. Two days after the declaration of independence, Kosovo Serbs attacked two border crossings between Kosovo and

³⁸³ Vedran Džihic. Helmut Kramer: Kosovo after Independence. Is the EU's EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 8.

³⁸⁴ United Nations Security Council: Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo. 28 March 2008. p. 3.

Serbia and destroyed the border posts, forcing UN and Kosovo Police personnel to retreat. The situation has since calmed down, although the potential remains for violence, if authorities in Prishtinë/Priština or the EU Rule of Law Mission (EULEX) try to assert their authority aggressively in Serb-dominated northern Kosovo. A month later, on 17 March 2008, Kosovo Serb protests against Kosovo institutions such as the UNMIK Court and Detention Center in northern Mitrovicë/Mitrovica claimed the life of a Ukrainian UN police officer and left a number of KFOR soldiers, UNMIK police officers and Serb demonstrators wounded. UNMIK later announced it had proof that Serbian Interior Ministry personnel played a role in the violence around the courthouse.³⁸⁵

The current security situation in Kosovo is assessed as “calm but fragile”.³⁸⁶ The latest Secretary-General’s report on the UNMIK mission of April 2010 indicates that there has been no increase in the number of security incidents, including those affecting the minority communities, compared with the previous reporting period. However, the persistence of incidents – albeit low level – not only continues to deter returnees but also nourishes feelings of insecurity, anxiety and fear among Kosovars, particularly among Kosovo Serbs.³⁸⁷

4.1.1 Personal perceptions of security

According to a January 2010 poll, conducted by UNDP, about 62 per cent of Kosovars feel safe while outside on the street, while 29 per cent feel unsafe as shown in Figure 9.³⁸⁸

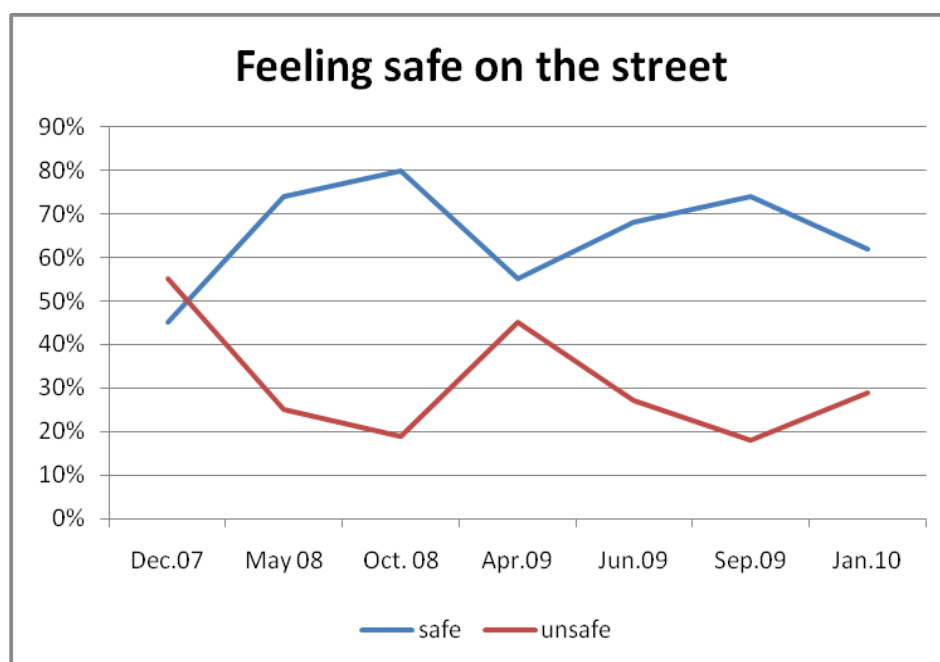
³⁸⁵ Jane’s Sentinel Country Risk Assessment: The Balkans. Kosovo. Security.

³⁸⁶ United Nations Security Council: Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo. 6 April 2010. p. 4.

³⁸⁷ Ibid. pp. 4.

³⁸⁸ UNDP makes no remark on the security feeling of the remaining 9%, however, it can be assumed that they feel neither safe nor unsafe.

Figure 9: Feeling safe on the street



Source: UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 6.

Those Kosovars who feel unsafe are mainly Kosovo Serbs, amongst whom only 1.3 per cent feel somewhat safe outside on the street as of June 2009, whereas, some 71 per cent of Kosovo Albanians and some 67 per cent of other minorities feel very safe or somewhat safe (see Table 7).

Table 7: Feeling safe by ethnicity

	K-Albanian	K-Serb	Others	All ethnicities
Very safe	25.5%	n/a	23.7%	20.5%
Somewhat safe	46.0%	1.3%	43.4%	37.4%
Somewhat unsafe	14.4%	29.6%	16.7%	17.5%
Very unsafe	7.8%	52.4%	9.2%	16.1%
NA	6.3%	16.7%	7.0%	8.5%
Total	100%	100%	100%	100%

Source: UNDP Kosovo: Early Warning Report Kosovo. No. 25. April–June 2009. September 2009. p. 29.

Overall, the major threats to family security identified by Kosovars, across ethnicities, are: theft (23 per cent), organized crime (19 per cent) and poverty (15 per cent) followed by murders, traffic accidents, robberies, drugs, kidnappings and infectious diseases.³⁸⁹

The author's interviews, conducted in September 2009 throughout Kosovo, do not only support the finding that Kosovo Albanians feel very much safer than Kosovo Serbs, but also highlight the threats to security that Kosovars perceive. Petrit Hysaj, a Kosovo Albanian interviewed, put it aptly:

“As far as external threats are concerned, the situation in Kosovo is quiet and at a desirable level, thanks to KFOR ... But there are internal security problems such as lack of social security, for example. There is the lack of a proper health system; let's take swine flu for instance: Kosovo is not prepared to deal with it and I feel threatened by pandemics in Kosovo should they happen here. The same goes for other insecurities concerning thefts, criminal gangs, drugs and stuff like that – these are all internal factors that really challenge the internal security situation.”³⁹⁰

4.1.2 Interethnic relations

Because of these security concerns, returns by displaced minorities, particularly Kosovo Serbs, slowed down after Kosovo's declaration of independence. According to UNHCR, the total of voluntary returns by minorities between 2000 and 2009 was 19,525 (out of the approximately 250,000 people who fled from or within Kosovo in 1999). Of those, there were 12,145 returns from Serbia and 2,793 returns within Kosovo.³⁹¹ The returns statistics show a drastic decline in the number of voluntary returns by minorities in 2008 when about 679 voluntary minority returns (including 231 Kosovo Serbs) were reported in comparison with 1,816 returns (including 585 Serbs) in 2007 and 1,669 (including 615 Serbs) in 2006. However, the latest figures seem to show that returnees are increasing again. In 2009, 851 minority returns (including 348 Kosovo Serbs) were reported. Between January and February 2010, 259 displaced

³⁸⁹ UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 6.

³⁹⁰ Interview with Petrit Hysaj.

³⁹¹ UNHCR: Statistical Overview. Update as at the end of October 2009. pp. 3. Online via Internet: URL: [http://www.nrc.ch/8025708F004CE90B/%28httpDocuments%29/7CD492E663EF7BA9C125766A002EE7BC/\\$file/Statistical+overview+October+09.pdf](http://www.nrc.ch/8025708F004CE90B/%28httpDocuments%29/7CD492E663EF7BA9C125766A002EE7BC/$file/Statistical+overview+October+09.pdf) [accessed 19 05 2010].

minority community members (including 90 Kosovo Serbs) voluntarily returned to Kosovo.³⁹²

Lack of trust between Kosovo Serbs and Kosovo Albanians is sustained by the backlog of unsolved interethnic crimes and the unsolved fate of missing persons. Bringing perpetrators of crimes to justice and openly condemning such incidents would help to reduce anxieties among the communities and encourage a feeling of increased personal security.³⁹³ Perceptions of insecurity are compounded by insufficient progress in prosecuting perpetrators of violence as well as a general lack of trust in the judiciary, due not only to the backlog of unresolved cases, but also to the ethnic bias displayed by court officials and the weak representation of minority groups in the judiciary.³⁹⁴

In general, relations between Kosovo Albanians and Kosovo Serbs have relaxed significantly since the war and there is a growing readiness for coexistence. However, this is not true of the entire country: interethnic relations remain strained in northern Kosovo where the majority is Kosovo Serb. A Kosovo Serb woman from the ethnically mixed village of Çaglavicë/Čaglavica near Prishtinë/Priština describes relations between Albanians and Serbs in her village as follows:

“I think the situation right now is much better; for instance here in this village Čaglavica, which is kind of a suburb of Priština. It’s a mixed village at the moment and we have several Albanian shopping malls. Every day when I go there, I see many Serbs, just ordinary people, villagers, who don’t speak Albanian ..., going freely to these Albanian shops ... I think that these contacts among ordinary people, without an international presence, are more important than some of the efforts that the international community made to bring Albanians and Serbs together. Ten years after the war, people are more relaxed ... but not thanks to the international community, thanks to ordinary people.”³⁹⁵

Kosovo Albanians also see interethnic relations gradually changing for the better as described by foreign ministry official Sylë Ukshini:

³⁹² United Nations Security Council: Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo. 6 April 2010. p. 6.

³⁹³ Ibid. p. 5.

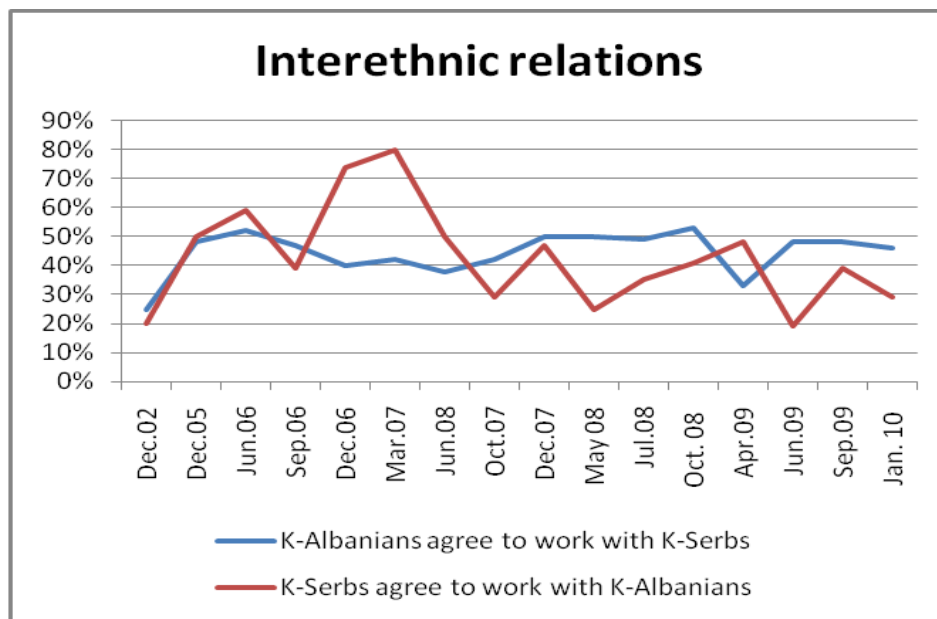
³⁹⁴ See chapter 4.2.2 Rule of law.

³⁹⁵ Interview with a female Kosovo Serb (anonymity requested). Prishtinë/Priština 19 September 2009.

“Relations with other minorities such as Bosniaks and Turks can actually be described as good. Many people [Kosovo Albanians] are in contact with Serbs and I personally see prejudices slowly withering away.”³⁹⁶

A UNDP Early Warning Report of June 2009 confirms these views. The results indicate that the majority of Kosovo Albanians (74 per cent) and minorities other than Kosovo Serbs (61 per cent) believe that interethnic relations are improving, while some 32 per cent of Kosovo Serbs believe the same.³⁹⁷ An important indicator of interethnic relations is the willingness of the two main ethnic communities to work and live together. The UNDP survey in January 2010 shows 29 per cent of Kosovo Serbs willing to work with Kosovo Albanians, but there have been significant fluctuations over the years, as shown in the chart below. Meanwhile a fairly steady percentage – around 46 per cent – of Kosovo Albanians would be willing to work with Kosovo Serbs as shown in the chart.

Figure 10: Interethnic relations



Source: UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 7.

Results of the UNDP Early Warning Report – borne out by the author’s interviews – reveal that Kosovo Serbs are the most pessimistic ethnic community in

³⁹⁶ Interview with Sylë Ukshini, Foreign Ministry of Prishtinë/Priština. Prishtinë/Priština 10 September 2009. Statement translated by the author.

³⁹⁷ UNDP Kosovo: Early Warning Report Kosovo. No. 25. April–June 2009. September 2009. p. 25.

Kosovo. About 52 per cent of Kosovo Serbs believe that relations between Kosovo Serbs and Kosovo Albanians will never normalize, whereas, only about 18 per cent of Kosovo Albanians and 17 per cent of other minorities are of the same opinion.³⁹⁸

According to UNDP's March 2010 survey, and also reflected in the interviews, the factors influencing interethnic relations are viewed differently by Kosovo Albanians and Kosovo Serbs. Among Albanians, 53 per cent see interference by Belgrade as the main adverse influence on ethnic relations and a further 19 per cent cite Kosovo Serbs' unwillingness to be integrated into Kosovo society. For Kosovo Serbs, the main factors are insufficient efforts by Kosovo Albanians to integrate them (cited by 57 per cent of those questioned) and the attitude of Albanian leaders (19 per cent).³⁹⁹ Elisabeth Abazi expresses the Albanian viewpoint: "Albanians and Serbs cannot coexist as long as Serbs living in Kosovo continue to favor being ruled by Belgrade."⁴⁰⁰

While relations between Kosovo Albanians and Serbs have relaxed in the Serb enclaves and areas of settlement in the south of Kosovo, tensions continue in the north, where the political influence of the Serbian government on Kosovo Serbs remains strong. Though Belgrade is less active in Kosovo than it used to be, Northern Kosovo still continues to be a security flashpoint, particularly the divided town of Mitrovicë/Mitrovica where the security situation remains fragile. Nevertheless, KFOR translator, Bekim Kryeziu, is optimistic about the situation there:

"When I go to Northern Mitrovica as a translator, I notice that the situation there has changed one hundred per cent compared to 2004, 2005 and 2006. The population has started to return to their homes and the parallel structures are not as strong as they used to be thanks to the work of EULEX. The Serbs have tried to close roads two or three times and to prevent the installation of cameras at the border and customs posts, however EULEX's reaction was determined: so far and no further."⁴⁰¹

Kosovo Albanians perceive the influence of the Serbian regime not just as an obstacle to the country's development and stability but also under certain conditions as a serious security threat. Professor Xhabir Hamiti at the Faculty of Islamic Studies in Prishtinë/Priština is clear on this point: "The biggest threat [for Kosovo] I see in the

³⁹⁸ UNDP Kosovo: Early Warning Report Kosovo. No. 25. April–June 2009. September 2009. p. 26.

³⁹⁹ UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 7.

⁴⁰⁰ Interview with Elisabeth Abazi, educator and teacher at the Don Bosco Social and Educational Centre in Prishtinë/Priština. Prishtinë/Priština 14 September 2009. Statement translated by the author.

⁴⁰¹ Interview with Bekim Kryeziu. Statement translated by the author.

future is the Serbian regime in Belgrade, which is trying to keep Kosovo under its control.”⁴⁰² Sylë Ukshini shares this opinion, stating:

“We do not see any danger from the Serbs living here, whether they make up five per cent, ten per cent or 15 per cent [of the population]. This minority does not present any hazard for Kosovo. The danger comes from the Serbian regime in Belgrade.”⁴⁰³

Belgrade influences Kosovo Serbs through the parallel structures, which have a considerable impact on Kosovo Serb attitudes. Although Serbian local leaders are aware of the new reality in Kosovo since independence, they are still hesitant to cooperate openly with Kosovo institutions. Meanwhile, Kosovo Albanian leaders try to reach out to the Kosovo Serbs, but their efforts sometimes seem more declarative than sincere to the Kosovo Serbs. Most Kosovo Serbs want to stay in Kosovo but to live in a parallel reality in which their community though in Kosovo is still part of Serbia. This is summed up by Dejan Baljošević Head of the CCK Office in Rahovec/Orahovac:

“We remain living in such conditions and we still hope that we live in Serbia and do not want to recognize independence, because we see this as something transitional, something temporary, one historical moment.”⁴⁰⁴

Two incidents illustrate the security situation in northern Kosovo. In June 2009, ethnic Serbs in Northern Kosovo set up road-blocks near the administrative crossing points between Kosovo and Serbia, refusing to allow EULEX police and customs vehicles to pass. The protests, in reaction to a change in procedures at the crossing points, were condemned by the governments in both Kosovo and Serbia.⁴⁰⁵

The other incident – which caused considerable unrest – took place in August 2009 when there were clashes between Kosovo Serbs and Kosovo Albanians in North Mitrovicë/Mitrovica. Around 100 Serbs protested at the resumption of reconstruction work on Kosovo Albanian homes, damaged during the war, which had started in April 2009 in the village of Kroi i Vitakut/Brdjani. The protesters were angry at what they considered greater investment in the reconstruction of destroyed Kosovo Albanian

⁴⁰² Interview with Xhabir Hamiti, Professor for Islamic Studies at the Faculty of Islamic Studies in Prishtinë/Priština. Prishtinë/Priština 17 September 2009.

⁴⁰³ Interview with Sylë Ukshini. Statement translated by the author.

⁴⁰⁴ Interview with Dejan Baljošević, head of the Coordination Center for Kosovo Office. Rahovec/Orahovac 18 September 2009.

⁴⁰⁵ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Security.

homes than in those of Serbs. EULEX and KFOR intervened on a number of occasions to separate the two parties. On the one hand, the Kosovo Serbs in the area see the return of Kosovo Albanians to their homes in the heights above northern Mitrovicë/Mitrovica as unfair, claiming that Serbs cannot return safely to the south. They also see the efforts on behalf of the Albanians as a provocation and a first step in displacing Serbs from the north. More generally, they do not believe in the impartiality of the internationals. Dejan Baljošević says: “We have to accept all those parties who are present here such as UNMIK, OSCE, KFOR and EULEX now, and we think that they are not impartial.”⁴⁰⁶ On the other hand, some Kosovo Albanians complain that the resettlement projects of the international community only focus on the Serb community while Albanians are left out. This perception of bias on the part of the international community relates to a number of activities by external actors apart from the resettlement project in northern Mitrovicë/Mitrovica and not only arouses resentment towards the international community but more importantly impedes harmonization between the two ethnic communities. Statements from a Kosovo Serb living in the municipality of Rahovec/Orahovac and from a Kosovo Albanian living in the municipality of Suharekë/Suva Reka illustrate the diametrically opposed views held by the two ethnicities on the resettlement project in northern Mitrovicë/Mitrovica. According to Dejan Baljošević:

“There is such great international media attention and support for the ten Albanian houses in Brdjani. Everyone is present there: all the KFOR, police, EULEX, KPS. And we have 250,000 Serbs that were expelled from Kosovo and Methohija and should resettle too but no one really takes care about it and there is no great international attention to this problem. ... Serbs do not feel that it’s right – such great support for the Albanians, for the ten families, and no support for Serbian resettlement. ... Serbs ask for reciprocity. The Serbs also want to have the Serbs back in the southern part of Mitrovica or the areas where the Serbs were before, for example Peć, Dečani, Prizren, wherever.”⁴⁰⁷

In stark contrast, Kosovo Albanian Dugagjin Palushi maintains:

“Serbs are always given preferential treatment by the internationals – not the victims but the perpetrators. This is unfair and is felt by every Kosovar. Unjust actions continuously happen. A good example is North Mitrovicë. There are many Albanians that are not allowed to reconstruct their houses on their property. And for many years UNMIK continues to say: ‘yes we are in favor of

⁴⁰⁶ Interview with Dejan Baljošević.

⁴⁰⁷ Interview with Dejan Baljošević.

all refugees being resettled' [but] it is always only about the Serbs and not about the Albanians. Albanians also need to be resettled. There are always projects for the Serbs but there are none for Albanians. Why? Is that fair? And that is exactly what people here are fed up with. People are dissatisfied and one knows that Serbia has started its repression over and over again. ... The hot topic is North Mitrovicë and unrest may break out at any time."⁴⁰⁸

These completely conflicting perceptions demonstrate the difficulties of bringing the two ethnic communities together. Therefore the international actors need to use considerable tact and sensitivity in their efforts to bring Albanians and Serbs closer to each other, and need to be aware that some of their moves may unintentionally provoke quite the contrary reaction, namely increased estrangement.

⁴⁰⁸ Interview with Dugagjin Palushi, translator for the Austrian CIMIC in Suharekë/Suva Reka. Suharekë/Suva Reka 16 September 2009. Statement translated by the author.

4.2 Factors threatening Kosovo's stability

In contrast to the years after the war when people in Kosovo were very much concerned about interethnic relations, people are now primarily concerned about the poor state of the economy, as reflected in high levels of unemployment and poverty. Based on the March 2010 UNDP poll, unemployment and poverty are considered to be the main factors threatening Kosovo's stability by 62 per cent of Kosovars (see Table 8 below). Among Kosovo Serbs, however, worsening of interethnic relations continues the biggest worry, cited by 38 per cent of those polled, but even here, economic issues come a close second, with 30 per cent placing this as their top concern, and in the April 2009 survey, even the Serbs saw unemployment and poverty as the main threat to stability.⁴⁰⁹ Although, the interethnic-relations issue had returned to being the major anxiety for Kosovo Serbs in March 2010, unemployment and poverty had become a much greater concern to them within a short period, having been identified by only 12 per cent of Kosovo Serbs as the main factor threatening security in August 2009.⁴¹⁰ From the findings of the previous chapter backed up by the author's interviews – in which Kosovo Serbs identified unemployment as the biggest problem – it can be assumed that the majority of Kosovo Serbs citing interethnic violence as the main threat live in Northern Kosovo. For minorities other than Serb, interethnic relations are far less worrying than for Kosovo Serbs. Only 4.3 per cent of other minority respondents say that they are concerned about interethnic relations. For them, just as for the Kosovo Albanians, unemployment and poverty, identified by 68.2 per cent, stand out as the biggest threats.

The other main factors seen as threatening stability are corruption and mismanagement, and the lack of rule of law. Other factors, cited by a very small number of those surveyed, are: deterioration of relations with the international community and with neighboring countries, and political and religious radicalism.

⁴⁰⁹ UNDP Kosovo: Fast Facts. Early Warning Report 24. April 2009. p. 5.

⁴¹⁰ UNDP Kosovo: Fast Facts. Early Warning Report 25. August 2009. p. 5.

Table 8: Factors that threaten Kosovo's stability
(percentages viewing factor as the major threat)

	K-Albanian (%)	K-Serb (%)	Others (%)	Total (%)
1. Unemployment and poverty	63.9	30.0	68.2	62.13
2. Corruption and mismanagement	13.2	4.4	6.9	12.28
3. Lack of rule of law	9.1	7.5	4.3	8.73
4. Further aggravation of interethnic relations	2.9	38.3	4.3	5.09
5. Deterioration of relations with international community	3.5	2.2	3.0	3.37
6. Political radicalism	2.5	3.5	n/a	2.43
7. Deterioration of relations with neighboring countries	2.2	0.9	1.7	2.06
8. Religious radicalism	0.4	11.0	0.9	1.03

Source: UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 6.

Since the predominant concerns, unemployment and poverty are considered separately, the remainder of this chapter will focus on the other issues worrying Kosovars.

4.2.1 Crime and corruption

The Balkans neither fit the profile of a high crime region nor have a conventional crime problem. Those are the main findings of a survey by the United Nations Office on Drugs and Crime (UNODC) study of crime and its impact on the region. Comparing several sets of regional crime data with West European figures reveals a wide gap between perceptions and realities. In terms of conventional crime, such as murder, assault, rape, robbery, theft, etc., UNODC claims that most of the Balkan region is safer than Western Europe. This key fact is often omitted in discussions of crime in the

area.⁴¹¹ In particular, Kosovo, which still has a considerable image problem, as stressed by the Kosovar Stability Initiative, suffers from the widespread perception that it is a mafia state, a haven for criminals, with weak institutions in the sole control of corrupt family networks.⁴¹² But the truth is that “Kosovo in 2010 is far safer and more peaceful than it was a decade ago,” according to the International Crisis Group,⁴¹³ and it seems that an era of lawlessness is slowly passing. Despite serious problems that cannot be overlooked, Kosovo’s reputation for crime is exaggerated in a number of respects.

According to UNODC and EULEX data, Kosovo has a low rate of violent crime. To illustrate this, Kosovo’s rates of four conventional crimes – homicide, robbery, burglary and theft of motor vehicles – are considered below. However, it is also important to note that many forms of conventional crime are often under-reported in Kosovo and in the whole Balkan region. Therefore, all data have to be treated with care. Homicide, however, almost always comes to the attention of the police due to the involvement of several authorities. Homicide, which is defined as intentional killing of a person by another, being at the most serious end of the spectrum of violent crime is a key crime indicator, providing the best insight into a country’s experience of violent crime.

Homicide rates are particularly boosted in Kosovo by the prevalence of bitter disputes over property, which the legal system is unable to resolve effectively. Nevertheless, the annual homicide rate in Kosovo has decreased considerably from 11.8 per 100,000 people in 2000 to 2.6 in 2006.⁴¹⁴ The 2009 EULEX Program Report states that this is twice the average found in its sample group of EU member states,⁴¹⁵ which it calculates to be 1.14 killings per 100,000 persons, but its sample does not include any of the EU member states where homicide rates are considerably higher than in Kosovo, such as Romania, Bulgaria, Latvia, Estonia or Lithuania. Estonia for instance has on average 6.3 murders per 100,000 citizens each year and Lithuania an even higher 8.6

⁴¹¹ UNODC: Crime and its impact on the Balkans and affected countries. March 2008. p. 9.

⁴¹² Kosovar Stability Initiative (IKS): Image Matters! Deconstructing Kosovo’s Image Problem. Prishtina 2008. p. 7.

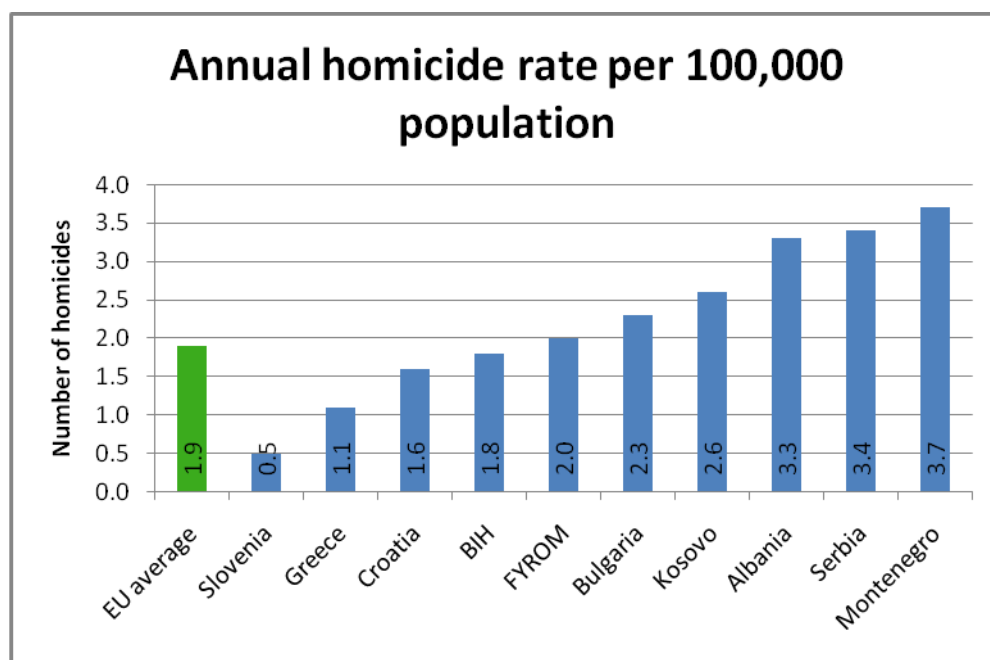
⁴¹³ International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 3.

⁴¹⁴ UNODC: Crime and its impact on the Balkans and affected countries. March 2008. p. 39. EULEX Program Report. July 2009. p. 23.

⁴¹⁵ The sample countries that are included in the EULEX report are: Austria, Belgium, France, Germany, Greece, Ireland, Italy, Netherlands, Portugal, Slovenia, United Kingdom.

homicides.⁴¹⁶ The average homicide rate across all 27 EU states, based on UNODC data is 1.92 deaths per 100,000 citizens, far closer to the level in Kosovo, and the country's homicide rate is well below the United States' 5.2 murders per 100,000 citizens per year. Kosovo's homicide rate is higher than the regional average in the Balkans; nevertheless, as Figure 11 shows, lower than in Albania, Serbia and Montenegro.

Figure 11: Annual homicide rates in the Balkan region (2006–08 data)



Source: Based on UNODC crime and criminal justice statistics online via Internet: URL: <http://www.unodc.org/unodc/en/data-and-analysis/crimedata.html> [accessed 25 05 2010]; the Kosovo figure is based on the EULEX Program Report 2009.

However, the figures must be treated with some caution. The distressing fact revealed by a Crisis Group report in the context of homicide is that none of the institutions involved in investigating and prosecuting crime – the police, prosecutors, courts and internal affairs and justice ministries as well as EULEX – know how many crimes have been committed, successfully investigated and prosecuted and what has happened to their perpetrators. There is for example a disagreement over the number of murders solved in 2009, with the police reporting 52 and prosecutors 58.⁴¹⁷

⁴¹⁶ Data were taken from the UNODC homicide statistics. UNODC: Homicide statistics. Online via Internet: URL: <http://www.unodc.org/unodc/en/data-and-analysis/homicide.html> [accessed 25 05 2010].

⁴¹⁷ International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 3.

In contrast to homicide, other forms of violent crime in Kosovo such as robbery, burglary and motor vehicle theft, are well below the EU average as shown in Table 9. Most countries in Northern and Western Europe have considerably higher crime statistics than Kosovo. To demonstrate this, two countries – the United Kingdom (England and Wales only), which has some of the highest crime statistics in Europe, and Austria whose figures are about average, have been added to the table below for comparison. Kosovo also comes off well in comparison with other Balkan countries, for instance the rate of recorded robberies in Kosovo (20 per 100,000 population) is considerably lower than in Croatia (28.5) and in the Former Yugoslav Republic of Macedonia (25.15).

Table 9: Recorded crimes (2008–09 data)

Country	Total robberies	Robberies per 100,000 population	Total domestic burglaries	Burglaries per 100,000 population	Total thefts of motor vehicle	Motor vehicle thefts per 100,000 population
Kosovo	441	20.0	4,769	216.7	457	20.7
Croatia	1,259	28.5	2,981	67.75	1,927	43.6
FYROM	503	25.15	1,367	68.35	365	17.9
BIH	773	20.4	n/a	n/a	2,439	64.5
UK	80,116	147.2	n/a	n/a	147,342	270.7
Austria	5,095	61.6	n/a	n/a	6,493	78.5
EU sample average ⁴¹⁸	n/a	107.58	n/a	327.48	n/a	334.6

Source: Based on data of the EULEX Program Report 2009 and the UNODC crime and criminal justice statistics online via Internet: URL: <http://www.unodc.org/unodc/en/data-and-analysis/crimedata.html> [accessed 25 05 2010].

⁴¹⁸ Data have to be taken with care due to the under-reporting of crimes.
EU sample average is based on the EULEX sample countries. See footnote 415.

These figures make clear that the real problem afflicting Kosovo is not petty crime, but large-scale organized crime and high-level corruption. Transnational organized crime ranks among the major threats to human security in Kosovo, hindering its social, economic, political and cultural development. In general, it is a complex phenomenon and comprises a range of activities including drug trafficking; trafficking in human beings and firearms; smuggling of migrants; money laundering; large-scale theft and international theft of vehicles. According to the Directorate of Organized Crime, the daily revenue of organized crime in Kosovo amounts to approximately €1.5 million; amounting to €550 million per year.⁴¹⁹ That the organized crime business works so effectively is largely due to the high level of cooperation between the various actors, regardless of their ethnicity. In this respect, organized crime groups have an advantage over law abiding citizens. While they, as well as the political elites, often struggle to work in harmony with fellows of a different ethnicity, organized crime groups are multi-ethnic, and national, religious or ethnic affiliations pose no problems for them so long as they make a profit. Additionally, of course, cooperation across borders does not pose an obstacle for organized crime groups. Thomas Köppl and Agnes Székely highlight that ostensibly legal Kosovo Albanian political groups in Western Europe and the United States have also been involved in criminal activities. These groups, mostly organized as foreign branches of Kosovo Albanian political parties, collected huge amounts of money during the 1990s, first for educational purposes and then during the conflict, for “humanitarian” affairs.⁴²⁰

Organized crime may be perceived by some people as offering a form of safety-net and may come to achieve a certain local legitimacy, with the informal economy often more flourishing than the formal economy.

Drug trafficking in particular is an important source of income for organized crime in the Balkans. Based on UNODC’s World Drug Reports, the majority of opiates are transported along the Balkan route to Western Europe – the most profitable consumer market. Kosovo is a principal point along this heroin-trafficking route between Central Asia and Western Europe. UNODC estimates that between 80 to 100

⁴¹⁹ Institut für Europäische Politik: Operationalisierung von Security Sector Reform (SSR) auf dem westlichen Balkan – intelligente/kreative Ansätze für eine langfristig positive Gestaltung dieser Region. Berlin 2007. p. 53.

⁴²⁰ Thomas Köppl, Agnes Székely: Transnational Organized Crime and Conflicts in the Balkans. pp. 129-140. In: Mats Berdal, Mónica Serrano (eds.): Transnational Organized Crime and International Security – Business as Usual? London 2002. p. 136.

tons of heroin transits Southeast Europe on its way to Western Europe each year, with a market value of \$25–30 billion.⁴²¹

John DiStasio of the International Organized Crime Center in Washington, DC notes that some of the ethnic Albanians who emigrated during the 1990s belonged to criminal groups who were heavily involved in worldwide narcotics trafficking, particularly of heroin. These Albanian organized crime groups have come to dominate the heroin trade throughout Europe. It is estimated that “more than 80% of heroin available on the European market has ... been smuggled through the Balkans States.”⁴²² In 2000, the Assistant Director of Interpol asserted that according to some estimates “Albanian networks control about 70% of the heroin market today in Switzerland, Germany, Austria and the Scandinavian countries.”⁴²³ UNODC notes that the basis for making these estimates is unclear and compares the number of arrests of Albanians for heroin trafficking in Western European countries with arrests of other nationals and finds that “the share of heroin trafficking attributable to ethnic Albanians presently appears to be much less than the levels estimated in the past.”⁴²⁴ In Italy only six per cent of heroin-trafficking arrests in 2006 involved ethnic Albanians, while 65 per cent were of Italians, while in Austria only three of 660 heroin arrests made were Albanians.⁴²⁵

While the flow of drugs often has a direct impact on the violent crime rate of the region through which it passes (for instance in Central America and the Caribbean), UNODC highlights that the drug trade via the Balkans has little impact on local violent crime. A reason for this might be that the business in Balkan countries is highly organized and reliant on high-level corruption.⁴²⁶

The drug-trafficking business in Kosovo is also assisted by weak border control. The Kosovo Border Police operates within the framework of the Kosovo Police. Its mission is stated to be to

“ensure increased border safety and security by preventing, detecting and apprehending the criminals involved in border-crossing criminal activities,

⁴²¹ UNODC: Crime and its impact on the Balkans and affected countries. March 2008. p. 59.

⁴²² John DiStasio: International Organized Crime Center. In: International Organized Crime. Volume 51. Number 5. September 2003. p. 2–5.

⁴²³ UNODC: Crime and its impact on the Balkans and affected countries. March 2008. p. 65.

⁴²⁴ Ibid. p. 66.

⁴²⁵ Ibid. pp. 66. An obstacle to analyzing arrest figures is that many Kosovo Albanians are not recorded as Albanians, but as Serbian or “Ex-Yugoslav”.

⁴²⁶ UNODC: World Drug Report 2009. pp. 176.

terrorist activities, human being trafficking, forgery of documents, transportation of weapons of mass destruction, narcotics, weapons, stolen vehicles and other types of smuggling prohibited by law.⁴²⁷

However, the young service faces great problems in its fight against drug trafficking. Lack of basic infrastructure and equipment, such as drug testing kits or special scanners for searching cars, presents the biggest obstacle to effectively performing the mission. Cooperation as well as information and data exchange between relevant institutions are also poor. Individual cases of corruption and theft also hinder efforts to combat the drug trade successfully.⁴²⁸ Despite these difficulties, a positive fact is the steady increase in drug seizures, investigated cases and arrests, and prosecutions, which speaks for the work of the Kosovo Police.⁴²⁹

Moreover, the US Department of State's International Narcotics Control Strategy Report of March 2010 emphasizes that it is "difficult to estimate the extent to which corruption in Kosovo influences drug trafficking."⁴³⁰ Kosovo has applied legal and law enforcement measures to avert and punish public corruption supporting the drug business in any way, but so far results are mixed.

Organized crime also engages in trafficking firearms. However, trade and trafficking of small arms in Kosovo is very limited and is not even mentioned in any of the European Commission or UN Security Council reports. UNODC emphasizes that it is very unlikely that small arms and light weapons have been transited through Kosovo in large numbers in recent years. In this context, an interesting fact is that per capita weapons ownership (registered and unregistered) in Southeast Europe is lower than in many countries in Western Europe. With 18 firearms per 100 citizens, Kosovo ranks lower than many European countries, for instance Finland (69) and Switzerland (61).⁴³¹

Organized criminal activities in Kosovo that are more lucrative than trafficking of firearms are smuggling of cigarettes and fuel and money laundering. According to the US Department of State's money laundering and financial crimes assessment,

⁴²⁷ Kosovo Police: Border Police Department. Online via Internet: URL: <http://www.kosovopolic.com/?page=2,22> [accessed 25 05 2010].

⁴²⁸ US Department of State: International Narcotics Control Strategy Report. Volume I. Drug and Chemical Control. March 2010. p. 397.

⁴²⁹ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 46.

⁴³⁰ US Department of State: International Narcotics Control Strategy Report. Volume I. Drug and Chemical Control. March 2010. p. 397.

⁴³¹ UNODC: Crime and its impact on the Balkans and affected countries. March 2008. pp. 83.

“Kosovo does not play a significant role in terms of money laundering. The country does, however, have an active black market for smuggled consumer goods and pirated products.”⁴³² A considerable amount of cigarettes and fuel are smuggled into Kosovo.

Illegal proceeds from domestic and foreign criminal activity are obtained from official corruption, tax evasion, customs fraud, organized crime, contraband and other types of financial crimes. Most of the proceeds from smuggling go presumably straight into the economy, in sectors such as construction and real estate, retail and commercial stores, banks, financial services and trading companies.⁴³³ The European Commission 2009 Progress Report on Kosovo concludes that the country still lacks adequate legislative provisions in this area, however is in the process of drafting and implementing new laws to cope with money laundering and financial crimes.⁴³⁴

Members of the international community in Kosovo as well as Kosovars are involved in smuggling cigarettes. For example, in April 2010, 16 Romanian EULEX officers were caught by Macedonian customs officers smuggling a large quantity of cigarettes and alcohol out of Kosovo.⁴³⁵

Kosovo also needs to make considerable progress in the fight against trafficking in human beings, particularly trafficking in women and girls, a “business” that experienced an upswing after the end of the war in 1999, partly due to the arrival of the international community. UNODC highlights that the number of females trafficked to the Balkan region increased with the number of deployed peacekeepers.⁴³⁶ An in-depth examination of trafficking in human beings is made in chapter 5.5.4, which analyzes the general problem of violence against women.

The involvement of internationals, first with prostitution and trafficking in women, and then with isolated cases of drug trafficking and smuggling as mentioned above, has led to a considerable image problem for the international community whose role in the fight against organized crime is much called into question by these incidents. Doubts about the internationals’ pledge of a resolute fight against organized crime could

⁴³² US Department of State: Money Laundering and Financial Crimes Country Database. May 2010. p. 238.

⁴³³ Ibid. p. 238.

⁴³⁴ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 46.

⁴³⁵ EULEX Officers Caught “Smuggling” Out of Kosovo. In: Balkan Insight. 21 April 2010. Online via Internet: URL: <http://www.balkaninsight.com/en/main/news/27507/> [accessed 31 05 2010].

⁴³⁶ UNODC: Crime and its impact on the Balkans and affected countries. March 2008. p. 52.

be heard from the very beginning of the international presence in Kosovo and continue to be raised.

Various reports highlight the connections between organized crime and politics in Kosovo, with the two political leaders often mentioned in this connection being Prime Minister Hashim Thaçi and AAK leader Ramush Haradinaj.⁴³⁷ In 2006, the Commission of the European Communities noted that “criminal networks extend to various socio-economic sectors and into politics.”⁴³⁸ A February 2005 study of organized crime in Kosovo by the German Bundesnachrichtendienst, labeled top secret, but reported by the German journalist Jürgen Roth the same year in *Weltwoche*, stated:⁴³⁹

“Through the key players – for example Thaçi, Haliti, Haradinaj – there is the closest interlink between politics, the economy and international organized crime in Kosovo. The criminal organizations in the background there foster political instability. They have no interest at all in the building of a functioning orderly state that could be detrimental to their booming business.”⁴⁴⁰

Marek Antoni Nowicki, International Ombudsman of Kosovo from 2000 to 2005, asserts that crime groups in Kosovo became able to operate with apparent impunity due to their successful efforts to build close links with political players.⁴⁴¹ Fabio Mini, former Commander of KFOR, describes the interdependence of organized crime with politics aptly: “The same person is a political leader, a chief of clan, a leader of a gang, and is corrupting and undermining the stability of the region.”⁴⁴² A study by the German Institute for International and Security Affairs refers to “multifunction persons” in whom political, economic and criminal interests conjoin and who have close ties with

⁴³⁷ Jürgen Roth: Das Kosovo auf dem Weg in die Unabhängigkeit. Rechtsstaat? Lieber nicht! In: Die Weltwoche. Issue 43. 26 October 2005. Online via Internet: URL: <http://www.weltwoche.ch/ausgaben/2005-43/artikel-2005-43-rechtsstaat-lieber-nicht.html> [accessed 21 07 2010].

⁴³⁸ Commission of the European Communities: Kosovo under UNSCR 1244/99 2006 Progress Report. Brussels, 2009. p. 38.

⁴³⁹ Jürgen Roth: Das Kosovo auf dem Weg in die Unabhängigkeit. Rechtsstaat? Lieber nicht! In: Die Weltwoche. Issue 43. 26 October 2005.

⁴⁴⁰ Translated from German into English by William F. Engdahl: Kosovo and Washington’s Strategic Agenda for Europe and Eurasia. 03 March 2008. Online via Internet: URL: http://www.engdahl.oilgeopolitics.net/Geopolitics_Eurasia/Kosovo/kosovo.html [accessed 21 07 2010].

⁴⁴¹ Marek Antoni Nowicki: Kosovo pro memoria. Online via Internet: URL: http://www.kosovo.net/news/archive/2006/February_24/1.html [accessed 23 07 2010].

⁴⁴² Zentrum für Internationale Friedenseinsätze: Organized Crime as an Obstacle to Successful Peacebuilding. Lessons Learned from the Balkans, Afghanistan and West Africa. 7th International Berlin Workshop. December 11–13, 2003. Berlin 2004. p. 45.

criminal groups in other parts of Europe.⁴⁴³ The entanglement of structures of organized crime with the political class presents a major obstacle to positive future development in Kosovo.⁴⁴⁴ Therefore, UNMIK made the fight against corruption and organized crime a high priority, pledging a “zero tolerance” approach. This, however, was not pursued in reality and EULEX’s efforts in this direction also show gaping holes so far.⁴⁴⁵ The international actors are heavily criticized in Kosovo for their failure to take action against political actors involved in organized crime, and Kosovars continue to claim that the international community does not crack down hard enough on organized crime. For example, Arben Hajrullahu states:

“The international organizations such as UNMIK or KFOR had plenty of information about illegal activities. ... They consistently revealed that they had information about the involvement of certain local or regional politicians or other actors in illegal activities, but they didn’t do anything against them, or at least they did little. And that means that the international organizations contributed to the fact that these structures became so powerful and that they will be hard to fight because of their power. ... It seems to me that the internationals’ priority was not the political and economic future of Kosovo; the main thing for them is that the situation remains calm and under control in the short run.”⁴⁴⁶

The author’s personal experience supports the public perception of the international community’s passivity in the battle against organized crime and corruption. The perception within the international community is that resolute procedures against large-scale organized crime and high-level corruption would run the risk of endangering not only the international operation, but, in particular, the safety of the international personnel themselves. Helmut Kramer and Vedran Džihć also arrive at the conclusion that KFOR and UNMIK did not fight organized crime effectively since they did not want to put their tentative stabilization policy at stake.⁴⁴⁷ The author’s interviews make clear that the general public is well aware of this tentative approach and so inevitably are those deeply involved in crime; thus criminal groups are given the

⁴⁴³ Dušan Reljić: Die Balkan Mafia. Organisierte Kriminalität und kriminalisierter Staat im Westlichen Balkan. Diskussionspapier der Stiftung Wissenschaft und Politik. December 2007. p. 16.

⁴⁴⁴ Vedran Džihć. Helmut Kramer: Kosovo after Independence. Is the EU’s EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 13.

⁴⁴⁵ Compare chapter 4.3.3 EULEX.

⁴⁴⁶ Interview with Arben Hajrullahu, Professor at the Department for Political Science at the University in Prishtinë/Priština. Prishtinë/Priština 11 September 2009. Statement translated by the author.

⁴⁴⁷ Helmut Kramer. Vedran Džihć: Die Kosovo Bilanz. Scheitert die internationale Gemeinschaft? Lit. Vienna 2006. Second Edition. pp. 159.

green light to continue their activities unimpeded. A Kosovo Serb woman noted the international community's strong concern for the safety of their personnel as follows:

“I think that the international community, all of them – right now it's EULEX or ICO, before it was the UN and KFOR – are afraid for their own lives. In order to protect the lives of their own people they are not that much into the idea of dealing with radical elements in Kosovo, with organized crime, with war crimes and so on. The priority is to protect their own staff.”⁴⁴⁸

The perception of the presence of organized crime and corruption in politics has another adverse impact on Kosovo's development and image. It leads to disillusion with politics and undermines public confidence in the law enforcement mechanisms, the judiciary and civic institutions in general. It weakens the credibility of institutions, particularly the courts, and makes it much more difficult to win the trust of citizens needed to strengthen the rule of law and ensure the stability of the country as expressed by Bashkim Hisari:

“We are still in the phase of creating the state. I am very critical of our government. More than half of our politicians are incapable and the other half is corrupt. They do not pursue a policy that makes politics for the public benefit.”⁴⁴⁹

More than 40 per cent of Kosovars perceive the central administration as being highly corrupt, a phenomenon that is discussed in the following section dealing with corruption in general.

From the above analysis it follows that organized crime and corruption, which is a lucrative crime in itself, are frequently interconnected. Corruption, defined by UNODC as “the use of public office for private gain,”⁴⁵⁰ is a global and multi-faceted phenomenon and may take various forms. In general, distinction must be made between petty corruption, such as bribery, and grand corruption, such as extortion, nepotism, patronage, embezzlement of public funds, theft of state assets or the diversion of state resources. The impact of corruption is destructive; it undermines the rule of law, destabilizes democratic institutions, impedes economic development, burdens the private sector, discourages foreign investors, diminishes the effectiveness of public

⁴⁴⁸ Interview with a female Kosovo Serb (anonymity requested). Prishtinë/Priština 19 September 2009.

⁴⁴⁹ Interview with Bashkim Hisari, Helsinki Committee for Human Rights. Head of Prishtinë/Priština Branch Office. Prizren/Prizren 13 September 2009.

⁴⁵⁰ UNODC: Crime and its impact on the Balkans and affected countries. March 2008. p. 88.

policy, adds to governmental instability and undermines trust in government. Corruption also has an adverse psychological impact on a people. As Sylë Ukshini of the Foreign Ministry puts it: “corruption destroys the future, hope and even people themselves.”⁴⁵¹

According to a UNDP opinion poll in March 2010, seven per cent of Kosovars consider corruption to be the paramount problem facing the country, which ranks it as the third most worrying issue after unemployment and poverty (see chapter 5, Figure 15). Over the years that this poll has been conducted starting in 2002, corruption has consistently been identified as the country’s third or fourth biggest problem.

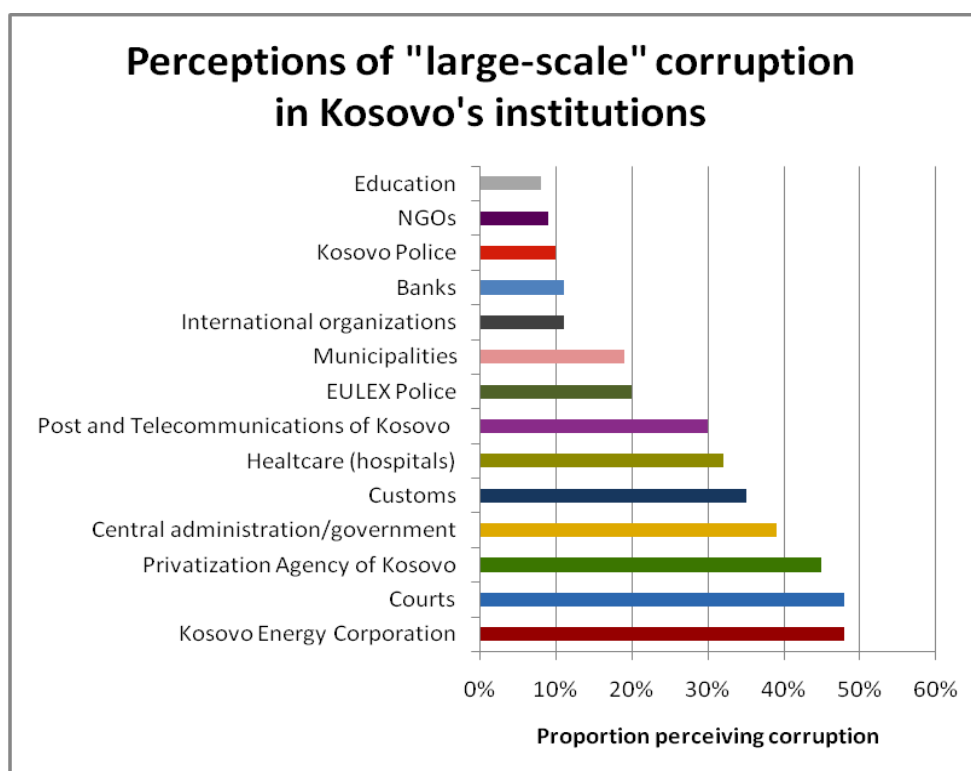
Nor has much changed over the past decade in the perception that corruption is endemic in most institutions in Kosovo. Energy provider, KEK⁴⁵², is still considered the most corrupt institution in the country just as it was in the very first UNDP Early Warning Report of 2002. The poll results in March 2010 indicate that almost 50 per cent of Kosovars perceive large-scale corruption⁴⁵³ in KEK and the courts and 45 per cent believe the Privatization Agency of Kosovo is corrupt. Kosovars are also of the opinion that large-scale corruption is present in institutions responsible for security and welfare, such as the government, where approximately 40 per cent presume corruption (see Figure 12).

⁴⁵¹ Interview with Sylë Ukshini. Statement translated by the author.

⁴⁵² See chapter 3.3.1 Economic development, section Energy supply.

⁴⁵³ UNDP does not provide a definition for “large-scale” corruption.

Figure 12: Perceptions of “large-scale” corruption in Kosovo’s institutions



Source: UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 6.

According to the World Bank, “the perception of corruption ... has worsened in recent years, despite announced efforts to intensify the fight against corruption.”⁴⁵⁴ Transparency International, in its 2009 Global Corruption Barometer Report, finds that on a scale from one to five (in which five is extremely corrupt), Kosovars on average give their institutions a rank of 3.4.⁴⁵⁵ A greater or lesser degree of corruption is frequently encountered whether in healthcare, education or public services. In summary, Kosovars hold that corruption pervades all areas of life in Kosovo. The low opinion of institutions and the widespread perception of corruption are often linked to people’s tendency not to perform their own obligations as citizens in terms of payment of taxes and for public services such as electricity.

However, UNDP stresses that there is considerable divergence between people’s perceptions and actual experience of corruption. The “Combating Corruption in Kosovo Citizens Survey” of 2004 claims that perceptions of corruption in various public institutions did not always align with the amount of actual corruption reported by

⁴⁵⁴ The World Bank: Kosovo. Unlocking Growth Potential: Strategies, Policies, Actions. A Country Economic Memorandum. 29 April 2010. p. 21.

⁴⁵⁵ Transparency International: Global Corruption Barometer Report 2009. p. 29.

respondents in their dealings with these institutions, and notes further that “most Kosovans lack experience with these institutions and therefore base their opinions on hearsay and media accounts that lead to exaggerated perceptions of corruption.”⁴⁵⁶ Corruption is usually measured through citizen surveys, but as the following data will show, results differ greatly.⁴⁵⁷

In 2007, Transparency International reported that Kosovo ranks as one of the four most corrupt economies in the world along with Albania, Cameroon, and Cambodia.⁴⁵⁸ According to Transparency International’s Global Corruption Barometer 2007 Report, 67 per cent of about 500 respondents claim to have paid a bribe to obtain services.⁴⁵⁹ Two years later, the same institution found that only 13 per cent of about 1,000 respondents had paid a bribe.⁴⁶⁰ The Kosovar Stability Initiative notes that Transparency International never explained the significant discrepancy in the surveys; a reason to treat these data with caution.

UNDP provides the following data aimed at giving a rough idea of the real extent of corruption. According to the UNDP poll results as of March 2010, 7.0 per cent of Kosovo Albanians, 19 per cent of Kosovo Serbs and 3.0 per cent of other minorities report that they have experienced a situation in which public officials asked for bribes, gifts or other favors in order to perform their services.⁴⁶¹ Additionally the Kosovar Stability 2010 report “Untying the Knot – The Political Economy of Corruption and Accountability in Kosovo” compares the data concerning the people’s perception with the actual experience. The report finds that whereas in 2009, about 35 per cent of people surveyed thought that there was corruption in the government, only an average of 11 per cent said that they ever experienced it. Amongst Kosovo Albanians, the number of those who admitted to paying bribes actually declined from almost 35 per cent in 2002 to about 11 per cent in 2009.⁴⁶²

⁴⁵⁶ UNDP Kosovo: Combating Corruption in Kosovo. A Citizens’ Perceptions Survey in Support of the Kosovo Anti-Corruption Strategy. Prishtina 2004. p. 18.

⁴⁵⁷ Kosovar Stability Initiative: Image Matters! Deconstructing Kosovo’s Image Problem. Prishtina 2008. p. 25.

Kosovar Stability Initiative: Untying the Knot. The Political Economy of Corruption and Accountability in Kosovo. 29 June 2010. p. 3.

⁴⁵⁸ Freedom House: Freedom in the World 2009. Kosovo [Serbia] (2009). Online via Internet: URL: <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7757> [accessed 31 05 2010].

⁴⁵⁹ Transparency International: Global Corruption Barometer Report 2007. p. 21.

⁴⁶⁰ Transparency International: Global Corruption Barometer Report 2009. p. 32.

⁴⁶¹ UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 5.

⁴⁶² Kosovar Stability Initiative: Untying the Knot. The Political Economy of Corruption and Accountability in Kosovo. 29 June 2010. p. 3

Since various international surveys show different figures, the information on corruption remains sketchy. In addition, the Kosovar Stability Initiative notes that there is little data about the actual character of corruption. Surveys can only record the types of corruption that are experienced by normal citizens in their daily activities, such as bribes to obtain licenses or medical treatment, or bribes to policemen to avoid a fine. Hamdi Berisha describes this type of corruption:

“If you go to the municipality to get a document, they will take you to a lot of different offices – just for a simple piece of paper. And every office you go to, they ask for money. You have to pay one euro there, and you have to pay two euro there and you have to pay three euro in the other office.”⁴⁶³

The main reason for corruption at this level is the low salaries of public officials, followed by their wish for fast personal enrichment, moral crisis, judicial inefficiency and imperfect legislation.⁴⁶⁴ This administrative or petty corruption only has a limited impact on the political and economic system compared to grand or political corruption that is not captured by such surveys but has a strong influence on perceptions of it.⁴⁶⁵

Kosovo still lacks proper systems for fighting corruption. The Suppression of Corruption Law (Law No. 2004/34) is the main relevant legislation. It provides the legal foundation for the Kosovo Anti-Corruption Agency (ACA), an independent body established in July 2006 that is responsible for detecting, preventing and investigating corruption cases. According to the ACA’s annual report of 2009, the number of cases reported to the agency increased from 130 in 2008 to 175 in 2009, an increase of 34.6 per cent which is believed to emanate from rising trust in the ACA and increasing public awareness of the problem. Among the 175 reported cases, the most numerous (53) related to judges and other staff of the courts. Of these cases, only 18 were forwarded to public prosecutor offices. Officials of other institutions such as KEK, Post and Telecommunications of Kosovo, Kosovo Railways, Privatization Agency of Kosovo etc. were the subject of 43 cases, of which 13 were forwarded to prosecutors. Government officials were the subject of 34 complaints, of which 17 were sent to prosecutors. Officials at local government level accounted for 31 cases (17 forwarded),

⁴⁶³ Interview with Hamdi Berisha, translator for SETEC Engineering in Pejë/Peć and former translator for UNMIK Police in Suharekë/Suva Reka. Suharekë/Suva Reka 15 September 2009.

⁴⁶⁴ UNDP Kosovo: Combating Corruption in Kosovo. A Citizens’ Perceptions Survey in Support of the Kosovo Anti-Corruption Strategy. Prishtina 2004. p. 12.

⁴⁶⁵ Kosovar Stability Initiative: Untying the Knot. The Political Economy of Corruption and Accountability in Kosovo. 29 June 2010. p. 3.

and 14 cases (two forwarded) related to public prosecutor offices. There was also a single case referred to prosecutors where the suspects were officials of the Kosovo Assembly.⁴⁶⁶ The largest portion of cases referred to the prosecutor involved abuse of official duty, followed by unlawful judicial decisions, falsification of official documents, embezzlement and accepting bribes.⁴⁶⁷

The agency's successes are meagre since it lacks capacity, cooperation with other institutions, funding and political support. The International Policy Analysis "Kosovo After Independence. Is the EU's EULEX Mission Delivering on its Promises?" of July 2009 notes that "The Anti-Corruption Authority ... is powerless against the corrupt practices in which influential members of the Kosovan political class are implicated."⁴⁶⁸ Between the ACA becoming operational in February 2007 and the end of 2009, 168 cases proceeded to the public prosecutors and EULEX prosecution. Of these, only five have resulted in indictment and another five in arrests.⁴⁶⁹

The most sensitive cases have been transferred to EULEX, which, says an International Crisis Group report, has been working on them slowly.⁴⁷⁰ In April 2010, however, EULEX raided the Ministry of Transport and Telecommunications and the home of the minister Fatmir Limaj⁴⁷¹ as part of a broader investigation into corruption and money laundering. The investigation is linked to several tenders related to the construction of roads in Kosovo in the period 2007–09.⁴⁷² As an article by *Balkan Insight* describes it, "a number of lucrative building contracts appear to have gone to friends and relatives of Fatmir Limaj – and to companies whose experience in the field appears to be limited."⁴⁷³ Limaj recently gave the mandate for the construction of Kosovo's first highway to the US–Turkish consortium Bechtel-Enka.⁴⁷⁴ The 117km

⁴⁶⁶ Kosovo Anti-Corruption Agency: Annual Report 2009. pp. 7.

⁴⁶⁷ Ibid. pp. 10.

⁴⁶⁸ Vedran Džhić. Helmut Kramer: Kosovo After Independence. Is the EU's EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 13.

⁴⁶⁹ Kosovo Anti-Corruption Agency: Annual Report 2009. p. 16.

⁴⁷⁰ International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 4. Compare chapter 4.3.3 EULEX.

⁴⁷¹ Minister Fatmir Limaj was a KLA commander during the war in Kosovo. He was indicted by a UN tribunal for war crimes but was cleared in 2005.

⁴⁷² EU police raid Kosovo minister's home. In: EUbusiness. 29 April 2010. Online via Internet: URL: <http://www.eubusiness.com/news-eu/kosovo-government.4d6/> [accessed 31 05 2010].

⁴⁷³ Lawrence Marzouk. Petrit Collaku: Kosovo Minister's Friends Flourish from Road Bonanza. In: Balkan Insight. 08 April 2010. Online via Internet: URL: <http://www.balkaninsight.com/en/main/investigations/27171/> [accessed 19 05 2010].

⁴⁷⁴ EULEX-Razzia im Verkehrsministerium. In: Der Standard. 30 April 2010. Online via Internet: URL: <http://derstandard.at/1271375647150/Eulex-Razzia-im-Verkehrsministerium> [accessed 17 05 2010].

highway will link Kosovo with Albania and Serbia and will cost more than €700 million.⁴⁷⁵

According to media reports, a Kosovar minister was accused of embezzling €10 million and Peter Feith, Chief of the International Civilian Office, called upon Prime Minister Hashim Thaçi to remove a minister from office due to his involvement in corruption, which he failed to do. The allegations apparently concern Limaj. (Thaçi himself is also accused of corruption due to his ability to construct what is rumored to be a gigantic private villa on his salary of €1,500 a month).⁴⁷⁶

In 2008 and 2009 some 1,000km of road were built in Kosovo, costing some €170 million. Minister Limaj has been able to command by far the biggest ministry budget, amounting to €139 million in 2008, more than ten per cent of Kosovo's total budget of about €1.3 billion. In 2009, the transport and telecommunications budget increased to €160 million and, while the figure decreased in 2010 to €124 million, the ministry still receives a bigger share of the overall budget than any other.⁴⁷⁷

Under the Corruption Law, the ACA in collaboration with other institutions has developed the Strategy and Action Plan against Corruption which incorporates concrete measures for fighting corruption. The "Anti-Corruption Strategy 2009–2011" which replaces the previous "Anti-Corruption Strategy 2004–2007" was approved together with the Action Plan in October 2009 by the Kosovo Assembly. Its general objective is to prevent and fight corruption in the public and private sectors. To achieve this, the strategy identifies seven priority sectors where anti-corruption efforts should be focused. These are (1) the political sector; (2) local government; (3) central public administration; (4) monitoring and law enforcement agencies and the judiciary; (5) public finances and their management; (6) private sector/business operations and (7) civil society.⁴⁷⁸ The Action Plan against Corruption was approved to implement the strategy and proposes objectives and concrete activities for every institution to prevent

⁴⁷⁵ Kosovo signs US\$1 billion dollar highway deal with US–Turkish consortium. In: Washington Examiner. 12 April 2010. Online via Internet: URL:

<http://www.washingtonexaminer.com/economy/kosovo-signs-us1-billion-dollar-highway-deal-with-us-turkish-consortium-90612169.html> [accessed 31 05 2010].

⁴⁷⁶ EULEX-Razzia im Verkehrsministerium. In: Der Standard. 30 April 2010. Online via Internet: URL: <http://derstandard.at/1271375647150/Eulex-Razzia-im-Verkehrsministerium> [accessed 17 05 2010].

⁴⁷⁷ Kosovo Ministry of Economy and Finance: Budget of the Republic of Kosovo for the Year 2010. January 2010. p. 29.

Lawrence Marzouk. Petrit Collaku: Kosovo Minister's Friends Flourish from Road Bonanza. In: Balkan Insight. 08 April 2010. Online via Internet: URL:

<http://www.balkaninsight.com/en/main/investigations/27171/> [accessed 19 05 2010].

⁴⁷⁸ Kosovo Anti-Corruption Agency: Anti-Corruption Strategy 2009–2011. pp. 8.

and combat corruption. These activities focus on three main pillars: (1) law enforcement; (2) corruption prevention and (3) education and public participation.⁴⁷⁹

Overall, the European Commission notes that Kosovo has made limited progress in fighting corruption, which is a key European partnership priority. In particular, the legislative and institutional framework needs urgent improvement. Moreover, a track record of investigations, indictments, prosecutions and convictions in anti-corruption cases needs to be set up.⁴⁸⁰

The vulnerability of Kosovo as well as of the whole Balkan region to organized crime and corruption is a direct result of past economic and political instability. UNODC argues that the more social and political conditions normalize, the more organized criminal groups will lose their grip.⁴⁸¹ The incentives and opportunities for corruption should further diminish as Kosovo stabilizes; however, this will only be achieved if there is considerable strengthening of the rule of law, an issue which is discussed in the next section.

⁴⁷⁹ Kosovo Anti-Corruption Agency: Annual Report 2009. p. 19.

⁴⁸⁰ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 11.

⁴⁸¹ UNODC: Crime and its impact on the Balkans and affected countries. March 2008. p. 20.

4.2.2 Rule of law

Crime and corruption in Kosovo is fostered by weak adherence to, and respect for, the rule of law. A deep lack of trust in the judiciary and the perception of the weak rule of law contribute to feelings of insecurity among the general population. Before closer examination of the problem in this section it is necessary to give a brief explanation of what the rule of law means. The term does not have a strict definition, and its connotation can differ between nations and legal systems. In general, it describes the situation where, as UNODC puts it “society is governed by mutually agreed regulations that apply equally to all, and is implicit in the idea of democracy.”⁴⁸² According to LexisNexis, the rule of law “is the principle that no one is above the law”. It adds that, to be effective, the rule of law requires a

“transparent legal system, the main components of which are a clear set of laws that are freely and easily accessible to all, strong enforcement structures, and an independent judiciary to protect citizens against the arbitrary use of power by the state, individuals or any other organization.”⁴⁸³

The critical importance of the concept is highlighted by Lord Bingham, Britain’s former senior law lord, in his 2010 publication *The Rule of Law*. It is, he says,

“the foundation of a fair and just society, a guarantee of responsible government, and an important contribution to economic growth, as well as offering the best means yet devised for securing peace and co-operation.”⁴⁸⁴

Correspondingly, strengthening the rule of law is crucial to Kosovo’s overall development and the government has attempted important steps to achieve this by replacing key officials and adopting new laws and regulations. Nevertheless, rule of law is still the most fragile aspect of governance in Kosovo and one of the greatest challenges for the full consolidation of the country’s statehood, according to KIPRED.⁴⁸⁵ The European Commission’s latest evaluation of Kosovo’s judicial system is likewise critical, emphasizing that “Kosovo is at an early stage in addressing

⁴⁸² UNODC: Crime and its impact on the Balkans and affected countries. March 2008. p. 104.

⁴⁸³ LexisNexis: Rule of Law. Online via Internet: URL: <http://www.lexisnexis.co.uk/about-us/rule-of-law/default.aspx> [accessed 03 06 2010].

⁴⁸⁴ Tom Bingham: *The Rule of Law*. Penguin Books. London 2010.

⁴⁸⁵ KIPRED: *The Fragile Triangle. Police, judges and prosecutors coordination during criminal proceedings response in Kosovo*. Prishtina 2010. p. 6.

priorities in the area of justice. The justice system remains weak, vulnerable to political interference and inefficient.”⁴⁸⁶

There has been some progress since 1999. Whereas in 2003 Kosovo had a percentile rank of only 13 (on a scale of one to 100) on the World Bank’s Rule of Law Indicator, this had improved to 30 in 2008 (the latest available figure). Despite the improvement, Kosovo ranks far lower than other countries in the region (for instance Croatia has a percentile rank of 55, Montenegro 53, Macedonia 45 and Serbia 41).⁴⁸⁷

To get a better understanding of why the rule of law is still very weak in Kosovo, the current key dilemmas of the judicial system will be examined below.

The rule of law in Kosovo is based on three main institutions: the police, the public prosecutors and the courts, referred to by KIPRED as the “institutional rule of law triangle”. Kosovars reckon the police to be the most reliable and effective of these institutions whose work is hampered by the weaknesses of the prosecutors and judges. These in turn accuse the police of ineffectiveness. This chapter focuses on the judges and prosecutors. The police will be considered separately in section 4.3.4.

The fundamental problem in Kosovo is its legal framework, which is an unclear and inconsistent mix of former Yugoslav, UNMIK and more recent legislation. An urgent update is required, according to the International Crisis Group, as well as the adoption of four reforming laws: on Courts, on the Kosovo Judicial Council, on Prosecution and on the Prosecutorial Council. Moreover, the Criminal Code, the Criminal Procedure Code and the Code of Contested Procedure need amendment.⁴⁸⁸

Many programs aimed at strengthening Kosovo’s judicial system, focus on simplifying Kosovo’s complex court structure with its many different type of courts: the supreme court, the commercial court, and the constitutional court – all seated in Prishtinë/Priština – five district courts and 24 municipal courts. Additionally, the minor offenses court system consists of a high court and 24 municipal courts.⁴⁸⁹ However, the main problem is the insufficient number of judges and prosecutors who are overburdened with cases and also often afraid to deal with complex cases for personal

⁴⁸⁶ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 11.

⁴⁸⁷ The World Bank: Worldwide Governance Indicators. Online via Internet: URL: http://info.worldbank.org/governance/wgi/mc_countries.asp [accessed 13 06 2010].

⁴⁸⁸ International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 12.

⁴⁸⁹ Kosovo Judicial Council: Statistics Department. Report for 2009. Statistics on Regular Courts. p. 1. EULEX Program Report. July 2009. pp. 88.

safety as well as political reasons. Judges in Kosovo currently number 269, which means a ratio of only about 14 judges per 100,000 inhabitants. Moreover, of these only 176 judges completed cases during 2009.⁴⁹⁰ The planned increase to 392 judges would provide Kosovo with a ratio of 18.6 judges per 100,000 citizens. However, this is still very low in comparison with other countries in the region. For instance in Montenegro the ratio of judges per 100,000 citizens is 51, in Croatia 40.9, and in Bosnia and Herzegovina 22.1. Albania is the exception with a ratio of only 7.4 judges per 100,000 citizens. The number of prosecutors is even more inadequate. There are currently 89 of them, amounting to a ratio of 3.7 prosecutors per 100,000 inhabitants. Again, this is lower than in most other Balkan countries. Montenegro for instance has a ratio of 13.4 prosecutors per 100,000 people, Croatia 13 and Bosnia and Herzegovina 7.3.⁴⁹¹

The majority of the judges and prosecutors that are currently active in Kosovo were educated in the Yugoslav era, which means that they are poorly trained and mostly insufficiently informed about new legislation. The judiciary's average age is 54 years while the average age of the population is 25. As highlighted in the EULEX Program Report, 18 per cent of the judges are over the age of 60 and only 27 per cent of them are below the age of 50, with a mere 2.7 per cent under 40.⁴⁹² Their relatively advanced age and poor educational standard contribute to the citizen's general lack of trust in both judges and prosecutors.

In order to build public confidence and trust in the judiciary, a Kosovo-wide vetting and reappointment process of all Kosovo judges and prosecutors – incumbents and new applicants – was started in 2008 and came to a partial end in February 2010. Even those who have never been judges or prosecutors before can apply to become either if they meet the requirements. The process was supported by the European Commission with a €5 million grant to set up the Independent Judicial and Prosecutorial Commission with the mandate to conduct a comprehensive review of all appointments for judicial and prosecutorial positions in Kosovo.⁴⁹³ Once the Independent Judicial and Prosecutorial Commission has completely finished assessing the suitability of all candidates, the Kosovo Judicial Council – as the body responsible for ensuring the

⁴⁹⁰ Kosovo Judicial Council: Statistics Department. Report for 2009. Statistics on Regular Courts. p. 2.

⁴⁹¹ EULEX Program Report. July 2009. p. 101.

⁴⁹² Ibid. pp. 84.

⁴⁹³ The European Commission Liaison Office to Kosovo: Vetting of judges and prosecutors. 19 February 2010. Online via Internet: URL: <http://www.delpm.ec.europa.eu/?cid=2,103,754> [accessed 04 06 2010].

independence and impartiality of the judicial system⁴⁹⁴ – will again take over the routine recruitment of Kosovo judges.⁴⁹⁵ The vetting and reappointment process was not accompanied by any action to increase the number of judges and prosecutors and it remains doubtful whether the project can effectively contribute to the establishment of a professional judiciary and prosecution service that meets international standards without tackling the key problem of the lack of staff and overloaded courts.

The low salaries paid to judges and prosecutors present a particular problem since they do not only impact on their motivation, but also leave them vulnerable to corruption, as discussed in the previous section. The President of the Supreme Court has the highest salary of about €667 per month, a District Court judge gets about €550, and a Minor Offenses Court judge only about €393.⁴⁹⁶ While this remuneration is much higher than the average paid to both public and private sector employees in Kosovo, it is significantly lower than salaries paid to comparable state officials (for instance to the prime minister who earns €1,443 per month).⁴⁹⁷ The Draft Law on Courts foresees an increase in judicial salaries, bringing them to the same level as those of senior civil servants and political officials of comparable seniority. However, the increase will not be paid until the Law on Courts is in force, which is scheduled for 2013.⁴⁹⁸ Another frustration for national judges and prosecutors are the far higher judicial salaries of their international colleagues.

The shortage of judges and prosecutors along with lack of appropriate infrastructure, budget constraints, limited courtrooms and lack of support staff have resulted in a huge backlog of cases, which is steadily growing. As cited in the EULEX Program Report, out of 1,292 non-judicial staff members in the court system, only 2.24 per cent are legal support staff providing direct professional support to the judges. On average, one member of the legal support staff has to support more than seven judges.⁴⁹⁹ The exact extent of the backlog is unclear and various sources give different figures. While the Statistics Department of the Kosovo Judicial Council reports a total of

⁴⁹⁴ Constitution of the Republic of Kosovo: Article 108. Kosovo Judicial Council.

⁴⁹⁵ Independent Judicial and Prosecutorial Commission: Online via Internet: URL: <http://www.ijpc-kos.org/press.asp> [accessed 04 06 2010].

⁴⁹⁶ American Bar Association: Judicial Reform Index for Kosovo. Volume III. August 2007. Washington, DC 2007. p. 31.

⁴⁹⁷ See Table 10 in chapter 5.1 Unemployment and poverty.

⁴⁹⁸ EULEX Program Report. July 2009. p. 90.

International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 13.

⁴⁹⁹ EULEX Program Report. July 2009. p. 89.

217,810 uncompleted cases, an authority interviewed by the author concurs with the International Crisis Group that the figure is about 300,000.⁵⁰⁰ However, one thing is clear: the number of cases is increasing faster than they can be dealt with. Municipal court judges have the highest work load. At the beginning of 2009 their backlog amounted to 173,280 uncompleted cases, which had increased to 200,748 by 31 December 2009. Over the course of the year, 392,281 cases were newly filed of which the courts heard 364,813. The largest backlog in these courts was of civil cases.⁵⁰¹ The International Crisis Group estimates that even if no new cases were filed it would take more than eight years to clear the backlog at the present rate. District courts have a smaller work load than the municipal courts, with “only” 9,187 uncompleted cases at the end of 2009.⁵⁰² The largest part of the backlog there is made up of serious criminal cases, which – according to the International Crisis Group – would take about 30 months to clear, provided that no new cases were filed.⁵⁰³ A municipal court judge completes on average 281 cases per month compared to 24 completed cases per judge at the district courts.

Inevitably, verdicts in Kosovo’s courts are extremely arbitrary. Apart from where corruption is involved, the pressure under which judges have to work in order to resolve as many cases as possible, leads them to arrive at hasty verdicts based on their own prejudices, without taking account of evidence, proper procedures and the law. KIPRED notes that judges often impose very low fines for crimes such as illegal weapon possession, which encourages offenders to repeat their crimes. The problem is intensified by the lack of a shared database for judges, prosecutors and the police to record and track criminal cases in Kosovo. As a result, judges commonly impose the same fines on recidivists as on first-time offenders.⁵⁰⁴ Misconduct of trials is also fueled by inadequate infrastructure. Due to the lack of courtrooms, judges are forced to hold

⁵⁰⁰ Kosovo Judicial Council: Statistics Department. First Quarter 2010. Statistics on Regular Courts. p. 3. Interview with Lulzim Peci, Ambassador of Kosovo to Sweden. Prishtinë/Priština 11 September 2009. See chapter 4.3.3 EULEX.

International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 13.

⁵⁰¹ Kosovo Judicial Council: Statistics Department. Report for 2009. Statistics on Regular Courts. p. 17.

⁵⁰² Ibid. p. 6.

⁵⁰³ International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 13.

⁵⁰⁴ KIPRED: The Fragile Triangle. Police, judges and prosecutors coordination during criminal proceedings response in Kosovo. Prishtina 2010. pp. 22.

hearings in their offices. This not only nurtures the public perception of underhandedness and deal-making in the legal system but also facilitates bribery.

Effective criminal investigation calls for sound teamwork between judges, prosecutors and the police, but, as KIPRED highlights, there is an “overall lack of communication between the Kosovo Police, offices of Municipal and District Prosecutors and Kosovo Courts.”⁵⁰⁵ The absence of a joint database available to judges, prosecutors and the police impinges on the coordination of the three institutions as well as on the quality of their work. Hence, criminal cases are poorly investigated and are often dismissed before charges are brought.

Symptomatic of the poor coordination between the various arms of the law is the absence of reliable crime statistics mentioned earlier. Presumably due to the lack of data storing mechanisms, the Kosovo Police neither lists any data on criminal cases on their website nor publishes any reports including these figures. The only such data to be found appears in reports of various research institutes. However, their data references indicate that the statistics were obtained by explicit requests to the Kosovo Police. For example, a report published by KIPRED in February 2010 includes crime figures dating back to 2007 based on figures obtained from the police. According to the report, of the 67,170 criminal cases reported to the police in 2007, 10,872 cases remained open. Of the 56,298 cases marked as closed, only 5,185 have ended with charges filed against perpetrators, whereas 37,589 were referred for prosecution. This means that these cases were pending between prosecutors and the police with no progress in the investigations.⁵⁰⁶ Though the number of solved cases is high, accounts of how they are solved are mostly inadequate.

All these shortcomings of the legal system are aggravated by the absence of effective institutional quality monitoring and control mechanisms to supervise the work of judges, prosecutors and the police. As stressed by the European Commission’s 2009 Progress Report on Kosovo, the Office of the Disciplinary Counsel, which is responsible for inspection, audit and disciplinary investigations within the Kosovo justice system, is not fully functional, and the Judicial Audit Unit, which claims that it “analyzes and assesses the functioning of general and specific activities of courts and

⁵⁰⁵ Ibid. p. 11.

⁵⁰⁶ Ibid. p. 15.

prosecutor's offices,"⁵⁰⁷ lacks the capacity and resources to fulfill its mission.⁵⁰⁸ The absence of serious supervision of judges and prosecutors at all levels contributes to their frequently corrupt and unprofessional behavior. One way of evaluating the judges' performance is through internal reports. But – according to KIPRED interviews – these are “shallow, formal and general, containing no specific information about individual judges' performance”, indicating strong solidarity between court staff “not to report on each other's unprofessional behaviour or inefficiency.”⁵⁰⁹

All these problems of the justice system require urgent action and can only be tackled effectively by a joint approach involving the Kosovar institutions and international organizations, in particular EULEX, as well as the Government of Serbia. The most perfectly devised recommendations offered by various national and international organizations will not yield any improvements as long as they remain merely on paper without high-level political will, coordination and coherence, all of which are missing.⁵¹⁰ Many recommendations, for instance to increase the number of judges and prosecutors and to bring their salaries into line with those of other branches of government service, have repeatedly been put forward in recent years but so far without any progress. As long as Kosovo struggles with a reputation for lawlessness, the path to full consolidation of the country's statehood will remain stony and the country will stay poor and isolated. To what extent the international community, in particular EULEX, is a support in establishing a strong and reliable rule of law system and thus contributes to a safe and secure Kosovo will be discussed in chapter 4.3.

⁵⁰⁷ Kosovo Judicial Council: Online via Internet: URL: <http://www.kgjk-ks.org/?cid=2,153> [accessed 12 06 2010].

⁵⁰⁸ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 10.

⁵⁰⁹ KIPRED: The Fragile Triangle. Police, judges and prosecutors coordination during criminal proceedings response in Kosovo. Prishtina 2010. p. 26.

⁵¹⁰ International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. pp. 22.

4.2.3 Political and religious extremism

As shown above in Table 8 religious extremism is perceived to be a security threat by only 0.4 per cent of Kosovo Albanians, 11 per cent of Kosovo Serbs and 0.9 per cent of other minorities. Political extremism is only identified as a threat by 2.5 per cent of Kosovo Albanians and 3.5 per cent of Kosovo Serbs.⁵¹¹ This chapter nevertheless discusses these issues in order to address misconceptions, not only about the role of Islam in Kosovo, but also about political and religious extremism in general in the country. Particularly after 11 September 2001, the issue of the potential for Islamist extremist-inspired terrorism in and emanating from the Balkans has been frequently raised.⁵¹² Poorly researched and exaggerated reports that describe Kosovo as a haven of Islamist extremists have circulated in the media. This section aims to counteract impressions created by these reports by analyzing the role of religion in Kosovo and the real threat of religious extremism.

Already pointed out in previous chapters, the Kosovo Albanian attitude to religion can be characterized as very tolerant. While most Kosovo Serbs regard the Serbian Orthodox Church as an important element of their national identity, Kosovo Albanians do not see their religion in the same way. Instead they define their national identity through language and have a quite relaxed stance on adherence to Islam. Islamic political and religious extremism, as the phenomenon is expressed in the Middle East, has very little support in Kosovo. A visible sign of this is that Kosovo Albanian women are not veiled and headscarves are largely confined to older and rural women. Young Kosovo Albanian women wear revealing western clothes.⁵¹³

The nineteenth century Albanian poet Pashko Vasa said: “The religion of Albanians is Albanianism.”⁵¹⁴ This describes the Kosovo Albanians’ attitude aptly and is still valid today. Contrary to popular belief, religion per-se was not a contributing factor in the conflict between Kosovo Serbs and Kosovo Albanians. Islam did not play an important role in the campaign of non-violent resistance to the Serb oppression or in the war in 1998–99. The Serb destruction of Islamic facilities and the Kosovo

⁵¹¹ See Table 8 Factors that threaten Kosovo’s stability.

⁵¹² International Crisis Group: Bin Laden and the Balkans: The Politics of Anti-Terrorism. Balkans Report No. 119. 9 November 2001. p. 1.

⁵¹³ International Crisis Group: Religion in Kosovo. Balkans Report No. 105. 31 January 2001. p.ii.

⁵¹⁴ Tim Judah: Kosovo. War and Revenge. Yale University Press. 2002. Second Edition. p. 13.

Albanians' retaliatory destruction of Serb churches did not stem from religious bigotry but were simply aimed at removing the opposing ethnic group.

Islamic involvement in politics is not an issue for Kosovo Albanians. Article 8 of Kosovo's constitution states "Kosovo is a secular state and is neutral in matters of religious beliefs". Public schools in Kosovo are not permitted to teach any religious views. However, the position is different in Kosovo Serb schools, where Serbian Orthodox belief is a compulsory subject for lower and upper secondary levels. Islamic religious education is mainly under the control of the Islamic Community of Kosovo (Bashkësia Islame e Kosovës), which recently tried to introduce religious studies in public schools.⁵¹⁵ This request has been denied by the Kosovo Ministry of Education so far and is not widely supported by Kosovo's citizens who are afraid that it could pose a danger to Kosovo's secularism.

As mentioned in the previous chapter analyzing the political landscape in Kosovo, there is no Kosovo Albanian party with Islamic connections, underscoring that the involvement of religion in politics is not of particular interest to Muslims in Kosovo. The campaign to introduce religion as a subject in public schools was not welcomed by any large political party; only the PDK showed a readiness to cooperate on this issue, and only the small Justice Party (Partia e Drejtësisë – PD) supports the idea.⁵¹⁶ It seems that the Albanian Catholics in Kosovo are more interested in involving religion in politics. There are two Catholic parties, however these are very small: the Christian Democratic Party of Kosovo (Partia Demokristiane për Integrim – PDKI) and the Albanian Christian Democratic Party of Kosovo (Partia Shqiptare Demokristiane e Kosovës – PSHDK).

By contrast, the Serbian Orthodox Church has always played a role in politics in Kosovo. Just as the Serbian regime in Belgrade is perceived as a threat by Kosovo Albanians, so is the Serbian Orthodox Church, along with Bishop Artemije, head of its Kosovo eparchy between 1991 and February 2010. Xhabir Hamiti, professor at the Faculty of Islamic Studies in Prishtinë/Priština, emphasizes that:

⁵¹⁵ Xhabir Hamiti: Religious Education in Kosova. 4 June 2010. In: The European Union Foundation. Online via Internet: URL: http://www.emunion.eu/index.php?option=com_content&view=article&id=175:religious-education-in-kosova-by-dr-jabir-hamiti&catid=52:front-news&Itemid=61 [accessed 12 06 2010].

⁵¹⁶ Xhabir Hamiti: Religious Education in Kosova. 4 June 2010. In: The European Union Foundation.

“the Serbian Orthodox Church is very deeply involved in politics. Artemije has released a statement which is very dangerous in my opinion and also in the opinion of all citizens of Kosovo. Artemije has said that there is no other solution for Kosovo than a new war.”⁵¹⁷

Bishop Artemije aimed to convince not only Kosovo Serbs but also Serbs in Serbia that Kosovo is an occupied country and belongs to Serbia. His reputation in the Western media as a hard-line spiritual leader and extremist derives from statements such as “Serbia should rally its armed forces, declare Kosovo ‘occupied territory’ and buy weapons from Russia to reclaim it. Kosovo was and always will be Serbian.”⁵¹⁸ Bishop Artemije was removed from his post in February 2010 after allegations that millions of euros were embezzled from church and state funds under his leadership in recent years.⁵¹⁹ Given his statements and attitude, it seems clear that far more radical views emanate from the Serbian Orthodox Church than from Albanian Islam, which is often accused of extremism by Serbia. No such statements have been expressed by Kosovo Albanian Muslims – at least not in public.

Although radical Islam has not been a problem in Kosovo, what is causing concern are the attempts of the Wahhabi movement, which does not tolerate religious and doctrinal differences, to promote its interpretation of Islam in the country.

Wahhabism is a branch of Islam that emerged as a reform movement in eighteenth century Saudi Arabia. It was led by the reformer Muhammad ibn Abd-al-Wahhab who preached the need to purge Islamic societies of cultural practices and interpretations that had accumulated over the centuries. It remains the dominant form of Islam in Saudi Arabia today. Abd-al-Wahhab’s radical and intolerant doctrine is that anything that is external to the expanding social, political and geographical territory of the Wahhabis is a legitimate target for subjugation. Those who do not accept the Wahhabi doctrine, including other Muslims, are outsiders, against whom it is necessary to fight.

⁵¹⁷ Interview with Xhabir Hamiti, Professor at the Faculty of Islamic Studies in Prishtinë/Priština. Prishtinë/Priština 17 September 2009.

⁵¹⁸ Serb church urges state of war over Kosovo. In: Reuters. 17 February 2008. Online via Internet: URL: <http://www.reuters.com/article/idUSHAM738779> [accessed 17 06 2010].

⁵¹⁹ Igor Jovanovic: Serbian ministry eyes bishop’s colleagues in financial frauds. In: Southeast European Times. 17 February 2010. Online via Internet: URL: http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2010/02/17/feature-01 [accessed 17 06 2010].

Many Middle East NGOs, particularly from Saudi Arabia, tried to establish themselves in the whole Balkans area via missionary and humanitarian aid projects even before the international engagement in 1999. Kosovo Albanians do not support these groups, which they regard as unwanted invaders, trying to change the way of Islam that has been followed for some hundred years in Kosovo by spreading extremist messages all over the country under the guise of assistance programs.⁵²⁰ Kosovars' perception of the Saudi-based "humanitarian agencies", acting under the umbrella of the Saudi Joint Committee for the Relief of Kosovo and Chechnya were expressed in two interviews with the author. Bekim Kryeziu maintains:

"For ten years, we have been like a house without a door. Everyone who wanted to come in could come in, for instance the various NGOs where we didn't know what aims they were really pursuing. Honestly speaking, the Wahhabi movement has reached a dimension where its danger may not be underestimated anymore."⁵²¹

Petrit Hysaj agrees:

"Wahhabism is a quite serious threat to the secular order of Kosovo. Wahhabis are going around preaching against the West and how the Albanians should turn to radical Islam and how Islam should be introduced to the schools. They are spreading their activities and try to impose their views and ideas on others. That is why they are perceived as quite a serious threat to the secular order of Kosovo."⁵²²

The Wahhabi presence is also opposed by Muslim clerics. A KIPRED report quotes Rexhep Boja, former mufti and President of the Islamic Community of Kosovo from 1990–2003 as saying: "Albanians have been Muslims for more than 500 years and they do not need outsiders [Arabs] to tell them what is the proper way to practice Islam."⁵²³

⁵²⁰ KIPRED: Political Islam Among the Albanians. Are the Taliban coming to the Balkans? Prishtina 2005. Second Edition. p. 1.

⁵²¹ Interview with Bekim Kryeziu. Statement translated by the author.

⁵²² Interview with Petrit Hysaj.

⁵²³ KIPRED: Political Islam Among the Albanians. Are the Taliban coming to the Balkans? Prishtina 2005. Second Edition. p. 1.

KIPRED highlights that the Saudi-based “humanitarian” agencies are actually

“projecting a doctrine of complete communal isolation that not only sees Christians and Pagans as the undesirable other, but also other Muslims who do not subscribe to their interpretative principles. Worse still, the underlying assumption of their superior values means they are compelled to actively destroy all other forms of spiritual expression.”⁵²⁴

In order to spread this doctrine, they try to win Kosovars’ trust through various assistance projects such as the rebuilding of mosques and schools. Such relief actions are particularly aimed at the rural poor who are less educated, easy to manipulate and therefore particularly vulnerable to the illusive promises of Wahhabis as KIPRED found.⁵²⁵ The International Crisis Group notes that despite Kosovars’ general rejection of Wahhabis, impoverished people may be highly susceptible to the infiltration of well-resourced organizations.⁵²⁶ The authors Iain King and Whit Mason point out that the repair of all Kosovo’s schools funded by the Islamic Development Bank – which gave ten times more than other donors – was accompanied by the installation of a free Wahhabi mosque in each new school.⁵²⁷ According to the International Crisis Group, within the first two months that the Middle East groups were active in Kosovo, the Saudi Joint Relief Committee reportedly spent more than \$1 million in Kosovo, of which nearly half was used to support 388 religious “propagators” such as missionaries.⁵²⁸

The activities of these “missionaries” in Kosovo not only include reconstruction work and the provision of food and health supplies, but also involves offering religious education and spreading fundamentalist religious literature. Xhabir Hamiti is deeply concerned about the literature they are spreading among Kosovars. He argues that it does not only lack academic credentials but is particularly intolerant and full of revulsion towards other religious communities and the Islamic traditions of the local population.⁵²⁹ By providing religious education, lectures and literature, these fundamentalist missionaries may damage interfaith relations and endanger the harmony

⁵²⁴ KIPRED: Political Islam Among the Albanians. Are the Taliban coming to the Balkans? Prishtina 2005. Second Edition. p. 11.

⁵²⁵ Ibid. p. 13.

⁵²⁶ International Crisis Group: Bin Laden and the Balkans: The Politics of Anti-Terrorism. Balkans Report No. 119. 9 November 2001. p. 2.

⁵²⁷ Iain King. Whit Mason: Peace at any price. How the world failed Kosovo. C. Hurst & Co. London 2006. p. 90.

⁵²⁸ International Crisis Group: Religion in Kosovo. Balkans Report No. 105. 31 January 2001. p.5.

⁵²⁹ Xhabir Hamiti: Religious Education in Kosova. 4 June 2010. In: The European Union Foundation.

between different ethnicities in Kosovo. In order to attract as many followers as they can, they are notorious for offering financial benefits ranging from €300–400 a month⁵³⁰ to those willing to follow their doctrine, wear a beard and shortened trousers (a traditional look for Wahhabis) and convince their wives to wear the *niqab* or face veil.

Although Kosovo's young people are strongly western-orientated and well-inclined towards Western Europe and the United States, some are susceptible to the Wahhabi movement, particularly due to the financial benefits offered. The American sociologist and political scientist, Jack A Goldstone, writes that young people “are often drawn to new ideas ..., challenging older forms of authority.”⁵³¹ The Council on Foreign Relations also notes that “In the Muslim world ... large populations of idle youth are especially prone to virulent strands of Islam as an alternative force for social mobility.” and that “large pools of disaffected youths ... are more susceptible to recruitment into rebel or terrorist groups.”⁵³² As will be discussed in chapter 5.4 Youth bulge, high unemployment, poor economic conditions, poverty and lack of prospects considerably lower the barrier to joining religious extremist groups, which are often seen as the only alternative to social and economic difficulties. A Kosovo Serb woman interviewed by the author sums up the problem sympathetically (unlike most Kosovo Serbs, she admits the relaxed approach Kosovo Albanians usually have toward religion):

“If you don't have anything else to offer people, then people will turn to religion, but the worst kind of religion. We in the Balkans never had that radical Islam before; we had that kind of Turkish Islam which is very moderate compared to the Islam that comes from Saudi Arabia. But unfortunately, because of the war, because of the economic problems, unemployed people are very much into religion because they feel safe and get some income from these organizations. Albanians are [normally] very secular; they don't care about religion that much, but if we don't have anything to offer them instead, then they could become a problem. So, Wahhabis could be a threat to Kosovo society in the future.”⁵³³

⁵³⁰ KIPRED: Looking Beyond Mitrovica Bridge: An “Ahtisaari Plus” Package Proposal. Prishtina 2008. p. 11.

⁵³¹ Council on Foreign Relations: Beehner, Lionel: The Effects of ‘Youth Bulge’ on Civil Conflicts. 27 April 2007. Online via Internet: URL: http://www.cfr.org/publication/13093/effects_of_youth_bulge_on_civil_conflicts.html [accessed 24 07 2010].

⁵³² Ibid.

⁵³³ Interview with a female Kosovo Serb (anonymity requested). Prishtinë/Priština 19 September 2009.

An analysis of religion in Bosnia and Herzegovina by Vedran Džihic notes that the Wahhabi movement has been more successful in other Balkan countries, particularly in Bosnia and Herzegovina, than in Kosovo.⁵³⁴ Another interviewee comments on these different developments:

“Before the war, Bosnia was also a very secular country. Unfortunately, because of the lousy economic situation – no jobs, no employment, no money, nothing – radical Islam became very prevalent in Bosnia after the war. According to some assessments right now, around ten per cent of all Muslims in Bosnia support the Wahhabi movement, which is a huge percentage ... So if we don’t do something here in Kosovo with the economy and with job opportunities, then there is a danger that Kosovo will become like Bosnia.”⁵³⁵

In summary, the threat of political and religious extremism in Kosovo is low. Wahhabis have not been very successful in Kosovo which can be explained by Kosovo Albanians’ liberal attitude towards religion. The most effective counter-weapon against extreme Islamist factions is to promote economic development including job opportunities, particularly for young people. Kosovo cannot achieve this alone; therefore, regional and wider European integration is urgently needed. A KIPRED assessment of religious extremism highlights that “no superficial short-term political solution will be viable without the means for a prosperous life.”⁵³⁶ In general, Kosovars are optimistic concerning the future and expect political and religious extremism to wither, says Petrit Hysaj:

“With the improvement of the economy I would probably see them [Wahhabi groups] diminishing in the future. Also political extremism is very likely to diminish in the future with presumed economic development and increase of welfare in Kosovo. So extremism should, in ten years, not have at all to do with Kosovo.”⁵³⁷

⁵³⁴ Vedran Džihic: Zur Symbiose zwischen Politik und Religion am Beispiel Bosnien und Herzegowina. In: Predrag Jureković, Walter Feichtinger (eds.): Religiöser Extremismus vs. international Friedensbemühungen. Lessons Learned und präventive Strategien im Nahen Osten und am Westbalkan. Schriftenreihe der Landesverteidigungsakademie 8/2008. Wien 2008. pp. 111–129.

⁵³⁵ Interview with a female Kosovo Serb (anonymity requested). Prishtinë/Priština 19 September 2009.

⁵³⁶ KIPRED: Looking Beyond Mitrovica Bridge: An “Ahtisaari Plus” Package Proposal. Prishtina 2008. p. 11.

⁵³⁷ Interview with Petrit Hysaj.

4.3 International and national security providers

Security is the product of a multifaceted interaction between national, international, social and economic factors. This section focuses on the actors that are supposed to maintain security, beginning with the international community. Its primary strategy for stabilizing Kosovo and guaranteeing long-term stability was to create and develop the capacities of national institutions, transfer competencies to them and finally assist them by monitoring and advising. The three main international organizations attempting to ensure security in Kosovo are: first, the NATO-led KFOR as the most important security provider; second, the much criticized international police force administered by the United Nations mission in Kosovo – the UNMIK Police; and third, the European Union Rule of Law Mission (EULEX) that took over from UNMIK in December 2008. The national security institution that is considered later in the chapter is the Kosovo Police (KP).

4.3.1 Kosovo Force (KFOR)

As described in chapter 3.2.2, KFOR was deployed following the 78-day air campaign launched in March 1999 by NATO forces against the Former Republic of Yugoslavia to halt the humanitarian catastrophe then emerging in Kosovo. KFOR obtains its mandate from UNSCR 1244 of 10 June 1999 and the Military Technical Agreement between KFOR and the governments of the Federal Republic of Yugoslavia and the Republic of Serbia. Based on UNSCR 1244, KFOR's initial mandate was to:

- deter renewed hostilities, maintain and where necessary enforce a ceasefire and ensure the withdrawal and prevent the return into Kosovo of Federal and Republic military, police and paramilitary forces
- demilitarize the Kosovo Liberation Army
- establish a secure environment in which refugees and displaced persons can return home in safety, the international civil presence can operate, a transitional administration can be established, and humanitarian aid can be delivered
- ensure public safety and order
- demine
- support and coordinate closely with the work of the international civil presence (UNMIK)

- conduct border monitoring and
- ensure freedom of movement

KFOR clearly pursues the “Security first” strategy which was described in chapter 2.1.9.1. This is dictated by KFOR’s mandate which is to establish and maintain a safe and secure environment for all citizens of Kosovo. In line with this, one of the first key tasks of all the external actors was – as stated in UNSCR 1244 – the disarmament, demobilization and reintegration of former KLA fighters. By September 1999, the KLA had handed over to KFOR some 9,000 small arms, 800 machine guns, 300 anti-tank mines and other weapons. This tally, which seems impressive at first glance, is quite low when compared to the strength of the KLA, estimated to be roughly 20,000 fighters at the end of the war. In the ensuing years, KFOR continuously found KLA weapon caches throughout Kosovo. In particular, the discovery in June 2000 of a large arms cache amounting to 60 tons of arms and ammunition in the Drenica Valley provoked fears that the KLA was dormant rather than disbanded.⁵³⁸ In general, the disarmament and demobilization process proved more difficult than initially assumed, but proceeded peacefully and effectively. The reintegration of former ex-combatants also proceeded quite rapidly. Many ex-combatants were successfully reintegrated into the Kosovo Protection Corps (KPC), the new Kosovo Police, which was formed immediately after the war, or political parties, particularly the PDK and AAK. This strategy of reintegrating ex-combatants into the new security sector proved effective, with few confrontations between former KLA members and other recruits. The disarmament, demobilization and reintegration of former KLA members can be considered a successful start on building Kosovo’s indigenous security institutions.

The KLA was officially disbanded in September 1999, with the KPC succeeding it as an indigenous security force. The KPC was established under UNMIK Regulation 1999/8 as a civilian emergency response agency, with the following remit as limited by law: 1) to provide disaster response services; 2) to perform search and rescue operations; 3) to provide a capacity for humanitarian assistance in isolated areas; 4) to assist in demining activities and contributing to rebuilding infrastructure and

⁵³⁸ Andreas Heinemann-Grüder. Wolf-Christian Paes: Wag the Dog: The Mobilization, and Demobilization of the Kosovo Liberation Army. Brief 20. In: Bonn International Center for Conversion. Friedrich Naumann Stiftung. pp. 19.

communities.⁵³⁹ However, it was widely seen by Kosovo Albanians as an “army in waiting”.⁵⁴⁰ The KPC was composed of roughly 5,000 unarmed members, but 200 members were equipped with small arms for personal protection and 1,800 weapons were held in trust by KFOR. Until 2006, the KPC was commanded by the KLA’s former commander in chief, Agim Çeku. The organization was plagued by problems of factionalism and infiltration by organized crime and extremists, but NATO advisors who worked closely with the KPC, reported that Çeku made the best of a challenging task. Çeku was succeeded in 2006 by Lieutenant General Sylejman Selimi, another former KLA commander.⁵⁴¹

Given KFOR’s previously listed responsibilities, it plays both an external defense as well as an internal security role. This means that it presents a deterrent to any offensive irredentist sentiment in Serbia, secures parts of the border in cooperation with the Kosovo Police, provides protection to minorities, both from permanent security posts and mobile operations, and is available to support the Kosovo Police in the event of internal security challenges or man-made or natural disturbances that require additional military support.⁵⁴² In addition to the above mentioned mandate, KFOR’s initial tasks also included: assistance with the return or relocation of displaced persons and refugees; reconstruction and demining; medical assistance; security and public order; security of ethnic minorities; protection of patrimonial sites; border security; interdiction of cross-border weapons smuggling; implementation of a Kosovo-wide weapons, ammunition and explosives amnesty program; weapons destruction; and support for the establishment of civilian institutions, law and order, the judicial and penal system, the electoral process and other aspects of the political, economic and social life of the province.⁵⁴³

The security of minorities in Kosovo continues to require special attention. To guarantee their protection, KFOR is also responsible for patrols near minority enclaves, check-points, escorts and donations including food, clothes and school supplies. The distribution of food, clothes or other vital supplies as well as assistance with

⁵³⁹ William O’Neill: Kosovo. An Unfinished Peace. Lynne Rienner. International Peace Academy Occasional Paper Series. Colorado 2002. p. 117.

⁵⁴⁰ International Crisis Group: An Army for Kosovo. Europe Report No. 147. 28 July 2006. p. 12.

⁵⁴¹ Jane’s Sentinel Country Risk Assessment: The Balkans. Kosovo. Armed Forces.

⁵⁴² KIPRED and SAFERWORLD: Enhancing civilian management and oversight of the security sector in Kosovo. Prishtina 2005. p. 11.

⁵⁴³ NATO: NATO’s role in Kosovo. Online via Internet: URL: http://www.nato.int/cps/en/natolive/topics_48818.htm [accessed 21 06 2010].

reconstructing homes and schools is the responsibility of KFOR's Civil–Military Cooperation (CIMIC) element – a component of particular importance for the mission.⁵⁴⁴

In addition to these initial tasks, on 12 June 2008, NATO decided to assume new responsibilities in Kosovo to support the development of professional, democratic and multi-ethnic security structures. In detail that meant assisting with the disbanding of the Kosovo Protection Corps and with the establishment of the Kosovo Security Force (KSF), as well as assisting the Kosovo authorities to set up a ministry that will ultimately exercise civilian control over the Security Force.

The KPC was deactivated on 20 January 2009 and officially dissolved on 14 June 2009. A Kosovo-wide recruitment campaign for the new professional, multi-ethnic KSF, commanded by Lieutenant General Sylejman Selimi, began on 21 January 2009. The KSF's 2,500 personnel and 800 reservists will initially take on tasks such as crisis response, including peace support operations, response to natural disasters and other emergencies, explosive-ordnance disposal and civil protection. The KSF is a lightly armed force and has no heavy weapons. Members of the KSF are only authorized to use their weapons in life threatening situations.⁵⁴⁵

Not everyone is sympathetic to the new security force. Serbia has reacted with outrage to its formation and Serbian Foreign Minister, Vuk Jeremić, has branded it as an “illegal paramilitary group” whose creation is totally unacceptable and “a direct threat to national security, peace and stability in the entire region”.⁵⁴⁶

KFOR is responsible for the process of organizing, training and equipping the new force, as well as recruiting new volunteers. The initial operating capability for the KSF was reached in mid-September 2009, with some 1,500 personnel.

At its height in 1999, KFOR deployed about 50,000 soldiers from 39 different countries. This number was gradually reduced so that, by the beginning of 2002, KFOR's strength had decreased to approximately 39,000 troops. As the security situation improved, numbers fell further to 26,000 troops by mid-2003 and to 17,500 by

⁵⁴⁴ See below page 189.

⁵⁴⁵ Kosovo launches its own army, Serbs uneasy. In: Reuters. 21 January 2009. Online via Internet: URL: <http://www.reuters.com/article/latestCrisis/idUSLL596669> [accessed 23 01 2009].

⁵⁴⁶ New army marches in Kosovo. In: Times Online. 22 January 2009. Online via Internet: URL: <http://www.timesonline.co.uk/tol/news/world/europe/article5562759.ece> [accessed 23 01 2009].

the end of 2003.⁵⁴⁷ However, after the March riots of 2004, which led to renewed violence between Kosovo Albanians and Kosovo Serbs, KFOR's strength was increased again by an additional 2,500 soldiers. Since then, however, the security situation has continued to improve. Kosovo has not seen any significant ethnic conflict since March 2004 and Kosovo's declaration of independence did not cause any large-scale violence.⁵⁴⁸ With the increasingly stable situation, KFOR numbers have again been gradually reduced. In June 2009, NATO defense ministers decided to continue this reduction and to adjust KFOR's positioning in stages to a so-called deterrent presence, relying more on flexibility and intelligence than on numbers. This decision was based on the positive developments on the ground and the establishment of indigenous self-sustaining security structures. According to the latest available NATO data – as of February 2010 – 9,925 soldiers from 32 countries (25 NATO and seven non-NATO) are currently deployed in Kosovo.⁵⁴⁹ The largest contributors are Germany with 1,507 soldiers, the United States with 1,480 and Italy with 1,409. Austria has the largest contingent among the non-NATO countries with 434 troops.⁵⁵⁰ Further troop reduction is already under discussion. In June 2010, defense ministers from KFOR-contributing nations discussed the next step in the process of reducing the force, which they agreed would happen when it was judged appropriate militarily. At the time of writing, it is intended to reduce the number of KFOR troops to 5,000 in January 2011 and to 2,700 in 2012. Despite this reduction, NATO has emphasized that KFOR will remain robust and fully capable of carrying out its responsibilities in Kosovo as long as necessary.⁵⁵¹ While KFOR's wind down is viewed positively by Kosovo Albanians, who see it generally as progress and proof of Kosovo's improved stability, Belgrade takes a negative view, pointing to the uncertain security of Kosovo Serbs.

In line with the reduction of KFOR's footprint in Kosovo, its structure has been adapted. Originally, the force was grouped into four Multinational Brigades (MNBs) – MNB East, Center, Northeast and Southwest. In order to improve the effectiveness and flexibility of the forces, KFOR was restructured in June 2006, with the MNBs replaced

⁵⁴⁷ NATO: NATO's role in Kosovo. Online via Internet: URL: http://www.nato.int/cps/en/natolive/topics_48818.htm [accessed 21 06 2010].

⁵⁴⁸ Compare chapter 4.1 Security situation in Kosovo.

⁵⁴⁹ See Appendix 8.4 Table 21. NATO: KFOR Troops. Updated 26 February 2010. Online via Internet: URL: http://www.nato.int/kfor/structur/nations/placemap/kfor_placemat.pdf [accessed 18 06 2010].

⁵⁵⁰ See Appendix 8.4 Table 21.

⁵⁵¹ Defence Ministers agree: KFOR to remain as long as necessary. 10 June 2010. NATO News. Online via Internet: URL: http://www.nato.int/cps/en/natolive/news_64266.htm? [accessed 21 06 2010].

by five Multinational Task Forces (MNTFs) – MNTF North, South, East, West and Center. In February 2010, KFOR was restructured again and the MNTFs were replaced by mission-tailored Multinational Battle Groups (MNBGs) – MNBG North, South, East, West and MNBG Center, which also covers the KFOR headquarters in Prishtinë/Priština. A Battle Group is at the level of a battalion, consisting of numerous companies. The five MNBGs are, like the previous configurations, under a single chain of command, headed by the Commander KFOR (COMKFOR), a position that changes every six months.

Despite these changes in KFOR's strength and structure, NATO highlights that

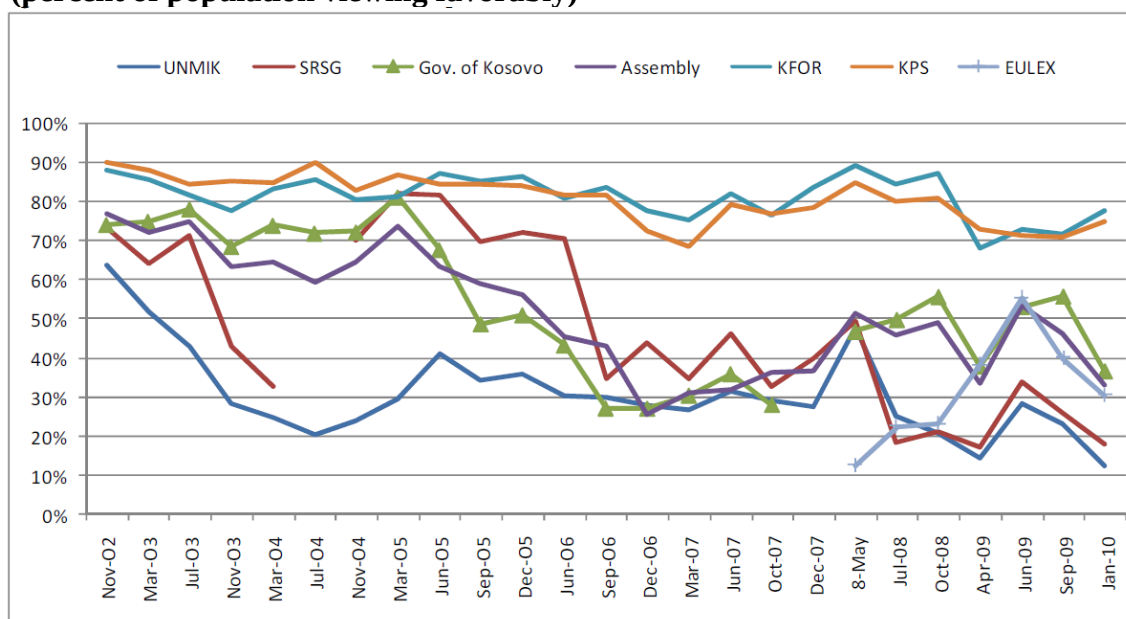
“KFOR will continue to work with the authorities and ... will cooperate with and assist the UN, the EU and other international actors, as appropriate, to support the development of a stable, democratic, multi-ethnic and peaceful Kosovo.”⁵⁵²

Among all the international organizations that are active in Kosovo, KFOR is the most appreciated and trusted by Kosovars, who feel that the force lives up to expectations in providing security. Opinion polls, which have been regularly conducted by UNDP since 2002, reveal that satisfaction with KFOR, along with the Kosovo Police,⁵⁵³ has always been much higher than with UNMIK, EULEX and Kosovo's governing institutions. As shown in Figure 13, the UNDP poll in March 2010 showed KFOR and the Kosovo Police viewed positively by 78 per cent and 76 per cent respectively of those questioned, compared with 36 per cent and 30 per cent respectively in the cases of the Kosovo government and EULEX.

⁵⁵² NATO: NATO's role in Kosovo. Online via Internet: URL: http://www.nato.int/cps/en/natolive/topics_48818.htm [accessed 21 06 2010].

⁵⁵³ After independence, the Kosovo Police Service (KPS) was renamed the Kosovo Police (KP). The Kosovo Police is still referred to as Kosovo Police Service in Figure 13.

Figure 13: Satisfaction with Kosovo's main institutions
(percent of population viewing favorably)



Source: UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 1.

The author's conversations and interviews in Kosovo reflect the far greater popularity of KFOR compared with UNMIK shown in Figure 13. Artan Kasumi of the Department of Human Rights and Communities puts it emphatically: "I don't want even to mention UNMIK close to KFOR because it will ruin KFOR's reputation."⁵⁵⁴ The author asked 14 Kosovars in the course of their interviews to rank their satisfaction with KFOR and UNMIK on a scale from one to ten, where one is completely unsatisfied and ten is absolutely satisfied. Four gave KFOR a score of ten, eight gave nine, one gave seven and the worst score was five, given by a Kosovo Serb. The average satisfaction level – a very high 8.8 – compares with only 3.2 accorded to UNMIK. The highest score UNMIK received was seven and this was given by only two people. The next section will explain why KFOR enjoys such a good reputation. UNMIK's relative unpopularity will be discussed in chapter 4.3.2 which provides a full analysis of the organization.

KFOR faced a number of security challenges when it started its work in Kosovo in 1999. Its determined actions, however, quickly brought an end to the violent conflict between Kosovo Albanians and Kosovo Serbs in June 1999 and vastly improved the security situation over the next few months. The high esteem which KFOR enjoys to-

⁵⁵⁴ Interview with Artan Kasumi, Senior Human Rights Assistant. Department of Human Rights and Communities. OSCE Mission in Kosovo. Prishtinë/Priština 10 September 2009.

day derives from this success. For example, Petrit Hysaj at the OSCE Mission in Kosovo says he holds KFOR

“in the highest regard possible, for the simple reason that without KFOR Kosovo would have been in a complete abyss ... right after the deployment KFOR helped a lot in ending the war although there was still a very great danger for civilians in Kosovo then. KFOR has worked extremely hard to improve that, as well as to secure Kosovo from any possible external or internal threats, but primarily external. Thus it is the most respected and most important factor in Kosovo”⁵⁵⁵.

The most feared external threat is a military confrontation with Serbia. Since Kosovo still does not have the capacity to counter such threats, Kosovo Albanians know that KFOR provides the only deterrent and feel that without the force, Kosovo would not have reached the present degree of security.

While KFOR was warmly welcomed in 1999 by Kosovo Albanians, who had long been eager for NATO’s support for their liberation from the Serbian regime, Kosovo Serbs were not surprisingly rather dismissive toward NATO’s involvement from the very beginning. This is clearly reflected in the way Kosovars of different ethnicities recall KFOR’s arrival in their country. According to Kosovo Albanian, Hamdi Berisha, for example:

“Everybody knows that KFOR was the liberator of this country. It’s very hard to put the moments when KFOR entered Kosovo into words ... I cannot describe the feeling ... we were extremely happy. It’s like we were newly born.”⁵⁵⁶

Artan Kasumi agrees that KFOR’s involvement was “something which we wanted from day one. During the protests on, I think, 1 March 1998, we had this huge slogan: Invite NATO; NATO just do it; air strike.”⁵⁵⁷ In contrast to this enthusiasm, Kosovo Serb Dejan Baljošević tersely comments: “The involvement of the international community in this conflict was completely unnecessary in this direct way.”⁵⁵⁸

Particularly important in winning popular trust and support for KFOR were its Liaison Monitoring Teams and CIMIC. The CIMIC elements of the national contingents are responsible for providing humanitarian support to the extremely poor – regardless of their ethnicity. The scope of its projects not only includes emergency

⁵⁵⁵ Interview with Petrit Hysaj.

⁵⁵⁶ Interview with Hamdi Berisha.

⁵⁵⁷ Interview with Artan Kasumi.

⁵⁵⁸ Interview with Dejan Baljošević.

measures such as the distribution of food and clothes, which characterized the first phase of the international engagement in Kosovo, but also assistance with reconstructing homes, schools, health clinics and other facilities, organizing medical treatments and surgeries and initiating projects such as to improve education, infrastructure and agriculture.

However, providing humanitarian assistance to the poor is not the fundamental purpose of CIMIC; first and foremost, all its activities are aimed at winning the trust and support of the population in order to safeguard the military mission. Therefore it is essential that CIMIC builds relationships with national actors, whether political officials or ordinary citizens. Through these relationships and in the course of their activities, CIMIC soldiers may also get an early warning of any threat to the mission.

Elisabeth Abazi, teacher and educator in Prishtinë/Priština, praises this aspect of KFOR's activities:

“What we Kosovars appreciate is KFOR's help for the people, which was particularly effective at the very beginning. I, as an interpreter for CIMIC, was involved when KFOR built houses for the poor, not to mention the food and clothes they provided and the many projects like canalization, schools and many others. This was essential and made me very glad. I haven't noticed UNMIK doing anything like that”⁵⁵⁹.

Kosovars feel that KFOR has the will to be consistently engaged when needed and will often even work beyond their mandate as described by Artan Kasumi:

“I know cases when soldiers independently collected money from their own salaries and built houses for families living in extreme poverty ... so I don't see them just as military, I see them as people who are working very hard to bring peace.”⁵⁶⁰

Further boosting KFOR's reputation is its presence not only in cities, but also in very remote rural areas. This is via the Liaison Monitoring Teams, which were set up to go out into the community and talk to local leaders and ordinary citizens to gain a better understanding of the needs of the general population, assess the political, economic and social situation and to “feel the pulse of the people” in order to improve security. Liaison Monitoring Team soldiers not only maintain close connections with the

⁵⁵⁹ Interview with Elisabeth Abazi.

⁵⁶⁰ Interview with Artan Kasumi.

municipal authorities, but also with international and non-governmental organizations in the area so that they can coordinate their various activities.

Despite its successes, KFOR has also had shortcomings. All Kosovars interviewed by the author emphasized that KFOR's biggest failure was its role during the March riots in 2004.⁵⁶¹ The riots raised questions over the extent of progress achieved in Kosovo as well as the effectiveness of all international organizations involved. Special envoy Kai Eide's report on the situation pronounced that:

“the international community was caught by surprise by the March riots. The response was slow and confused both on the military and civilian side ... the international community failed to read the mood of the majority population, its frustrations and impatience. It also failed to understand the potential for extremists to mobilize support for ethnic violence and the vulnerability of minorities – in particular the Serb population.”⁵⁶²

Coordination between the various external actors was ineffective and the reinforcements arrived too late. Following the March violence, KFOR launched an immediate process aimed at improving its performance, established closer liaison and coordination with the UNMIK Police and dramatically improved its intelligence capability.⁵⁶³ To prevent another outburst of violence KFOR considerably stepped up its activities after March 2004 and made an increased show of force which was clearly noticeable by Kosovars. Artan Kasumi of the Department of Human Rights and Communities describes KFOR post-2004 as follows:

“They have shown their true faces. They can be tough sometimes and they can use force if necessary. In fact they have given, and they're still giving the message to Kosovo people: don't force us; don't make us do something that we don't want to do.”⁵⁶⁴

Although KFOR showed considerable shortcomings during the riots, its reputation soon recovered and its popularity held up: about 85 per cent of Kosovars were satisfied with KFOR in July 2004.

Apart from their performance, another factor that considerably influences local perceptions of external actors in a country like Kosovo is the behavior of international

⁵⁶¹ See chapter 3.2.3 Kosovo under UN administration.

⁵⁶² Kai Eide's Report on the Situation in Kosovo to the Secretary-General of the United Nations: Online via Internet: URL: http://www.kosovo.net/news/archive/2004/August_17/1.html [accessed 28 06 2010].

⁵⁶³ Ibid.

⁵⁶⁴ Interview with Artan Kasumi.

representatives and their knowledge of the country concerned. The author's interviews, which included detailed questions on these issues showed that KFOR soldiers were rated more highly than UNMIK personnel for their behavior and knowledge of Kosovo. Those interviewed on average ranked KFOR soldiers' behavior at nine on a scale from one to ten, while UNMIK behavior scored only five. However, despite this, and the generally appreciative comments on KFOR, some behavior by the force aroused criticism. This is summed up by Hamdi Berisha:

“Sometimes UNMIK police and KFOR behavior was very arrogant. They treated everybody the same, like criminals and showed brutality during house searches and at check points. This could lead to change in the local opinion on internationals. We know that they liberated us, but they cannot treat us in the same way as the predecessors [the Serbian regime] treated us. They really should be very careful how they treat locals, they should differentiate between, let's say, the good and bad guys.”⁵⁶⁵

In summary, KFOR has actively contributed to the maintenance of a safe and secure environment in Kosovo. Thus, even eleven years after KFOR's deployment, the military presence is still more than welcome. KFOR's troop reduction has been viewed positively by Kosovo Albanians, but all Kosovars still consider KFOR's presence to be vital to maintain peace. As Petrit Hysaj of the OSCE puts it:

“I acknowledge and support the idea of decreasing KFOR to a reasonable number, let's say to about 7,000 but in my opinion that is the necessary number to keep Kosovo at a safe level.”⁵⁶⁶

All Kosovo Albanians interviewed emphasized that it will be necessary for KFOR to remain for many years because of the fears and uncertainties described in previous chapters. While the Serb community fears the implications of independence, Kosovo Albanians, fear the Serb potential for retaliation. They are particularly afraid that Northern Mitrovicë/Mitrovica could be used to stage provocations, making the Albanian population hostages of “big politics”. Elisabeth Abazi stresses that:

“If the Serbs in Kosovo would not continue to live with the government in Belgrade, we would not need so many internationals here for such a long period,

⁵⁶⁵ Interview with Hamdi Berisha.

⁵⁶⁶ Interview with Petrit Hysaj.

in particular KFOR. But as long as Serbs continue to live under Belgrade's rule, we need KFOR to stay on."⁵⁶⁷

This is echoed by Petrit Hysaj:

"I would definitely feel very uneasily about the newly created situation [if KFOR were to leave now] because I do believe that there is a great possibility of another direct conflict with the military or police of Serbia."⁵⁶⁸

In the current security situation, Kosovo remains ultimately dependent on the international military presence for its internal and external security. According to the analysis of the author's interviews, the conditions under which KFOR, as the main security provider and source of stability in Kosovo, could terminate its mission are: first, full normalization of Kosovo's relations with Serbia and second, development of strong armed forces to control Kosovo's borders and defend the country against threats and the strengthening of the police. While Kosovo Albanians emphasize that KFOR needs to step up its support for establishing a capable Kosovo Security Force, Kosovo Serbs oppose the creation of the force itself as well as KFOR's involvement. In February 2009, Kosovo Serbs in Northern Mitrovicë/Mitrovica staged a protest accusing KFOR of overstepping its mandate in creating the force. While Kosovo Albanians consider the establishment of the Kosovo Security Force as a prerequisite for a secure Kosovo, Kosovo Serbs see it as a "step toward further division along ethnic lines."⁵⁶⁹ Serbia has reiterated that it does not accept the formation of Kosovo security forces since they do not contribute to security in Kosovo.⁵⁷⁰

Clearly the Duration Dilemma – the local population becoming irritated by or hostile towards external actors if they stay too long – does not arise where KFOR is concerned. Salih Asslanaj, former mayor of Suharekë/Suva Reka sums up the Kosovar view on the continuing presence of the force:

"KFOR needs to remain in Kosovo for some more time since its absence would present the biggest danger of instability. If KFOR left now, a renewed conflict

⁵⁶⁷ Interview with Elisabeth Abazi

⁵⁶⁸ Interview with Petrit Hysaj.

⁵⁶⁹ New Kosovo force takes up security duties. In: New York Times. 01 February 2009. Online via Internet: URL: <http://www.nytimes.com/2009/01/21/world/europe/21iht-kosovo.4.19569785.html> [accessed 21 07 2010].

⁵⁷⁰ Tadić: Kosovo security forces unacceptable. In: B92 News. 19 January 2009. Online via Internet: URL: http://www6.b92.net/eng/news/politics-article.php?yyyy=2009&mm=01&dd=19&nav_id=56534 [accessed 21 07 2010].

with Serbia would arise and if KFOR were not here, people would pack their bags and leave.”⁵⁷¹

4.3.2 UNMIK Police

While KFOR has been responsible for ensuring peace and security, UNMIK has been acting as the transitional administration for Kosovo. It has assumed the whole spectrum of civil administrative functions and services, covering areas such as health, education, banking, finance, post and telecommunications.⁵⁷² According to UNSCR 1244, UNMIK was also charged with “maintaining civil law and order, including establishing local police forces ... through the deployment of international police personnel to serve in Kosovo.” To achieve this latter task, an international policing component, the UNMIK Police, was set up to construct Kosovo’s police institutions from scratch.

At the beginning of the international involvement in 1999, there were no police institutions in existence. Just as with the judiciary branch, all police who had served under the Serb regime fled with the arrival of NATO forces. Only very few Kosovo Albanians had served in the police after 1989, and those who had were highly distrusted. Serbian police organizations were characterized by repression and massive human rights abuses, and no pattern of democratic or community policing had existed in Kosovo. This caused Kosovars to have a very negative perception of the police in general. Consequently, the UNMIK Police were regarded with suspicion; they had to win the people’s trust step by step.

The objectives of the UNMIK Police were established in the 12 July 1999 Report of the Secretary-General which states:

“two main goals will define UNMIK’s law and order strategy in Kosovo: provision of interim law enforcement services, and the rapid development of a credible, professional and impartial Kosovo Police Service (KPS).”⁵⁷³

As defined in this report, these objectives were accomplished in three distinct phases. In the first phase, KFOR was responsible for ensuring public safety and establishing order using international police serving as advisers. In the second phase, UNMIK civilian

⁵⁷¹ Interview with Salih Asslanaj, former mayor of Suharekë/Suva Reka. Suharekë/Suva Reka 15 September 2009.

⁵⁷² Compare chapter 3.2.3 Kosovo under UN administration for UNMIK’s tasks.

⁵⁷³ United Nations Security Council: Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo. 12 July 1999. p. 12.

police assumed KFOR's law and order tasks and in 1999 established the locally-manned KPS (renamed Kosovo Police after independence), whose personnel initially joined the UNMIK civilian police. The training of KPS candidates was carried out by UNMIK in cooperation with the OSCE, which established the Kosovo Police Service School in September 1999 to train the new police officers. This was a classic institution-building activity and the police school is one of the success stories of the international community's work in Kosovo. The third phase, from 2002 until 2008, was characterized by a gradual transfer of authority and executive powers from the international police to the KPS, whereby the former reduced itself to a monitoring and advisory role.

When the EULEX mission achieved its initial operational capability on 9 December 2008, UNMIK lost the last of its executive powers. With that, EULEX Police assumed all monitoring, advising and capacity-building needs of the police and justice sectors.⁵⁷⁴ While EULEX has a mainly advisory role, it is the Kosovo Police that now maintains law and order in Kosovo.

The UNMIK Police consisted of three units whose responsibilities included: routine policing and criminal investigation via the Civilian Police Units; high-risk policing through Special Police Units in situations such as crowd control during violent demonstrations and civil unrest;⁵⁷⁵ and ensuring compliance with immigration laws and border regulations via the Border Police Units.⁵⁷⁶

Its deployment was agonizingly slow in contrast to KFOR. Only a small initial force of 200 unarmed civilian personnel serving in the UN Mission in Bosnia and Herzegovina had arrived in Kosovo by the end of June 1999.⁵⁷⁷ However, by the end of 2000, UNMIK Police strength amounted to 4,387 police officers, including Special Police Units. As the number of properly trained KPS officers increased, the UNMIK Police started to reduce its strength so that by the end of 2003, 3,727 international police officers served in Kosovo. During the March riots of 2004, there were 3,248 UNMIK police officers. The force was reduced significantly further in December 2008 when

⁵⁷⁴ Compare chapter 4.3.3 EULEX.

⁵⁷⁵ See Table 23 and 24 in Appendix 8.6 and 8.7 for the composition and strength of the UNMIK Civilian Police and the Special Police Units.

⁵⁷⁶ KIPRED and SAFERWORLD: Enhancing civilian management and oversight of the security sector in Kosovo. Prishtina 2005. p. 11.

⁵⁷⁷ Robert Muharremi: Administration and Governance in Kosovo. Lessons learned and lessons to be learned. KIPRED. Prishtina 2005. p. 17.

EULEX largely took over from UNMIK, and by March 2010, it amounted to no more than seven police officers with no executive authority.⁵⁷⁸

The establishment of the Kosovo Police is UNMIK's greatest success story and is described as the "jewel in the crown"⁵⁷⁹ of all international efforts in Kosovo. It has been successfully built into a multi-ethnic and professional institution that is better trained than most other police forces in the region.⁵⁸⁰ The Kosovar peoples' satisfaction with the work of the Kosovo Police is reflected in the UNDP poll results, which show satisfaction with the police at a consistently high level of around 80 per cent since 2002. As of January 2010, some 76 per cent of those polled were satisfied with the police, making the force the most highly approved of all national institutions in Kosovo.⁵⁸¹ (see Figure 13).

Although there are differences of opinion between Kosovars and internationals on the extent of the UN's success in Kosovo, they agree that the establishment of the Kosovo Police was an undisputed success. In the words of one Kosovar:

"The biggest success of the UN mission was the establishment and the development of the local police because it was a huge police force that they had to build up, train and equip with everything. In other fields I can freely say that especially in justice, UNMIK failed completely."⁵⁸²

UNMIK's successful institution of the Kosovo Police is also praised by Gerard Beekman, Senior Police Liaison Officer at the UN Department of Peacekeeping Operations (DPKO) in New York who states:

"I look at the Kosovo Police Service as a great success of the OSCE and the UN. ... Our big shortcoming was on the investigation side. We were very poor at solving serious crimes."⁵⁸³

Beekman is one of very few among the 16 UN staff members interviewed by the author at DPKO who spoke openly about UN policing weaknesses in Kosovo. Many UN staffers are unwilling to discuss the serious criticisms that have been leveled at the

⁵⁷⁸ See various United Nations Security Council Reports of the relevant years for UNMIK's strength. For the most recent figure see: United Nations Security Council: Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo. 6 April 2010. p. 17.

⁵⁷⁹ KIPRED and SAFERWORLD: Enhancing civilian management and oversight of the security sector in Kosovo. Prishtina 2005. p. 11.

⁵⁸⁰ See chapter 4.3.4 Kosovo Police and Figure 14.

⁵⁸¹ UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 1. Compare Figure 13.

⁵⁸² Interview with Hamdi Berisha.

⁵⁸³ Interview with Gerard Beekman, Senior Police Liaison Officer, DPKO, New York on 29 April 2009.

UNMIK Police, tending to make comments such as: “We had very good administrative officers on the ground, very experienced and they have, you know, full understanding, full cooperation, there was no problem.”⁵⁸⁴ Beekman’s comments are drawn upon in the following discussion of UNMIK’s weak points.

This section is based primarily on the author’s interviews with Kosovars and UN officials, and highlights the main criticisms of the UNMIK Police and UNMIK in general. A full examination of UNMIK’s failures, however, is beyond the scope of this study.⁵⁸⁵ The Kosovars’ evidence is cited to provide a more complete picture of the situation on the ground than is provided by the international organizations themselves, whose reports were commonly watered down to give only a narrow picture of the situation and largely highlight the mission’s successes; whenever they do speak of criticisms, challenges and failures, they provide a very myopic view. This is borne out by David Harland, Chief of the Europe and Latin America Division at DPKO, who told the author that:

“Reports of the Secretary-General on UNMIK over the last ten years are consistently too optimistic and paint a rosier picture [than was actually the case].”⁵⁸⁶

This gives the impression that the international community often lives in a different world to the Kosovars. David Marshall describes it as “living in a bubble”.

“No one really knew what was going on. I’ve got many friends that have been there for years, and have no Albanian friends, have no Serb friends and all they do is hang out with other internationals and read each other’s reports.”⁵⁸⁷

The UNMIK Police’s success in creating the Kosovo Police is all the more remarkable considering the highly critical view that the local population has always taken of the UN police force. Kosovars most frequently ascribe this dissatisfaction to the large number of UNMIK officers from African and Asian countries, whom they

⁵⁸⁴ Interview at DPKO. May 2009.

⁵⁸⁵ There are many books that deal with UNMIK’s shortcomings, for instance the book “Peace at Any Price. How the World Failed Kosovo” published by two former UNMIK staff members highlights UNMIK’s most serious failures over its first seven years. There are also many KIPRED reports that identify UNMIK’s problems, for example: “Administration and Governance in Kosovo. Lesson learned and lessons to be learned”.

⁵⁸⁶ Interview with David Harland, Chief Europe and Latin America Division. Office of Operations. DPKO. New York 7 May 2009.

⁵⁸⁷ Interview with David Marshall, Human Rights Officer. New York 7 May 2009.

considered to be unqualified. Kosovars reason that these policemen could not be effective in Kosovo since they are not effective in their own countries. Worldwide, 50 per cent of the police in peacekeeping missions come from Africa and 35 per cent from Southeast Asia.⁵⁸⁸ On average every year, about 45 different countries deployed police officers in Kosovo, with more than one-third of the UNMIK contingent coming from Asia.⁵⁸⁹ According to KIPRED, more than half of the international police deployed in Kosovo came from autocratic or highly corrupt countries.⁵⁹⁰ It was very hard for Kosovar police officers to accept colleagues who had no experience of enforcing laws in democratic societies or operating in a polite and helpful way.

As Artan Kasumi of the OSCE Mission in Kosovo put it:

“I don’t want to sound racist but I really experienced people from India, Pakistan, Bangladesh, Ghana, Kenya, Zambia, Zimbabwe teaching us about democracy. I was so disappointed with this organization. That was the first thing which gave me this really bad impression of UNMIK.”⁵⁹¹

Another interviewee who worked as an interpreter for the UNMIK Police explains the situation as he experienced it:

“It was really hard for us to understand how some police officers from some African countries or some Arab-speaking countries could pass the test and everything and come to Kosovo. They couldn’t speak a single word in English. They knew nothing about policing in this field. So I think what the UN can do is be tougher on picking police officers from different countries because the UN’s overall reputation is at stake if UN police officers do not know how to handle difficult situations.”⁵⁹²

In his work *Kosovo – An Unfinished Peace* author William O’Neill gives one reason why the quality of UNMIK Police officers was often unsatisfactory. Officers on mission assignments, unlike their military colleagues, must be taken from the work they are already doing at home – providing security to the taxpayers who pay their salaries. Most citizens and police force commanders believe they do not have enough police, so they

⁵⁸⁸ Interview with Gerard Beekman.

⁵⁸⁹ Compare Appendix 8.6, 8.7 and 8.8.

⁵⁹⁰ Robert Muharremi, Lulzim Peci et al.: *Administration and Governance in Kosovo. Lessons learned and lessons to be learned*. KIPRED, Prishtina 2005. p. 17.

⁵⁹¹ Interview with Artan Kasumi.

⁵⁹² Interview with Hamdi Berisha.

are not happy to see dozens or even a few of them sent to serve on missions.⁵⁹³ This is one reason why many countries do not send their best officers abroad, but rather the ones whom they would like to get rid of, or at least have a break from for a year.

Not only UNMIK Police officers but UNMIK staff more widely were criticized for unprofessional or incompetent behavior. The following incident was mentioned by two interviewees. According to one of them:

“We had an UNMIK administrator in Suharekë who got his [first] driver’s license in our municipality. He was UNMIK administrator for a municipality with 80,000 inhabitants and he said, ‘Look, I was driving through the city today all by myself’. For us, this is unbelievable.”⁵⁹⁴

Such incidents were not conducive to enhancing the mission’s image and quickly contributed to people losing trust. Not only Kosovars perceived UNMIK members to be unqualified; some international UN members took a similar view. For instance, David Marshall, Human Rights Officer at the UN in New York, confessed:

“We sent people into senior positions in Kosovo who were not qualified for those positions ... You put senior people in important posts and if they’re a disaster, it goes downhill; never recovers for years, and that’s what we’ve seen in Kosovo. I think we’ve seen some senior positions full of people who were not competent. I’m thinking of the justice system in particular.”⁵⁹⁵

In an international mission, it is often difficult to send people home when they are not performing well. As Beekman explains:

“You have all those different nationalities, and everybody wants to be nice to each other. They think ‘we only need to work with each other for a year’ ... Sometimes people are not being evaluated properly in the field. It’s a temporary assignment ... and so some supervisors don’t implement performance appraisals properly. The appraisals are coming in and saying, ‘He is great, she is great’, even if they are complete zeros.”⁵⁹⁶

Another challenge for UNMIK was that police officers from different countries not only come from different legal backgrounds, but also have different approaches to policing. Consequently, the training that the Kosovo Police officers were receiving

⁵⁹³ William O’Neill: Kosovo. An Unfinished Peace. Lynne Rienner. International Peace Academy Occasional Paper Series. Colorado 2002. p. 99.

⁵⁹⁴ Interview with Bekim Kryeziu. Statement translated by the author.

⁵⁹⁵ Interview with David Marshall.

⁵⁹⁶ Interview with Gerard Beekman.

changed frequently and varied according to the nationalities of the officers providing the training. The average stay of UNMIK Police officers in Kosovo was about one year, and then a new batch of officers would come in and provide training in their own way, which was not only confusing but also tiresome for those receiving the training. This problem is not unique to UNMIK, but is true for all international organizations, including KFOR where soldiers stay on average only six months.

After handing over authority to the Kosovo Police, Kosovars observed many UNMIK Police officers who were no longer committed to performing their duties. A typical description of their attitude is as follows:

“UNMIK police were no longer interested in doing anything and there were cases when they were saying, ‘Well, why should we bother ourselves about what the local police is doing? This is not our country. We’re here for one year or two years. We are here simply for the money. It’s their country. They should know how to do things and they should handle things on their own.’ So as time was going by, people’s opinion about UNMIK started to change.”⁵⁹⁷

Beekman confirmed this, emphasizing:

“Some people will go to a mission to collect money and they’re not going to do any work. They are going to be there for a year; they are getting a break from their national police. When the local police and the local population see that, it hurts. And it impacts the effectiveness of the mission because people are sitting around doing nothing or sitting in front of their computers playing cards ... One of our commissioners in Kosovo complained about all the grass watchers: all the people standing around and watching the grass growing.”⁵⁹⁸

A major weakness of the UNMIK Police was criminal investigation, particularly of serious crimes. Many of these crimes were such that their solution depended upon the police having good relationships and direct communications with the local community, two areas in which UNMIK was particularly weak. This was not only due to language barriers, but also to the prevalent lack of commitment to the job. Beekman recounted the following example:

“I had an assignment with three other UN police people and an interpreter. We got into the car and drove around – *fast* by the way. And I said, ‘Is this what we do? Windows up, not talking to anybody?’ And they said, ‘It is what we do. We are just driving around’. And I said, ‘Stop the car, there is an old lady there. I

⁵⁹⁷ Interview with Hamdi Berisha.

⁵⁹⁸ Interview with Gerard Beekman

want to go talk to her'. I took the interpreter and spoke to the old lady. And I said to these guys, 'This is what we should be doing. We should not be sitting in cars. We should be out talking to people'. This has nothing to do with training. This is commitment. We have a hundred police contributors from all over the world and we can't train so many. It's well beyond training. It's commitment, a desire to really want to do your job."⁵⁹⁹

The incident recorded by Beekman is not an isolated exception. The problem runs like a thread throughout the whole mission in Kosovo. International officers consistently stay in their cars or offices and fail to make the necessary contact with the local people. This applies not only to police tasks but to all UNMIK tasks. As observed by Berisha:

"In the course of the standards-before-status process, UNMIK had to do an evaluation on meeting some of these standards. I was involved in the assessment and I was shocked by how it was done. You cannot make such an assessment in an office. You have to go out into the field and see how things are going and make sure that things are done properly. You can't just tick the boxes and say 'Yes, this is implemented and that is implemented'. It made me think that this was a paper filling mission, without any proper monitoring or proper organization."⁶⁰⁰

Unfortunately, EULEX is also criticized for the same shortcoming.⁶⁰¹

The UNMIK Police were also criticized for blatant misconduct. Kosovars often complained that officers did not themselves respect the laws they were enforcing, which often undermined people's confidence in them. Even small things, as Beekman explains, undermined UNMIK's credibility:

"Driving while drunk, speeding, not respecting the local laws – the UN people think they can park any place. They think they don't have to comply with any law. It's arrogance. Not only big things but also those little things have an impact."⁶⁰²

Worse yet was that often no proper corrective action was taken, so UNMIK gained a reputation for covering up misconduct. One notorious example of this was the February 2007 demonstration described in chapter 3.4.2.2, when Romanian UNMIK Police officers killed two unarmed protesters with rubber bullets. This incident

⁵⁹⁹ Interview with Gerard Beekman.

⁶⁰⁰ Interview with Hamdi Berisha.

⁶⁰¹ See chapter 4.3.3 EULEX.

⁶⁰² Interview with Gerard Beekman.

provoked a great deal of anger towards the UNMIK Police, particularly because UNMIK tried to cover up the incident instead of taking proper corrective action. No-one was ever prosecuted for the incident and UNMIK allowed the Romanian police officers to leave Kosovo. Among the Kosovars, this created a sharp animosity and distrust towards UNMIK and institutions generally.

Dissatisfaction with UNMIK extends far more widely than the UNMIK Police. It has been criticized for failing to achieve many of its defined responsibilities. As noted in chapter 2.1.9.2, every international involvement has unintended consequences, and the effects of UNMIK's shortcomings continue to plague the country today even though the mission no longer has any executive power. Some of the weaknesses touched on here are elaborated further in other sections of this study.

UNMIK's reputation was low not only among Kosovo Albanians but also among Kosovo Serbs. As explained by one Kosovo Serb:

“None of us is satisfied with the UN here, that's for sure. They didn't do anything. They failed in their priorities of bringing human rights and democracy as well as the return process ... also from the economic point of view, it's been a failure.”⁶⁰³

Amongst other things, Kosovars expressed frustration at UNMIK's fulfillment of its political role. While KFOR's main responsibility is to provide security, UNMIK as its civilian counterpart is a political organization involved in administrative and political tasks. Its political role is a fundamental and pivotal reason why UNMIK suffered a much lower approval rating than KFOR. Both Kosovo Albanians and Kosovo Serbs blamed UNMIK for preventing them from achieving their political goals. Kosovo Serbs considered UNMIK as an organized attempt to subvert Belgrade's authority; Kosovo Albanians saw it basically as an obstacle to independence as promulgated at various Vetëvendosje demonstrations.⁶⁰⁴ According to one Kosovo Albanian:

“The general opinion is that UNMIK has primarily stopped political developments in Kosovo. The perception is that UNMIK has prevented Kosovars from gaining their independence.”⁶⁰⁵

⁶⁰³ Interview with a female Kosovo Serb (anonymity requested). Prishtinë/Priština 19 September 2009.

⁶⁰⁴ Compare chapter 3.4.2.2 Non-state political movements.

⁶⁰⁵ Interview with Petrit Hysaj.

Thus UNMIK had to struggle with the duration dilemma discussed in the theoretical part of this study. Unlike KFOR, which, as described above, offered, and is still seen as offering, valuable protection, the prolonged UN presence generated considerable resistance, particularly among the Kosovo Albanian population.

Apart from its political role, the main criticisms of UNMIK relate to: (1) the maintenance of Serb parallel structures; (2) the failure to establish human rights and a fair and effective justice system; (3) slackness in fighting organized crime and corruption; (4) the failure to create an economic development strategy; (5) privatization; (6) property rights; and (7) its heavy footprint and slow transfer of competencies to the Kosovars.

First, UNMIK failed to prevent the development of parallel Serb structures in areas such as education, healthcare, welfare and local governance, which are the main reason why Kosovo remains ethnically divided.⁶⁰⁶ Florim Zeqiri translator for Swiss KFOR states: “UNMIK didn’t do anything against the parallel structures in Shtërpçë, Graçanicë or North Mitrovicë. UNMIK rather cooperated with them.”⁶⁰⁷ This problem will be explored in greater detail in chapter 5.2.3.1 and 5.3.2.

Second, as emphasised in the author’s interview with human rights officer, David Marshall, UNMIK failed to guarantee the rule of law in Kosovo, which is a major long-term barrier to the country’s stability.⁶⁰⁸ Human rights watchdog, Freedom House emphasizes that UNMIK failed to create an effective criminal justice system willing and able to prosecute war criminals. Moreover, it failed to renew the aging, dwindling supply of jurists and thus allowed the backlog of civil and criminal cases to grow out of control. As discussed in section 4.2.2, many of these problems remain to this day.

Third, in the absence of an efficient justice system UNMIK inevitably failed to reduce organized crime and corruption, which flourished while they were present in the country, as examined in section 4.2.1. Even UNMIK members themselves had their hands in corrupt activities. As one Kosovar, put it, “UNMIK allowed our government to become corrupt.”⁶⁰⁹ KFOR translator, Florim Zeqiri elaborated:

⁶⁰⁶ See chapter 5.2.3.1 Pre-university education and chapter 5.3.2 Weaknesses of the Kosovo health system and its reforms.

⁶⁰⁷ Interview with Florim Zeqiri, translator for Swiss KFOR in Suharekë/Suva Reka. Suharekë/Suva Reka 12 September 2009. Statement translated by the author.

⁶⁰⁸ David Marshall. Shelley Inglis: The Disempowerment of Human Rights – Based Justice in the United Nations Mission in Kosovo. *Harvard Human Rights Journal*. Volume 16/2003. UNDP Kosovo: Kosovo Internal Security Sector Review. Prishtina 2006. p. 29.

⁶⁰⁹ Interview with Bashkim Hisari.

“UNMIK brought some kind of stability. However, the mistake was that they closed their eyes to the development of corruption, organized crime, the parallel structures, smuggling activities and so on. But now these corrupt people are so powerful that nothing can be done against them. UNMIK closed their eyes to all these things only to preserve stability.”⁶¹⁰

Fourth, UNMIK is accused of having failed to implement an economic development strategy. Salih Asslanaj, former mayor of Suharekë/Suva Reka, remarked: “UNMIK lacked an economic development plan and the little economy that Kosovo had was destroyed.”⁶¹¹ Hamdi Berisha complained:

“Although they had the overall authority in Kosovo for justice, for police, for education, for healthcare, infrastructure, simply everything, they never did anything – absolutely nothing. They mostly focused on political matters. Economy was the other thing where they did absolutely nothing, zero.”⁶¹²

Fifth, a specific major failure in the context of economic development was the privatization process, analyzed in-depth in chapter 3.3.1, which did not boost Kosovo’s economy as intended. Kai Eide, in his report to Kofi Annan in August 2004, asserted: “Privatization has become a symbolic issue and a sign of unfulfilled promises by UNMIK.”⁶¹³

Sixth, UNMIK did little to solve the unsettled property-rights issues that were a major obstacle to the privatization process. Even today there are many cases involving Albanian property in northern Kosovo and Serbian property in the rest of Kosovo that, as noted by analysts Iain King and Whit Mason, UNMIK was unable to unravel and where it was unwilling to impose a solution.⁶¹⁴

Seventh, UNMIK’s policies, which were often characterized as being incoherent and poorly coordinated, failed to engender national ownership of the state-building process.⁶¹⁵ UNMIK is heavily criticized for having been slow to transfer competencies and responsibility to Kosovan institutions and did not go far enough in engaging and empowering Kosovars of all ethnicities in key decision-making. The national ownership

⁶¹⁰ Interview with Florim Zeqiri. Statement translated by the author.

⁶¹¹ Interview with Salih Asslanaj.

⁶¹² Interview with Hamdi Berisha.

⁶¹³ United Nations Security Council: Letter dated 17 November 2004 from the Secretary-General addressed to the President of the Security Council. 30 November 2004.

⁶¹⁴ Iain King. Whit Mason: Peace at any price. How the world failed Kosovo. C. Hurst & Co. London 2006. p. 185.

⁶¹⁵ Roland Paris. Timothy Sisk: The Dilemmas of Statebuilding. Confronting the Contradictions of Postwar Peace Operations. Routledge. New York 2009. p. 277.

dilemma is the flip side of UNMIK's "heavy footprint" in its oversight of Kosovo, much criticized by KIPRED among others. As Xhabir Hamiti complains:

"They kept Kosovo under their control, so all big decisions have been made by them. The Kosovo government has been like a toy ... the government and citizens were like an audience."⁶¹⁶

Albin Kurti agrees. "Everything which is domestic here has been subordinated to UNMIK in an inclusive and absolute manner."⁶¹⁷

Given UNMIK's shortcomings, Kosovars pinned great hopes on EULEX and expected it to act very differently. However, their hopes remain unfulfilled and EULEX is currently considered as just more of the same. The reason for that is explained in the next section.

⁶¹⁶ Interview with Xhabir Hamiti.

⁶¹⁷ ESI: Return to Europe. People: Albin Kurti. Online via Internet: http://www.esiweb.org/index.php?lang=en&id=311&film_ID=2&slide_ID=6 [accessed 24 07 2009].

4.3.3 EULEX

The European Union Rule of Law Mission in Kosovo (EULEX) is the largest civilian crisis management operation ever launched under the European Security and Defense Policy. The mission's aim is to assist and support the Kosovo authorities with enforcing the rule of law, specifically in the police, judiciary and customs areas, which are EULEX's three components. The mission is not in Kosovo to govern, but is conceived as a joint effort with local authorities, in line with the "local ownership" principle. EULEX is intended primarily to be a technical mission that will monitor, mentor and advise the Kosovo institutions, whilst holding a number of limited executive powers. These executive powers apply to some specific areas of competence, such as terrorism and organized crime or to the broader field of rule of law, in particular to the investigation and prosecution of serious and sensitive crimes, such as war crimes and serious financial crimes. The mission was launched by the EU Council on 16 February 2008. It reached its initial operational capability on 9 December 2008 and its full operational strength on 6 April 2009. EULEX has a unified chain of command to the EU in Brussels and still works under the general framework of UNSCR 1244.⁶¹⁸

The legal basis for EULEX is given by three legal documents: Joint Action 2008/124/CFSP adopted by the European Council on 4 February 2008, Joint Action 2009/445/CFSP of 9 June 2009, amending the former and Council Decision 2010/322/CFSP of 8 June 2010, extending the mission for a period of two years until 14 June 2012.⁶¹⁹ Although the initial mandate was for two years (until 14 June 2010) and is now extended for another two years, the mission will be considered completed when the Kosovo authorities have gained enough experience to guarantee that all members of society benefit from the rule of law.

Joint Action 2008/124/CFSP sets out the mission statement according to which EULEX

⁶¹⁸ EULEX Kosovo: What is EULEX? Online via Internet: URL: <http://www.eulex-kosovo.eu/en/info/whatisEulex.php> [accessed 12 05 2010].
European Union: Factsheet on EU Rule of Law Mission in Kosovo. April 2010. Council of the European Union. Online via Internet: URL: http://www.consilium.europa.eu/uedocs/cms_data/docs/missionPress/files/100423%20FACTSHEET%20EULEX%20Kosovo%20-%20version%2011_EN01.pdf [accessed 12 05 2010].

⁶¹⁹ EULEX Kosovo: What is EULEX? Online via Internet: URL: <http://www.eulex-kosovo.eu/en/info/whatisEulex.php> [accessed 12 05 2010].

“shall assist the Kosovo institutions, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability and in further developing and strengthening an independent multi-ethnic justice system and multi-ethnic police and customs service, ensuring that these institutions are free from political interference and adhering to internationally recognised standards and European best practices.”⁶²⁰

The key priorities of the mission are to address immediate concerns regarding corruption and the fight against organized crime.

In addition to applicants from EU member states, citizens from Norway, Switzerland, Turkey, Croatia, Canada and the United States may apply for international posts with EULEX. The mission is allocated a maximum strength of around 3,200 people (1,950 international and 1,250 national staff throughout Kosovo). As of April 2010, the mission strength amounted to approximately 1,700 international and 1,100 national staff members.⁶²¹ While the EULEX Police Component consists of approximately 1,400 international police officers, the Justice Component comprises only around ten per cent of the total EULEX staff, or 300 people. Of these, around 70 people work in the prison system and there are only about 40 judges and around 20 prosecutors.⁶²² The Customs Component consists of about 75 internationals and 27 nationals.⁶²³

Theoretically, the priorities pursued by the mission sound encouraging. EULEX personnel and European Union reports provide an overwhelming list of successes and achievements of the mission⁶²⁴ that give the impression that EULEX can easily fix the country's problems. In practice, however, the situation looks different and it seems that EULEX is avoiding an honest appraisal of what is actually happening. Kosovars are critical of and disappointed with the mission, which has failed to meet their high expectations. The legitimacy of the status-neutral EU mission is questioned by both Kosovo Albanians and Kosovo Serbs. According to UNDP's periodically conducted opinion polls, just a little over ten per cent of Kosovars were satisfied with EULEX in

⁶²⁰ Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo. Article 2.

⁶²¹ European Union: Factsheet on EU Rule of Law Mission in Kosovo. April 2010.

⁶²² In March 2010, there were 18 international prosecutors, out of a planned 25. See International Crisis Group. The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 17.

⁶²³ EULEX Kosovo: EULEX Kosovo Customs Component. Online via Internet: URL: <http://www.eulex-kosovo.eu/en/customs/> [accessed 23 08 2010].

⁶²⁴ See regular Reports of the Secretary-General on the United Nations Interim Administration Mission in Kosovo. Annex I. The first report on the activities of EULEX is that of 10 June 2009.

May 2008. This figure did rise to a high of over 50 per cent in June 2009 only to fall again to 30 per cent in January 2010 (see Figure 13).⁶²⁵ Hamdi Berisha expresses his frustration with EULEX as follows:

“Everybody has the idea that EULEX is just the continuation of UNMIK. ... The only difference is that they have less staff. Although EULEX has had some publicity campaigns [saying] that they would do this, they would do that, they would improve rule of law, they would improve justice, they will improve customs and everything, people don’t buy that anymore because it’s only empty words.”⁶²⁶

Vedran Džihic and Helmut Kramer, in their study “Kosovo After Independence. Is the EU’s EULEX Mission Delivering on its Promises?”, find that EULEX’s first six months were characterized by legal and organizational chaos and emphasize that

“EULEX, in its role as ‘guardian of democracy and the rule of law’, has only modest achievements to show for its first six months. Closer scrutiny of the objectives, legal mandate and activities of the new EU mission gives rise to the rather sobering realisation that, basically, the previous, failed policy of UNMIK is still being pursued.”⁶²⁷

One year after this assessment, little has changed. At the time of writing critics still argue that the mission suffers from serious shortcomings and seems to be missing its objectives. One important reason for this may be that EU policy in Kosovo is determined primarily by the aim of maintaining stability in the region, and fear of “rocking the boat” makes EULEX excessively timid about necessary steps that might arouse antagonism in some quarters. The following examination of EULEX’s effectiveness is primarily based on the author’s interviews and Džihic’s and Kramer’s policy analysis. The two authors in collaboration with a group of Kosovo experts and representatives of civil society have worked out a detailed list of policy recommendations for the EU and Kosovo authorities. This was published in May 2010 and presented to the European Parliament in June with the aim of overcoming the current deadlock in Kosovo and restoring the EU’s credibility in the region.⁶²⁸

⁶²⁵ UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 1.

⁶²⁶ Interview with Hamdi Berisha.

⁶²⁷ Vedran Džihic. Helmut Kramer: Kosovo After Independence. Is the EU’s EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. Front page.

⁶²⁸ Making or breaking the European Future of Kosovo. Policy Recommendations for the EU and Kosovo authorities. Vienna/Brussels, 31 May and 1 June 2010. KIPRED: Online via Internet: URL: http://www.kipred.net/web/upload/Kosovo_Policy_Recommendations.pdf [accessed 09 08 2010].

The perception referred to above that EULEX is mainly continuing with the largely failed policies of UNMIK is one of the strongest points of criticism,⁶²⁹ as clearly expressed in the author's interviews with Kosovars. Describing the transition from UNMIK to EULEX, Artan Kasumi at the Department of Human Rights and Communities commented:

“They [EULEX] only changed the badges; they just removed the plates from UNMIK and replaced them with EULEX. ... most of them were already here [as UNMIK staff].”⁶³⁰

Verena Knaus, of the European Stability Initiative in Prishtina, observed: “You don't establish the rule of law just by former UN police officers swapping their light-blue [UN] berets for dark-blue EU ones.”⁶³¹ Albin Kurti, leader of the Vetëvendosje movement, puts it even more forcefully:

“EULEX has the same cars, the same headquarters and many of the same staff as UNMIK and it is founded on the same legal basis as UNMIK. Not surprisingly, EULEX's employees are, like UNMIK, already demonstrating they believe they are above the law, here to implement it for us, but not for them.”⁶³²

That a large proportion (estimated at about 30 per cent)⁶³³ of EULEX staff moved over from UNMIK, that some EULEX personnel come from states which have not recognized Kosovo's independence, like Romania, and that EULEX personnel enjoy legal immunity in Kosovo,⁶³⁴ are just a few of the many reasons why people consider EULEX to be an extension of UNMIK. The most crucial reason, however, is the fact that EULEX continues to operate within the framework of UNSCR 1244, meaning that it is deployed as a “status-neutral” mission, which does not recognize Kosovo's

⁶²⁹ See Vedran Džhić. Helmut Kramer: Kosovo After Independence. Is the EU's EULEX Mission Delivering on its Promises. Friedrich Ebert Stiftung. July 2009. p. 18.

⁶³⁰ Interview with Artan Kasumi.

⁶³¹ Adelheid Wölfl: Tief durchatmen ist die falsche Politik. In: Der Standard. 13 February 2009. Online via Internet: URL: <http://derstandard.at/1234507051267> [accessed 18 05 2010]. Statement translated from German into English in: Vedran Džhić. Helmut Kramer: Kosovo After Independence. Is the EU's EULEX Mission Delivering on its Promises. Friedrich Ebert Stiftung. July 2009. pp. 18.

⁶³² Albin Kurti: Why Kosovo's declaration of independence has not brought us independence. In: New Kosova Report. 23 February 2009. Online via Internet: URL: <http://www.newkosovareport.com/200902231639/Vetevendosje/Why-Kosovo-s-declaration-of-independence-has-not-brought-us-independence.html> [accessed 29 07 2010].

⁶³³ This percentage was mentioned during the Study Presentation and Discussion of the analysis “Kosovo After Independence. Is the EU's EULEX Mission Delivering on its Promises?” on 27 November 2009 in Vienna.

⁶³⁴ Albin Kurti: Accountability and Responsibility. ICO and EULEX. pp. 2. Online via Internet: URL: <http://www.vetevendosje.org/repository/docs/accountability.pdf> [accessed 30 07 2010].

independence, under the overall authority of the UN.⁶³⁵ This has left Kosovo feeling cheated and EULEX impaired by confusion, as described by Xhabir Hamiti:

“A big problem is that people have the feeling that internationals, in particular EULEX, do not consider Kosovo as a state and are making agreements without asking our government.”⁶³⁶

Another weakness inherited from UNMIK concerns EULEX’s lack of commitment, as observed by Hamdi Berisha:

“EULEX police officers just sit in their offices. I’ve never seen a EULEX police officer patrolling in the street. So I don’t know how they monitor things. They are not here to monitor or to improve things. They’re just here to show their presence.”⁶³⁷

It is also questionable whether EULEX can deliver on its promises and promote rule of law given its current structure. As was explained in more detail in chapter 4.2.2, the rule of law rests on three main institutions: the police, the public prosecutors and the courts. While the police are the most effective and strongest of Kosovo’s rule of law institutions, the judges and prosecutors are failing in important respects and are in urgent need of support.⁶³⁸ However, EULEX’s overall contribution to strengthening the justice system consists of only 40 international judges and only 18 international prosecutors, while it employs about 1,400 international police officers. Given that the Kosovo Police is the most successful of Kosovo’s rule of law institutions, while the International Crisis Group notes that EULEX is suffering from a lack of judges, and was about 40 per cent short of its quota in April 2010⁶³⁹, these numbers raise doubts about EULEX’s priorities. Lulzim Peci, current Kosovo’s Ambassador to Sweden, expresses these concerns:

“EULEX is wrongly structured. It does not meet our needs. The main problem in Kosovo is the justice system – the legacy that we have from UNMIK. We have a huge backlog of cases. ... The EU and many other countries and institutions say

⁶³⁵ Compare chapter 3.2.5 The EU in Kosovo.

⁶³⁶ Interview with Xhabir Hamiti, Professor for Islamic Studies in Prishtinë/Priština. Hamiti is referring to the fact that EULEX signed a policing protocol with Serbia in September 2009 as part of regional cooperation to fight organized crime, smuggling and trafficking in human beings, drugs and weapons which was seen as a violation of Kosovo’s constitution by the Kosovo government.

⁶³⁷ Interview with Hamdi Berisha.

⁶³⁸ Compare chapter 4.3.4 Kosovo Police and chapter 4.2.2 Rule of law.

⁶³⁹ International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 15.

that we have the best police service in the region. But they brought us the help of 1,300 policemen and only 57 judges and prosecutors. We need EULEX but not the current EULEX.”⁶⁴⁰

The three different legal systems that exist in Kosovo⁶⁴¹ and the need to translate court documents slow down the work of the few international judges and prosecutors by as much as a factor of three.⁶⁴² Also cooperation between the extremely well-paid international jurists and the national judges and prosecutors does not always go smoothly and is often not based on mutual trust.⁶⁴³

EULEX is also criticized by Kosovars for not focusing on cases involving serious criminals. Instead one of its first moves was to launch into the trial of Albin Kurti. The Vetëvendosje leader was accused of “participating in a crowd committing a criminal offence; participating in a group obstructing official persons in performing official duties and calling for resistance.”⁶⁴⁴ These three offences were allegedly committed during the demonstration of 10 February 2007 in Pristina. The Albin Kurti trial started on 15 February 2010 and was adjourned several times. On 14 June 2010, Kurti was found guilty and sentenced to nine months in jail; however he was released immediately in consideration of the time already spent in detention before the trial.⁶⁴⁵

While EULEX’s key priorities are to fight organized crime and investigate widespread corruption at the highest levels, its efforts in this area within its first year, according to the International Crisis Group, “have shown gaping holes in regulation and enforcement.”⁶⁴⁶ Džihic and Kramer also assess that EULEX has not delivered on its promises to fight high level crime.⁶⁴⁷ Kosovars are desperately disappointed by this failure. Artan Kasumi expresses this as follows:

⁶⁴⁰ Interview with Lulzim Peci, Ambassador of Kosovo to Sweden. Prishtinë/Priština 11 September 2009.

⁶⁴¹ Compare chapter 4.2.2 Rule of law.

⁶⁴² International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 15.

⁶⁴³ Vedran Džihic. Helmut Kramer: Kosovo After Independence. Is the EU’s EULEX Mission Delivering on its Promises. Friedrich Ebert Stiftung. July 2009. p. 18.

⁶⁴⁴ EULEX Kosovo: Press Release. Albin Kurti trial is adjourned until 13 April 2010. 2 March 2010. Online via Internet: URL: <http://www.eulex-kosovo.eu/en/pressreleases/0041.php> [accessed 29 07 2010].

⁶⁴⁵ EULEX Kosovo: Press Release. Verdict in Albin Kurti case. 14 June 2010. Online via Internet: URL: <http://www.eulex-kosovo.eu/en/pressreleases/0067.php> [accessed 29 07 2010].

⁶⁴⁶ International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. i.

⁶⁴⁷ Vedran Džihic. Helmut Kramer: Kosovo After Independence. Is the EU’s EULEX Mission Delivering on its Promises. Friedrich Ebert Stiftung. July 2009. p. 18.

“They [EULEX] are very, very weak. People were expecting a lot more from them. I personally was so enthusiastic that finally Europeans were taking over. Europeans would not allow some of the things that are going on. [But] organized crime now is more or less institutionalized in Kosovo. You have people within the system who are part of this corruption. We thought that EULEX would not allow such a thing to happen.”⁶⁴⁸

A Kosovo Serb agrees:

“It’s the same problem as it was with the UN and some other organizations. They are not willing to take some major steps, especially to deal with crimes, with war crimes and organized crime. EULEX must do more in order to find the perpetrators and bring them to justice.”⁶⁴⁹

During the study presentation of “Kosovo After Independence. Is the EU’s EULEX Mission Delivering on its Promises?”, Hannes Swoboda, member of the EU-Delegation to Kosovo, tried to argue that EULEX is considered to have failed to deliver because Kosovars’ expectations were simply too high,⁶⁵⁰ which seems to be a rather unsatisfactory excuse. Dominique Orsini, head of the EULEX Policy Unit, presented the more convincing argument that: “It’s hard to see outcomes after one year. So to say after one year that EULEX has failed to tackle organized crime and corruption is too fast.”⁶⁵¹ There is some hope that he is right. EULEX seemed to have lost its reluctance to take decisive measures against corruption and organized crime in April 2010 when EULEX police raided the offices of the transport and telecommunications ministry, in connection with a two-year corruption probe linked to a major highway project worth €700 million.⁶⁵² EULEX chief prosecutor, Johannes Van Vreeswijk, has also said that EULEX is investigating six other ministers on charges of corruption and organized crime, adding that all involved in such activities should “start sweating”.⁶⁵³ These recent investigations are part of an operational plan to clean up corruption in Kosovo by

⁶⁴⁸ Interview with Artan Kasumi.

⁶⁴⁹ Interview with a female Kosovo Serb (anonymity requested). Prishtinë/Priština 19 September 2009.

⁶⁵⁰ Statement of Hannes Swoboda, Member of the European Parliament, Vice-President of the Socialist Group in the European Parliament and Member of the EU-Delegation to Kosovo, during a study presentation and discussion of the analysis “Kosovo After Independence. Is the EU’s EULEX Mission Delivering on its Promises?” on 27 November 2009 in Vienna.

⁶⁵¹ Statement of Dominique Orsini, Head of the EULEX Policy Unit, during a study presentation and discussion of the analysis “Kosovo After Independence. Is the EU’s EULEX Mission Delivering on its Promises?” on 27 November 2009 in Vienna.

⁶⁵² Compare chapter 4.2.1 Crime and corruption.

⁶⁵³ EULEX fights Kosovo corruption. In: Southeast European Times. 21 May 2010. Online via Internet: URL: http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/blogreview/2010/05/21/blog-02 [accessed 29 07 2010].

September 2011, announced on 30 June 2010 by Van Vreeswijk.⁶⁵⁴ For EULEX to fulfill its key priorities, it is crucial that the mission now continues to pursue these activities and does not return to its inert “status-quo maintenance” strategy.

Despite the current more vigorous actions against organized crime and corruption EULEX’s achievements so far would not seem to justify the millions of euros that the EU is spending on the mission. EULEX’s mission budget from 16 February 2008 until 14 June 2010 amounted to €265 million.⁶⁵⁵ According to Džihic’s and Kramer’s findings, the outcome of what they describe as the “financially most lavish civil intervention”⁶⁵⁶ of the EU is disappointing. Apart from the failure so far to combat high-level corruption, the anticipated success in supporting the rule of law more generally has not been achieved, particularly in the north of Kosovo which is still under the control of Belgrade. The court in Northern Mitrovica is only partially functional. The border crossings with Serbia are monitored but no customs revenues are collected.⁶⁵⁷ One of the recommendations made in Džihic’s and Kramer’s policy analysis is that the millions of euros involved should be spent much more wisely and effectively, for example on Kosovo’s education and health sectors which are in urgent need of improvement.⁶⁵⁸ The expenditure on EULEX should be made proportionate to investments directed towards clear improvements in Kosovo’s social and economic situation. There should also be targeted direct investments in small and medium-sized enterprises and agriculture to establish economic and social foundations.⁶⁵⁹

Another recommendation comes from Hamdi Berisha who questions whether EULEX is monitoring and advising Kosovo’s institutions adequately and is strongly convinced that there should be greater inclusion of Kosovo’s general public in decision-making. When asked what he would change concerning the international engagement in Kosovo, Berisha stated:

⁶⁵⁴ Petrit Collaku: Kosovo. EULEX continues corruption raids. In: Balkan Insight. 15 July 2010. Online via Internet: URL: <http://www.balkaninsight.com/en/main/news/29475/> [accessed 29 07 2010].

⁶⁵⁵ European Union: Factsheet on EU Rule of Law Mission in Kosovo. April 2010.

⁶⁵⁶ Vedran Džihic. Helmut Kramer: Kosovo After Independence. Is the EU’s EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 2.

⁶⁵⁷ Making or breaking the European Future of Kosovo. Policy Recommendations for the EU and Kosovo authorities. Vienna/Brussels, 31 May and 1 June 2010.

⁶⁵⁸ Albin Kurti: Why Kosovo’s declaration of independence has not brought us independence. In: New Kosova Report. 23 February 2009. See chapter 5.2 Education and chapter 5.3 Health.

⁶⁵⁹ Vedran Džihic. Helmut Kramer: Kosovo After Independence. Is the EU’s EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 21.

“I would really stop this petting of the local leaders – that whatever they are doing, they’re doing okay. Internationals say, ‘Kosovo is a democratic country, there’s a lot of improvement, and you [Kosovan politicians] are doing a great job’. This is absolutely not true. They [internationals] should go deep into the reality ... they should talk to the local people and get their opinions about the situation in Kosovo, and not only get what the leaders tell them. But I’ve the feeling that our leaders and the internationals have come to a kind of an agreement: ‘you don’t disturb us and we will not disturb you. You do whatever you want and we do whatever we want and we will be okay’. This should stop immediately. I would be very, very critical. If I saw something wrong, I would say ‘no, we have to stop this because we are here to improve things. We get paid to improve things. We are not here to make friends’. You do not improve things by making friends with the local leaders or local politicians as it is happening now. I would be very, very, extremely critical if I saw that something is going wrong and say ‘no, we cannot tolerate this’.”⁶⁶⁰

To reverse EULEX’s current reputation for inefficiency, Džihć and Kramer also recommend that the EU should launch a fundamental and public evaluation of their priorities, specific operations and the strengths and weaknesses of the mission, not only internally, but, as also recommended by Hamdi Berisha, in collaboration with representatives of Kosovan civil society and independent academics.⁶⁶¹

Kosovars are not only disappointed with EULEX, but with the EU’s commitment to Kosovo in general. Kosovars have seen little inclination on the part of the EU to get a grip on the uncertain political situation in their country and to bring Kosovo closer to the EU. Kosovo’s EU integration process, particularly the visa liberalization process which is isolating Kosovo, stand out as fostering frustration with the EU.

As discussed in chapter 2.1.9, an example of state-building through stabilization is provided by the European Union’s Stabilization and Association Agreements, part of the Stabilization and Association Process which will support the Western Balkan states all the way to their future EU accession.⁶⁶² However, the prospect of EU accession that the EU has offered Kosovo has been illusory so far. The refusal of five EU member states to recognize Kosovo’s independence has so far prevented the EU from integrating Kosovo into the SAP, which would bring the prospect of EU membership a little closer.

⁶⁶⁰ Interview with Hamdi Berisha.

⁶⁶¹ Vedran Džihć. Helmut Kramer: Kosovo After Independence. Is the EU’s EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 21.

⁶⁶² Compare chapter 3.3.1 Economic development, section on European and regional integration and chapter 3.2.5 for Kosovo’s EU accession perspective.

Thus, Kosovo is the only country in the region that has not yet signed a Stabilization and Association Agreement with the EU.⁶⁶³ Worse, there are no immediate plans for assisting Kosovo to close the gap on its neighbors. Kosovars aspire toward a European lifestyle and becoming part of the EU, however, given the present conditions, Kosovars cannot look forward to acceding to the EU in the foreseeable future. So EU rhetoric about a European future for Kosovo seems just idle talk to Kosovo's citizens who feel abandoned by the EU, which has lost all credibility with them. As Arben Hajrullahu puts it:

“The EU is unfortunately incapable of action. It was busy with own affairs during the 1990s and still is today. It has always sent and continues to send wrong signals. A good example is the EU's actions in Kosovo. The region should not primarily be seen through the prism of security strategists, it should be recognized as part of Europe and integrated into the EU, not only with empty words but with actions. Therefore, both sides [the EU and Kosovo] need to act and do their homework. But the homework can't be finished in this region as long as they are not ready to suit the action to the word and act trenchantly to solve the problems of the region effectively.”⁶⁶⁴

Against this background, the EU needs urgently to get a grip on the growing frustration with the international presence in Kosovo, particularly with EULEX and the International Civilian Representative/European Union Special Representative.⁶⁶⁵

Kosovo is the most isolated country in Europe in terms of visa requirements. At the end of November 2009, the EU decided that citizens of Serbia, Montenegro and the Former Yugoslav Republic of Macedonia would be able to travel to all countries of the Schengen area without visas as of 19 December 2009. The new visa-free regime allows those with biometric passports to travel to the Schengen area as tourists for three months per six-month period. Persons who intend to work or stay for more than 90 days still need visas and work permits. Albania and Bosnia and Herzegovina were not included in this measure, because, the European Commission explained, they had not fulfilled conditions in the Western Balkan countries' visa liberalization agreement yet, but are expected to qualify for visa liberalization by the end of 2010.⁶⁶⁶

⁶⁶³ Vedran Džhić. Helmut Kramer: Kosovo After Independence. Is the EU's EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 19.

⁶⁶⁴ Interview with Arben Hajrullahu.

⁶⁶⁵ Compare chapter 3.2.5 The EU in Kosovo.

⁶⁶⁶ European Commission: Enlargement. Online via Internet: URL: http://ec.europa.eu/enlargement/press_corner/whatsnew/visa_en.htm [accessed 15 05 2010].

There is no such hope for Kosovars. “For Kosovars, the proposal is an unmitigated disaster. For the EU’s credibility in Kosovo, it is devastating,”⁶⁶⁷ Gerald Knaus, of the European Stability Initiative writes. Kosovo is the only country of the Western Balkans that still has not been part of the visa liberalization dialogue, and today Kosovars can visit fewer countries without a visa than can Afghans for instance. Kosovars can only travel to five countries visa free: Albania, Montenegro, the Former Yugoslav Republic of Macedonia, Turkey and Haiti, which makes Kosovo the most isolated country in Europe.⁶⁶⁸ The Commission assured a visa dialogue with the perspective of eventual liberalization, conditional on the required reforms. But the EU did not announce a visa roadmap as it did for the other Western Balkan countries, setting out all the requirements to be met in order to benefit from visa-free travel.⁶⁶⁹

The visa liberalization policy makes Kosovars once more feel isolated and excluded from the EU. Critics in the European Parliament, but primarily Kosovars are complaining that the EU is abandoning some of the most fragile states, those that have experienced the worst tragedies of the last two decades. This generates considerable resentment towards the EU, as clearly expressed by Igballe Rogova of the Kosovo Women’s Network:

“How can Europe liberalize visas for Serbia and Montenegro, which produced genocide? [Their citizens] are freely going around Europe now like nothing happened in that region. Serbia was kind of rewarded for its crimes. This makes me angry. ... I’m not saying that they should not have granted visa-free travel to Serbia and Montenegro, but they should have included all countries: Kosovo, Serbia, Bosnia and Herzegovina, Albania and Montenegro. But Kosovo is still not part of the visa liberalization process. We call ourselves experiments of the EU and this is why I’m angry. ... Peace cannot be built in this way in the region by making others angry.”⁶⁷⁰

Bashkim Hisari agrees:

⁶⁶⁷ Gerald Knaus. Stiglmeier, Alexandra: Winners, Losers and the Future of the Balkan Visa Ghetto. In: Balkan Insight. 16 July 2009. Online via Internet: URL: <http://www.balkaninsight.com/en/main/comment/21132/> [accessed 15 05 2010].

⁶⁶⁸ ESI: Isolating Kosovo? Kosovo vs Afghanistan 5:22. Berlin/Brussels/Istanbul 19 November 2009. p. 3.

⁶⁶⁹ ESI: Gerald Knaus. Stiglmeier, Alexandra: [Comment] Visa-free travel in the Balkans. 06 December 2009. Online via Internet: URL: <http://www.esiweb.org/index.php?lang=en&id=414> [accessed 15 05 2010].

⁶⁷⁰ Interview with Igballe Rogova, Executive Director of the Kosovo Women’s Network. Vienna 27 November 2009.

“Serbia, a country that was aggressive, was granted the right to travel without visa by the EU and Kosovo is not granted visa-free travel although the EU is present here. Such actions enforce the people’s perception that internationals do not have a fair attitude towards Kosovo. This is a big problem and if such things continue to happen then renewed conflicts may be generated.”⁶⁷¹

As both statements indicate, the strict and rigid visa policy of the EU needs urgent modification since it risks new tensions and problems arising by dividing people into Europeans and non-Europeans and also leaves Kosovo a “visa-ghetto land”. The European Parliament recently noted that the decision not to include Kosovo in the visa liberalization process demonstrates a

“profound contradiction in the EU’s Kosovo strategy which lies in the discrepancy between an enormous aid effort in terms of resources and personnel on the one hand and keeping the borders closed to all those whose labour could contribute to development on the other hand.”⁶⁷²

Given these developments, it is necessary to establish a real prospect of EU integration for Kosovo. Empty promises of membership will not help to get development moving in the country.

⁶⁷¹ Interview with Bashkim Hisari.

⁶⁷² European Parliament: The Legislative Observatory. Online via Internet: URL: <http://www.europarl.europa.eu/oel/FindByProcnum.do?lang=en&procnum=RSP/2010/2610> [accessed 04 08 2010]. Compare chapter 5.1.2.4 Active migration policies toward the EU labor market.

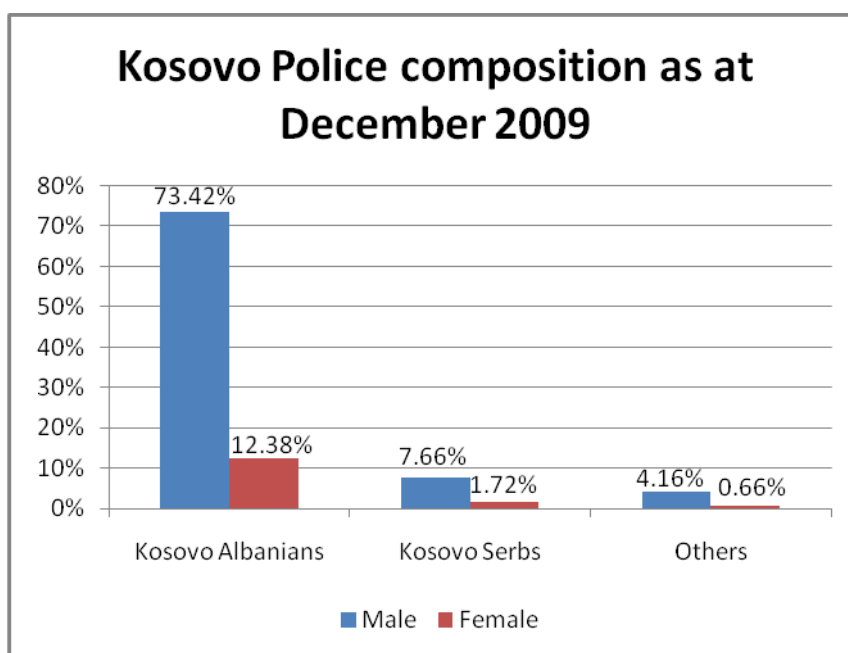
4.3.4 Kosovo Police

As described above, the Kosovo Police – the youngest police organization in the region – was established in 1999 in a cooperative effort by UNMIK and the OSCE. Given the legacy of the past, it, just as the UNMIK Police, was initially viewed without much enthusiasm. However, Kosovars' trust in the Kosovo Police has grown quickly, and currently some 76 per cent of the population is satisfied with its work (see Figure 13) – a tribute to its professionalism. One of the most trusted institutions in Kosovo, the force has earned a reputation for honesty and is relatively free from corruption.

The strength of the Kosovo Police has increased steadily since 1999. It had about 6,500 staff prior to the declaration of independence, and, as at December 2009, it had around 9,000 employees (police officers and civilian support staff). It has been successful in achieving multi-ethnicity in its staffing profile and female representation is also high compared to forces elsewhere in the region and in Europe as a whole. As shown in Figure 14 below, about 85.8 per cent of Kosovo Police officers are Kosovo Albanians (of which 12.38 per cent are women), 9.4 per cent are Kosovo Serbs (1.72 per cent women) and 4.8 per cent are other ethnic minorities (0.66 per cent women).⁶⁷³

⁶⁷³ Kosovo Police: Online via Internet: URL: <http://www.kosovopolice.com/?page=2,18> [accessed 29 06 2010].

Figure 14: Kosovo Police composition as at December 2009



Source: Kosovo Police; Online via Internet: URL: <http://www.kosovopolice.com/?page=2,18> [accessed 29 06 2010].

The Kosovo Police effectively managed the transition to independence. It largely prevented interethnic violence and also succeeded in settling a boycott by Kosovo Serb police officers. Following the declaration of independence, some 300 Kosovo Serb officers left the force, refusing to take orders from the Kosovo Albanian-dominated government in Prishtinë/Priština. After waiting patiently for their return for more than a year, Prishtinë/Priština set June 2009 as a deadline after which it would start to employ new officers. Thereupon, all but 18 of the 300 officers returned to work, realizing that they would otherwise lose their jobs and that Serbia would not be able to keep its promise to support them financially. However, Serb police officers in the North have continued to refuse to report through the chain of command to Prishtinë/Priština.⁶⁷⁴

The Kosovo Police now has the primary responsibility for internal security, backed up by EULEX in the event of disturbances and by KFOR as a last resort. In March 2010, the force assumed responsibility from KFOR for guarding the historic Serbian site of Gazimestan, just outside Prishtinë/Priština, which speaks for KFOR's faith in the police. Furthermore, in April 2010 KFOR handed over control of the

⁶⁷⁴ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Security and Foreign Forces.

Administrative Boundary Line with Albania to the Kosovo Border Police in another significant vote of confidence.⁶⁷⁵

Besides the general patrol, the Kosovo Police now also has a number of specialist units: Organized Crime, Forensic and Regional Operational Support units in each of the six districts (Prishtinë/Priština; Mitrovicë/Mitrovica; Pejë/Peć; Gjilan/Gnjilane; Prizren and Ferizaj/Uroševac). There is also a Kosovo Police Protection Unit, a Motorcyclists' Unit, a First Intervention Unit and a Canine Unit.

Despite the successful progress since 1999, much remains to be improved. Some of the UNMIK Police's shortcomings, examined above, are also apparent in the Kosovo Police today as explained in more detail below. The International Crisis Group highlights that UNMIK did too little to build up Kosovo's policing capacity during the decade it ran the territory. It created an indigenous police force but did not train independent senior managers or foster strong leaders, thus producing a managerial weakness that still handicaps the Kosovo Police.⁶⁷⁶

One of the force's problems is that the ratio of police officers in Kosovo to the population is relatively low, so that the burden on officers is considerable. Although the figures provided by the International Crisis Group and EULEX vary, they both agree that the Kosovo Police in terms of its overall size is one of the leanest police organizations in the western Balkans and Europe as a whole. The International Crisis Group indicates that Kosovo has between 327 and 398 police officers per 100,000 citizens, compared to 427 in Croatia and 476 in the Former Yugoslav Republic of Macedonia.⁶⁷⁷

Another problem is training. Although the Kosovo Center for Public Safety Education and Development in Vushtrri/Vučitrn, established by the OSCE in 1999 to train the police officers can be considered a success, the training has slipped since the Kosovo Police assumed responsibility for training from UNMIK in 2007. Further training is either considered as a recreation from duty or shunned because officers do not derive any benefit from it. Many station commanders are unwilling to go on training courses themselves and do not want to send their officers due to the lack of staff of which they complain.

⁶⁷⁵ Jane's Sentinel Country Risk Assessment: The Balkans. Kosovo. Security and Foreign Forces.

⁶⁷⁶ International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 2.

⁶⁷⁷ Ibid. p. 7.

Just as in the other sectors, low salaries have considerable implications for the overall work of the police. Following a police officers' protest about inadequate remuneration, the government provided a €3.5 million increase in the police budget in February 2010. Two months later the government allowed the police to use another €3.5 million for salary increases, taken from savings elsewhere in the force's budget. The two increases will raise the monthly salary of the average police officer by about €80. Police salaries currently range between €320 per month for administrative staff to €395 for investigators and €440 for close protection officers.⁶⁷⁸

The Kosovo Police has inherited the UNMIK Police's weakness in investigating and solving serious crimes. This is the responsibility of one of the five pillars into which the force is organized – the others being operations, border police, personnel and training and support services. The crime investigation pillar consists of 520 officers who deal with crimes such as homicide, robbery, rape, burglary, terrorism, high-level corruption, organized crime and drug and human trafficking, whose impact on Kosovo was analyzed in chapter 4.2. The International Crisis Group describes the transfer of these responsibilities from UNMIK to the Kosovo Police in summer 2008 as “poorly planned and chaotic”⁶⁷⁹. UNMIK failed to train Kosovo's officers in the skills needed for serious criminal investigation. Furthermore, as assessed by EULEX, Kosovo's criminal intelligence capabilities are very poor.⁶⁸⁰ The crime investigation pillar has simply too little capacity to deal with more than low-level crimes. This is not only due to limited experience and training in this area but reportedly also because the police remain subject to political interference and “deferential to powerful government figures”⁶⁸¹.

Another problem is the lack of a database to categorize and record crimes, which hampers efforts to fight them as well as cooperation between the police, prosecutors and courts, as discussed in chapter 4.2.2.

The operations pillar accounts for the majority of Kosovo Police staff. The uniformed officers deal with everyday issues, such as traffic control and enforcement, and routine patrol work that put them in continuous contact with the public. Therefore,

⁶⁷⁸ International Crisis Group: *The Rule of Law in Independent Kosovo*. Europe Report No. 204. 19 May 2010. p. 7.

⁶⁷⁹ *Ibid.* p. 8.

⁶⁸⁰ EULEX Program Report. July 2009. pp. 34.

⁶⁸¹ International Crisis Group: *The Rule of Law in Independent Kosovo*. Europe Report No. 204. 19 May 2010. p. 6.

it is these officers who contribute the most to the public's satisfaction with and confidence in the police. The latter, in particular, is crucial to solving serious and organized crime, so the officers of the operations pillar are in a sense key enablers for their colleagues of the crime investigations pillar, and the impression they make is therefore highly important to the Kosovo Police's future. However, EULEX notes that they get inadequate direction from supervisors. This leaves patrol officers to use their own discretion in deciding how to use patrol time, and some use it as simply time to relax. Further, many patrol officers use their own discretion on traffic law enforcement and the level of fines, based on their perception of the relative wealth of the driver.⁶⁸² The large number of deaths in traffic accidents is a serious problem in Kosovo – 41 in the first three months of 2010 alone. Therefore, traffic safety has been identified a priority by the operations pillar. Theoretically, the police revoke a person's driver's license after three serious traffic violations. In practice, however, this is not implemented since the police lack a system that tracks repeated offences. The traffic police generally have a reputation for not taking bribes, which makes an important contribution to the high level of public satisfaction with the Kosovo Police overall.

Despite their reputation for honesty, there are inevitably instances of police misconduct. As Arsim Berisha, Kosovo Police Station Commander in Suharekë/Suva Reka puts it mildly:

“Now the Kosovo Police is the most trusted institution in Kosovo because the KP supports the people and people believe in the KP. But about 8,000 people work in this organization, so you also have some bad guys in the KP.”⁶⁸³

Investigations of alleged police misconduct are carried out by two units: the Police Inspectorate of Kosovo (PIK) which deals with serious cases and the Kosovo Police's own Internal Investigations Unit that examines minor offences. The PIK, an executive body of the Ministry of Internal Affairs, is an independent mechanism for monitoring the police and has two main functions: inspecting and analyzing police performance as well as investigating serious complaints of police misconduct.⁶⁸⁴ The Inspectorate is understaffed and according to the International Crisis Group it seems that the

⁶⁸² EULEX Program Report. July 2009. p. 46.

⁶⁸³ Interview with Arsim Berisha, Kosovo Police Station Commander in Suharekë/Suva Reka. Suharekë/Suva Reka 18 September 2009.

⁶⁸⁴ Kosovo Government: Ministry of Internal Affairs. Online via Internet: URL: <http://www.mpb-ks.org/?page=2,12> [accessed 15 07 2010].

“government does not stand behind the PIK”. It was confronted with approximately 1,700 cases in 2009 and 2,024 in 2008 (of which 300 cases involved the Kosovo Serbs who left the Kosovo Police following independence); however, with its current capacity the Inspectorate can only scrutinize about 400 complaints per year. The Internal Investigations Unit dealt with 866 less serious cases in 2009 (of which 218 complaints came from the public, involving such matters as being treated without dignity and shouted at, and 648 came from management). Of these, 773 cases have been resolved, with the unit recommending 593 disciplinary penalties and four disqualifications. More than half of the public’s complaints were dismissed as “unsupported”.⁶⁸⁵ Increasing the effectiveness of the Police Inspectorate and the Internal Investigations Unit requires technical help, particularly from EULEX which is currently not supporting the two units. Therefore, the International Crisis Groups’ recommendation to EULEX is to: “provide technical help and political support to the PIK and the internal investigations unit of the KP”⁶⁸⁶.

EULEX’s help is also urgently needed to improve policing in north Mitrovicë/Mitrovica, which remains a challenge, and where EULEX is hardly visible. The police are the only major Kosovo institution in the north but, while officially part of the same organization, Serb police in north Mitrovicë/Mitrovica have only limited contact with colleagues in the south. Four northern police stations are largely Serb-staffed (189 Kosovo Serb officers), but have some 21 Kosovo Albanian officers who are mostly deployed in the Kosovo Albanian villages as well as eight Bosniaks.⁶⁸⁷ Many Kosovo Serb officers get two salaries, one from Kosovo and one from Serbia. The European Commission 2009 Progress Report on Kosovo notes that “in northern Mitrovicë/Mitrovica, four police stations do not report directly to Pristina, which limits the effectiveness of fighting organized crime and conducting undercover operations in this area.”⁶⁸⁸

⁶⁸⁵ International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 10.

⁶⁸⁶ Ibid. p. ii.

⁶⁸⁷ Ibid. p. 21.

⁶⁸⁸ Commission of the European Communities. Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 47.

4.4 Conclusion

The security situation in Kosovo is intrinsically tied to the political situation as well as interethnic relations between Kosovo Albanians and Serbs. In particular, the difficult social and economic conditions which Kosovars experience day-to-day have a major impact on security. In spite of that, one of the few real achievements in Kosovo since 1999 is the gradual improvement in security, mainly due to KFOR's determined presence. The improvement is shown by three positive developments: first, the considerable reduction of direct violence; second, the growing coexistence between Kosovo Albanians and Kosovo Serbs particularly since 2008. A major achievement was that there was no renewed interethnic violence between Kosovo Albanians and Kosovo Serbs during the politically strained and emotional situation surrounding Kosovo's declaration of independence. The third positive development is the successful establishment of the Kosovo Police with which around 80 per cent of Kosovars are satisfied. The main exception to these positive developments lies in northern Kosovo, where the security situation remains precarious and ethnic tensions persist.

While external factors remain important and the advancement of Kosovo's relationship with its neighbors, particularly Serbia, will continue to be an important aspect in its future security landscape, today's greatest difficulties are more internal than external and Kosovo's main problems are not direct violence but structural violence which is still present in many areas.

Kosovars continue to face serious and persistent social problems. Besides unemployment and lack of economic development, corruption, organized crime and weak rule of law pose severe threats to the country's stability as well as being sources of insecurity for citizens. Organized crime remains a serious problem, with criminal networks extending into various economic sectors and politics. The fragile rule of law and the justice system weaken the other security institutions. All those factors, but in particular corruption, undermine trust in Kosovo's institutions of government and have significant consequences for the long-term process of state- and peace-building. These threats require urgent attention in order to ensure that Kosovo's future is one that promotes stability and improves the lives of all Kosovo citizens.

5 THE FUNCTION OF WELFARE IN RELATION TO PEACE

“Ten years after the war and the massive investments and support of the international community, it is by no means sufficient to say that the situation is calm and under control. Nobody should be pleased with that and that is not a criterion. The benchmark should be set according to what prospects, education system, health system and infrastructure the population has.”⁶⁸⁹

The previous chapter showed that the international engagement in Kosovo – despite its shortcomings – achieved improvements in the security situation by considerably curtailing direct violence. However, there is little value in having well-regulated and efficient security provision if the population is ill-educated, unemployed and unhealthy, with little or no prospects for the future – in other words structural violence, as defined by Galtung – remains, and, only negative peace has been achieved. Establishing positive peace in Kosovo inevitably means paying attention to the social situation in the country, as the former UN Secretary General Kofi Annan emphasized:

“A world in which billions are suffering from poverty, hunger, illiteracy and disease, and which is not advancing down the road of development, will not be a world at peace.”⁶⁹⁰

As described in chapter 2.2.1.2, structural violence is built into the social structure itself and is defined as a situation where people are deprived of the basic necessities of life. It could also be described as social injustice or human insecurity. Examples of structural violence are all forms of discrimination, wide social and economic inequalities and a lack of educational opportunities as well as limited opportunities due to inadequate health services or unchallenged prejudices in society. Structural violence, which inevitably causes conflict and often leads to direct violence, is the result of past or current government policies and established social structures, all of which need to be effectively addressed by the state.

Therefore, this chapter provides an in-depth analysis of the government's welfare provisions and the measures it is taking to fight structural violence in the

⁶⁸⁹ Interview with Arben Hajrullahu. Statement translated by the author.

⁶⁹⁰ Secretary-General underlines link between peace and development, in remarks to global parliamentarians meeting. United Nations Press Release SG/SM/8965. 27 October 2003. Online via Internet: URL: <http://www.ipu.org/splz-e/unga03/annan.htm> [accessed 23 11 2009].

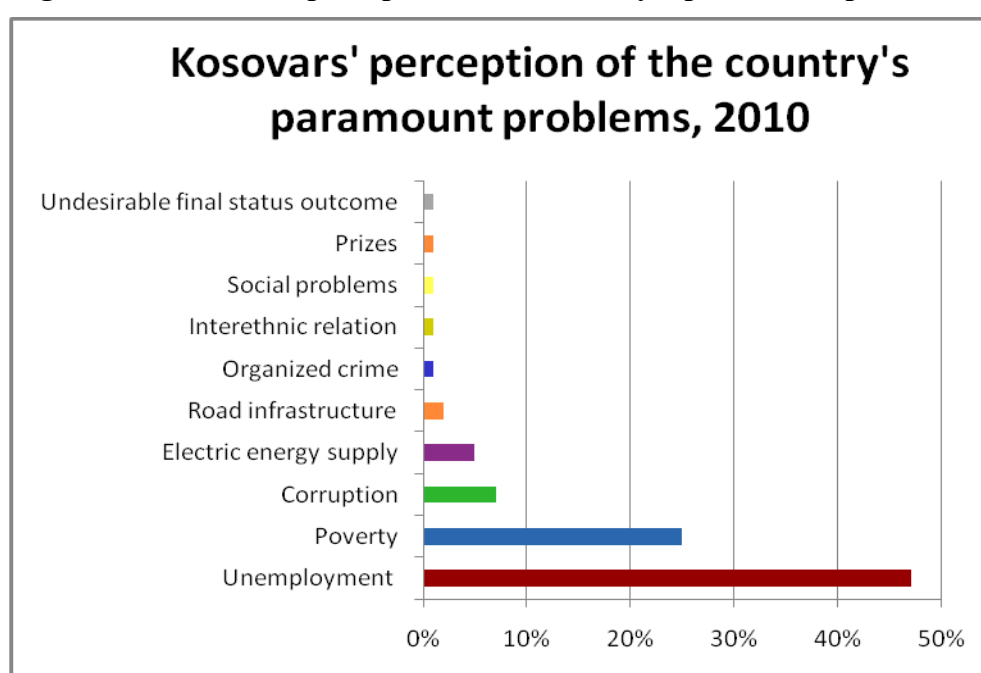
dimensions of social protection, education and health as well as the inequitable treatment of certain groups in society (women, young people, minorities and the rural population). By providing welfare, governments aim to reduce structural violence and establish conditions that diminish the likelihood of new conflicts breaking out. Therefore, the main question this chapter deals with is: to what extent is the government succeeding in Kosovo? A systematic review of the government's service provision in the areas listed above will include an assessment of performance against targets in each sector. The analysis attempts to answer the following questions: What are the stated objectives in each sector? What improvements have been introduced by the international administration as well as by the national institutions since 1999? How likely are the stated goals to be achieved? Where can shortcomings be found and what are the reasons for problems and weaknesses?

If people are dissatisfied with the government's provision of welfare, then they are more likely to resort to violence. Additionally, since structural violence often leads to direct violence, this chapter assesses the conditions that contribute to, or are potentially hospitable to, direct violence and illegal activities. Therefore, an important aim of the chapter will be to evaluate public satisfaction with the government's performance and provision of welfare.

5.1. Unemployment and poverty

While before December 2007, the majority of the population considered the uncertainty over Kosovo's status as their paramount problem, that perception has changed and unemployment and poverty are now perceived to be the greatest threat. In the UNDP poll of March 2010, unemployment was seen as the most pressing problem by 47 per cent of those responding while a further 25 per cent mentioned poverty (see Figure 15).⁶⁹¹

Figure 15: Kosovars' perception of the country's paramount problems, 2010



Source: UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 5.

Kosovo has the highest levels of unemployment and poverty in the Balkans, with an average annual per capita income of only €1,759 in 2009.⁶⁹² Studies show that Kosovars' satisfaction with their family's economic situation is, not surprisingly, very low – only 23 per cent of Kosovo Albanians, 9.0 per cent of Kosovo Serbs and 14 per cent of other minorities regard their household incomes as adequate.⁶⁹³

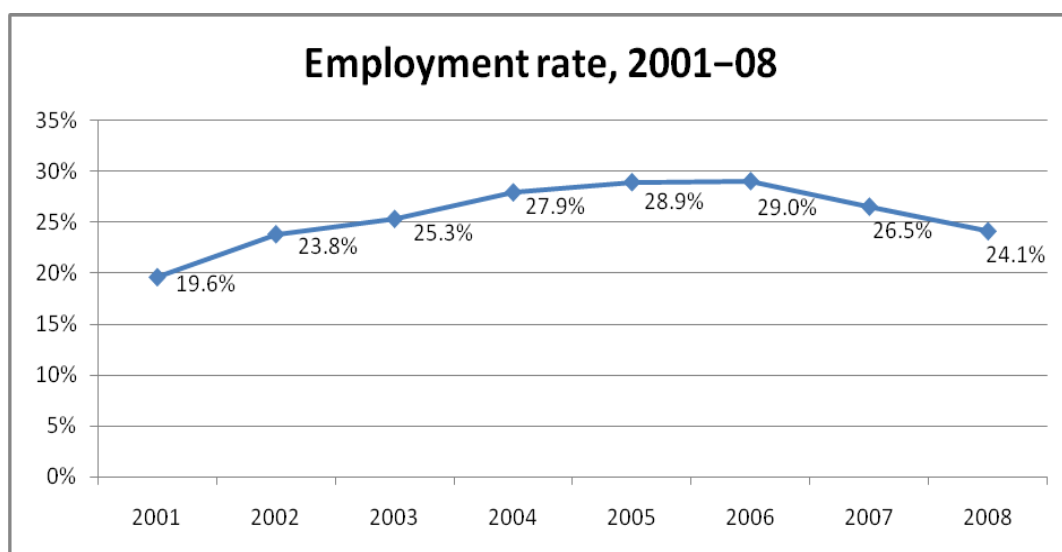
⁶⁹¹ UNDP Kosovo: Fast Facts. Early Warning Report 27. March 2010. p. 5.

⁶⁹² The World Bank: Kosovo Country Brief 2009.

⁶⁹³ UNDP Kosovo: Early Warning Report Kosovo. No. 23. October–December 2008. January 2009. p. 22.

Desperately poor employment opportunities explain the bleak picture. Only 24.1 per cent of the state's 2.2 million inhabitants were employed in 2008 (see Figure 16) and the situation has not improved since. While employment levels slightly increased in the first half of the last decade, from 19.6 per cent in 2001 to 29 per cent in 2006, the positive trend reversed in 2007 when the employment rate fell to 26.5 per cent. There was a further decline to 24.1 per cent in 2008, which is partly explained by a change in the statistical treatment of people working on their own small farms.⁶⁹⁴

Figure 16: Employment rate, 2001–08



Source: Statistical Office of Kosovo: Labour Market Statistics 2008. Prishtina 2008. p. 16.

Male and female employment rates differ significantly. While about 38 per cent of Kosovo males of working age (15–64 years) were employed in 2008, the corresponding figure for females was only about 11 per cent.⁶⁹⁵

As of June 2009, the number of registered employees was only about 200,000 with an average wage of approximately €280 per month. About 40 per cent of all employees worked in the public sector and received an average monthly wage of about €250. This was an increase on the June 2008 figure because of a ten per cent salary

⁶⁹⁴ It should be noted that these figures are administrative or recorded data. The registered employment data are not an accurate indicator of the overall employment in Kosovo because much employment in Kosovo is beyond the radar of employment offices. Moreover, it is not unusual for individuals to register as unemployed in order to receive social benefits, although they work in the informal sector.

⁶⁹⁵ Statistical Office of Kosovo: Labour Market Statistics 2008. p. 13.

increase for civil servants taking effect on 1 January 2009. Teachers' salaries also improved by an average 30 per cent.⁶⁹⁶

According to the Kosovo Ministry of Economy and Finance, the largest employment sector is wholesaling and retailing. Its workforce increased from about 19,000 in 2004 to 24,000 in 2008 while average monthly pay in the sector rose from €180 to €226. During the first quarter of 2009, employment rose further to 25,550 but pay fell back to about €220 per month.

Another steadily expanding sector is financial intermediation, which includes financial institutions such as banks, microfinance institutions and insurance companies. Employees in this sector increased from 2,700 in 2004 to over 4,500 during 2008 and there was further slight growth during the first half of 2009 to 4,550. The average monthly salary is considerably higher than in other sectors and is currently reported to be around €850 per month. However, the average is exaggerated by the relative high salaries of senior staff and middle management. Excluding these, the average monthly salary in the sector amounts to €400–500.

Employment is also expanding in processing industries and construction. The processing sector, including food, beverages, tobacco, textiles, wood, chemicals and metallurgy, employed roughly 19,000, earning an average monthly salary of €230 during the first half of 2009. The construction sector employed 7,500 people with an average wage of €263.⁶⁹⁷

Although average monthly incomes have increased in recent years they are still the lowest in the region according to figures from the Statistical Office of Kosovo (see Table 10).

⁶⁹⁶ Kosovo Ministry of Economy and Finance: Semiannual Macroeconomic Bulletin. January–June 2009. Macroeconomics Department. Prishtina 2009. pp. 7. Online via Internet:URL: <http://mef-rks.org/en/download/522-macroeconomic-bulletin> [accessed 23 11 2009].

⁶⁹⁷ Kosovo Ministry of Economy and Finance: Semiannual Macroeconomic Bulletin. January–June 2009. Macroeconomics Department. Prishtina 2009. pp. 7.

Table 10: Average net wages per month in euro, 2003–09

Sector	2003	2004	2005	2006	2007	2008	2009
General services	181	200	200	212	225	243	333
Public law and order	203	207	206	206	219	221	286
Education	155	166	174	175	191	233	265
Healthcare	151	163	169	166	164	167	256
Economy	180	198	203	195	189	196	306
Housing	174	178	184	185	178	189	222

Source: Based on Statistical Office of Kosovo: Kosovo in Figures 2008, p. 33.

Statistical Office of Kosovo: General Statistics. Quarterly Bulletin January 2010, p. 11.

These extremely low wages are in stark contrast to the earnings of Kosovars working for international organizations. For example, Kosovar interpreters for KFOR get an average monthly salary of €427, while interpreters at UNMIK earn €500 and €600 a month.⁶⁹⁸

There is an even sharper contrast between local incomes of a few hundred euro per month and the thousands of euros per month earned by international representatives in Kosovo. The extreme differential causes resentment towards the international community as already discussed in chapter 4.2.2.

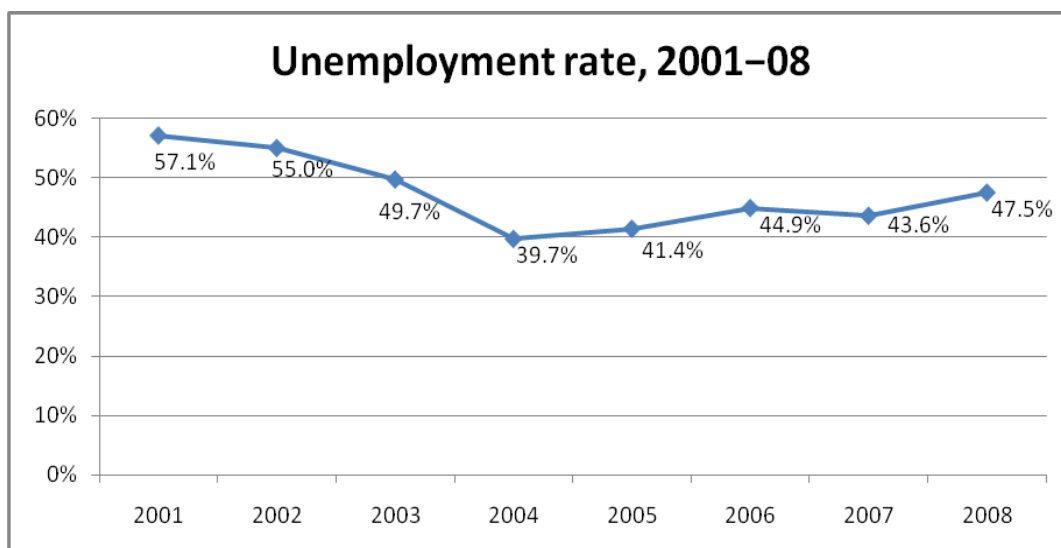
However, those who are getting paid, however little, can count themselves lucky with serious unemployment such a central political and economic problem. The Macroeconomic Department of the Ministry of Economy and Finance estimates that between 39 per cent and 46 per cent of employable, job-seeking Kosovars are unemployed.⁶⁹⁹ The Statistical Office of Kosovo puts the figure at 48 per cent. In line with the overall employment figures, these numbers have fluctuated in recent years with unemployment declining from 57.1 per cent in 2001 to 39.7 per cent in 2004. However, unemployment increased again to 41.4 per cent in 2005 and reached 47.5 per cent in 2008 (see Figure 17). One of the reasons for the worsening figures given by the Statistical Office of Kosovo is that persons engaged in subsistence farming and

⁶⁹⁸ Personal observation.

⁶⁹⁹ Arbër Domi: Labour Market in Kosovo: A projection on the Relationship between GDP Growth and Unemployment. Kosovo Ministry of Economy and Finance. Macroeconomic Department Prishtina. September 2008, p. 5. Online via Internet:URL: <http://mef-rks.org/en/download/522-macroeconomic-bulletin> [accessed 23 11 2009].

production were counted as employed until 2007 after which they have been classified as unemployed. However, this is at best part of the picture since the upturn in the figures started in 2004.

Figure 17: Unemployment rate, 2001–08



Source: Statistical Office of Kosovo: Labour Market Statistics 2008. Prishtina 2008. p. 24.

By the end of December 2009, 338,895 people were registered unemployed. The chances of the large majority of these gaining employment were impaired by their generally low level of skills.⁷⁰⁰ About 60 per cent of registered unemployed are unskilled, with only 26 per cent having secondary education and only 0.9 per cent having a university degree.⁷⁰¹ At the end of June 2009, the cumulative rate of employment, defined as employment in relation to the current number of registered unemployed, was 1.4 per cent for unskilled persons and 2.69 per cent for those with a high school degree, whereas the figure was 19.9 per cent for those with a university degree. Women are in a less favorable situation than men at all levels of education.⁷⁰²

The job prospects of the unemployed are further undermined by most of the jobless having no previous work experience. Approximately 79 per cent of the males and 90 per cent of the females have never worked before. The problem is particularly severe for young people between the ages of 15 and 24, with almost all of them trying

⁷⁰⁰ Compare chapter 5.2 Education.

⁷⁰¹ Statistical Office of Kosovo: Kosovo in Figures 2008. p. 31.

⁷⁰² Kosovo Ministry of Economy and Finance: Semiannual Macroeconomic Bulletin. January–June 2009. Macroeconomics Department. Prishtina 2009. p. 7.

to get a first job.⁷⁰³ Because of its very young population, Kosovo faces the imperative of integrating large youth cohorts into the labor market. This heightens the overall challenge of youth unemployment. It is expected that roughly 200,000 young people will reach working age in the next five years, while the number of people reaching retirement age will be approximately 60,000. These combined phenomena will contribute to make the labor market still more hostile to young Kosovars.⁷⁰⁴

Another worrying aspect of the problem is long-term unemployment. Roughly 90 per cent of jobseekers have been out of work for more than 12 months, making their re-employment even more difficult and challenging. This may not only lead to serious problems for the unemployed individuals themselves but is also a problem for the overall economy since a significant number of the unemployed receive social assistance benefits.⁷⁰⁵

Youth unemployment is already at an alarming level, with approximately 75 per cent of young people out of work.⁷⁰⁶ Figure 18 shows that, as well as the 15–24 age group, women are particularly hard hit by unemployment. While 70 per cent of males between 15–24 are unemployed, the figure for women in the same age group is more than 80 per cent. It can also be seen that unemployment declines steadily with age.

⁷⁰³ Statistical Office of Kosovo: Labour Market Statistics 2008. Prishtina 2008. p. 28.

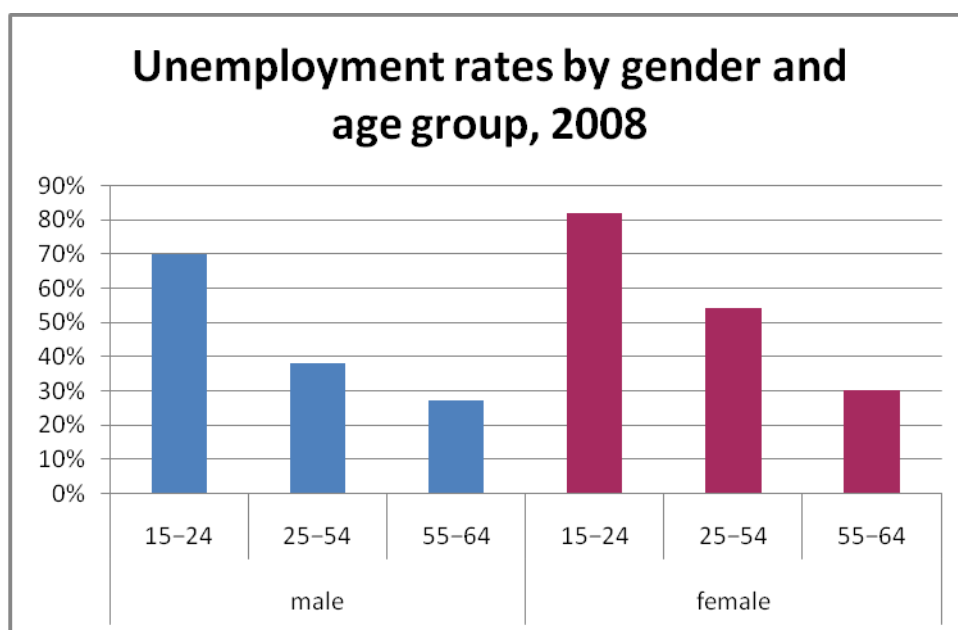
⁷⁰⁴ The World Bank: Kosovo Youth in Jeopardy. Being Young, Unemployed, and Poor in Kosovo. A Report on Youth Employment in Kosovo. September 2008. p. ii.

⁷⁰⁵ Kosovo Ministry of Economy and Finance: Semiannual Macroeconomic Bulletin. January–June 2009. Macroeconomics Department. Prishtina 2009. p. 8.

See chapter 5.1.1.2 for an explanation of the social assistance benefit.

⁷⁰⁶ Commission of the European Communities: Communication from the Commission to the European Parliament and the Council. Kosovo – Fulfilling its European Perspective. Brussels 2009. p. 9.

Figure 18: Unemployment rates by gender and age group, 2008

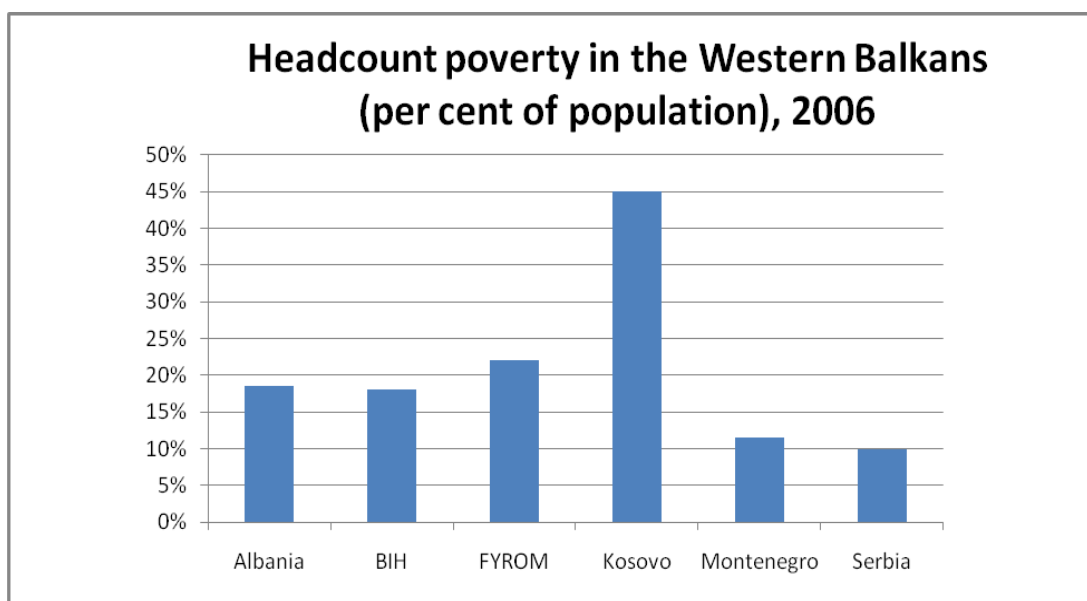


Source: Statistical Office of Kosovo: Labour Market Statistics 2008. Prishtina 2008. p. 23.

The high unemployment rate in Kosovo inevitably makes a major contribution to the prevailing high level of poverty. The latest poverty report by the World Bank, published in October 2007, classifies about 45 per cent of the population as poor, defined as having a consumption level below the poverty line of €1.42 per adult a day. Of these, 15 per cent of the population is classified as extremely poor, defined as living below the food or extreme poverty line of €0.93 per adult a day, and having difficulty meeting basic nutritional needs. Another 18 per cent of the population is vulnerable to poverty.⁷⁰⁷ These poverty rates are dramatically higher than in other Balkan countries as illustrated in Figure 19.

⁷⁰⁷ These poverty rates are based on the latest available World Bank estimates which refer to 2006. Updated poverty estimates are expected to be published in the second half of 2010. The World Bank: Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. p. i. The World Bank: Kosovo Poverty Assessment. Promoting Opportunity, Security and Participation for All. June 2005. p. 17.

Figure 19: Headcount poverty in the Western Balkans (per cent of population), 2006



Source: The World Bank: Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. p. ii.

Poverty in Kosovo is characterized by its shallowness in the sense that the incomes of a large proportion of the population cluster around the poverty line – in other words these people are vulnerable to poverty. A 25 per cent decrease in average incomes could easily send the 18 per cent of the population currently classified as vulnerable below the poverty line. However, a similar increase in income could withdraw as many from poverty.

The poor are mainly concentrated in large families among the unemployed and the low-skilled. Households with more than six members have a poverty incidence of almost 50 per cent compared with 30 per cent for households that have one to three members.⁷⁰⁸ The average household size has dropped in recent years and is currently estimated at six persons.⁷⁰⁹ Another factor that strongly influences the family's well-being is the composition of the household. Families with disabled members or more dependents (children and elderly) than working adults have a higher incidence of poverty. While 14.3 per cent of families with no disabled members are classified as

⁷⁰⁸ The World Bank: Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. p.17.

⁷⁰⁹ Forum 2015: Diaspora and Migration Policies. Prishtina 2007. p. 28.

extremely poor, this figure rises to 17.9 per cent if the household has one or more disabled members.⁷¹⁰

Additionally, households headed by females are more vulnerable to poverty than male-headed households. Although only about 4.7 per cent of all households in Kosovo are female-headed, their susceptibility to extreme poverty is much higher.⁷¹¹ Gender differences in education and labor market status are among the reasons for this and will be discussed further in chapter 5.5.

The risk of extreme poverty is the highest among children (17.3 per cent among pre-school children and 16.9 per cent among children between 6–14 years) followed by the elderly (17.1 per cent). Given Kosovo's high birth rate, children between the ages 0–14 constitute 34.5 per cent of the extremely poor.⁷¹²

Not surprisingly, households whose heads have not completed primary school have the highest poverty incidence (60 per cent). However, most of the poor have some primary education and some have reached secondary level. Poverty incidence reduces sharply to about 20 per cent among households headed by university-educated individuals. Over 70 per cent of people with vocational and tertiary education are salaried employees, compared to 27 per cent of secondary educated individuals.⁷¹³

Finally, poverty is largely a rural problem. World Bank data estimate that more than 60 per cent of Kosovo's population live in rural areas,⁷¹⁴ and roughly two-thirds of all those classified as poor live in rural areas. In 2006, 49 per cent of the rural households were poor and 18 per cent extremely poor. In urban areas these figures were 37 per cent and 14 per cent respectively.⁷¹⁵

The large majority of the extremely poor are also infrastructure poor. However, infrastructure poverty is prevalent and impinges on all income groups almost equally. Almost half the extremely poor do not have access to a central water pipeline and one-third has to rely on wells. Virtually all the extremely poor make use of wood stoves, and

⁷¹⁰ The World Bank: Kosovo Poverty Assessment. Promoting Opportunity, Security and Participation for All. June 2005. p. 18.

⁷¹¹ Ibid. pp. 18.

⁷¹² Ibid. p. 18.

⁷¹³ The World Bank: Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. pp. 19.

⁷¹⁴ The World Bank: Kosovo. Unlocking Growth Potential: Strategies, Policies, Actions. A Country Economic Memorandum. 29 April 2010. p. 84.

⁷¹⁵ The World Bank: Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. pp. 21.

about three-fifth of extremely poor households lack waste disposal facilities and indoor flush toilets.⁷¹⁶ A substantial proportion of the population (about nine per cent) have no access to indoor water and proper sanitation. Although access to indoor water taps has improved a little, it remains lower in rural areas than in towns. Less than ten per cent of the rural population has central heating, while there is higher access in urban areas. Not only do people in rural areas have less access to key public services, they also suffer from lower quality services where they are available.⁷¹⁷

Such pervasive poverty is not surprising in light of the current macroeconomic problems, which have been reviewed in chapter 3.3. The poor economic conditions make it virtually impossible to enhance standards of living. Without the safety-net provided by migration and remittances by migrants, a large part of the population would be literally unable to survive. But what can be done beside relying on remittances to improve the welfare of Kosovo's population and to reduce poverty in future?

Chapter 3.3. dealing with Kosovo's economic position clearly shows that the most effective strategy for improving living standards in Kosovo is to achieve economic growth that benefits a large part of the population. Since unemployment is the major cause of the high poverty rate, growth policies that encourage high employment generation need to be implemented. Calculations made by the World Bank show that a ten per cent reduction in unemployment would be linked to a six percentage-point reduction in poverty. Key sectors where job creation would be particularly beneficial are transport, construction and services, including the strengthening of small and medium-sized enterprises.

In addition, achieving economic growth requires the creation of a well-educated, adaptable and healthy work force. A general improvement in the quality of education and improved access to secondary and higher education for the poorest need to be addressed in order to generate high and sustained growth.⁷¹⁸

While improving economic growth is a long-term strategy, in the short term, the World Bank recommends the following three concomitant courses of action: firstly, improving urban infrastructure and services; secondly, maintaining migration flows to

⁷¹⁶ The World Bank: Kosovo Poverty Assessment. Promoting Opportunity, Security and Participation for All. June 2005. p. 50.

⁷¹⁷ The World Bank: Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. pp. 21.

⁷¹⁸ See chapter 5.2 Education for a detailed analysis of education in Kosovo.

protect welfare levels and thirdly, expanding and improving the targeting of social protection programs aimed at assisting the poorest.⁷¹⁹

5.1.1 The social protection system

With 45 per cent of the population in Kosovo being poor, 15 per cent extremely poor and an additional 18 per cent vulnerable to poverty, a target-oriented, effective and affordable public social protection system is vital. The social protection system in Kosovo is still in its infancy and in need of development. Currently, the system consists of social assistance schemes and a network of social work centers that offer counseling and referral services to individuals and families at particular risk (for example, offenders, orphans and victims of domestic violence). There is no financial assistance for the unemployed yet; a network of employment offices started to provide job-search assistance but they are not dealing with this very successfully. A three-pillar pension system has been established which is further supplemented by special schemes for war invalids and their next of kin, early retirement for miners to accelerate restructuring of the sector, and disability benefits. However, social assistance and pension payments are mostly a drop in the ocean. Government aid is much less than a family needs to maintain even a substandard living in the country. Therefore, formal social protection programs are complemented by informal subsidies and private transfers. Remittances from the diaspora in Europe and North America are the most common subsidy and play a major role in keeping families out of extreme poverty. Moreover, aid is also granted by NGOs and charitable organizations.⁷²⁰

5.1.1.1 The pension system

During 2001–03, a completely new pension system was established in Kosovo. Before the war, Kosovo's pensioners were paid by the state under the former communist regime. However, the pension system simply ceased to exist during the conflict; it neither accepted contributions nor paid pensions to most former contributors. Contributions that have been paid for many years are locked in Belgrade.

⁷¹⁹ The World Bank: Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. pp. vi.

⁷²⁰ The World Bank: Kosovo Public Expenditure and Institutional Review. Volume I. September 2006. pp. 113.

The pension system before the war was on a “Pay-As-You-Go” basis, with current workers supporting current pensioners. The pension rate was based on years of service and salary. This was a classical East European system, characterized by high contribution rates, repeated delays in pension payments, avoidance attempts by contributors, early retirement ages and a complex benefit formula as well as low coverage – roughly half of all over-65s were included. In short, the old pension system had many shortcomings and was simply inefficient.⁷²¹

After 1999, UNMIK initiated a social assistance program which covered payments to certain categories of elderly people. These payments, however, were not directed to those who had made past pension contributions and were regarded as a form of state aid rather than a pension. Due to the problems of the old system, it was decided not to revive the former Yugoslav socialist pension system but rather to adopt a completely new, modern scheme. The following principles were taken into consideration in developing the new system:⁷²²

- Coverage of the entire population: In contrast to the pension system of the former regime which covered only half the elderly, the new system is intended to cover the entire population.
- Meet the needs of all population groups: The new system should serve firstly, the elderly who contributed to the old system (up to 25,000 old-age pensioners or 1.5 per cent of the population and a further 25,000 over-65s who were receiving survivor or disability pensions); secondly, it should assist the elderly who did not contribute to the old system (about 90,000 or 5.0 per cent of the population); and thirdly, serve the current working population (about 1.4 million people aged between 16 and 65).
- A sustainable system: A top priority was to develop a system that would be sustainable in the long-term.
- Equal access: All pensioners and workers should be allowed to take part in the new system on equal terms, regardless of ethnicity.

⁷²¹ John Gubbels. David Snelbecker. Lena Zezulin: The Kosovo Pension Reform: Achievements and Lessons. The World Bank. April 2007. pp. 11. Online via Internet: URL: http://www.trepca.net/2009/problemi_pensioneve_te_kosoves/The_Kosovo_Pension_Reform_Achievements%20and_Lessons_april_2007.pdf [accessed 24 11 2009].

⁷²² Ibid. p. 20.

- Promote economic development: The pension system should encourage savings and investment. Moreover, the new system should promote development of the labor market, suggesting that contribution rates be set at reasonable levels.

In December 2001, UNMIK approved the implementation of a three-pillar pension system regulated by UNMIK Regulation 2001/35.

Pillar I – Basic Pension

Pillar I consists of an old-age “basic pension” and a disability pension administered by the Kosovo Pension Administration, under the supervision of the Ministry of Labor and Social Welfare. The basic pension is paid to all residents of Kosovo and Kosovar refugees living outside the territory aged 65 and older, regardless of their work history and whether they paid into the previous pension system or not. Both the basic and the disability pension are funded from general government revenues rather than a earmarked tax on wages. The basic pension benefit is set at a level defined by the cost of a basket of food items supplying basic needs. It is adjusted annually during the budgeting process to reflect changes in costs and is based on Law 2002/1.⁷²³ The basic pension’s aim is to ensure that all the elderly receive sufficient income to avoid falling below the poverty level, even if they did not contribute to the previous pension system. It also takes into account that nearly all older people in Kosovo live with families that support and care for them. Therefore, the scheme aims to give the elderly just enough income to cover their marginal cost to their families.⁷²⁴

While the basic pension was introduced in 2002, the disability pension was introduced two years later, in July 2004, and is regulated by Law No. 2003/23. It resembles the basic pension in all aspects apart from eligibility. This is based solely on permanent and total disability, to ensure that limited resources are directed only to the completely disabled. Beneficiaries are not entitled to receive both a disability and a

⁷²³ Law 2002/1 on the Methodology for Setting the Level of Basic Pension in Kosovo, and Determining the Commencement Date for Provision of Basic Pensions.

⁷²⁴ John Gubbels. David Snelbecker. Lena Zezulín: The Kosovo Pension Reform: Achievements and Lessons. The World Bank. April 2007. pp. 21.

basic pension.⁷²⁵ The following table shows basic pension benefits between 2002 and 2006.

Table 11: Monthly basic pension benefit, 2002–06

	2002	2003	2004	2005	2006
Monthly benefit (€)	28	35	40	40	40

Source: John Gubbels. David Snelbecker. Lena Zezulin: The Kosovo Pension Reform: Achievements and Lessons. The World Bank. April 2007. p. 27.

The current basic pension is either €45 or €75 per month. In March 2008, the Kosovo government approved an administrative directive, in response to continuous pensioners' complaints, increasing monthly payments to €75 for all those who made payments under the old pension system.⁷²⁶

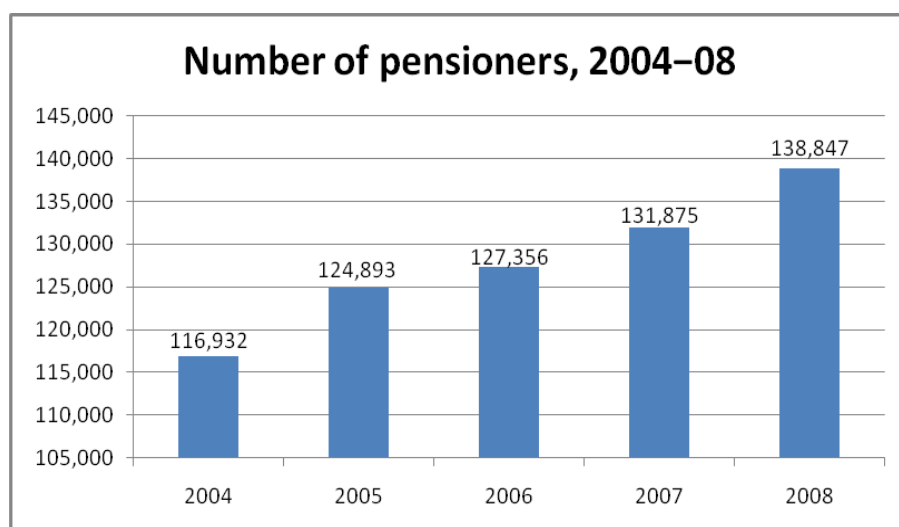
Figure 20 shows that the number of basic pension beneficiaries gradually increased by 21,915 between 2004 and 2008. In 2008, 138,847 beneficiaries received a total of €66 million. According to the latest figures for June 2009, recipients of basic pensions fell slightly to 138,774. Of these, about 28,855 received additional payments under the new provision.⁷²⁷

⁷²⁵ Law No. 2003/23 on Disability Pensions in Kosovo.

⁷²⁶ Kosovo Ministry of Economy and Finance: Semiannual Macroeconomic Bulletin. January–June 2008. Macroeconomics Department. Prishtina June 2008. p. 11. Online via Internet: URL: <http://mef-rks.org/en/download/522-macroeconomic-bulletin> [accessed 23 11 2009].

⁷²⁷ Kosovo Ministry of Economy and Finance: Semiannual Macroeconomic Bulletin. January–June 2009. Macroeconomics Department Prishtina. 2009. p. 13.

Figure 20: Number of pensioners, 2004–08



Source: Based on the Statistical Office of Kosovo: Social Welfare Statistics 2008. Prishtina 2009. pp. 10. Statistical Office of Kosovo: Statistics of Social Welfare in Kosovo 2007. Prishtina 2008. p. 11.

Disabled pension beneficiaries in 2008 were considerably fewer at 19,746.

Pillar II – Individual Savings Pension

Pillar II of the system is a mandatory, defined-contribution pension program under which all working, habitual residents of Kosovo must contribute five per cent of gross salary to the pension trust. Worker contributions are matched by a five per cent payment from the employer. Both workers and employers are entitled to make further voluntary contributions of up to ten per cent of gross salary. Contributions are obligatory for all workers over 18 who were born after 1946. Those aged over 55 are freed from obligatory payments at the beginning of the program because there is to be a ten year period before any pensions are paid out, allowing the scheme to accumulate funds. Workers who were born before 1945 are allowed to take part in the pension program voluntarily. Contributions and records are administered by the Kosovo Pension Savings Trust, an independent body with strict rules on governance and supervision, set up solely to administer the scheme's funds. The trust is tasked with selecting asset managers to invest participants' assets outside Kosovo. Each participant has an individual account and the pension paid on retirement at age 65 will depend on the amount accumulated in the account over the individual's entire working life. This will be used to purchase a pension annuity. While Pillar I aims at averting poverty, Pillar II also serves as an encouragement to saving.

The pension program was implemented in two phases: In August 2002, contributions became mandatory for employees in the public sector, socially and publicly owned enterprises and private enterprises with 500 or more employees. Phase two was implemented in August 2003 when contributions became obligatory for all workers, including the self-employed.⁷²⁸

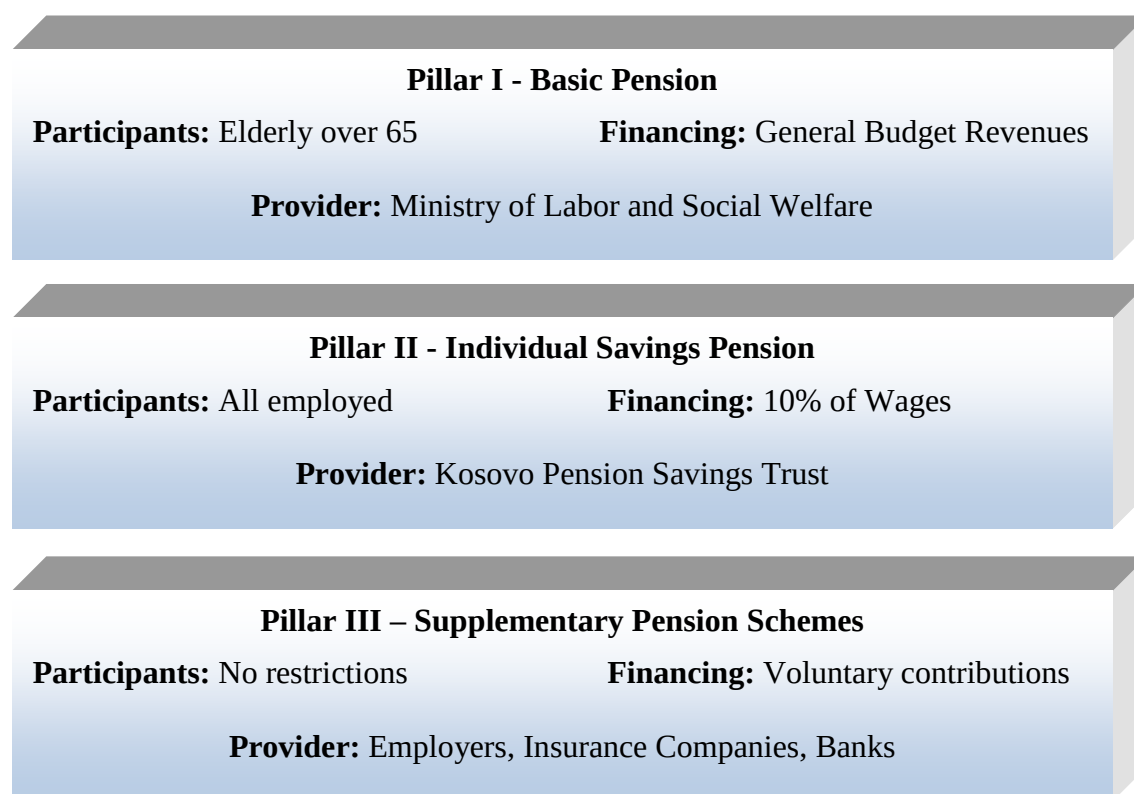
Pillar III - Supplementary Pension Schemes

Pillar III of the pension system regulates the legal framework for supplementary, individual or employer-sponsored pension schemes. Voluntary pension schemes are available from various financial institutions, and they may be financed by the contributions of employers and/or employees. The Banking and Payments Authority of Kosovo licenses and regulates all third-pillar pension schemes as well as the Kosovo Pension Savings Trust.

The following figure illustrates the pillars of the pension scheme:

⁷²⁸ John Gubbels, David Snelbecker, Lena Zezulin: The Kosovo Pension Reform: Achievements and Lessons. The World Bank. April 2007. pp. 32.

Figure 21: Three-pillar pension system



Source: Oleksiy Sluchynsky: The Kosovo Pension Saving Trust (KPST): Governance and Administration. The World Bank. November 2007. Online via Internet: URL: <http://info.worldbank.org/etools/docs/library/241439/S23Sluchynsky.pdf> [accessed 24 11 2009].

The new pension scheme has a number of useful features. The basic pension is funded from general revenues, so avoids wage-based contributions, which should avoid creating labor-market distortions. The basic pension's flat-rate benefit has proved an effective means of meeting the broader needs of Kosovo's elderly population. It reaches almost all those over 65, including individuals who did not have the opportunity to work during the 1990s, and has been successful in reaching minorities. The basic benefit is linked to the cost of a basic monthly food basket in order to control long-term fiscal sustainability. However, a weakness is that high-income earners and contributors to the old system feel that they are under-compensated.⁷²⁹

While those who played a significant role in developing and implementing the new pension system consider that it is one of the most successful social and economic programs in the country, with strong institutions providing efficient, safe services, the

⁷²⁹ John Gubbels. David Snelbecker. Lena Zezulin: The Kosovo Pension Reform: Achievements and Lessons. The World Bank. April 2007. pp. 79.

general public calls that claim into question and is rather critical of the new system. Indeed, when asked about their satisfaction with it, people become emotional and anxious. “The pension system in Kosovo is very bad and corrupt like all the other systems, even worse”,⁷³⁰ and “the pension payment is too low to live”⁷³¹ are typical comments. Although the new pension system is claimed to already meet basic European standards, it will be some years before it is clear whether the promised robust and adequate pensions for future generations will be delivered or whether the new system alleviates poverty, manages risks, is fiscally sustainable and compatible with economic growth and development.

5.1.1.2 The social assistance scheme

The Social Assistance Scheme was established to provide a safety-net for poor and vulnerable families within the broader context of the social protection system in Kosovo. The scheme, regulated by Law No. 2003/15, provides financial support to eligible families according to criteria set out in the law and within the resources allocated for this purpose in Kosovo’s Consolidated Budget. The scheme addresses a narrow group of poor and extremely poor households.⁷³² To be eligible, all family members must be habitually residing in Kosovo and the families must fall into one of two categories. Category I includes families where no member is employed. Category II applies where a family member is able to work and the family includes at least one child under the age of five and/or an orphan under the age of 15 receiving full-time care.⁷³³

An eligible family receives assistance for up to six months, provided it continues to satisfy the criteria during this period. After this, a new application is required to receive further assistance.⁷³⁴ The amount of the monthly social assistance payment is adjusted according to the number of family members and the consumer price index.⁷³⁵ Payments, which were set in 2003 when the social assistance law entered into force, are shown in the following table:

⁷³⁰ Interview with Bekim Kryeziu. Statement translated by the author.

⁷³¹ Statement of Arben Hajrullahu, Professor at the Department for Political Science at the University in Prishtinë/Priština. 21 January 2010.

⁷³² Law No. 2003/15 on the Social Assistance Scheme in Kosovo.

⁷³³ Ibid. Section 4. Non-Financial Criteria for Social Assistance.

⁷³⁴ Ibid. Section 7. Period of Receipt of Social Assistance.

⁷³⁵ Ibid. Section 9. Calculation of the Monthly Social Assistance Payments.

Table 12: Monthly social assistance payments, 2003

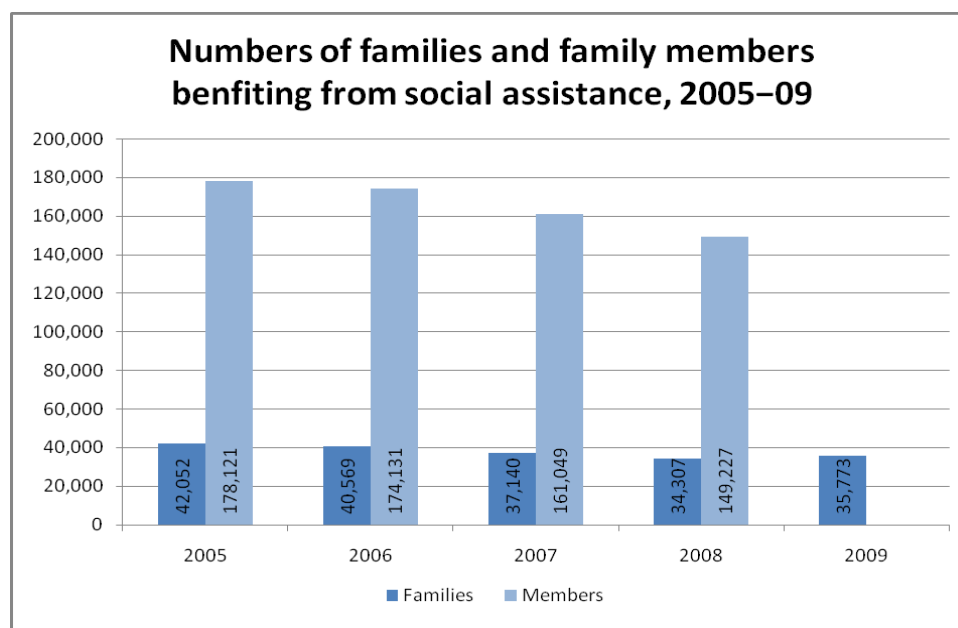
Family size	Monthly gross standard rate (€)
One member	35
Two members	50
Three members	55
Four members	60
Five members	65
Six members	70
Seven or more members	75

Source: Law No. 2003/15 on the Social Assistance Scheme in Kosovo.
Section 9. Calculation of Monthly Social Assistance Payments.

Figure 22 shows that the number of families receiving social assistance between 2005 and 2009 fell steadily from 42,052 in December 2005 to 34,307 by December 2008. However, the Ministry of Economy and Finance reported an increase to 35,773 families in June 2009.⁷³⁶ Social assistance payments totaled around €26 million in 2008.

⁷³⁶ Kosovo Ministry of Economy and Finance: Semiannual Macroeconomic Bulletin. January–June 2009. Macroeconomics Department. Prishtina 2009. p. 12.

Figure 22: Numbers of families and family members benefiting from social assistance, 2005–09



Source: Based on the Statistical Office of Kosovo: Social Welfare Statistics in Kosovo 2006. Prishtina 2007. p. 21. Social Welfare Statistics 2008. Prishtina 2009. p. 23. Data are taken from the months of December of the particular year.

The Kosovo Ministry of Economy and Finance explains this decline as resulting from strengthening the monitoring and supervision of registration and the application of new criteria, rather than improved social and economic conditions or a reduction in poverty levels. Likewise, the recent increase was probably due to management changes.⁷³⁷

5.1.1.3 Employment programs

Employment services and vocational training⁷³⁸ to improve the high unemployment rate are unfortunately limited. Services in this area are still basic, doing little more than registering households for social assistance. In general, active labor-market programs attempt to match demand and supply through training and re-training, counseling and guidance and placement services. According to the World Bank, such interventions

⁷³⁷ Kosovo Ministry of Economy and Finance: Semiannual Macroeconomic Bulletin. January–June 2008. Macroeconomics Department. Prishtina June 2008. p. 10.

Kosovo Ministry of Economy and Finance: Semiannual Macroeconomic Bulletin. January–June 2009. Macroeconomics Department. Prishtina 2009. p. 12.

⁷³⁸ Compare chapter 5.2 Education describing Vocational Training Centers.

have at best mixed outcomes and need to be implemented with caution to avoid squandering resources.⁷³⁹

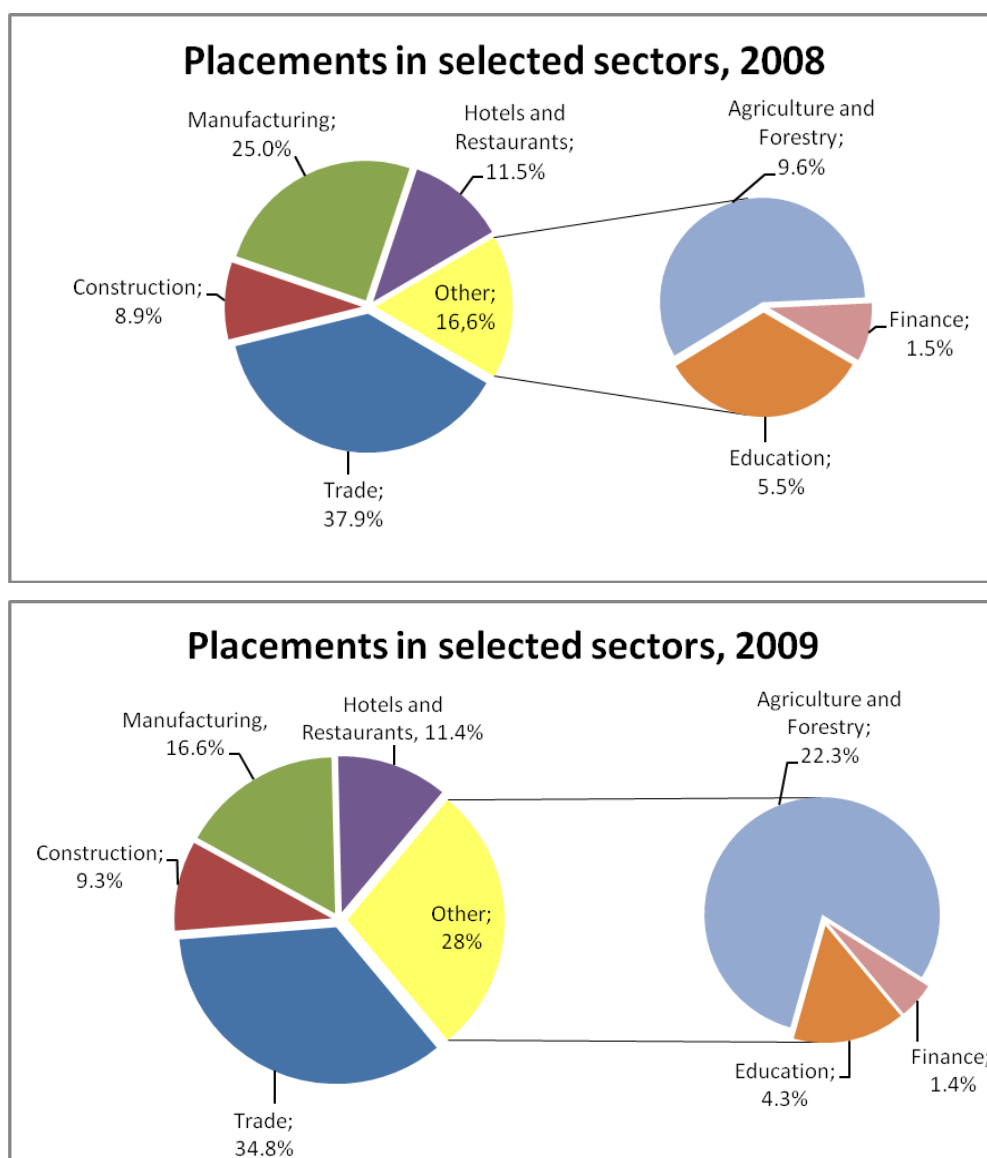
In Kosovo, training programs and employment offices – within the Ministry of Labor and Social Welfare – have a very limited impact on employment. According to data recorded through employment offices, the total number of job placements between January and the end of June 2009 reached 3,098, marking an increase of 22 per cent compared to the same period of 2008, when the number of placements was 2,451. However, this increase is more likely to have been caused by the continued growth of economic activity in Kosovo, in particular, the continued implementation of a considerable amount of public works funded by a substantial increase in capital expenditure in Kosovo's budget. A significant proportion of capital expenditure is focused on infrastructure improvements, particularly road building, which has resulted in higher than normal activity in the construction sector.⁷⁴⁰

However, assisted job placement is highest in the trade sector and not in construction. Figure 23, comparing assisted job placements in selected sectors in the first half of 2008 with those in the same period of 2009, shows trade sector placements in the first half of 2009 at about 34.8 per cent of the total. This was lower than in the same period of 2008, as was the case with placements in manufacturing and education, while placements in construction and agriculture and forestry rose. The rise in assisted employment in the agriculture and forestry sector was particularly notable, with its share of total placements during the first half of 2009 rising to 22.3 per cent from 9.6 per cent in the same period of 2008.

⁷³⁹ The World Bank: Kosovo Public Expenditure and Institutional Review. Volume I. September 2006. p. 128.

⁷⁴⁰ Kosovo Ministry of Economy and Finance: Semiannual Macroeconomic Bulletin. January–June 2009. Macroeconomics Department. Prishtina 2009. p.6.

Figure 23: Placements in selected sectors, first half of 2008 and 2009



Source: Kosovo Ministry of Economy and Finance: Semiannual Macroeconomic Bulletin. January–June 2009. Macroeconomics Department. Prishtina 2009. p. 7.

It is hard for employment offices to facilitate employment when jobs are scarce, so investment in them cannot be expected to have much effect until the general economic situation recovers sufficiently to create enough sustainable jobs. Resources spent on employment services and vocational training might be better spent on well-planned temporary work programs, providing low-wage jobs to those qualified and willing to take them, backed up by social assistance schemes.⁷⁴¹

⁷⁴¹ The World Bank: Kosovo Public Expenditure and Institutional Review. Volume I. September 2006. pp. 128.

5.1.1.4 Impact of the social protection system on poverty

World Bank studies on the impact of social protection programs on poverty in Kosovo show that the programs have one desirable feature: good targeting – meaning that the benefits of the social assistance program reach mostly the poor. Almost 90 per cent of social assistance recipients are either poor or vulnerable. However, the programs suffer from three weaknesses. First, the coverage is low. According to the World Bank, social assistance is received by about 13 per cent of the population, with only about 23 per cent of the poor and about 34 per cent of the extremely poor reached by the program. About six per cent of the population benefit from the different types of pensions. Second, the value of benefits is very low. Third, the limited coverage and the modest size of the benefits together have meant that the social protection programs have had little impact on improving the welfare of the population.⁷⁴²

Without social assistance, overall poverty would be higher by about two percentage points and by about four percentage points in the absence of pensions. However, extreme poverty would be about 40 per cent higher if both were withdrawn.⁷⁴³

Given the limited scale of Kosovo's social protection programs, they must become more efficient and still better targeted to increase their impact on poverty in Kosovo. Above all, poverty cannot be overcome by social assistance alone. This can only be achieved by the creation of new jobs. Therefore, first and foremost, Kosovo needs to be transformed into a functioning economy in which earnings from employment can be supplemented by adequate welfare programs.

The formal social protection system is backed up by private transfers. While there is a large variety of these, remittances from the diaspora are undoubtedly the largest and most widespread.

⁷⁴² The World Bank: Statistical Office of Kosovo. Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. pp. 29.

⁷⁴³ Ibid. pp. 30.

5.1.2 Migration and remittances as ways out of poverty

Migration has been a tradition among Kosovars for many decades and still is the most important strategy for escaping unemployment and poverty. Kosovo is among the countries with the highest emigration rates in Europe.⁷⁴⁴ Nearly a quarter of Kosovars have migrant members abroad whose remittances play a decisive role in keeping families out of extreme poverty. Migration is generally prompted by economic problems and 63 per cent of those intending to emigrate from Kosovo cited dissatisfaction with the economic position of their family as their key motive. Another 25 per cent cited general economic conditions in Kosovo.⁷⁴⁵ It is hard to overstate the impact of the simple lack of prospects in Kosovo, particularly on its younger population, most of whom would leave immediately if they could. Given the fact that 45 per cent of the population is poor, the Human Development Index is the lowest in the Balkan region⁷⁴⁶ and the unemployment rate is the highest in the region, it is not surprising that the majority of young Kosovars between the ages of 20 and 35 aim to migrate.

5.1.2.1 Socio-economic profile of the Kosovo diaspora

About 17 per cent of Kosovars live abroad. The diaspora is estimated to include more than 400,000 people, of whom 315,000 are Kosovo Albanians and 100,000 are Kosovo Serbs and other ethnicities. One in every four households in Kosovo has one or more family member living in a foreign country.⁷⁴⁷ Most of the emigrants are in Germany (39 per cent), followed by Switzerland (23 per cent), Italy and Austria (each with 6–7 per cent), the United Kingdom and Sweden (each with 4–5 per cent), the United States (3.5 per cent), and several other countries including France, Canada and Croatia accounting for around two per cent each. The diaspora can be divided into three groups according to when emigration took place: the so-called “old emigration” Kosovars left Kosovo during the 1960s through to the 1980s (14 per cent of the total); the migrants of the

⁷⁴⁴ The World Bank: Kosovo. Unlocking Growth Potential: Strategies, Policies, Actions. A Country Economic Memorandum. 29 April 2010. p. 71.

⁷⁴⁵ UNDP Kosovo: Early Warning Report Kosovo. No. 18. October 2007. pp. 45.

⁷⁴⁶ See chapter 3.1 Geographic and demographic characteristics, Figure 6.

⁷⁴⁷ The World Bank: Kosovo. Unlocking Growth Potential: Strategies, Policies, Actions. A Country Economic Memorandum. 29 April 2010. p. 71.

1990s account for 59 per cent and the remaining 27 per cent of the diaspora left Kosovo after the war.⁷⁴⁸

The majority of migrants come from rural areas. Prizren and Prishtinë/Priština are the two main municipalities from which emigration takes place, followed by the municipalities of Mitrovicë/Mitrovica, Ferizaj/Uroševac, Pejë/Peć and Gjakovë/Dakovica – which rank among the poorest regions. Over 70 per cent of those receiving remittances from emigrants live in rural areas.⁷⁴⁹ The highest proportion of the population receiving remittances are in the municipalities of Mitrovicë/Mitrovica and Prizren.⁷⁵⁰

The demographic statistics of the diaspora are akin to those of Kosovo itself except that the gender distribution is heavily slanted towards males. While in Kosovo the proportion of men and women is almost equal, 65 per cent of emigrants are male and 35 per cent are female. This is not surprising given the economic basis of migration – in Kosovar society it is predominantly men who are responsible for making a living. The Kosovars living abroad are, like the domestic population, very young, with an average age of 28 years. There are also similarities in educational level.⁷⁵¹ The majority (92 per cent) of migrants have attained no more than secondary education. This means, as noted by the World Bank: “The type of migration that Kosovo has experienced so far cannot be qualified as a ‘brain drain’.”⁷⁵²

The generally low level of qualifications is reflected in the type of jobs attained by workers in the diaspora. The large majority (82 per cent) of the diaspora are low-skilled workers as shown in Figure 24 below.

⁷⁴⁸ Forum 2015: Diaspora and Migration Policies. Prishtina 2007. pp.7. The study is based on the research conducted in Kosovo, Germany, Switzerland, Belgium, the UK, Sweden, Austria and the US.

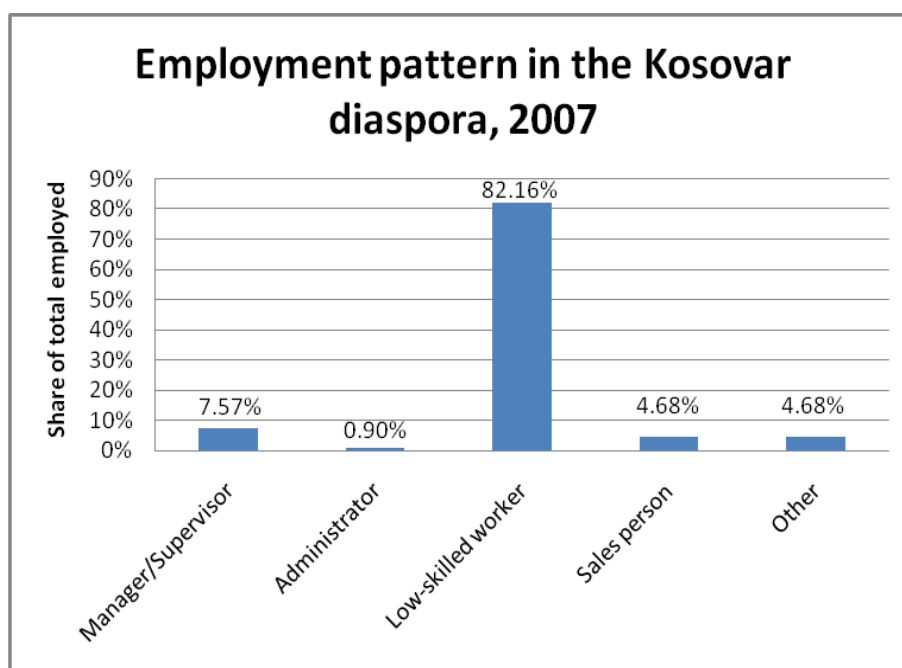
⁷⁴⁹ As noted in chapter 5.1, about 60% of Kosovans live in rural areas.

⁷⁵⁰ The World Bank: Statistical Office of Kosovo. Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. p. 32.

⁷⁵¹ Compare chapter 5.2. Education.

⁷⁵² The World Bank: Kosovo. Unlocking Growth Potential: Strategies, Policies, Actions. A Country Economic Memorandum. 29 April 2010. p. 76.

Figure 24: Employment pattern in the Kosovar diaspora, 2007



Source: Forum 2015: Diaspora and Migration Policies. Prishtina 2007. p. 33.

Almost 39 per cent of all Kosovars working abroad are employed in construction, 13 per cent work in restaurants and hotels and about 13 per cent in manufacturing. These are the same sectors that are among the most developed in Kosovo. The percentage of emigrants working in sectors that are not fully developed in Kosovo like health, education and finance, is comparatively small (see Table 13). Therefore, gains from transfers of knowledge and skills by those returning from abroad are expected to be slight. The World Bank also notes that only eight per cent of all returned migrants, improved their educational level while abroad, although this applies to 14 per cent of female returning migrants. Only six per cent of males returned better qualified.⁷⁵³

⁷⁵³ The World Bank: Kosovo. Unlocking Growth Potential: Strategies, Policies, Actions. A Country Economic Memorandum. 29 April 2010. p. 76.

Table 13: Employment by sectors of Kosovars working abroad, 2007

Sector	Share of employed (%)	Sector	Share of employed (%)
Construction	38.6	Health and Education	4.7
Hotels/restaurants	13.0	Public utilities	2.3
Production	12.7	Financial sector	2.1
Agriculture	5.3	Public administration	1.5
Trade	5.3	Mining	1.3
Transport and communication	5.1	Other	8.1

Source: Forum 2015: Diaspora and Migration Policies. Prishtina 2007. p. 32.

The average monthly salary in the diaspora amounts to €1,700. As Table 14 shows, well over a quarter of emigrants earn between €500 and €1,500 a month and few earn more than €5,000. The average family income of emigrant families is about €3,000.

Table 14: Monthly earnings of Kosovar emigrants, 2007

Monthly earnings (€)	Percentage in earnings band
500–1,500	27.04
1,501–3,000	40.05
3,001–5,000	20.35
5,001–8,000	8.80
Over 8,000	2.93

Source: Forum 2015: Diaspora and Migration Policies. Prishtina 2007. p. 33.

5.1.2.2 Disadvantages of the diaspora and remittances

Remittances by emigrants make an indispensable contribution to Kosovo's economy but, as with any country experiencing large-scale emigration there are also disadvantages such as loss of skills and manpower. Remittances also contribute to growing inequalities in Kosovar society. Where migration is permanent, the emigrant's skills and manpower are irrecoverably lost by the home country. The better educated,

qualified and experienced the emigrant, the greater the loss, particularly where the state invested in the individual's education.

Where migration is temporary rather than permanent, the loss of skills and manpower is not necessarily irrecoverable and Kosovar migration is typically temporary. According to surveys about 76 per cent of emigrants intend coming back to Kosovo, of which two-thirds state they want to return after retirement and one-third intends to come back earlier.⁷⁵⁴ The crucial factor here is the strong familial bonds in Kosovar society. However, since the majority plan to return after retirement and given the generally low skills of the diaspora already described, the potential of returnees to contribute in terms of human capital is rather small.

By far the most important impact of migrants on the home country is that they tend to send a high proportion of their income back to Kosovo. This has both positive and negative connotations. While remittances make a crucial contribution to alleviating poverty in the country a severe disadvantage of the diaspora and its remittances is undoubtedly their contribution to the growing inequalities in Kosovar society. Since migration is itself expensive, emigrants are mainly from families that are already a little better off than the average and it is these families that then benefit from remittances. In general, the poorer households get less financial support of this kind. This is particularly true in rural areas where the better-off households receive considerably larger remittances than the poor. The difference is less in urban areas. This phenomenon explains the increasing wealth disparities within the population especially as between urban and rural areas.⁷⁵⁵

5.1.2.3 Impact of remittances on poverty

About 70 per cent of migrants send remittances to their relatives in the home country. The sums involved amount to about 16–17 per cent of monthly Kosovar household income. According to the World Bank, remittances amounted to about €500 million in 2009 and were the largest source of external income for Kosovo.⁷⁵⁶ While remittances have helped to reduce poverty, they have not played a major role in developing the

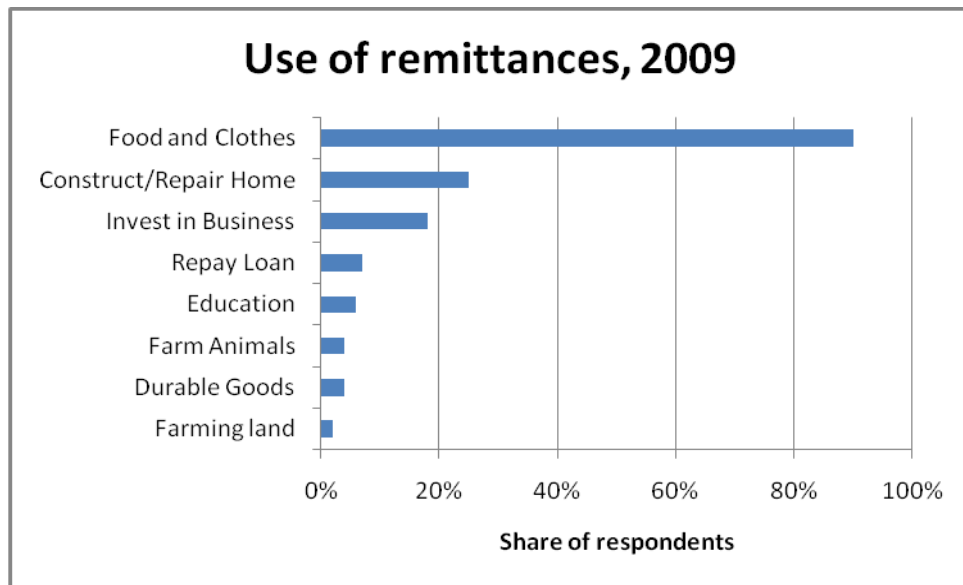
⁷⁵⁴ Forum 2015: Diaspora and Migration Policies. Prishtina 2007. p. 31.

⁷⁵⁵ The World Bank: Statistical Office of Kosovo. Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. p. 35.

⁷⁵⁶ The World Bank: Kosovo. Unlocking Growth Potential: Strategies, Policies, Actions. A Country Economic Memorandum. 29 April 2010. p. x.

economy. Only 18 per cent of households say they use the money to invest in business and less than ten per cent use it for education. The bulk of remittances is used for immediate consumption. About 90 per cent of households indicate that the main uses of remittances are food and clothes while 25 per cent mention house building (see Figure 25).

Figure 25: Use of remittances, 2009



Source: The World Bank: Kosovo. Unlocking Growth Potential: Strategies, Policies, Actions. A Country Economic Memorandum. 29 April 2010. p. 79.

These sums involved make a significant contribution to lowering Kosovo's huge foreign trade deficit and have some impact on the unemployment problem. However, where the latter is concerned, entrepreneurial activities among the diaspora are still inadequate. Those who do invest in Kosovo and start businesses there mainly focus on the construction sector and the diaspora has contributed roughly ten per cent of total investment in the privatization process in Kosovo. The main reason why emigrants are not motivated to invest more in their homeland is lack of information on business conditions. Other reasons given are unfavorable fiscal policies, high levels of corruption, and bureaucratic obstacles.⁷⁵⁷ Nevertheless, investment by the diaspora is seen as crucial to boosting Kosovo's weak economy, and to encourage Kosovar workers and potential investors living abroad to return to Kosovo, the national authorities need

⁷⁵⁷ Forum 2015: Diaspora and Migration Policies. Prishtina 2007. p. 47.

to address the same issues, such as corruption, that deter foreign firms. Information campaigns about the state's investment potential would be particularly helpful as would better investment incentives for emigrants. More efficient communication and cooperation mechanisms are also needed if Kosovo is to benefit from the potential of the diaspora.

Migration and remittances have been an effective means of insulating Kosovar households from the deepest levels of poverty. The proportion of the population receiving remittances, at some 20 per cent, is significantly higher than that receiving social assistance. (see Table 15), and the amounts received in remittances greatly exceeds social welfare payments. With 72 per cent of emigrants sending €100–1,000 to their relatives in Kosovo annually, and 18 per cent sending €1,000–3,000,⁷⁵⁸ the sums involved are about three times higher than the average value of the social protection programs described in the previous chapter.

Table 15: Families receiving social assistance and remittances, 2007

	Social assistance benefit	Remittances
Number of families	37,140	73,500
Percent of total population	13	20

Source: Based on Forum 2015: Diaspora and Migration Policies. Prishtina 2007. p. 39.
The World Bank: Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. p. 32.

A World Bank assessment of poverty in Kosovo finds Kosovars who report receiving remittances from at least one family member abroad, have higher levels of consumption and are less likely to be in poverty than their equivalents who do not benefit from emigration. The incidence of poverty among families with migrants is seven percentage points lower than in the general population.⁷⁵⁹

Without migration, poverty in Kosovo would be considerably greater. It would also be even more concentrated in rural areas. Additionally, remittances are an efficient means of wealth transference, since they go directly to individuals without being filtered through inefficient bureaucracies. They also tend to respond immediately to crises

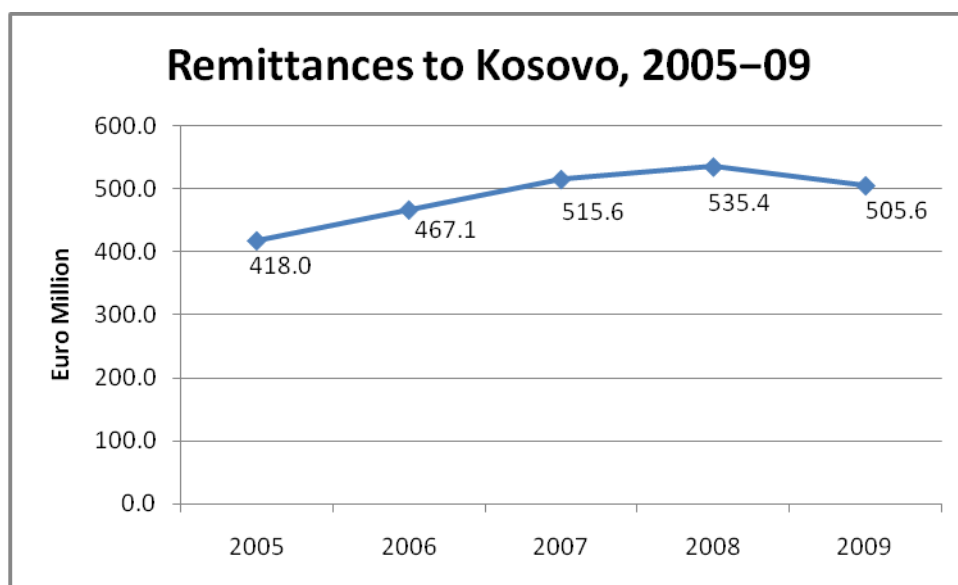
⁷⁵⁸ Forum 2015: Diaspora and Migration Policies. Prishtina 2007. p. 36.

⁷⁵⁹ The World Bank: Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. p. vi.

suffered by beneficiary families. Remittances usually increase when conditions in recipient countries worsen and decrease when they improve.

In summary, migration and remittances are one of the most important sources of income for a significant share of Kosovo's population and will continue to be of utmost importance for the foreseeable future. The Central Bank of Kosovo notes that since the end of the war in 1999, the only year when migrant transfers to Kosovo fell was 2009 (see Figure 26). This was a result of the global financial crisis, which has considerably affected employment in the developed countries where many Kosovar migrants are concentrated and consequently suffered from job cuts. The decline of migrants' transfers to €505 million currently not only has negative implication for Kosovo's economy, but also the potential to seriously aggravate the tense economic and social situation.

Figure 26: Remittances to Kosovo, 2005–09



Source: Central Bank of the Republic of Kosovo: Annual Report 2009. June 2010. pp. 53.

Clearly the authorities need to avoid any policies entailing radical reductions in migration, which would have the potential to lower welfare standards in Kosovo, to increase the already present rural–urban inequalities, and possibly to lead to instability, particularly in the rural areas.⁷⁶⁰

⁷⁶⁰ The World Bank: Kosovo Poverty Assessment. Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty. October 2007. p. vi.

5.1.2.4 Active migration policies toward the EU labor market

According to the European Commission 2009 Progress Report on Kosovo, about 30,000 young Kosovars each year enter a labor market that can offer them very limited prospects.⁷⁶¹ Therefore, a very substantial proportion (about 50 per cent) of the population between the ages of 20 and 35 are currently intending to emigrate. There does not seem much chance of the numbers falling without an improvement in economic growth allowing the young and growing labor force to be absorbed. As things stand, labor is Kosovo's biggest export. Andreas Wittkowsky, former deputy head of the EU Pillar responsible for the economic development of Kosovo, comments on the "absurdity of European development policy ... shoveling millions into the country, while at the same time shutting down the borders for all those whose labor could contribute to development". Since the end of the war in Kosovo, says Wittkowsky,

"Europeans block emigrants from the Balkans, who, a few decades ago, ranked among the favored guest-workers ... Ten-thousand Kosovo Albanian refugees had been sent back home by the turn of the millennium. However, short-term work contracts or chances for seasonal employment somewhere in the richer parts of Europe could help Kosovars a lot."⁷⁶²

Besim Beqaj, president of the Kosovar Chamber of Commerce, agreed that "regulated opportunities for temporary migration would give us [Kosovars] decisive backing."⁷⁶³ This should be considered, since there will be insufficient jobs in Kosovo well into the future. Exploiting the opportunity of regulated temporary migration to reduce the pressure on Kosovo's labor market, would require active labor market and migration policies and, in particular, appropriate training and education programs in the skills needed in European countries. If Europe is serious about development in Kosovo, it will need to come up with opportunities through which Kosovars can find temporary work abroad. However, the alternative is to send ever more policemen to Kosovo to deal with a new generation of angry and desperate young men.⁷⁶⁴

As things stand, the poor socio-economic conditions in Kosovo are encouraging illegal migration, which many individuals believe is their only way out of poverty. In

⁷⁶¹ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 22.

⁷⁶² Christian Tenbrock: Kosovo. Der Europäische Patient. In: Die Zeit. 21 May 2008. Online via Internet: URL: <http://www.zeit.de/2008/22/Kosovo?page=all> [accessed 12 12 2009]. Author's translation.

⁷⁶³ Ibid.

⁷⁶⁴ Compare chapter 4.3.3 EULEX and chapter 5.4 Youth bulge.

order to scale down illegal migration and improve opportunities for legitimate movement abroad, the International Organization for Migration, in close cooperation with Kosovo's Ministry of Labor and Social Welfare and Ministry of Internal Affairs, has established a Migrant Service Center in Prishtinë/Priština as the first of a planned regional network of such centers in Tirana, Podgorica, Skopje, Belgrade, Sarajevo and Zagreb. The Migrant Service Center aims to promote local capacity to develop migration policies and provide migrants and potential migrants with effective information, advice and referral to appropriate services. The Center also organizes training courses and counseling sessions on specific topics of interest, such as basic IT-skills, internet research, curriculum vitae drafting and interview preparation.⁷⁶⁵

Deputy Minister of Labor and Social Welfare, Gjergj Dedaj, is convinced that visa liberalization for Kosovo's citizens is necessary to create greater opportunities for Kosovars to work abroad and alleviate the country's very high rate of unemployment.⁷⁶⁶ However, this seems very unlikely given that Kosovo has been excluded from the EU's visa liberalization program, which, as already discussed in chapter 4.3.3, generates anti-EU feelings in Kosovo and reduces the government's incentive to make reforms.⁷⁶⁷

As long as migration flows continue, Kosovo can count on remittances. However, despite the importance of migration as a mechanism for protecting welfare, a development strategy that is over-dependent on remittances is neither desirable nor sustainable. It is essential to move gradually away from over-reliance on migration and remittances and the same is true of social assistance: poverty cannot be eradicated simply by handing over benefits. The only effective strategy for mass poverty reduction is economic growth that generates a high level of employment. In planning the way forward for Kosovo, it is important to heed the call of Labor and Social Welfare Deputy

⁷⁶⁵ Migrant Service Centers: Online via Internet: URL: <http://www.migrantservicecentres.org/index.php?page=56> [accessed 14 12 2009].

⁷⁶⁶ International Organization for Migration: Kosovo Newsletter. September 2008. Issue 18. Online via Internet: URL: http://www.iomkosovo.org/Photo-News/IOM%20Kosovo%20News/Newsletter_September_08.pdf [accessed 14 12 2009].

⁷⁶⁷ European Policy Center: Visa liberalization in the Balkans: time for the breakthrough. Policy Dialogue. 19 November 2009. Online via Internet: URL: http://www.esiweb.org/pdf/news_id_337_EPC%20summary%20%20visa%20liberalisation%20in%20the%20balkans%20-%2019%20November%202009.pdf [accessed 14 12 2009].

Minister, Gjergj Dedaj: “Let’s not transform Kosovo into a social state in which people live off social assistance [and remittances]; let’s transform it into a place of work.”⁷⁶⁸

⁷⁶⁸ Besa Beqiri: Poverty, unemployment still plague Kosovo. In: Southeast European Times. 18 May 2009. Online via Internet: URL: http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/articles/2009/05/18/reportage-01 [accessed 14 12 2009].

5.2 Education

Kosovo is committed to policies that are conducive to economic growth and in this regard, human capital plays a crucial role. Economic growth is a joint product of capital accumulation and productivity gains, and education serves as a link between these two. Education increases the skills of individuals and reduces the mismatch between labor market demands and the available supply. In Kosovo, it would also help to reduce the inequities in society by promoting access to the labor market by marginalized groups and minorities. Improving educational standards is therefore seen as one of the Kosovar government's highest priorities.⁷⁶⁹

5.2.1 The Kosovo education system

The education system in Kosovo was severely weakened during the 1990s when Albanians faced discrimination and were excluded from social institutions.⁷⁷⁰ As Slobodan Milošević stripped Kosovo of its autonomy, initiated a forced restructuring of public institutions and fired Albanian civil servants, schools and the University of Prishtina were closed to Albanian students. These and other discriminatory measures encouraged Albanians to create an underground education system that operated in parallel to the official system. About half a million young people pulled out of the official system – some 360,000 students from primary schools, 81,000 at secondary levels and 30,000 from the University of Prishtina.⁷⁷¹ The unofficial system, with mainly Albanian subjects taught and classes held in private houses, was financed by an informal income tax paid by Kosovo Albanians. Eventually, the war disrupted the parallel as well as the formal education system and most schools were shut down. Thus, an entire generation suffered from educational deficiencies, resulting in the comparatively small number of people in Kosovo who have completed their education.⁷⁷²

⁷⁶⁹ Kosovo Ministry of Economy and Finance: Medium Term Expenditure Framework 2009–2011. Prishtina 2008. p. 76.

⁷⁷⁰ See chapter 3.2.1 The Serbian–Albanian dispute over Kosovo.

⁷⁷¹ UNDP Kosovo: Youth. A new generation for a new Kosovo. Human Development Report 2006. p. 39.

⁷⁷² Kosovo Ministry of Education, Science and Technology: The new Kosovo curriculum framework. Pre-school, primary and secondary education. Prishtina 2001. pp. 10. Online via Internet: URL: <http://www.masht-gov.net/advCms/documents/New%20Kosova%20Curriculum%20Framework.pdf> [accessed 13 01 2010].

The reformation of the whole education system – school and university – which was started by UNMIK in June 1999, has been essential as the unofficial education system has left significant gaps in the curriculum, and inadequate teaching methods and access to information. The reform of pre-university education was carried out in two main stages: the emergency phase and the development phase. The main goal of the emergency phase, between 1999 and the end of 2002 was simply to get education going again. UNMIK initially focused mainly on fighting immediate problems rather than developing a long-term education strategy. First measures included the reconstruction of school infrastructure and the provision of basic facilities in order to start classes. The education sector, however, was not initially given top priority by the international administration. A large amount of the money earmarked for education was spent on infrastructure but spending on teachers' wages and advanced training for teachers remained low.⁷⁷³ Besides reconstruction and stabilization of the education system, there were efforts in areas such as teachers' training and europeanization of higher education as well as drafting, approving and implementing new laws and regulations.

During the second – development – phase between 2003 and 2007, the Ministry of Education, Science and Technology, responsible for the oversight of education services in Kosovo, undertook a wide range of reforms – some of them still ongoing. These focused on the development of educational policies; a new curricular framework for pre-school, primary and secondary education; teacher training; modern teaching methods; human rights perspectives and vocational education as well as drafting and preparing new text books. An outstanding government concern is to create facilities for children not currently enrolled in primary schools, such as those with special needs and from minority communities. Therefore, a strategy for integration and empowering of Roma, Ashkali and Egyptian communities in Kosovo was developed for the years 2007–2017.

Another major item on the reform agenda was implementing a new education structure, which was completed in school year 2006–07.⁷⁷⁴ Before the reform, compulsory education in Kosovo lasted eight years, following a 4+4 model. It now lasts for nine years with the starting age lowered from seven to six years of age and with a

⁷⁷³ Helmut Kramer. Vedran Džihic: Die Kosovo Bilanz. Scheitert die internationale Gemeinschaft? Lit. Vienna 2006. Second Edition. p. 109.

⁷⁷⁴ Kosovo Ministry of Education, Science and Technology: Indicators and Statistical data in Education. Data School Years 2004/05, 2005/06, 2006/07. Prishtina 2008. pp. 94. Online via Internet: URL: http://www.masht.gov.net/advCms/documents/Raporti_statistikor_Anglisht.pdf [accessed 14 01 2010].

5+4+3/4 system. This reform brought the Kosovo school system into line with most EU countries.

Figure 27 illustrates the structure of the current education system. This consists of pre-school education, from nine months to six years, compulsory education organized in five academic years of primary, and four academic years of low-secondary education, and upper-secondary education that lasts either three or four academic years.

Preschool education, which is not mandatory in Kosovo, consists of kindergarten for children aged between nine months and five years old and pre-primary for children between five and six years old.

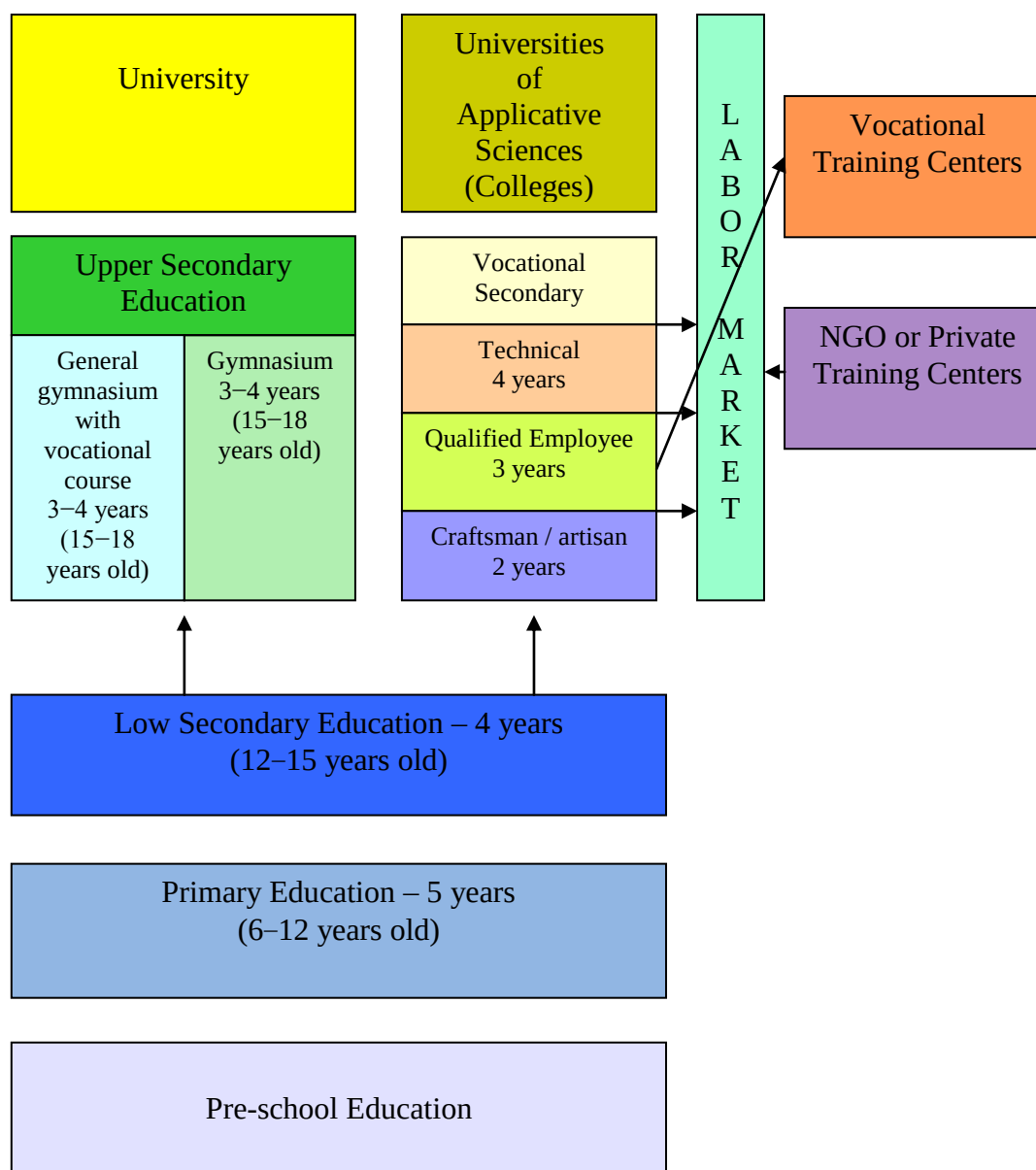
Upper Secondary Education (ages from 15–18 years), also not compulsory, lasts for three or four years depending on the educational program set by the Ministry of Education, Science and Technology. Students can choose between “general” secondary education (high schools) and vocational secondary schools. “General” secondary education largely aims to develop students’ academic skills and prepare them for university education, while vocational schools prepare students for work or continuing studies at Universities of Applicative Sciences.⁷⁷⁵

The informal education sector consists of eight public Vocational Training Centers (VTCs), which are under the umbrella of the Ministry of Labor and Social Welfare, as well as a number of courses provided by NGOs and private organizations for various groups including disabled persons. The latter are unattached to any ministry and their certificates, unlike those of the VTCs, are not recognized by the Ministry of Education, Science and Technology or any other government body. VTCs are also responsible for providing free training programs for job seekers who are beyond compulsory school age. However, as mentioned in chapter 5.1.1.3, the current capacity of VTCs is very limited in relation to the prevailing unemployment rate. It is estimated that these centers can give training to fewer than two per cent of newly registered job seekers each year.⁷⁷⁶

⁷⁷⁵ Kosovo Ministry of Education, Science and Technology: Review on Statistics of Education in Kosovo 2004/05. Prishtina 2005. pp. 6. Online via Internet: URL: http://www.masht.gov.net/advCms/documents/Review_on_Statistics_of_Education_in_Kosovo.pdf [accessed 15 01 2010].

⁷⁷⁶ USAID Kosovo: A modern workforce development system is key to Kosovo’s growth. A report and recommendations from a supply–demand assessment of workforce development. May 2009. pp. 33.

Figure 27: Structure of Kosovo's education system



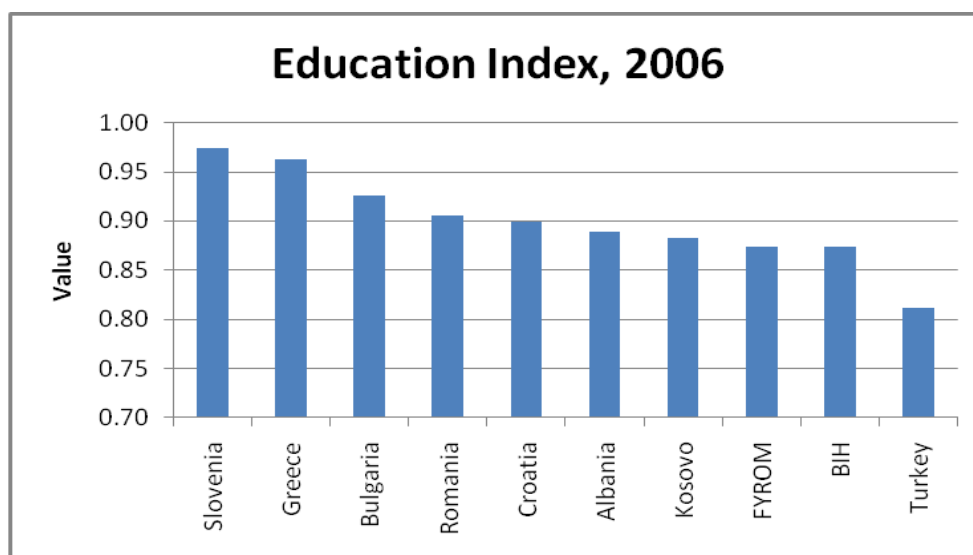
Source: Kosovo Ministry of Education, Science and Technology: Review on Statistics of Education in Kosovo 2004/05. Prishtina 2005. p. 6.

5.2.2 Indicators of educational outcomes

Education is a major component of welfare and is taken to evaluate the quality of life as well as the economic development of a country. The indicators of educational outcomes discussed below – literacy, school enrollment and access to education – describe the current situation in Kosovo and the background against which the current reforms are being implemented.

Given that Kosovo's population is very young, with 46 per cent below the age of 19,⁷⁷⁷ its education system is more than usually important to the development of society. As mentioned in chapter 3.1, the education index, measuring educational attainment, is one of the three main indices on which the overall HDI is based. It is calculated from adult literacy rates and the combined gross enrollment ratio for primary, secondary and tertiary schooling, and weighted to put the emphasis on adult literacy.⁷⁷⁸ According to UNDP, its approximate value is based on 2006 data on attendance in primary, secondary and university education. As Figure 28 shows, Kosovo, with an education index of 0.883, ranks higher than the Former Yugoslav Republic of Macedonia, Bosnia and Herzegovina and Turkey in the Balkan region.

Figure 28: Education Index in the Balkan region, 2006



Source: UNDP Kosovo: Energy for Development. Kosovo Human Development Report 2007, p. 4.

Literacy

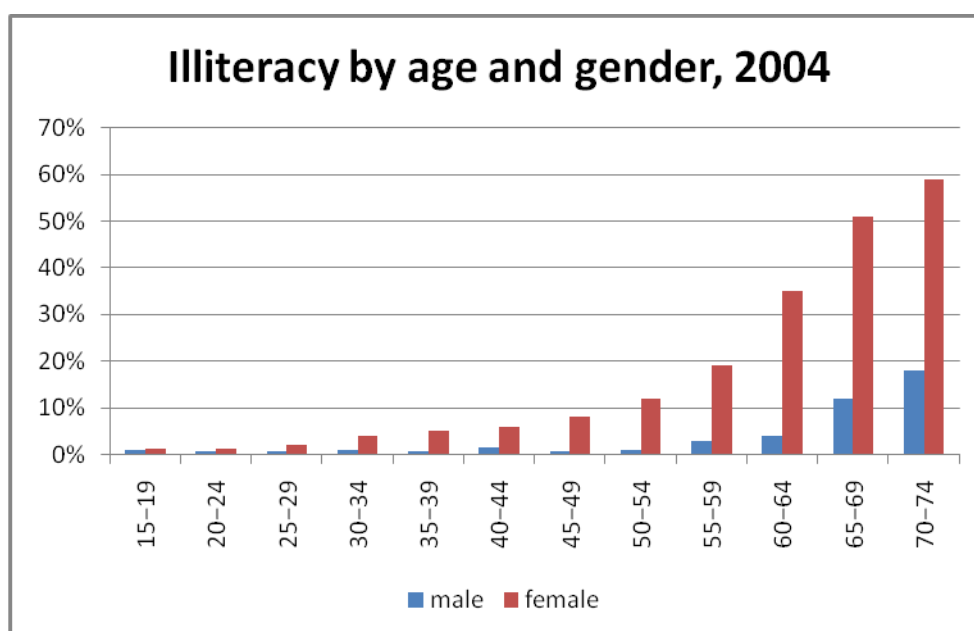
Illiteracy is a major dimension of poverty that restricts individuals' ability to access essential information and to understand and adapt to a fast changing world. Kosovo's overall illiteracy rate at 5.8 per cent is relatively high but has been declining over recent

⁷⁷⁷ Statistical Office of Kosovo: Women and Men in Kosovo. March 2009. p. 4.

⁷⁷⁸ UNDP: The Human Development Index. Online via Internet: URL: <http://hdr.undp.org/en/statistics/indices/hdi/> [accessed 14 01 2010].

years from 11.9 per cent in 1991 and 6.5 per cent in 2000.⁷⁷⁹ As shown in Figure 29 below, illiteracy is strongly correlated with age and is consistently higher among women in all age groups. However, among younger people the difference between male and female illiteracy has almost disappeared. While the level of illiteracy is about 0.5 per cent among those under 26 years old, it reaches 49 per cent among the over 65s.⁷⁸⁰ Among women between the ages of 65 and 69 the illiteracy level exceeds 50 per cent, while the corresponding figure for males is a little over ten per cent. Such a difference in literacy levels between old and young is a potential source of inter-generational tension as it lessens the ability of older people to understand the lifestyles and ambitions of the younger generation.

Figure 29: Illiteracy by age and gender, 2004



Source: Statistical Office of Kosovo: Literacy in Kosovo. 2004. p. 1.

Not only are people in rural areas poorer, as discussed in the previous chapter, they are also worse-off in terms of literacy than urban areas. Almost 14 per cent of women living in rural areas are defined as illiterate, while male illiteracy is 4.0 per

⁷⁷⁹ The World Bank: Kosovo Public Expenditure and Institutional Review. Volume I. September 2006. p. 95.

⁷⁸⁰ The World Bank: Kosovo Poverty Assessment. Promoting Opportunity, Security and Participation for All. June 2005. p. 26.

cent.⁷⁸¹ While urban males receive the most education, rural females receive the least. There are also differences between ethnic groups. It is estimated that the highest illiteracy rates are among minorities other than Serb.

In summary, educational attainment among Kosovars varies widely and the following educational pattern can be identified: on average, a Kosovar has roughly ten years of education, but the rural population lags behind urban dwellers, women behind men and non-Serb ethnic minorities behind Kosovo Albanians and Kosovo Serbs.⁷⁸² This pattern emphasizes yet again the pervasive inequalities within Kosovo society.

School enrollment and access to education

Apart from literacy, two other education performance indicators are school enrollment and access to education. The numbers of children/students at various levels of education in the school years from 2004–05 to 2008–09 are given in Table 16.

⁷⁸¹ United Nations Agencies in Kosovo: Where will we be in 2015? Millennium Development Goals Baseline Report for Kosovo. March 2004. p. 9. Online via Internet: URL: http://www.kosovo.undp.org/repository/docs/MDG_English.pdf?phpMyAdmin=-cexvdMRgAGNAVZyz6HsvAXPtae [accessed 14 01 2010].

⁷⁸² KIPRED: Kosovo's Internal Security Sector Review. Stages I & II. Strategic Environment Review & Security Threat Analysis. 2006. p. 29.

Table 16: Students by educational level

All students (female students) by educational level					
	2004–05	2005–06	2006–07	2007–08	2008–09
Pre-school	5,904 (2,868)	5,108 (2,579)	5,051 (2,363)	24,864 (n/a)	5,091 (2,338)
Pre-primary	17,596 (8,384)	20,750 (9,961)	21,089 (10,203)		19,679 (9,283)
Primary & lower secondary	327,207 (156,566)	322,180 (154,728)	324,618 (156,210)	325,544 (n/a)	322,975 (153,669)
Upper secondary	60,760 (30,820)	74,781 (32,202)	88,691 (38,581)	91,536 (n/a)	96,172 (43,295)
TOTAL	411,467 (198,638)	422,819 (199,470)	439,449 (207,357)	441,944 (n/a)	443,917 (208,585)

Source: Based on Kosovo Ministry of Education, Science and Technology: Indicators and Statistical data in Education. Data School Years 2004/05, 2005/06, 2006/07. Prishtina 2008. p. 102.

Data for 2007–08 were taken from Statistical Office of Kosovo: Education Statistics 2007–2008. Prishtina 2009. p. 97. Data for 2008–09 were taken from Ministry of Education, Science and Technology of Kosovo: Shënime Statistikore 2008/09. Arsimi Publik Parauniversitar. p. 2. Online via Internet: URL: http://www.masht-gov.net/advCms/documents/Arsimi_publick_parauniversitar_2008-09.pdf [accessed 13 01 2010].

In Kosovo the pre-school education system is almost nonexistent, with pre-school institutions accounting for only 40 of the country's overall total of 1,123 schools.⁷⁸³ The second Millennium Development Goals Report for Kosovo indicates that only about 11.8 per cent of children in 2004–05 had access to pre-school education. The majority of existing kindergartens and pre-schools are located in urban areas. Since state-provided early childhood education services did not exist in rural areas before the war, there is still little awareness of the concept or processes of early learning.

The situation is considerably more encouraging where basic education is concerned. Not only is the number of schools considerably higher, with 969 primary and lower secondary schools and 108 upper secondary schools, but also attendance is much more satisfactory, with a very high enrollment rate. Figures from such organizations as the World Bank, UNDP and UNICEF indicate near-universal primary

⁷⁸³ Kosovo Ministry of Education, Science and Technology of Kosovo: Shënime Statistikore 2008/09. Arsimi Publik Parauniversitar. p. 3.

school enrollment for the Kosovo Albanian and Kosovo Serb communities, with 97.5 per cent and 99 per cent respectively. However, rates are significantly lower for children from non-Serb minority groups with only 77 per cent of children in the age group six to 14 enrolled in school. Here, gender inequalities are even more distressing with only 69 per cent of girls from non-Serb minorities enrolled.⁷⁸⁴

The gender structure at pre-school, pre-primary, primary and lower secondary level is about in line with the general population, which is approximately 48 per cent female and 52 per cent male. At the upper secondary level, around 45 per cent of students are female and 55 per cent of students are male (compare Table 16).

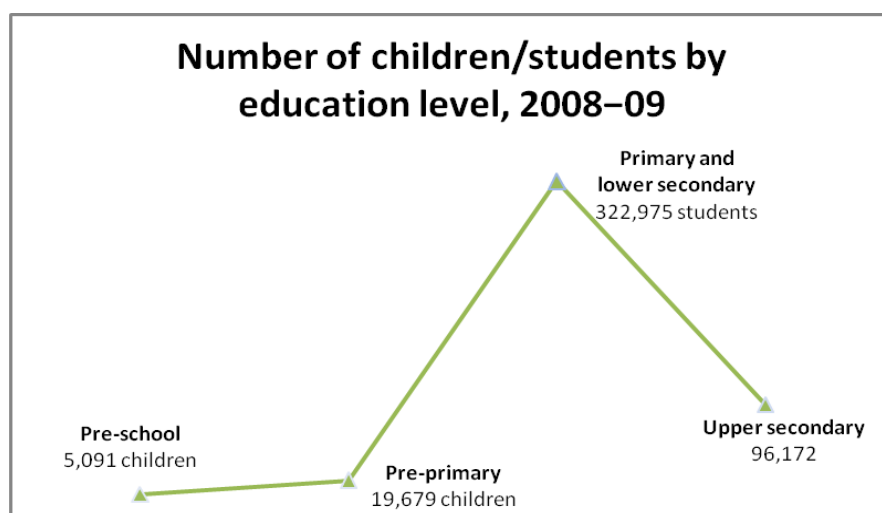
Enrollment rates for upper secondary education have increased considerably over recent years, but, unlike at the primary and lower secondary levels, they continue to be inadequate. Fewer than 75 per cent of children who complete compulsory education sign up for upper secondary school while less than 55 per cent of Kosovo Albanian girls, and only about 40 per cent of girls from non-Serb minority communities continue their education at this level.⁷⁸⁵ This is partly due to traditional customs, particularly in rural areas. The lack of schools oriented towards minority language groups has also had a negative impact on enrollment rates for minorities.

The following figure demonstrates the substantial drop of enrollment rates at upper secondary level.

⁷⁸⁴ UNICEF in Kosovo: The Children. Primary school years. Online via Internet: URL: http://www.unicef.org/kosovo/children_3474.html [accessed 18 01 2010].

⁷⁸⁵ UNICEF in Kosovo: Adolescence. Online via Internet: URL: http://www.unicef.org/kosovo/children_3540.html [accessed 18 01 2010].

Figure 30: Number of children/students by education level, 2008–09



Source: Kosovo Ministry of Education, Science and Technology of Kosovo: Shënime Statistikore 2008/09. Arsimi Publik Parauniversitar. p. 2.

Poverty is an important factor impeding enrollment of young people in upper secondary education. According to 2006 World Bank data, while about 84 per cent of better-off young people continue their education to this level, only 71 per cent of the poor are enrolled.⁷⁸⁶

Apart from poverty and general lack of motivation, the poor conditions of the learning facilities are another deterrent to students and a particular problem is that they can be faced with a long and often arduous commute to get to the nearest upper secondary school. This problem is augmented by the general lack of transport, particularly in rural areas. Yet another reason for the high student drop-out rates at this level can be traced to the perception of some parents that schooling does not bring any important advantages. Kosovars in general do not believe that education is of prime importance in getting a job; surveys have shown that family connections are considered the most important factor here. The ability to bribe potential employers and, after these, vocational training, are also considered as important as formal education at least where employment in the public sector is concerned.⁷⁸⁷ These factors all mean that much needs to be done to increase uptake of upper secondary education in the next few years.

⁷⁸⁶ The World Bank: Kosovo Public Expenditure and Institutional Review. Volume I. September 2006. p. 96.

⁷⁸⁷ UNDP Kosovo: Early Warning Report Kosovo. No. 20/21 Special Edition. January–June 2008. June 2008. p. 31.

5.2.3 Weaknesses of the Kosovo education system and its reforms

The inauguration of Enver Hoxhaj as Minister for Education, Science and Technology in January 2008 was expected to give a substantial boost to education. Hoxhaj, who has been educated in Austria, is deeply convinced of the importance of education as an impetus for social change and holds that educational reform is Kosovo's most fundamental requirement:

“For the Government of Kosovo, education is defined as a state priority of the first order and which should be decisive for Kosovo. The second priority is that we see education as an economic priority and not as a social policy as it was in the past. The third priority, a major goal for us as a government, is all inclusive primary and secondary education.”⁷⁸⁸

However, the impact of the recent investments, measures and reforms will only be felt in the medium- and long-term, and, while the decision to establish education as a national priority is important, there are still major weaknesses in the education system.

5.2.3.1 Pre-university education

Due to the long phase of institutional disruption and conflict in Kosovo the education system faces a long recovery process to bring standards up to European levels. The system remains caught between various reforms and hampered by institutional infighting, while Serb parallel structures pose the biggest challenge. Just as the Kosovo Albanians introduced an informal education system in the 1990s, a decade later the Kosovo Serbs decided to have their own educational system, and education in the country is again divided into two separate worlds. Since the Kosovo Serb community does not want to integrate into the Kosovo education system, Kosovo Serb children continue to pursue their studies in their own language according to the Serbian curriculum, textbooks and other materials. Differences are huge: while Kosovo Serb students are taught that Kosovo still belongs to Serbia, Kosovo Albanian students are taught that Kosovo is now an independent state. The Serb government in Belgrade does not only provide the Serb schools' curricula but also the teachers' salaries. Therefore, Kosovo Serb teachers draw double salaries; one from the Kosovo Ministry of

⁷⁸⁸ Kosovo Minister says Education is Priority. In: New Kosova Report. 21 August 2008. Online via Internet: URL: <http://www.newkosovareport.com/200808211147/Society/Kosovo-minister-says-education-is-priority.html> [accessed 20 01 2010].

Education, Science and Technology and the other from the Serbian ministry. This is a hangover from the policy of paying salary supplements and other bonuses to Serbian public sector workers introduced by Milošević after the war as an incentive to Serbs to remain in Kosovo. But this approach has become increasingly difficult to continue given the severe budgetary constraints caused by the global economic crisis. Belgrade has been forced to cut back, further reducing its influence and control. The International Crisis Group reports that at its peak in 2006–07, Serbian aid to Kosovo reached about €500 million annually, most of which was spent on salaries, pensions, social schemes and capital expenses. Serbia's financial support is now estimated to have fallen to between €200 and €230 million per year, and of that between €110 and €130 million goes to the north.⁷⁸⁹ In any event, such financial inducements do not entail a sustainable future for Serbs in Kosovo. Belgrade funding for the educational needs of the Serbs may imply jobs for Serbian teachers, but it does not produce conditions that would encourage young Serbs to remain in Kosovo. Once they graduate, many leave for Serbia. The long-term future of Serbs in Kosovo can only be secured through integration into Kosovo institutions and society.⁷⁹⁰

However, two years after Kosovo's independence, the Serbs remain unwilling to integrate into the Kosovo education system because they are afraid that this would be seen as recognizing Kosovo's independence. Diploma recognition is at the core of the problem. For Belgrade, recognition of diplomas issued by Kosovo's Ministry of Education would indicate acceptance of independence.

The existence of a Serb parallel system in education, as well as other fields such as healthcare, welfare, local governance and infrastructure, is a major source of fragmentation in the system and ethnic tensions generated by this situation often take on political connotations, particularly in debates over public funding. It is important to note that Kosovo Serbs consider their structures as being no more "parallel" than those of the Kosovo Albanians. The following statement by a Kosovo Serb illustrates their views:

"I wouldn't agree with the term parallel structure. Maybe we are parallel, but if we take the fact that Kosovo proclaimed independence without agreement of the United Nations Security Council, they're also parallel, according to international law. So in this way somehow we are both irregular; they see us as parallel

⁷⁸⁹ International Crisis Group: The Rule of Law in Independent Kosovo. Europe Report No. 204. 19 May 2010. p. 18.

⁷⁹⁰ International Crisis Group: Serb Integration in Kosovo: Taking the Plunge. Europe Report No. 200. 12 May 2009. p. i.

institutions and we see them as transitional until the United Nations recognizes them. They are not a state and I think, or I hope, they will never be recognized by the United Nations, so as I see it we are both irregular.”⁷⁹¹

Whatever the different interpretations of the term, the impact of parallel structures are felt by everybody – regardless of ethnicity – in the same way. The parallel system provokes further ethnic division and the disruption of Kosovo’s society. As long as Kosovo Serbs and Albanians do not live, work and go to school with each other, Kosovo’s long-term stability will be threatened.

To some extent, Kosovo Albanians blame the international community for keeping these parallel structures alive and thus creating estrangement instead of harmonization between the two communities.

“Education has never been the international community’s concern. They are here to make politics and not help improve the education and the well-being of the people. Education, healthcare, social welfare and infrastructure were rarely part of their daily agenda. Why would internationals suspend Serb parallel structures? When it comes to dealing with Serbs, internationals say: Kosovo is an independent country and must be able to extend full control over its territory.”⁷⁹²

In this regard, one of the recommendations of the International Crisis Group to the international community is:

“The EU should use its leverage over Serbia, as a would-be member, to insist that it act constructively in Kosovo, cease support for parallel structures and not oppose Serb integration into Kosovo structures.”⁷⁹³

As the most international organizations can do in this area is be supportive, Kosovo’s future political and economic stability is now up to the governments in Prishtinë/Priština and Belgrade, which are strongly encouraged to find a compromise on this and many more issues. Most citizens, however, find themselves caught in a political game between the two governments. This political seesawing on many issues arouses some strong feelings of resentment towards the government, which people feel does not really care about their basic needs. Despite many ongoing reforms, regulations and

⁷⁹¹ Interview with Dejan Baljošević.

⁷⁹² Telephone interview with Hamdi Berisha on 1 February 2010.

⁷⁹³ International Crisis Group: Serb Integration in Kosovo: Taking the Plunge. Europe Report No. 200. 12 May 2009. p. ii.

laws, people sense that the government is not taking them seriously because they cannot see and feel any changes in their daily lives. The following view is prevalent:

“The biggest problem that Kosovo is facing is the extremely bad governance; the political leaders simply do not care about the problems and concerns of the population. The only thing they care about is money: how to become richer and richer. The only time they turn to the people is at elections. After that they mind their own business. They simply serve themselves and not the people.”⁷⁹⁴

The thought-provoking fact is that the UNDP’s recommendations on the parallel system in its 2006 Human Development Report and in Kosovo’s Internal Security Sector Review, still apply today – four years later: the education system for all employees and students needs to be unified by disbanding parallel systems and developing synergies. The entire Kosovo education system needs to focus more on integration rather than division. Integration of Kosovo Serbs into the official Kosovo system would help to improve interethnic relations and increase social cohesion.⁷⁹⁵ Without educational reform and without some movement toward reconciliation in the classroom, the long-term stability of Kosovo as a state as well as the chances of successful economic development will probably remain tenuous at best.

The educational sector faces other numerous and serious problems. The weaknesses, at both pre-university and higher education levels include poor quality teaching due to the shortage of well qualified academic staff and low teacher salaries, lack of adequate infrastructure and resources and budgetary constraints.⁷⁹⁶ Many teachers are not adequately qualified for the job. The Ministry of Education, Science and Technology reports that about 18 per cent of teachers are under-qualified at pre-school level, 17 per cent at primary and lower secondary levels and as many as 24 per cent at upper secondary level.⁷⁹⁷ Teachers’ motivation is severely reduced by low salaries and the inadequate career system. Insufficient teacher training programs to include all teachers and the shallowness of these courses are some of the concerns that need to be addressed urgently. There is also a crucial task ahead to raise the status of the

⁷⁹⁴ Interview with Hamdi Berisha.

⁷⁹⁵ UNDP Kosovo: Youth. A new generation for a new Kosovo. Human Development Report 2006. pp. 49.

UNDP Kosovo: Kosovo Internal Security Sector Review. Prishtina 2006. p. 74.

⁷⁹⁶ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 35.

⁷⁹⁷ Kosovo Ministry of Education, Science and Technology: Indicators and Statistical data in Education. Data School Years 2004/05, 2005/06, 2006/07. Prishtina 2008. p. 122.

teaching profession to improve the quality of teaching. Teaching is further hampered by insufficient textbooks and other learning materials and equipment.

The condition of educational infrastructure varies between urban and rural areas. The massive relocation of the population from rural to urban areas over recent years has resulted in a surplus of primary school capacity in rural areas and an insufficiency in cities. In urban areas, high student numbers meant that most schools until recently operated in multiple shifts, which clearly had a negative effect on pupils given the reduced hours in the classroom. However, the situation has improved slightly as of September 2009, when all schools started to operate a maximum of two shifts. Serious problems still continue with sanitary facilities and water quality in schools especially in rural areas.

To overcome such problems, the Ministry of Education, Science and Technology, has developed the “Strategy for Development of Pre-University Education in Kosovo 2007–2017”. It aims at:

“Building an inclusive education system that offers conditions for quality education and training for all individuals by promoting lifelong learning habits and values of democratic citizenship.”⁷⁹⁸

The strategy defines seven objectives to be achieved in pre-university education by 2017:⁷⁹⁹

1. High quality and efficient governance, leadership, and management of the education system
2. A functional system for providing quality learning based on standards comparable with those of the developed countries
3. All-inclusiveness, equity, and respect of diversity in education
4. An effective system of in-service and pre-service training of the teaching staff
5. An adequate and healthy physical environment for teaching and learning
6. A sustainable connection between education and general social and economic development
7. Advancing the financial position of education

⁷⁹⁸ Kosovo Ministry of Education, Science and Technology: Strategy for Development of Pre-University Education in Kosovo 2007–2017. p. 9.

⁷⁹⁹ Ibid. p. 10.

Key objectives of the strategy are to increase access and enrollment in light of demographic changes and improve the quality of education by addressing issues related to teachers' salaries. The strategy aims to raise enrollment rates to 90 per cent at the pre-primary level, 100 per cent at the compulsory primary and lower secondary level and 85 per cent at the upper secondary level by 2017.⁸⁰⁰ These targets are challenging, though not impossible to reach, but they require improved demographic data – in particular through holding a population census – in order to make more accurate estimates of the number of additional schools that must be provided. Improvements in the quality of education have so far been impeded by inadequate teachers' salaries. However the teachers' wages fund was increased in 2009 by an additional €4.5 million.⁸⁰¹ The extent to which this will change the situation remains to be seen.

5.2.3.2 Higher education

Partly because of the “lost education period” of 1990–99, only about 13 per cent of Kosovars between 25 and 64 years old have completed higher education. This is less than in any other Balkan country.⁸⁰² Although there has been a steady increase in students at higher education facilities, enrollment rates are still very low.

Higher education in Kosovo is currently provided by two public universities, which, like the rest of the education system are ethnically segregated. The University of Prishtina enrolls mainly Albanian students and the University of Mitrovica, which operates as an unofficial offshoot of the Serbian University system under the authority of Belgrade, enrolls mainly Serbs. In 2004, the University of Mitrovica was requested to integrate into the Kosovo legal framework but refused to do so.

The University of Prishtina recorded about 28,757 students in undergraduate studies and 2,118 in postgraduate studies in 2007–08. Approximately 3,000 students obtain bachelor or master's degrees at the university each year.⁸⁰³ It is divided into 17 faculties, each with a legally autonomous status and administrative structure – unlike most European universities. There are also some private institutions, now called

⁸⁰⁰ Kosovo Ministry of Education, Science and Technology: Strategy for Development of Pre-University Education in Kosovo 2007–2017. p. 53.

⁸⁰¹ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 34.

⁸⁰² UNDP Kosovo: Youth. A new generation for a new Kosovo. Human Development Report 2006. p. 47.

⁸⁰³ USAID Kosovo: A modern workforce development system is key to Kosovo's growth. A report and recommendations from a supply–demand assessment of workforce development. May 2009. p. 32.

colleges, where the number of students has increased particularly rapidly with a total of 20,128 registered students over the period 2004–05 to 2007–08.⁸⁰⁴

Despite reforms, severe weaknesses still prevail in the higher education system: academic freedom has not been officially restricted, but appointments at the University of Prishtina are considered to be highly politicized. The continuing ethnic segregation is also a problem and the overall capacity of the system is inadequate to meet demand from applicants. The ratio of applicants to accommodated students at the University of Prishtina is three to one, which means that two-thirds of young people interested in pursuing higher education must give up their ambition because other options are too expensive.

This situation should improve with the opening of a new university in Prizren in October 2010. This is seen as a great step forward because, as well as enlarging the capacity of higher education generally, it will provide the first chance of a university education to young people in the region around Prizren who can not afford to travel further afield.

Another problem is that higher education is not immune from corruption. Students of all ethnic communities hold that the allocation of university places is based less on applicants' knowledge or application criteria than on their having the right connections or, even more importantly, paying bribes. These are said to be needed not only at the applications stage, but throughout the whole duration of study. According to the UNDP Early Warning survey, the education sector – although not as severely affected as the energy provider KEK – ranks among the institutions where “large-scale” corruption is perceived to be present.⁸⁰⁵

As at the pre-university level, the quality of education at university level is poor. As outlined in the UNDP Human Development Report, a large number of students are convinced that those who graduate abroad are better prepared than those of the University of Prishtina. Moreover, business community representatives state that the quality of today's students, whether at public or private universities, does not meet their requirements.⁸⁰⁶ The recent USAID report on workforce development also notes that

⁸⁰⁴ British Accreditation Council: Kosovo Accreditation Project Report. London 2008. p. 16. Online via Internet: URL: http://www.masht-gov.net/advCms/documents/Kosovo_Accreditation_Project_Report.pdf [accessed 20 01 2010].

⁸⁰⁵ UNDP Kosovo: Fast Facts. Early Warning Report 25. August 2009. p. 5.

⁸⁰⁶ UNDP Kosovo: Youth. A new generation for a new Kosovo. Human Development Report 2006. pp. 47.

employers complain about university graduates' poor preparation for the world of work as well as about the qualifications of the teaching staff.⁸⁰⁷

Another weak point is the undetermined quality of the private education institutions that have mushroomed in Kosovo over recent years. In order to improve the quality of higher education and move towards compliance with EU standards, the Kosovo Ministry of Education, Science and Technology has worked on an accreditation process. In January 2008 the Kosovo government asked the British Accreditation Council to evaluate the private universities. Its conclusion was that not one of them should retain the status of university. The Kosovo Accreditation Project Report indicated that of the 30 private higher education providers, none except the American University in Kosovo meets the criteria to be accredited or licensed to confer academic qualifications. The second phase of accreditation, which included 50 international experts from different European countries, was concluded in July 2009. This confirmed the institutional accreditation of the University of Prishtina and six private colleges.⁸⁰⁸ However, at the same time new problems arose as the term "college" is not yet defined by the Law on Higher Education in Kosovo (2002/3), which is currently under review.

A comprehensive reform program is now underway to address the weaknesses of the higher educational sector: the "Strategy for Development of Higher Education in Kosovo 2005–2015". This ten-year strategy hopes for:

"Kosova – A democratic society, integrated into the European Higher Education Area, where knowledge and scientific research have a particular role and importance for enduring and long-term cultural, social and economic development."⁸⁰⁹

In order to achieve this, the strategy aims at:

"The development of an efficient system of higher education that will contribute to increasing the wellbeing of Kosovar society by offering high quality

⁸⁰⁷ USAID Kosovo: A modern workforce development system is key to Kosovo's growth. A report and recommendations from a supply–demand assessment of workforce development. May 2009. p. 30.

⁸⁰⁸ Agency for European Integration and Economic Development: Accreditation Agency. Online via Internet: URL: http://www.aei-austria-kosovo.com/?Activities_July_2009:%26nbsp%3BAccreditation_Agency [accessed 20 01 2010].

⁸⁰⁹ Kosovo Ministry of Education, Science and Technology: Strategy for Development of Higher Education in Kosova 2005–2015. p. 6.

education and research, with equal opportunities for all, in accordance with the values of freedom, democracy and diversity.”⁸¹⁰

The strategy makes clear which areas particularly need improvement by defining six main objectives for the fulfillment of the mission:⁸¹¹

1. Elaborating and implementing a contemporary and all-inclusive education policy and finalizing higher education legislation
2. Advancing management and coordination in higher education
3. Developing the management of higher education quality
4. Advancing the capacity for research and scientific work
5. Establishing mechanisms for the provision and efficient management of financial resources for higher education development
6. Developing a complete and functional infrastructure for higher education

Given the current indicators of educational outcomes discussed above, the achievement of the strategy’s objectives will clearly be difficult. Key to success is the availability of essential financial and human resources.

Recent recommendations for achieving reform made by the Commission of the European Communities in its Kosovo 2009 Progress Report are that the pace of institutional and legal reforms must be stepped up, better coordinated and translated into practice. Further, central and local teaching capacity has to be notably improved. Significant efforts are also needed to increase participation in education and to set up a system to monitor the quality of the education provided.⁸¹²

⁸¹⁰ Ibid. p. 7.

⁸¹¹ Kosovo Ministry of Education, Science and Technology: Strategy for Development of Higher Education in Kosova 2005–2015.

⁸¹² Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 35.

5.2.4 Investing in education

“Investment in education is investing in the future of the country’s safety and the citizens’ safety for real economic development; for creating new jobs and our children to grow with standards equal to all children in the democratic world,”⁸¹³

Prime Minister Hashim Thaçi stated during the inauguration of a new elementary school in Suharekë/Suva Reka in September 2009.

The Kosovo education system is funded from the following sources: (i) the central budget, both directly and through targeted transfers to municipalities; (ii) revenues generated by municipal governments; (iii) international donors through a consolidated Public Investment Program as well as other projects; (iv) parents’ contributions; (v) student fees; and (vi) transfers from Belgrade to Kosovo Serbian education facilities. The Kosovo Consolidated Budget is by far the largest source, accounting for more than 97 per cent of education funding.⁸¹⁴

Since the government has identified education as a priority for its social and economic development, it is committed to expand inter-ministerial cooperation and to invest more resources in this sector (some €170 million for the period 2009–11).⁸¹⁵ Table 17 shows the projected budget of the Ministry of Education, Science and Technology as presented in the latest (January 2010) budget report by the Ministry of Economy and Finance.

⁸¹³ Improving Education in the Republic of Kosovo. In: New Kosova Report. 11 September 2009. Online via Internet: URL: <http://www.newkosovareport.com/200909111927/Society/Improving-education-in-the-Republic-of-Kosovo.html> [accessed 26 01 2010].

⁸¹⁴ UNDP Kosovo: Youth. A new generation for a new Kosovo. Human Development Report 2006. pp. 49.

⁸¹⁵ Commission of the European Communities: Kosovo under UNSCR 1244/99 2008 Progress Report. Brussels, 2008. p. 40.

Kosovo Ministry of Economy and Finance: Medium Term Expenditure Framework 2009–2011. Prishtina 2008. p. 77.

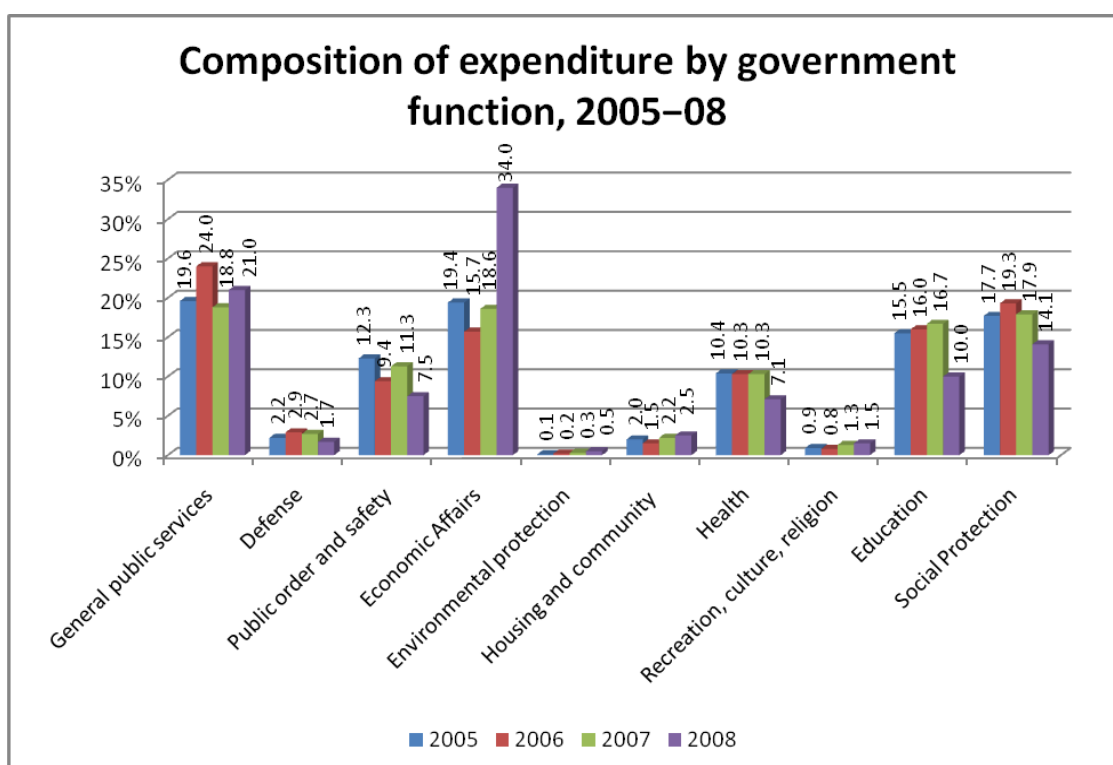
Table 17: Budget of the Kosovo Ministry of Education, Science and Technology, 2009–12

Budget of the Kosovo Ministry of Education, Science and Technology, 2009–12				
	2009 (SAR) ⁸¹⁶	2010 Budget	2011 (Estimate)	2012 (Estimate)
Operational Expenditures (€)	6,520,373	11,446,111	9,242,436	9,307,170
Capital Expenditures (€)	45,794,549	24,490,147	29,600,272	29,535,538
TOTAL (€)	52,314,922	35,936,258	38,842,708	38,842,708
No. of employees	955	995	995	995

Source: Kosovo Ministry of Economy and Finance: Budget of the Republic of Kosovo for the Year 2010. January 2010. p. 35. Online via Internet: URL: <http://mef-rks.org/download/kosovo-consolidated-budget/2255-2010?lang=en> [accessed 24 02 2010].

As shown in Figure 31, the composition of the government's spending has undergone some significant changes during the period of 2005–08.

Figure 31: Composition of expenditure by government function, 2005–08



Source: Based on the Kosovo Ministry of Economy and Finance: Medium Term Expenditure Framework 2009–2011. Prishtina 2008. pp. 25.

⁸¹⁶ SAR: Semi-Annual Review.

While in 2005 and especially in 2006 “General public services” took the largest proportion of government spending, accounting for 24.0 per cent of the total in 2006, in 2007 spending in this area fell to 18.8 per cent of the total with more funds diverted to “Economic Affairs” and “Education”. The second largest share of expenditure in 2005–07 was allocated to “Economic Affairs”, which covers energy and mining, transport, telecommunications and agriculture. In 2005, this category accounted for 19.4 per cent of total expenditure, decreasing to 15.7 per cent in 2006, but rising to 18.6 per cent in 2007 and shooting up to 34 per cent in 2008.

One of the current challenges facing the government of Kosovo is ensuring an efficient and well-targeted social welfare service. During 2008, spending on “Social Protection” accounted for 14.1 per cent of total expenditures which compares with 17.9 per cent and 19.3 per cent in 2007 and 2006 respectively.

“Education” is the fourth largest area of spending after “Economic Affairs”, “General public services” and “Social Protection”. While spending on “Education” showed a gradual rise between 2005–07, it declined to around ten per cent in 2008.

Spending on “Public order and safety” decreased to 7.5 per cent of total expenditure in 2008 from 11.3 per cent in 2007. Spending on “Health” took a consistent share of total spending across the 2005–07 period of just over ten per cent but also decreased to 7.1 per cent in 2008.

In comparison with other countries⁸¹⁷ that have been surveyed by the World Bank, Kosovo tends to overspend in some areas and underspend in others. In particular, Kosovo spends substantially higher amounts on “General public services” and “Economic Affairs” than do other countries while it spends less on other areas including “Education” as well as “Health” and “Social Protection”.⁸¹⁸

Kosovo’s heavy spending in “Economic Affairs” mainly reflects the need for substantial investment on infrastructure, in particular for transportation and energy. Within “Economic Affairs”, transport accounts for a substantial 14.8 per cent of the budget mainly reflecting road reconstruction and building, while energy and mining

⁸¹⁷ The surveyed countries are: Armenia, Azerbaijan, Belarusian, Bosnia and Herzegovina, Bulgaria, Chile, Czech Republic, Estonia, Georgia, Hungary, Ireland, Kazakhstan, Kurdistan, Lithuania, Latvia, Moldavia, Poland, Romania, Russia, Serbia, Slovakia, Slovenia, Spain, Tajikistan, Thailand and Ukraine. The Ministry of Economy and Finance report which lists those countries does not indicate why this group of countries has been chosen.

⁸¹⁸ Kosovo Ministry of Economy and Finance: Medium Term Expenditure Framework 2009–2011. Prishtina 2009. p. 28.

took an even higher 16.5 per cent of the total budget reflecting the sector's urgent need for modernization.⁸¹⁹

Despite the government's lip service to the importance of education, it spends considerably less of its budget on this area than comparable countries. The Strategic Environment Review and Security Threat Analysis published by the Kosovar Institute for Policy Research and Development in 2006 came to the following conclusion: "Education remains a significant challenge in Kosovo and currently insufficient attention is being paid to its reform."⁸²⁰ While the government says that reform is now being put in hand, no more than modest progress can be reported so far. To transform Kosovo's education system, it is not enough to identify the necessary policies and issues in theory; they must be effectively put into practice. The current challenge is to coordinate the various measures being taken and monitor the strategies' implementation closely. Additionally, to accomplish the vision of a future Kosovar society fully integrated into European processes, greater efforts need to be made to change popular perceptions of education. One of the most important things – which is often paid insufficient attention – is raising awareness of the importance of education among children and, in particular, among the vast number of parents who did not benefit from an adequate education due to the disruptions of the war. It is not enough for the decision makers to be aware of the importance of education for Kosovo's future; the general population must also be persuaded. An education system that contributes to economic growth and provides better opportunities for all citizens of Kosovo can only be implemented by informing as well as involving the local population in the transformation process.

Currently, Kosovars – in particular the young people – are experiencing some, but still far too little, benefit from the reform measures which are mostly on paper thus far. Most people continue to be dissatisfied with educational provision. It is obvious that as long as this core function of the state is inadequate, public confidence in state institutions will be undermined, providing fertile ground for social upheaval to grow.

⁸¹⁹ Kosovo Ministry of Economy and Finance: Medium Term Expenditure Framework 2009–2011. Prishtina 2008. pp. 28.

⁸²⁰ KIPRED: Kosovo's Internal Security Sector Review. Stages I & II. Strategic Environment Review & Security Threat Analysis. 2006. p. 5.

5.3 Health

Healthcare is one of the most important factors influencing public welfare, having a considerable impact on both social and economic development. A healthy population is essential to sustaining economic growth. The available indicators suggest that healthcare in Kosovo is, by a wide margin, poorer than in neighboring countries, particularly those in the EU, resulting in generally poor standards of health and well-being in the country.

5.3.1 Indicators of health outcomes

Life expectancy and infant mortality rate are two of the best indicators of the overall health status of a population. Kosovo's life expectancy⁸²¹ is the lowest in the region at only 69 years, compared with approximately 79 years in Bosnia and Herzegovina, 78 years in Albania, 75 years in the Former Yugoslav Republic of Macedonia and 74 years in Serbia.⁸²²

Kosovo also has very poor indicators of maternal and child health. The statistics for infants from birth through the first year of life are particularly distressing. Child and infant mortality are considered to be the most intractable issues impeding Kosovo's development. About 35,000 children are born in the country each year.⁸²³ The infant mortality rate is estimated to be between 35 and 49 per 1,000 live births, while the perinatal mortality rate⁸²⁴ is estimated at 23 per 1,000, and the mortality rate among under-fives is 69 per 1,000. Again, these rates are considerably higher than those of neighboring countries. Additionally, although more than 95 per cent of mothers give birth in a health facility, maternal mortality is high, estimated at seven per 100,000 live births.⁸²⁵

⁸²¹ See chapter 3.1 Geographic and demographic characteristics, Figure 5 for details of the life expectancy index of the Balkan region.

⁸²² The World Bank: Kosovo Health Financing Reform Study. 2008. p. 10.
Central Intelligence Agency: The World Factbook. Kosovo.

⁸²³ Statistical Office of Kosovo: Statistics of Birth in Kosovo 2008. Prishtina 2009. p. 9.

⁸²⁴ According to the Statistical Office of Kosovo, perinatal death is defined as death of a child born alive which occurs within the first six days after birth.

⁸²⁵ UNICEF in Kosovo: The Children. Early years. Online via Internet: URL:
<http://www.unicef.org/kosovo/children.html> [accessed 22 02 2010].

The World Bank: Kosovo Health Financing Reform Study. 2008. p. 10.

The World Bank: Kosovo Public Expenditure and Institutional Review. Volume I. 2006. p. 67.

Immunization rates are currently over 90 per cent, however due to low awareness, parents tend to delay some of the vaccines. Immunization remains particularly low among Roma, Ashkali and Egyptian communities.⁸²⁶

Other health outcome indicators that raise concerns relate to malnutrition, tuberculosis, disability and mental health. Inadequate nutrition is a particular problem that affects a relatively large number of children in Kosovo, with five per cent considered malnourished. Further, one in three children under the age of five suffers from vitamin A deficiency and two out of ten children have stunted growth.⁸²⁷

Data on the health status of older children, young people, adults and elderly people in Kosovo is very limited. However, available figures indicate that tuberculosis and disability rank among the major problems. Although the occurrence of tuberculosis has decreased, it is still far above the average among western European countries. Between five and 7.5 per cent of the overall population and 50 per cent of the population over 65 suffers from some kind of disability. Mental health problems are also prevalent, and not just among the older generation. Young people are particularly affected due to traumas experienced during the conflict, the high risk of social exclusion and the general frustration and despair.⁸²⁸

In addition, environmental pollution and contamination, as well as high tobacco use, pose serious health risks to the population. Cancer is a growing health problem and according to healthcare staff, the number of people suffering from cancer, tumors and birth defects increased significantly after the war. The reason for that is believed to be not just high tobacco use, but also the effects of the depleted uranium that NATO used in its 78-day air campaign in 1999.⁸²⁹ In July 2000, NATO provided the UN with a detailed map indicating sites where depleted uranium munitions had been used and acknowledged that 31,000 rounds of depleted uranium – about ten tons of the munitions – had been used during about 112 attacks. Depleted uranium-tipped weapons were used west of the Pejë/Peć–Gjakovë/Dakovica–Prizren highway, around the town of Klinë/Klina, around Prizren and north of Suharekë/Suva Reka and Ferizaj/Uroševac, all

⁸²⁶ UNICEF in Kosovo: The Children. Early years.

⁸²⁷ Ibid.

⁸²⁸ The World Bank: Kosovo Poverty Assessment. Promoting Opportunity, Security and Participation for All. 2005. p. 29.

⁸²⁹ Based on the author's interviews with healthcare personnel as well as the local population mainly of Suharekë/Suva Reka in 2006–07.

densely populated areas.⁸³⁰ Although opinions differ over whether the depleted uranium rounds present a significant health and environmental hazard, it is obvious that NATO air raids substantially added to pollution in the whole area after dozens of oil refineries, petrochemical plants and factories were destroyed. Unexploded mines are also a potential hazard left over from the war.

Kosovo's environment has not only been damaged by years of pollution, but also by neglect and impunity. Environmental quality is far below European Union standards. Lack of industrial and urban waste collection, a low level of water recycling, illegal logging, inadequate urban and industrial planning and a very low public awareness of environmental issues all contribute to the sad state of affairs.⁸³¹ Air pollution and heavy metal pollution are alarming, in particular lead pollution in the municipality of Mitrovicë/Mitrovica, which has one of the highest blood lead levels in the world. Most of the industrial pollution comes from Kosovo's power plants which are estimated to generate 25 tons of ash and dust per hour, or 74 times the level permitted by EU standards.⁸³² Water pollution is also a serious problem. Poor drinking water quality is a major health threat, particularly in rural areas. Only 64 per cent of the population has access to clean water. On average less than 50 per cent of households are connected to public sewage and in rural areas this figure falls to around seven per cent.⁸³³ In 2003, 70 per cent of water samples taken from rural areas were bacteriologically contaminated although the figure is a less daunting eight per cent in urban areas. Chemical contamination was found in 46 per cent of rural samples and four per cent of urban water samples.⁸³⁴ All these problems have led to visible degradation of the environment, in some cases irreparable, which has a directly negative impact on the health of the population. The European Commission's 2009 Progress Report on Kosovo notes that while Kosovo is at an early stage of aligning with European environmental standards and the capacity of the Ministry of Environment and Spatial Planning and related

⁸³⁰ Depleted Uranium in Kosovo. Post-Conflict Environmental Assessment. United Nations Environment Programme (UNEP) Scientific Mission to Kosovo 5–19 November 2000. Online via Internet: URL: <http://www.iaea.org/NewsCenter/Features/DU/finalreport.pdf> [accessed 22 02 2010].

⁸³¹ UNDP Kosovo: Second Millennium Development Goals Report for Kosovo. p. 9.

⁸³² Commission of the European Communities: Communication from the Commission to the European Parliament and the Council. Kosovo – Fulfilling its European Perspective. Brussels 2009. p. 11.

⁸³³ UNICEF in Kosovo. The Children. Early years.

⁸³⁴ The World Bank: Kosovo Public Expenditure and Institutional Review. Volume I. 2006. p. 68.

institutions remains limited, some progress is being made.⁸³⁵ However, this evaluation is far too optimistic. That only 0.5 per cent of the Kosovo budget is allocated for “environmental protection” shows how much importance the Kosovo government really attaches to the country’s environment.⁸³⁶

Kosovo, like other low-income countries, is also likely to be particularly vulnerable to pandemics due to the increase in global transportation, as well as urbanization, overcrowded living conditions and already strained healthcare resources.⁸³⁷

Yet another problem is the growing incidence of sexually transmitted infections that has been observed in the country since 1999 partly due to the expanding commercial sex industry. The incidence of HIV/AIDS, though it is currently low, is likely to rise for this reason as well as the more risky sexual behavior among young people and the rise in injecting drug use which is often the initial cause of HIV/AIDS spread. The recording of HIV/AIDS in Kosovo started in 1986. Since then, fewer than 100 cases have been registered in the country, but the real number of individuals infected is likely to be higher. It is estimated that there are four new cases per year.⁸³⁸

The high population growth and the very youthful population will put increasing pressure on the health sector. Kosovo’s demographic characteristics make it particularly necessary to invest in preventive care particularly among young people. Currently, budgetary resources are focused on programs like curative care and drug administration programs, while there is too little spent on preventive and primary healthcare so far.

Given these poor health indicators, it is obvious that Kosovo needs to make considerable strides in improving basic healthcare. This will be quite a challenge for the healthcare system if Kosovo is also to achieve the Millennium Development Goals for 2015, which specify reducing the infant mortality rate by two-thirds and decreasing the level of maternal mortality by three-quarters.⁸³⁹

⁸³⁵ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 38.

⁸³⁶ See chapter 5.2.4, Figure 31.

⁸³⁷ KIPRED: Kosovo’s Internal Security Sector Review. Stages I & II. Strategic Environment Review & Security Threat Analysis. 2006. pp. 5.

⁸³⁸ The World Bank: Kosovo Public Expenditure and Institutional Review. Volume I. 2006. p. 68.

⁸³⁹ UNDP Kosovo: Second Millennium Development Goals Report for Kosovo. p. 71.

5.3.2 Weaknesses of the Kosovo health system and its reforms

Kosovo's healthcare system is still based on the Shemasko model – the centrally planned National Health Service model of the Former Soviet Union. Under this direct-provision model, the financing and provision of healthcare is integrated and managed by the same organization and the budget is derived from the general state budget.⁸⁴⁰

At present, the National Healthcare System is administered by the Ministry of Health, which was established in 2001. It is responsible for policy-making, development and implementation of health strategies, and provision of secondary healthcare facilities at the regional level (hospitals) and tertiary health services at centers such as the University Clinical Center of Kosovo and other specialized institutions. Primary care is provided by the municipalities, which are directly funded by the Ministry of Economy and Finance.⁸⁴¹

The overall capability for providing services is far below the EU average and the considerable needs of the population. Many people in Kosovo suffer from inadequate healthcare, particularly minorities who have problems in accessing healthcare facilities at all.

As in education, Serb parallel structures also exist in the health sector. The two largest medical centers in Serb areas are in North Mitrovicë/Mitrovica and Gracanicë/Gracanica. Both are overstaffed and reports of large-scale corruption are frequent.⁸⁴² The Kosovo government does not have any authority over the hospital in North Mitrovicë/Mitrovica. The problems that arise from the parallel health system are akin to those presented by the parallel education system. Steps should be taken to unify both systems not only for political reasons, but also to allow policy coordination, sharing of information and monitoring of security risks such as epidemics.

According to the European Commission 2009 Progress Report on Kosovo, health infrastructure, including medical equipment, drugs supply and hospital capacities, remains poor. Hospitals and primary care facilities remain outdated. Overall, the sector urgently requires increased attention by the Kosovo authorities.⁸⁴³

⁸⁴⁰ The World Bank: Kosovo Health Financing Reform Study. 2008. p. 5.

⁸⁴¹ The World Bank: Kosovo Public Expenditure and Institutional Review. Volume I. 2006. pp. 70.

⁸⁴² International Crisis Group: Serb Integration in Kosovo: Taking the Plunge. Europe Report No. 200. 12 May 2009. pp. 18.

⁸⁴³ Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 34.

One of the most frequent complaints is the shortage of essential drugs and other supplies. Theoretically, basic drugs are provided to patients free of charge; however, insufficient public funding means that this does not always happen. The situation is summed up by Hamdi Berisha:

“You can hardly get what you need without bribing government service providers. A good example is the hospitals, which are horrible. Normally the hospitals have to provide patients with free drugs, but the doctors will tell you that the hospital is out of supply. So you can either buy from the doctors who sell the hospital’s drugs or go to the drugstore and buy them there.”⁸⁴⁴

At least 80 per cent of Kosovo’s pharmaceutical market is financed by patients’ out-of-pocket payments. In addition, there are businesses selling out-of-date or fake drugs.

Other problems include the lack of adequately trained healthcare staff. As in the education sector, most healthcare personnel were forced out of the public health service during the 1990s and now suffer from a gap in technical training and professional capability.

Although Kosovo reports the lowest bed density in Europe, with 148 hospital beds per 100,000 people, the utilization rates in public primary healthcare centers and in hospitals are low.⁸⁴⁵ Financial barriers presumably exclude many people mainly those in vulnerable groups, from care, while those who can afford to pay higher fees seek care in the growing private sector as well as abroad. Private healthcare is expanding in Kosovo. As of October 2009, 563 private health facilities have been licensed. Law No. 2004/50 regulates the private practices in the health sector, however the monitoring mechanism need to be improved in order to ensure quality of care.

The increasing demand for private sector care is driven to some extent by doctors working in both the public sector and private practice who try to augment low salaries paid to public healthcare personnel⁸⁴⁶ by enticing patients away to their private facilities. Sylë Ukshini reports:

“If you go to the public hospital you find so many corrupt doctors that only work for money and who also have their own private clinics. A doctor once did not

⁸⁴⁴ Telephone interview with Hamdi Berisha on 1 February 2010.

⁸⁴⁵ The World Bank: Kosovo Health Financing Reform Study. 2008. pp. 12.

⁸⁴⁶ See chapter 5.1 Unemployment and poverty, Table 10 for wages of healthcare personnel.

treat me well, so I was forced to go to a private clinic. But when I came there, I saw that the private doctor was the same person as in the public hospital.”⁸⁴⁷

As well as being short of funds, the health sector is in general seen as plagued by mismanagement and large-scale corruption.⁸⁴⁸ A Kosovar citizen dependent on the health sector puts it this way:

“They [hospitals] don’t provide services. They simply sell their services to the public. Corruption, nepotism, unaccountability and disrespect for society are not only crumbling the education sector but also the health sector. If you have wealth, you can buy the services you need. If not, may God help you. In a normal country, when someone gets ill, you rush to the phone to call an ambulance but here you have to run to your wallet and see whether you have enough money before you proceed to get medical treatment.”⁸⁴⁹

Some kinds of surgery, such as organ transplantation, cannot be carried out in Kosovo, and, in some cases, treatment may take place abroad. However, the bureaucratic procedures associated with cost estimates, visas, transport, escorts and interpreters are time-consuming and complex, so that in some cases patients have passed away before treatment can take place. More than 1,000 patients are currently on the waiting list for treatment abroad, but there is no adequate budget for such surgery. Further, as is the case in the education sector, people believe that to get treatment abroad it is necessary to have the right connections.

Kosovo’s budgetary constraints preclude increasing public spending on health, so it is crucial to deploy existing resources more efficiently to get better health results. Strong policy and institutional reforms to strengthen public sector financial management, administrative capacity and mechanisms for ensuring accountability are needed.⁸⁵⁰

Fundamental decisions concerning the health sector were taken prior to the establishment of the Ministry of Health. Work on a legislative framework was initiated by the former Department of Health within UNMIK’s Joint Interim Administrative Structure which drafted an “Interim Health Policy for Kosovo” in September 1999,

⁸⁴⁷ Interview with Sylë Ukshini. Statement translated by the author.

⁸⁴⁸ See chapter 4.2.1 Crime and corruption, Figure 12.

⁸⁴⁹ Telephone interview with Hamdi Berisha on 1 February 2010.

⁸⁵⁰ The World Bank: Kosovo Health Financing Reform Study. 2008. p. 14.

followed by the “Health Policy for Kosovo” in 2001. Both framework documents were intended to start a comprehensive reform program.⁸⁵¹

The government aims to strengthen the health system through health financing reforms and modernization of healthcare delivery. The legal basis for health financing reform is enshrined in Kosovo Health Law No. 2004/4, which proposes to establish a single health insurance fund that will pool all government health funds, and pay for basic care in public health facilities.

However, moving toward a health insurance system is currently hampered by Kosovo’s economic problems. No social health insurance has yet been implemented and this has stalled improvement in the healthcare sector at all levels. In April 2006 the Kosovo parliament passed a health insurance law to introduce insurance financed primarily through payroll taxes. However, the law was returned to the government. The revenue potential of such payroll-funded insurance was estimated to be modest given Kosovo’s relatively small formal employment sector and high unemployment rate. Concerns were also raised about the legislation’s financial and economic implications and whether the benefits would justify the costs of the scheme, bearing in mind the limited availability of human, organizational and institutional capacity to implement and manage a health insurance fund.⁸⁵²

Just as the Ministry of Education, Science and Technology developed the “Strategy for Development of Pre-University Education in Kosovo 2007–2017” and the “Strategy for Development of Higher Education in Kosovo 2005–2015”, the Ministry of Health published the “The Strategy for Health Care in Kosovo 2005–2015” in June 2004. The strategy sets out the Ministry of Health’s ambitions for health provision with main goals including: a healthy start in life, improving the health of young people, improving mental health, reducing diseases, developing human resources, institutional reforms and improvement of management in healthcare.⁸⁵³ According to the Health Law, chapter III, Section 12, provision of healthcare will be based on the following principles: equity, quality, responsibility, inclusiveness and non-discrimination in service delivery and employment, sustainable financing, cost-effectiveness and co-financing.

⁸⁵¹ UNDP Kosovo: Kosovo Internal Security Sector Review. Prishtina 2006. p. 75.

⁸⁵² The World Bank: Kosovo Health Financing Reform Study. 2008. p. 1.

⁸⁵³ Lul Raka. Dukagjin Pupovci: National Background Report on Health Research for Kosovo. Co-ordination of Research Policies with Western Balkan Countries. May 2009. p. 12.

Other recently developed programs include the “Strategy for Mental Health 2008–2013”, the “Health Sector Strategy 2010–2014” and the “Kosovo Strategy Plan against HIV/AIDS 2009–2013”.⁸⁵⁴ However, just as in other sectors, while numerous strategies exist, a lot remains to be done to accomplish them. People often raise concerns that the government is focusing more on drafting strategies than on actually implementing them. As one Kosovo Albanian puts it:

“Our government comes up with more and more strategies. However, they should focus on their implementation before they start drafting new strategies. Once a new strategy is published, the work is considered as completed and no further actions are taken, but the strategy should be the beginning of the actual work.”⁸⁵⁵

5.3.3 Investing in health

As shown in chapter 5.2.4, Kosovo spends relatively less on health than comparable countries. Moreover, most people hold that the government is not interested in spending money on health, as summed up by Hamdi Berisha:

“The government is only focusing on construction. They do not have money for public health, which is the basis for society, but they have money to build roads, highways, schools, very tall buildings, shopping malls. They have money for all that but they don’t have money for hospitals.”⁸⁵⁶

In the absence of a health insurance system, the entire public health budget is allocated from the Kosovo Consolidated Budget, whose allocations are estimated to provide less than 30 per cent of the health needs of the population, while private sources are estimated to contribute 40 per cent of overall spending on health. The government spends approximately three per cent of GDP and seven per cent of general government expenditures on the healthcare system.⁸⁵⁷ Under the old-style centralized system, the Ministry of Economy and Finance transfers health funds from the central budget to hospitals (51 per cent of the total in 2007), to municipalities in the form of an earmarked health grant for the provision of primary healthcare services (26 per cent) and to the Ministry of Health for other services (22 per cent). In addition, patients co-finance their

⁸⁵⁴ Kosovo Ministry of Health: Online via Internet: URL: <http://www.msh-ks.org/en/strategjite.html> [accessed 22 02 2010].

⁸⁵⁵ Telephone interview with Bekim Kryeziu on 25 February 2010. Statement translated by the author.

⁸⁵⁶ Interview with Hamdi Berisha.

⁸⁵⁷ Compare Chapter 5.2.4 Investing in education, Figure 31.

healthcare by meeting their out-of-pocket expenditures.⁸⁵⁸ Since the health system in Kosovo is publicly financed and is meant to provide universal coverage with a generous exemption policy through the co-payment principle, there should not be a significant proportion of the population reporting excessive costs as a main barrier to access, but as is clear from the forgoing this seems to be the case.⁸⁵⁹

In 2008, the Ministry of Health spent about €57 million.⁸⁶⁰ Spending in 2009 and forecasts to 2012 are shown in the following table from Ministry of Economy and Finance's 2010 budget report.

Table 18: Budget of the Kosovo Ministry of Health, 2009–12

Budget of the Kosovo Ministry of Health, 2009–12				
	2009 (SAR) ⁸⁶¹	2010 Budget	2011 (Estimate)	2012 (Estimate)
Operational Expenditures (€)	61,167,383	59,880,133	60,107,788	59,047,788
Capital Expenditures (€)	12,928,100	10,945,059	11,333,647	12,393,647
TOTAL (€)	74,095,483	70,825,192	71,441,435	71,441,435
No. of employees	7,409	7,266	7,266	7,266

Source: Kosovo Ministry of Economy and Finance: Budget of the Republic of Kosovo for the Year 2010. January 2010. p. 31.

Given the decline in international donor assistance and the low public spending on health, real improvements in the currently poor quality of health services and unsatisfactory health outcomes will be hard to obtain.⁸⁶² The relative insignificance of the health budget becomes evident by comparing it with expenditure on the current highway construction program of €700 million (see chapter 4.2.1) and EULEX's mission budget of €265 million (see chapter 4.3.3).

In contrast to the education sector, where Kosovars are now noticing some positive changes and improvements, the healthcare sector looks set to remain very

⁸⁵⁸ The World Bank: Kosovo Health Financing Reform Study. 2008. p. 4.

⁸⁵⁹ The World Bank: Kosovo Poverty Assessment. Promoting Opportunity, Security and Participation for All. 2005. p. 75.

⁸⁶⁰ Kosovo Ministry of Economy and Finance: Annual Financial Report 2008. Kosovo Consolidated Budget. p. 40.

⁸⁶¹ SAR: Semi-Annual Review.

⁸⁶² The World Bank: Kosovo Poverty Assessment. Promoting Opportunity, Security and Participation for All. 2005. p. 67.

inadequate with significant gaps in provision for the population's needs. Kosovo needs to make considerable progress if it wants to reach its healthcare sector objectives, defined as: the “development of a sustainable health system able to provide quality health services for all the people in the Republic of Kosovo, aimed at meeting European standards.”⁸⁶³

⁸⁶³ Kosovo Ministry of Economy and Finance: Medium Term Expenditure Framework 2009–2011. Prishtina 2008. p. 105.

5.4 Youth bulge

Recent studies have found that countries with a “youth-bulge” – defined as where a large proportion of the working-age population (ages 15 to 64) are young adults (aged between 15 and 29) – are at a high risk of internal armed conflict and civil strife.⁸⁶⁴ Moreover, societies with rapidly growing young populations often suffer from extensive unemployment and large pools of disaffected youths who may be prone to recruitment into rebel or criminal groups. Theorists such as Jack Goldstone, Gunnar Heinsohn and Richard Cincotta argue that countries with weak political institutions are most vulnerable to youth-bulge-related violence and social unrest.⁸⁶⁵

Although youth-bulge societies are most prevalent in sub-Saharan Africa, southern Asia, the Middle East, and the Pacific Islands, Kosovo is in much the same league. Of its estimated total population of approximately 2.2 million

- 33 per cent are below the age of 15
- 46 per cent are below the age of 19
- 50 per cent are below the age of 25
- 70 per cent are below the age of 30
- 61 per cent are aged between 15 and 64
- 6 per cent are 65 years and older⁸⁶⁶

⁸⁶⁴ Elizabeth Leahy: *The Shape of Things to Come. Why Age Structure matters to a safer, more equitable World*. 2007. Population Action International. Online via Internet: URL: http://www.populationaction.org/Publications/Reports/The_Shape_of_Things_to_Come/Summary.shtml [accessed 02 02 2010].

Bilal Barakat, Henrik Urdal: *Breaking the Waves? Does Education Mediate the Relationship between Youth Bulges and Political Violence?* Policy Research Working Paper 5114. The World Bank. November 2009. Online via Internet: URL: http://www-wds.worldbank.org/external/default/WDSCContentServer/IW3P/IB/2009/11/05/000158349_20091105103139/Rendered/PDF/WPS5114.pdf [accessed 03 02 2010].

⁸⁶⁵ Jack Goldstone: *Revolution and Rebellion in the Early Modern World*. University of California Press. Berkeley 1991. pp. 136;

Gunnar Heinsohn: *Söhne und Weltmacht. Terror im Aufstieg und Fall der Nationen*. Orell Füssli, Zürich 2003;

Richard Cincotta: *How Democracies Grow Up*. Countries with too many young people may not have a fighting chance at freedom. In: *Foreign Policy*. 19 February 2008. Online via Internet: URL: http://www.foreignpolicy.com/articles/2008/02/19/how_democracies_grow_up?page=full [accessed 02 02 2010].

⁸⁶⁶ Statistical Office of Kosovo: *Kosovo in Figures 2008*. p. 11.

USAID Kosovo: *A modern workforce development system is key to Kosovo’s growth. A report and recommendations from a supply–demand assessment of workforce development*. May 2009. p. 12.

Kosovo's population is not only the youngest, but also the fastest growing in the Balkans. Various estimates put its annual growth rate between 1.5 and 1.7 per cent.⁸⁶⁷ This is significantly higher than population growth elsewhere in the region, which is, for example, 0.2 per cent in the Former Yugoslav Republic of Macedonia and 0.5 per cent in Albania, where there are declines of -0.9 per cent in Montenegro and -0.4 per cent in Serbia.⁸⁶⁸ Projections indicate that Kosovo will have 2.7 million inhabitants by 2025 rising to 3.2 million in 2050.⁸⁶⁹

The problems generated by a rapidly growing, youthful population are highlighted by Population Action International in its report "The Shape of Things to Come". The report concludes that the age structure of a country's population has a significant impact on its security, economic development and social welfare, and it identifies four main types of age structure present in current populations: very young, youthful, transitional and mature, each with its particular characteristics.

The very young age structure is defined as where youth (below the age of 30) accounts for 67 per cent or more of the total population, with mid-adults (aged 30–59) accounting for 18–27 per cent and seniors (aged 60+) for just three to six per cent. The youthful age structure profile is: youth: 60–67 per cent; mid-adults: 27–32 per cent and seniors: six to eight per cent. Kosovo clearly falls into one of these categories, but an accurate classification is not currently possible since the country's demographic statistics are largely based on estimates.

The Population Action International report shows that between 1970 and 1999, 80 per cent of civil conflicts occurred in countries where 60 per cent of the population or more were under the age of 30 (in other words where the age structure is classified as young or very young). Today 67 countries have youth bulges, and 60 of them are experiencing social unrest and violence. Clearly, countries with a large proportion of young adults are more prone to outbreaks of low-level political violence and instability

⁸⁶⁷ Kosovo Ministry of Economy and Finance: Labor Market in Kosovo: A Projection on the Relationship between GDP growth and Unemployment. Macroeconomics Department. September 2008. p. 3. Online via Internet: URL: <http://mef-rks.org/en/download/522-macroeconomic-bulletin> [accessed 01 02 2010]. The International Monetary Fund: Kosovo – Gearing Policies toward Growth and Development. November 2004. p. 19. Online via Internet: URL: <http://www.imf.org/external/pubs/ft/kosovo/2004/eng/111804.pdf> [accessed 01 02 2010]. Statistical Office of Kosovo: Demographic changes of the Kosovo Population 1948–2006. p. 17. Online via Internet: URL: http://www.ks-gov.net/ESK/eng/index.php?option=com_docman&task=cat_view&gid=8&Itemid=8 [accessed 01 02 2010].

⁸⁶⁸ Central Intelligence Agency: The World Factbook. Kosovo.

⁸⁶⁹ Population Reference Bureau: Data by Geography. Kosovo. Summary.

than countries with more mature age structures. However, demographers also emphasize that youth bulges do not exclusively explain civil conflict and violence – corruption, ethnic tensions, poverty, and poor political institutions also contribute. While youth bulges may generally increase the risk of conflict, the contextual factors that determine when this is true, and under what circumstances large youth cohorts may be beneficial, are not yet well understood.

In addition to the youth bulge theory there is the relative deprivation theory elaborated by Ted Gurr. Gurr contends that people become aggressive in response to specific social conditions and that grievances and frustration arise when the gap between expectations and reality widens. Political violence is seen as a means of redressing these grievances. Gurr emphasizes that “the potential for collective violence varies strongly with the intensity and scope of relative deprivation among members of a society.”⁸⁷⁰

In line with Gurr’s theory and the findings of the Population Action International report, Kosovo’s higher-than-average population growth, especially in the 1980s when the average Kosovo Albanian rural woman gave birth to seven children,⁸⁷¹ has indeed resulted in many unemployed, dissatisfied young people, angry and in the worst case prone to violence and criminal activity due to the dismal hopelessness of their situation. The surge of young people entering the employment market outpaces job growth, leaving even educated youths unemployed and frustrated. The sections of this study dealing with the state’s welfare provision paid particular attention to the situation of young people and also demonstrated that it is the young people who are particularly affected by Kosovo’s persistent problems of poverty and unemployment because of the lack of opportunities, vocational training and education.

Kosovo’s civil disturbances of March 2004 are a good example of how lack of prospects can increase young people’s disposition towards violence, including ethnically motivated crimes. The same combination of a youth bulge, high unemployment and poor economic conditions may further give rise to a generally increased willingness to engage in illegal activity as the only way to escape poverty and hardship, and facilitate recruitment into insurgent organizations, criminal and drug

⁸⁷⁰ Ted Gurr: *Why men rebel*. Princeton University Press. New Jersey 1974. Fourth Edition. p. 24.

⁸⁷¹ Compare chapter 3.1 Geographic and demographic characteristics.

networks⁸⁷² or even religious extremist groups.⁸⁷³ With no options or prospects, and neither work nor even much in the way of simple amusements, there is little to deter young people from joining such groups. Educational attainment is in general a positive factor, increasing opportunities (although to a limited extent⁸⁷⁴) and thereby the opportunity cost of recruitment into an antisocial group.

Young Kosovo Albanian Artan Kasumi articulates the general worries of his generation:

“The main problem is that I really don’t see my future clearly, I mean the way things are going with this high rate of unemployment in Kosovo ... I really don’t have a clear vision of my future because my government has no clear vision of my own future and their future, so it’s going to be very, very difficult.”⁸⁷⁵

On the other hand, youth-bulges can also have positive effects. With the right conditions and policies as well as continued progress through the demographic transition, a large young population may represent a significant resource that can boost economic development – a so-called “demographic dividend”.⁸⁷⁶

Age structures are dynamic and can be controlled and shaped by societies and especially governments through policies that affect the demographic forces – births, deaths and migration – that determine these age structures. To deal with the risk of youth unemployment in the short term, the Kosovo government should invest in training and job creation, and promote entrepreneurship among young people. But necessary long-term changes in Kosovo’s age structure can only occur through a reduced birth rate. This means the support of programs that promote the demographic transition, such as family planning, girls’ education, maternal and child health, and HIV/AIDS prevention, care and treatment, must be a central part of development assistance. Extreme poverty, disease, inadequate healthcare, and lack of educational and economic

⁸⁷² The author is not including terrorist networks although categories may blur at times. Membership of the groups under discussion is primarily driven by the members’ own benefits and gains rather than the object of addressing a real or perceived societal wrong.

⁸⁷³ See chapter 4.2.3 Political and religious extremism.

⁸⁷⁴ See chapter 5.2 Education.

⁸⁷⁵ Interview with Artan Kasumi.

⁸⁷⁶ Bilal Barakat, Henrik Urdal: Breaking the Waves? Does Education Mediate the Relationship between Youth Bulges and Political Violence? Policy Research Working Paper 5114. The World Bank. November 2009. p. 2.

opportunity – particularly for women – all pose risks, not only in terms of human well-being but also for state security.⁸⁷⁷

Given this challenging situation, it is crucial that the government starts to pay attention to the problems of Kosovo's young people; not just because they may create social unrest but even more importantly because they are Kosovo's future workers, business people, parents, citizens and leaders.

However, while population characteristics are of great importance, they are frequently ignored or insufficiently addressed by policy makers. Ignoring the challenges of the youth bulge and population growth outpacing the country's economic potential has been a serious mistake.

⁸⁷⁷ Elizabeth Leahy: The Shape of Things to Come. Why Age Structure matters to a safer, more equitable World. 2007. Population Action International.

5.5 Social inequality in Kosovo

As the previous chapters have shown, social inequality is widespread in Kosovo. Apart from the disadvantaged position of Kosovo's younger generation, gender inequality is also particularly pronounced. Women are under-represented in the leadership of the country, particularly those from minority groups and rural areas. They are disadvantaged in practically every area including education, employment, decision-making and participation in the public sphere, and, in addition to this structural violence, actual physical violence against women is also growing.

5.5.1 The role of women – a complex of tradition and emancipation

Although gender inequality remains a serious problem in Kosovo, there is another side to the picture. Any description of the role of women in Kosovar society is complicated by the presence of two contradictory sets of influences. On the one hand are the traditional, patriarchal attitudes, particularly in rural areas, that often limit a woman's ability to gain an education or even choose her own marriage partner; on the other hand, there is now a powerful Western influence as a result of the international presence, the diaspora and the availability of international media. The impact of the latter, while important, remains limited only to a proportion of the population and concentrated in urban areas. Elsewhere the traditional influences prevail. A 2006 study found that about 93 per cent of Kosovo families are headed by a man, with most exceptions being households headed by widows. In many rural areas, women are effectively excluded from public life and "family voting". The same UN study found that in 76 per cent of families it is the father who makes the important decisions, and, where this is not the case, mothers do not necessarily take charge. They are the decision makers in only seven per cent of all households while other members of the family have this role in 17 per cent.⁸⁷⁸ Many traditions in Kosovo present serious obstacles to female emancipation, whether in the social, political or personal spheres. The average age of marriage for women is 26, and it is considered a matter of shame for the family if a female member is not married by the age of 30. Divorce remains rare, due to a combination of social and economic constraints. There was a sharp increase from a very

⁸⁷⁸ UNDP Kosovo: Youth. A new generation for a new Kosovo. Human Development Report 2006. p. 22.

low base between 2000 and 2003 when the annual divorce rate quadrupled from 325 to 1,385, but it then declined again to 1,026 in 2008.⁸⁷⁹ Given Kosovo's inadequate social security net, women have poor prospects without family support. They have equal rights under the laws governing inheritance, but hardly ever claim them due to lack of information and low educational levels.⁸⁸⁰ An interviewee quoted by the European Stability Initiative explained that the main reasons why so few women gain secondary education are poverty and the lack of any real prospect of even educated women earning a living. Families that are more affluent due to having members working abroad have not absorbed a different approach to education from the diaspora; largely because education does not increase a girl's social status. Indeed, the ability to emigrate can be seen as more desirable than education:

“A girl with papers is more valuable, she enjoys a higher social status, than a female doctor or engineer working here in Kosovo. There are few reasons here for girls to continue studying ... Some even quit and throw away their university degree even if they are only 2–3 exams away from finishing, if there is a chance to marry a person with papers. Education has lost its value.”⁸⁸¹

Two indicators used to assess gender inequalities in human development are the Gender-related Development Index (GDI) and the Gender Empowerment Measure (GEM). The GDI measures the degree of equality between men and women with reference to the same basic capabilities as measured by the Human Development Index in respect of the whole population.⁸⁸² The GEM attempts to quantify gender inequality in the spheres of political and economic participation. While the GDI focuses on expansion of capabilities, the GEM is concerned with the use of those capabilities to take advantage of opportunities in life.⁸⁸³ Although a slight increase in Kosovo's GDI can be seen between 2002 when it was calculated for the first time at 0.70 and 2009 when it had risen to 0.76, this score continues to show that women are substantially

⁸⁷⁹ UNMIK Online: Focus Kosovo. Social Life. Divorce – cutting both ways. Online via Internet: URL: <http://www.unmikonline.org/pub/focuskos/feb04/focusksocaffair3.htm> [accessed 15 02 2010].

Statistical Office of Kosovo: Marriage and Divorce Statistics 2008. p. 6.

⁸⁸⁰ ESI: Cutting the lifeline. Migration, Families and the Future of Kosovo. Berlin/Istanbul 18 December 2006. p. 24.

⁸⁸¹ Ibid. p. 22.

⁸⁸² See chapter 3.1 Geographic and demographic characteristics.

⁸⁸³ UNDP: Human Development Indices. Online via Internet: URL: <http://hdr.undp.org/en/humandev/hdi/> [accessed 15 02 2010].

disadvantaged with Kosovo's GDI remaining the lowest in the Balkan region. Kosovo's GEM at 0.465 puts it in approximately 52nd place globally.⁸⁸⁴

However, in contrast to the traditional role of women in the rural areas, there are a growing number of urban westernized women, emancipated and with the same opportunities as men.

During the 1990s, when Kosovo Albanians created their underground parallel system, women in Kosovo started to attain a more important, though still subordinated, social position. They were engaged in setting up the parallel structures, particularly in the education and health sectors, both areas traditionally dominated by women. In this period, the first women's movements and NGOs addressing women's issues developed in Kosovo. The number of women's organizations addressing areas such as violence against women and women's rights, health, education, economic position and empowerment increased significantly after the war. Today, more than 80 women's organizations of all ethnic groups and regions of Kosovo are associated with the Kosovo Women's Network, an important umbrella organization established in 2000 and a partner of the United Nations Development Fund for Women. However, the war also brought redefinitions of manhood and the role of men in society. Constructions of masculinity based on martyrdom, heroism and patriotism led to further consolidation of male influence and exclusion of women from sociopolitical areas.⁸⁸⁵

Clearly, the role of women in Kosovar society can vary dramatically according to circumstances. The challenge for policymakers is to take account of the whole picture and not assume that the traditional stereotype applies universally.⁸⁸⁶

⁸⁸⁴ United Nations Development Fund for Women (UNIFEM): Regional Office for Central and Eastern Europe. Country Profiles. Kosovo. Online via Internet: URL: http://www.unifem.sk/index.cfm?module=project&page=country&CountryISO=KS#_ftn8 [accessed 15 02 2010].

⁸⁸⁵ Helmut Kramer. Vedran Džihic: Die Kosovo Bilanz. Scheitert die internationale Gemeinschaft? Lit. Vienna 2006. Second Edition. p. 115.

⁸⁸⁶ See Kvinna till Kvinna Foundation: Getting it Right? A Gender Approach to UNMIK Administration in Kosovo. Stockholm 2001. pp. 10. Online via Internet: URL: http://www.kvinnatillkvinna.se/sites/default/files/File/Rapporter/getting_it_right.pdf [accessed 17 02 2010].

5.5.2 Failures in promoting gender equality

As the international community started its work of reconstruction and institution building in Kosovo, many women activists hoped that the reorganization of society would strengthen the position of women and bring about enhanced women's rights regulated by law. Women pinned their hopes on the international community and believed that now they would be treated as equal to men and be included in rebuilding Kosovo. However, these expectations have not been met. The international community chose to be guided by the traditional image of Kosovar women, and as a result they weakened the position of women even further. This can be explained by a simple lack of cultural knowledge and understanding of Kosovo on the part of those involved, especially at the very beginning of the mission but unfortunately often still today. For example, the traditional *kanoon*, a fifteenth century code of honor,⁸⁸⁷ was considered by many international members to be still valid for every Kosovo Albanian and it was erroneously believed to explain everything about Kosovo's society. It is true that before 1999, many Kosovo Albanians preferred to settle their problems according to the rules of the *kanoon* rather than to contact Serbian law and order institutions in which they lacked confidence. However, the *kanoon's* significance was eroded by the institutionalization of modern laws under the socialist system and it was further undermined by the new laws introduced by UNMIK. Although some extreme traditionalists, particularly in rural areas, still live according to the *kanoon*, this is far from the case for the general population, which regards it as a thing of the past. Unfortunately, many international representatives, even in key positions, still believe in the importance of the *kanoon* and argue that its dictates prevail throughout Kosovo.⁸⁸⁸ These are mainly people who have never had personal contact with the local population or prefer to rely on mission briefings that are sometimes outdated or wrongly interpreted rather than to believe Kosovo Albanians who have been trying to explain the real position to them for the past ten years. This is not an isolated example. The same approach has been a consistent theme of the entire mission period and explains the international representatives' often limited understanding of what is really going on in Kosovo in many areas including the role of women.

⁸⁸⁷ The *kanoon* is a set of laws developed in the fifteenth century by Lekë Dukagjini, who fought against the Ottoman Empire.

⁸⁸⁸ Author's own experience.

As a result, the international community focused on the traditional picture of women and simply ignored the fact that there were emancipated women who wanted to be included in decision-making. This lack of sensitivity has caused increasing estrangement between the international community and the local female population, whose disappointed expectations have led first to lack of trust in the international organizations and later to active demonstrations against UNMIK.⁸⁸⁹

Igballe Rogova, Executive Director of the Kosovo Women's Network, sums up the disappointment experienced by emancipated Kosovo Albanian women:

“In Kosovo in the 1990s, women and men kept society together for ten years. Women and men operated schools and health clinics and provided social assistance under the Serbian oppression. Women and men were involved in politics together; together women and men kept the peaceful resistance; together women and men fought in the Kosovo Liberation Army. Then in 1999 UNMIK came and first of all divided men and women. No women were involved in the reconstruction process; no women were involved in the negotiation process. Many accuse my government for that but I think it was the model of UNMIK that came to Kosovo. We were divided by the same institution that adopted UN Security Council Resolution 1325.”⁸⁹⁰

UNSCR 1325, passed on 31 October 2000, stresses the importance of full and equal participation by women in all efforts to maintain and promote peace and security, and the need to increase their role in decision-making. However, one of the most obvious failures of UNMIK has been the lack of women's participation in the postwar political processes in Kosovo, as well as their exclusion from the highest levels of decision-making over the whole mission period. Within the UNMIK structure itself only a few senior positions have been held by women. There have been seven SRSGs in Kosovo but none of them was female. The same applies to the heads of the four UNMIK Pillars. Women were not only excluded in the postwar phase but continued to be excluded later on. The most telling example of what Igballe Rogova is complaining about is that the Kosovo Negotiation Team, which led the final status negotiations in Vienna, did not include any women.

⁸⁸⁹ In an interview conducted by the author with the Executive Director of the Kosovo Women's Network, Igballe Rogova, she describes this lack of gender awareness and mentions various demonstrations, such as the March 2004 demonstration, that were organized due to discontent with UNMIK.

⁸⁹⁰ Statement of Igballe Rogova during the presentation “Kosovo after Independence. Is the EU's EULEX Mission Delivering on its Promises?” by the Renner-Institute on 27 November 2009 in Vienna.

These examples clearly show that it is not enough for the international community to establish institutions and pass laws and regulations. What matters are the individuals in those institutions and their readiness to implement those laws. The best laws – and this applies to all areas, not just where gender equality is involved – are of no value if those who are responsible for monitoring their implementation do not follow them themselves. UNMIK did not set a good example in its treatment of women and therefore lost its credibility with them, but this was not the first time this had happened.

5.5.3 Success in promoting gender equality

Despite many shortcomings, Kosovo managed to create a solid basis of legislation and institutional mechanisms for the accomplishment of gender equality in Kosovo.⁸⁹¹ However, as noted above, there has been no satisfactory progress towards implementing this legislation. One of the most important steps to promote gender equality has been the development of the National Action Plan for the Achievement of Gender Equality in Kosovo, which was approved by the Government of Kosovo in April 2004. The approval of the National Action Plan led the way for the Law on Gender Equality, promulgated in June 2004, which includes provisions relating to the economy, political parties, property and employment. It provides for monitoring mechanisms and sanctions if the law is violated.

Due to these and other laws, significant progress has been made in improving female representation in Kosovo's institutions, particularly at the lower levels, but a lot remains to be done to reach the degree of female representation envisaged by the law on gender equality. Women in leading positions are still outnumbered by men by approximately ten to one.⁸⁹²

5.5.3.1 Women in civic life

Given the depressing statistics on women's education referred to in chapter 5.2, and the prevailing patriarchal attitudes, it is not surprising that women's participation in politics is low. One approach to increasing women's political involvement has been the

⁸⁹¹ For the institutional mechanisms see: Kosovar Gender Studies Center: Monitoring Security in Kosovo from a Gender Perspective. p. 8. Online via Internet: URL: <http://www.kgscenter.org/pdf/Monitoring%20Security%20in%20Kosovo%20from%20a%20gender%20perspective%20%28english%29.pdf> [accessed 18 02 2010].

⁸⁹² Ibid. p. 8.

introduction of quotas. Since 2002, following a decision by the Central Election Commission, all political parties in Kosovo must ensure that one-third of candidates in their election lists are women. However in May 2009, female politicians called for changes to bring the election laws into line with the gender equality law (Section 3.2) under which the quota should be at least 40 per cent.⁸⁹³

In the elections for the National Assembly in 2004, 27.5 per cent of elected members were women and 28 per cent of all seats in municipal assemblies were occupied by women.⁸⁹⁴ In the November 2007 elections,⁸⁹⁵ women increased their numbers, winning 38 seats in the 120-seat Assembly, or 32 per cent.⁸⁹⁶ (However, of the 205 candidates running for mayor in the 2009 municipal elections, only 11 were women.⁸⁹⁷)

Despite this progress, women are still under-represented at the highest decision-making levels and all parties are currently led by men.⁸⁹⁸ At the time of writing, two out of 18 ministers are women – the Minister of Public Administration and Minister of Energy and Mining. Other senior positions held by women include three deputy ministers, the Director of the Kosovo Center for Public Safety Education and Development and the head of the Central Election Commission.

In the security sector, about 15 per cent of uniformed officers in the Kosovo Police are female, with ten per cent of female officers in decision-making positions.⁸⁹⁹ In the Kosovo Protection Corps about two per cent are female.⁹⁰⁰ The number of women in the Kosovo Police is quite remarkable and is further evidence that many Kosovar women do not correspond to the conventional traditionalist image.

On the other hand, women are not adequately involved in the judicial system. In 2007, women held 27 per cent of all positions in courts and 20 per cent of the 83 prosecutor positions. No known steps have been taken towards establishing special

⁸⁹³ Women MPs want Kosovo's election law changed. In: Southeast European Times. 26 May 2009. Online via Internet: URL:

http://www.setimes.com/cocoon/setimes/xhtml/en_GB/newsbriefs/setimes/newsbriefs/2009/05/26/nb-01 [accessed 15 02 2010].

⁸⁹⁴ UNIFEM: Regional Office for Central and Eastern Europe. Country Profiles. Kosovo.

⁸⁹⁵ Compare chapter 3.4.1.4 Recent elections and results.

⁸⁹⁶ Freedom House: Freedom in the World 2009. Kosovo [Serbia] (2009).

⁸⁹⁷ European Network of Election Monitoring Organizations (ENEMO): International Observation Mission to Kosovo Municipal Elections 2009. 16 November 2009. p. 7. Online via Internet: URL: http://www.enemo.eu/press/Preliminary_Statement_first_round_ENG.pdf [accessed 18 02 2010].

⁸⁹⁸ KIPRED: Strengthening Women's Citizenship in the Context of State-Building: Kosovo Security Sector and Decentralisation. July 2010. pp. 9.

⁸⁹⁹ Compare chapter 4.3.4 Kosovo Police, Figure 14.

⁹⁰⁰ UNIFEM: Regional Office for Central and Eastern Europe. Country Profiles. Kosovo.

chambers for rape, trafficking and domestic violence cases, however some municipal courts have judges specializing in domestic violence cases. The judicial system suffers from weaknesses that are particularly related to domestic violence and human trafficking cases. Judges and prosecutors are in need of training in gender equality and women's human rights.⁹⁰¹

Many of the above figures appear encouraging for those concerned with women's rights, but this is to a large extent superficial. As long as the integration of women into public life is more a matter of box ticking to comply with regulations rather than based on a genuine conviction of women's competencies on the part of decision makers, true gender equality cannot be said to have been achieved. And so far, this unfortunately seems to be true of the participation of women in all social, economic and political areas. To achieve equal participation of women in all areas of public life, it will be necessary to take account of gender issues, including those related to personal safety, in the process of policy development and strategic planning by the Kosovar authorities and institutions involved in security.⁹⁰²

5.5.4 Violence against women

Data and analyses of personal safety issues produced by the Kosovar Gender Studies Center show that women and girls in Kosovo are increasingly vulnerable, especially to domestic violence and human trafficking.⁹⁰³ KFOR, OSCE, UNMIK and various NGO reports mainly deal with two forms of violence: interethnic and political. This can give the impression that these are the major aspects of violence in Kosovo today. However, violence against women is at least as common – if not even more common going by the statistics shown below – and might become even more prevalent in future. As Igballe Rogova, Executive Director of the Women's Network explains:

“Violence is growing in Kosovo and mostly it's violence against women and the reason that violence is growing is economic underdevelopment and unemployment. More and more people get angry and depressed because they have no jobs and then what they do is hit their loved ones. And depression is really growing in Kosovo and as a nation we are told do not react, do not

⁹⁰¹ UNIFEM: Regional Office for Central and Eastern Europe. Country Profiles. Kosovo.

⁹⁰² Kosovar Gender Studies Center: Monitoring Security in Kosovo from a Gender Perspective. p. 4.

⁹⁰³ Ibid. p. 5.

complain, do not criticize, so we are sitting like zombies not expressing anger that something is happening and then we go and hit people in our family and express anger there.”⁹⁰⁴

Domestic violence against women was particularly prevalent during and immediately following the war but it remains a serious problem as does violence towards sexual minorities. Several UN studies indicate that when the war ended in 1999, 23 per cent of women had experienced domestic violence.⁹⁰⁵ Rape, human trafficking, sexual slavery and prostitution were also serious issues affecting women in Kosovo during the war.

The report “Security Begins at Home”, published by the Agency for Gender Equality in the Prime Minister’s Office and the Kosovo Women’s Network, indicates that about 43 per cent of Kosovars – 46.4 per cent of all women and 39.6 per cent of all men – have experienced domestic violence in their lifetimes.⁹⁰⁶ Only a small fraction of cases are reported, mainly because of shame and fear of ostracism by the family and community. As a result, most cases of domestic violence are never brought to justice so official data underestimate the importance of the problem and domestic violence is almost ignored in policy debates. Between 2002 and 2007, the Kosovo Police received 7,660 reports of domestic violence. Of those cases reported between 2005 and 2007, women were reported as the victims in 79 per cent of instances whereas in 2008 1,073 women reported cases of violence to the police (90 per cent of all cases) and, in 90 per cent of the cases, the perpetrator was a man.⁹⁰⁷ From these figures it is difficult to conclude whether violence has increased or decreased but there is no question that the incidence is very high.

Unfortunately, the state has limited powers to protect the victims of domestic violence. In the absence of adequate public funding, support to victims and the provision of safe houses must come from Kosovo’s women’s rights groups. Public awareness of domestic violence also remains low.⁹⁰⁸

⁹⁰⁴ Interview with Igballe Rogova, Executive Director of the Kosovo Women’s Network. Vienna 27 November 2009.

⁹⁰⁵ United Nations Development Group: Kosovo Common Assessment. 2001. p. 56. Online via Internet: URL: http://www.undg.org/archive_docs/1729-Kosovo_CCA_-_2001.pdf [accessed 20 02 2010].

⁹⁰⁶ Agency for Gender Equality and Kosovo’s Women’s Network: Security Begins at Home. Research to Inform the First National Strategy and Action Plan against Domestic Violence in Kosovo. Prishtina 2008. p. 2.

⁹⁰⁷ UNIFEM: Regional Office for Central and Eastern Europe. Country Profiles. Kosovo.

⁹⁰⁸ Human Rights Watch: A Human Rights Agenda for a New Kosovo. February 2008. pp. 2. Online via Internet: URL: <http://www.hrw.org/sites/default/files/reports/kosovo0208.pdf> [accessed 20 02 2010].

Additionally, women are victims of organized criminal groups that procure women for prostitution and trafficking. Kosovo serves as a source, a transit route and a destination for women and children trafficked for prostitution. There are considerable discrepancies between the international organizations' accounts of the origins of the trafficked victims in the country. While UNDP reports that most come from Moldova (about 50 per cent), Romania (20 per cent) and Ukraine (about 13 per cent), with a smaller number from Kosovo itself, the European Commission indicates that most victims are internally trafficked (60 per cent) and only 20 per cent originate from Moldova.⁹⁰⁹

Poor economic conditions after the war, high unemployment, lack of education, the presence of organized criminal groups, porous borders and a large international community, which provided a relatively affluent clientele for the trade, rank among the reasons for the growth of trafficking of women in Kosovo. With the downsizing of the international peacekeeping forces, the international community has subsequently declined in importance as potential customers and the sex industry has developed to serve a wider client base. Amnesty International estimates that the local community constitutes about 80 per cent of the clientele.⁹¹⁰

There is no central database for recording cases of trafficking. Therefore statistics refer to the number of victims assisted by different international and national agencies. Between 1999 and 2007, about 658 trafficked persons were assisted, the majority female.⁹¹¹ Children from disadvantaged backgrounds and in rural areas are particularly vulnerable to trafficking as well as forced labor.

According to the European Commission 2009 Progress Report on Kosovo, only limited progress in combating human trafficking has been achieved. The number of identified victims remains low and child trafficking for the purpose of forced begging is an increasing problem. Services for victims, including shelters and vocational training, depend largely on support from women's organizations. The poor record of

⁹⁰⁹ UNDP Kosovo: Youth. A new generation for a new Kosovo. Human Development Report 2006. p. 24. Commission of the European Communities: Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 48.

⁹¹⁰ Amnesty International: So does it mean that we have the rights? Protecting the Human Rights of Women and Girls Trafficked for forced Prostitution in Kosovo. London 2004. pp. 7.

⁹¹¹ UNIFEM: Regional Office for Central and Eastern Europe. Country Profiles. Kosovo.

investigation and prosecution of trafficking crimes by the Kosovo authorities remains a concern.⁹¹²

As mentioned in several Kosovo Women's Network reports, domestic violence imposes a significant cost on society, in terms of expenses related to healthcare, policing, prosecution and social assistance to victims.⁹¹³ Consequently, fighting violence and abuse of women in Kosovo is a priority requiring a constant commitment from the authorities to support and extend the efforts of women's rights organizations, and to ensure that domestic violence is dealt with as a crime. Recommendations for tackling domestic violence include firstly, that violence against women should be addressed in the context of women's rights rather than merely as a welfare issue and secondly, that campaigns and education to heighten public awareness of the problem need to be intensified. Both of these are critically important to change public attitudes as well as to empower women to demand justice in all types of gender-based violence. A third recommendation is that adequate public funding should be provided to ensure that there is a safe house for victims of domestic violence in every municipality. Fourthly, existing laws should be implemented strictly and legal procedures should be revised. Fifthly, there should be training for police, prosecutors, judges and healthcare staff in how to deal with violence against women as a violation of human rights.⁹¹⁴

Social inequality is often an important cause of social and political instability; therefore the issue needs to be addressed effectively by Kosovo's authorities. In particular, women's participation in the effort is essential to address not only problems specific to women, such as rape and domestic violence, but also to ensure that the whole population is represented in policy-making. Moreover, improving women's status will have a beneficial influence on social environments and ultimately accelerate the demographic transition.⁹¹⁵

⁹¹² Commission of the European Communities. Kosovo under UNSCR 1244/99 2009 Progress Report. Brussels 2009. p. 48.

⁹¹³ Kosova Women's Network: More than Words on Paper? The Response of Justice Providers to Domestic Violence in Kosovo. Prishtina 2009. p. 9.

⁹¹⁴ Human Rights Watch: A Human Rights Agenda for a New Kosovo. February 2008. p. 3.

⁹¹⁵ Compare chapter 5.4 Youth bulge.

5.6 Conclusion

This chapter has shown that the Kosovo authorities are failing to provide adequate social welfare provision – one of the core functions of the state – and thus undermining public confidence in state institutions. Services are largely insufficient and do not cover the needs of the growing population.

One out of every two Kosovars is without a job and half the population lives in poverty. Stronger commitment and effective action are urgently required to overcome the country's high levels of unemployment and poverty. Otherwise the country's development will be crucially hampered and security threatened as people are forced into illegal businesses as a survival strategy. Kosovo's social protection programs have only a marginal impact on poverty. Far more effective are remittances from Kosovars living abroad, without which some families would struggle to survive.

Despite numerous reforms, educational standards are a matter of concern and educational outcomes remain unsatisfactory. Lack of skills contributes to the unemployment problem and illiteracy in Kosovo, particularly among rural women, is an obstacle to long-term social and economic development and equality. Lack of proper control over educational institutions, poorly trained teachers and their extremely low wages are just some of the factors plaguing the system. Additionally, the system continues to divide Kosovo Albanians and Serbs through their attendance at separate schools with diverse curricula. It is clear that as long as Kosovo Serbs and Albanians do not live, work and go to school together, interethnic relations will remain tense, threatening Kosovo's long-term stability.

Healthcare services are also far below EU standards and the needs of the population. Environmental protection exists merely on paper and is the area on which the Kosovo government spends least. Pervasive inequality, particularly affecting women, youth, minorities and people in rural areas, characterizes Kosovo's society.

Children and young people, who comprise a very large component of the population, are the most affected by poverty and unemployment. Youth access to decent work remains a major challenge and in many cases lack of employment is intrinsically tied to psychological instability, depression, crime, violence and social exclusion. Large pools of unemployed, disillusioned and idle youth are a major potential cause of social instability and violence.

The net result is a fragile social situation in Kosovo, often described as a time bomb ticking. Kosovars eager expectations that independence would solve the most pressing social problems have not been realized. The Kosovo state cannot afford to neglect this alarming situation. It will need to identify policies, institutions and resources to respond to the growing social crisis. However, rapid improvement in the economic and social situation is impossible given the structural nature of the main problems, and Kosovars must look to the medium or long-term for any real advance.

6 CONCLUSION

The main assumption of this study is that there is a relationship between the fulfillment of the state functions of providing security and welfare and the achievement of peace, which, following Johan Galtung, may be defined as either negative, in the sense of the absence of violence or positive in the sense of enabling citizens to achieve their full potential. If the security function alone is adequately fulfilled, then there is peace in the negative sense, while if both the security and welfare functions are fulfilled, then positive peace is achieved. After a thorough evaluation of the important problem areas for the Kosovar state: security, the political system, and the social and economic dimensions, what can be said about the achievements and failures since the end of the war of all those attempting to establish peace in Kosovo? The main findings of our study are summarized in this chapter.

6.1 Security

6.1.1 Control over the integrity of national territory

Kosovo has only limited sovereignty over the integrity of its territory since the authority of the Kosovar government is still not recognized in the north. The country remains divided, de facto, into a Serb north and an Albanian-dominated south. The two ethnic communities continue living separate lives, which poses an obstacle to the country's development and stability. While Belgrade has to some extent moderated its stance towards Kosovo, it holds the key to the reactions of the Kosovo Serb community and consequently to stability in Kosovo. Interference by Belgrade is considered by more than half the Kosovo Albanian population as the main factor destabilizing interethnic relations. So far, neither UNMIK nor EULEX have been able to do anything to prevent the partition of the country. As long as the north remains an unsolved security flashpoint, the situation in Kosovo is assessed as "calm but fragile".

6.1.2 Control of external borders

Kosovo does not currently have the capacity to face threats alone, but is dependent on external help, in particular from KFOR. The Kosovo Border Police, which operates within the framework of the Kosovo Police, still faces considerable problems such as in fighting drug trafficking. In April 2010, the Kosovo Border Police took over control of the country's border with Albania from KFOR, demonstrating KFOR's faith in the police.

Kosovo's Security Force is not yet able to defend the country against external threats or to control Kosovo's borders. Perceptions of the Kosovo Security Force vary between Kosovo Albanians and Kosovo Serbs. While Kosovo Albanians see the establishment of the Security Force as the foundation for a secure Kosovo, Kosovo Serbs perceive it as a step towards further division along ethnic lines. The presence of KFOR is still needed to maintain a safe and stable environment until the national security structures and forces can provide security for all population groups in Kosovo to the same degree. Consequently, Kosovo remains dependent on the international military presence for its internal and external security for the foreseeable future.

6.1.3 Ethnic and other violent conflicts

Kosovo does not have to deal with continuing violent conflicts. One of the greatest accomplishments since 1999 has been the significant improvement of the security situation and the containment of direct violence. Despite this improvement, the persistence of isolated low-level security incidents perpetuates a perception of insecurity. Northern Kosovo, with its majority Serb population, continues to be a security flashpoint and the potential for violence remains whenever authorities in Prishtinë/Priština or EULEX try to assert their authority in the north. The transition of KFOR to a "deterrent presence" symbolizes the positive trend in the security situation. At the same time, non-state armed groups no longer pose a threat to security in Kosovo. Their relevance is reduced given the changed political reality.

KFOR will keep its role as third responder, in support of the Kosovo Police as the main internal security provider and EULEX as the second responder, to help maintain a safe and secure environment throughout Kosovo. The positive evolution of the overall security situation in Kosovo depends on continual work in areas like the

fight against corruption and organized crime, improving the rule of law and establishing a climate for social and economic development.

6.1.4 Condition of the state's security apparatus

The establishment of the Kosovo Police was UNMIK's greatest achievement. The police are one of Kosovo's few multi-ethnic institutions, with Serbs and other minorities integrated at all levels. UNDP poll results reveal that public satisfaction with the police is at a consistently high level of around 80 per cent, which makes the force the most trusted of all national institutions. Nevertheless, much remains to be improved. The police are poorly managed, lack strong senior leaders and are short of vital skills as their leadership increasingly neglects training. The force can deal effectively with everyday and low-level crimes, but is very weak at solving serious crimes and has limited capability to fight organized crime, fraud, drugs and human trafficking. The police remain prone to political interference and as in the other sectors, the low salaries of the officers have considerable influence on the force's overall work. Moreover, the police are not backed up by an effective justice system (see below, page 316).

6.1.5 Crime and development of crime rates

Kosovo is afflicted by a considerable image problem as regards crime. However, when the situation is studied closely, there is a wide gap between perceptions and realities on the ground. In some ways, Kosovo's reputation for being a haven for criminals is overstated. Data show that Kosovo has a low rate of violent crime and interethnic crime is rare — Serbs in most of Kosovo live securely. Forms of violent crime, such as robbery, burglary and motor vehicle theft, are well below the EU average. Although Kosovo's homicide rate is still higher than the EU average, the rate has decreased considerably from 11.8 killings per 100,000 citizens in 2000 to 2.6 in 2006. The real problem in Kosovo is not petty crime, but large-scale organized crime. The lack of cooperation between Prishtinë/Priština and Belgrade and between the central Kosovo authorities and structures in the north considerably hamper attempts to fight organized crime, which, along with corruption, is defined as a key European-partnership priority. The organized crime activities focused on in this analysis include: drug trafficking, firearms trafficking, smuggling of cigarettes and fuel, money laundering and trafficking in human beings, especially women. Kosovo's efforts to tackle these problems are still

quite weak and the country has made only limited progress in the fight against organized crime.

6.1.6 Corruption

Corruption is prevalent in many areas and affects the everyday life of citizens. The Kosovo Anti-Corruption Agency is ineffective against the corrupt practices in which members of the Kosovar political class are involved. The country continues to face major challenges in the fight against corruption and needs to intensify its efforts in this area. However, not only do Kosovar institutions need to step up their actions, but so does the international community, whose passive policy towards corruption as well as organized crime has contributed to the ability of organized crime structures to stabilize and flourish. EULEX in its first year was hesitant to take decisive measures against corruption and organized crime. However its raids on the transportation ministry in April 2010 have taken anti-corruption investigations to a higher level and raised hopes among the population that EULEX will finally deliver on its promises.

6.1.7 Rule of law

The rule of law is the bedrock upon which democratic states are based. Indeed, the litmus test for an effectively ruled state is the presence of a vital and well-functioning rule of law system. However, rule of law is the most fragile aspect of governance in Kosovo and one of the greatest challenges to the full consolidation of the country's statehood. Kosovo's judicial system is weak, inefficient and prone to political interference. Courts are considerably understaffed, lacking capable judges and prosecutors. A large number of unresolved criminal cases and the huge ever-increasing backlog of cases nourish the people's mistrust in the courts and legal system.

The courts and prosecutors are failing in important aspects. Corruption, poor educational standards, low salaries, inadequate infrastructure and the lack of a joint database to record and track criminal cases greatly hamper the performance of the judiciary, which is difficult to improve due to the non-existence of adequate monitoring and control mechanisms. Each of Kosovo's rule of law institutions – the police, the public prosecutors and the courts – works on its own. To improve this, high-level political will as well as coordination are urgently needed and it can only be realized

when the Kosovo government, the European Union, the United States, the International Civilian Office and EULEX combine their efforts.

6.2 Welfare

6.2.1 Economic situation

The roots of economic hardship in Kosovo lie in the former Yugoslav era, but the economic impact of the war in 1999 was fatal and brought an already struggling economy to a halt. Agricultural production fell and industrial output collapsed. Despite providing enormous financial assistance, the international community has failed to improve the country's economic position. Two-and-a-half years since independence Kosovo's economy continues to be extremely feeble and the majority of the main macroeconomic indicators continue to be strongly negative. Although the country's integration into global markets is limited, it could not escape the problems of the global economic crisis. These were reflected in a decline in Kosovo's already meager exports, lower levels of bank lending and foreign direct investments, and reduced remittances, as migrant workers were hit by the impact of the recession on labor markets everywhere. The latter development has considerable potential to exacerbate Kosovo's already alarming socio-economic difficulties.

In addition, severe unemployment, low productivity, very low exports, a widening trade and budget deficit, a small domestic market, infrastructure weaknesses and chronic energy shortages contribute to the calamitous state of Kosovo's economy.

6.2.2 Unemployment

Kosovo's alarming poverty level is the inevitable result of its high level of unemployment – the highest in the Balkans. The country's labor market situation is worse than bleak: the unemployment rate stands at about 48 per cent and the employment rate is extremely low at only 24 per cent. Most of the job-seekers are long-term unemployed; 90 per cent have been out of work for more than 12 months, with their chances usually impaired by their low level of skills. Women, minorities and young people are particularly hard hit. Youth unemployment is particularly alarming, amounting to about 75 per cent. Kosovo's population is not only the youngest in Europe, with two-thirds aged under 35, but also the fastest growing in the Balkans.

Every year about 30,000 young Kosovars enter a labor market that can offer them very limited prospects. Given the high poverty and unemployment rate, the majority of young Kosovars between the ages of 20 and 35 aims to migrate. Active labor market and migration policies are needed to reduce the pressure. However, the EU is currently not offering Kosovars anything positive in terms of immigration rights. The exclusion of Kosovo from the visa liberalization process is a prominent example of this and has caused despair and disappointment with the EU to rise still further.

6.2.3 Equal access to economic resources

There is no systematic exclusion of particular sections of society from economic resources; however, some have difficulty participating effectively in economic as well as social life. Equal access to housing, education, employment and social security is not always respected. Cases of discrimination often go unreported and more government awareness campaigns to fight discrimination are needed.

At the same time there are severe socio-economic disparities across regions and between urban and rural areas, and women generally are severely disadvantaged in terms of health, education and employment. Further, there are large disparities between different age groups. Young people are in a worse economic position than their elders due to the difficulty of finding decent employment, and this contributes to their lack of participation and voice in Kosovo society.

6.2.4 Poverty and the urban–rural divide

Poverty is rife in Kosovo, and without the safety-net provided by migration and remittances by migrants, a large part of the population would literally be unable to survive. Poverty afflicts the large bulk of the population with 45 per cent living on less than €1.42 per day. Of these, 15 per cent of the population are defined as extremely poor, living on less than €0.93 per day. Another 18 per cent of Kosovars are classified as vulnerable to poverty. Unemployment is the major cause of poverty and women, youth, the low-skilled and families with disabled members are suffering the most.

Kosovo's urban–rural divide is particularly prominent, with about two-thirds of the poor living in rural areas. People in rural areas are not only poorer, but also suffer from lack of access to key public services as well as lower quality services where they are available.

6.2.5 Inequalities in human development

Kosovo is notable for its inequalities in human development. The most pressing socio-economic inequities derive from location, ethnicity, gender and age. Gender inequity, particularly marked in education and the labor market, remains widespread and interacts closely with ethnicity.

Women over 60 are particularly likely to be illiterate, especially in rural areas where both male and female illiteracy are higher than in towns. Almost 14 per cent of women living in rural areas are illiterate, while the corresponding figure for men is four per cent. The pervasive inequities in Kosovo's society are illustrated by educational attainment: on average, a Kosovar has roughly ten years of education, but the rural population lags behind the urban, women behind men and non-Serb minorities behind Kosovo Albanians and Kosovo Serbs.

6.2.6 Public social protection systems

Although social protection is one of the bigger areas of Kosovo government spending – accounting for 14 per cent of total expenditure in 2008 – this is a smaller proportion than in comparable countries, and limited resources overall mean that Kosovo's social protection programs are still in their infancy. The main programs – the pension system, the social assistance schemes and employment programs – have very little impact on public welfare. The social assistance programs fail to reach over 75 per cent of the poor and over 65 per cent of the extremely poor. Only about 13 per cent of the population receives social assistance, while six per cent receives different types of pensions. For those who receive them, both forms of assistance are less than a family needs to maintain even a substandard living in the country and their value has remained flat since their introduction in 2002–03. Depending on the number of family members, the monthly social assistance payment ranges from €35 to €75. The monthly pension payment is either €45 or €75.

Programs to tackle unemployment have very limited impact and resources used for these services might be better spent on well-planned temporary work programs. Given these weaknesses, Kosovo needs to improve the coverage and efficiency of its social protection system. However, only the creation of new jobs supported by social protection programs will have any real impact on welfare.

Migration and remittances are far more effective in insulating Kosovar households from poverty than anything the government is managing to do. About one in four Kosovars has at least one household member who lives abroad. The proportion of the population receiving remittances, at some 20 per cent, is significantly higher than that receiving social assistance, and the sums involved in remittances are about three times higher than the average value of the social protection programs. Without them, some families would struggle to survive, particularly in rural areas where most recipients of remittances live. Any policies leading to severe reductions in migration are likely to worsen the welfare of the Kosovo population, to enlarge the already present rural–urban inequalities in welfare, and possibly to lead to instability. However, the disproportionate significance of remittances contributes to the inequalities in society.

6.2.7 Educational system

Given that Kosovo's population is very young, with 46 per cent under 19, and the high levels of youth unemployment, education is seen as a key priority by the Kosovo government. However, despite numerous reform measures aimed at providing education to standards elsewhere in Europe, no more than modest progress has been achieved so far. Literacy, school enrollment and access to education still all need to be greatly improved. The illiteracy rate is 5.8 per cent across the total population but far higher among women and older people. In general, women are less well-educated than men at all levels. While the enrollment rate for compulsory education is high overall – although varying considerably between the ethnic communities – the enrollment rates for upper secondary as well as higher education continue to be inadequate. Access to education facilities for people in rural areas and particularly those with physical disabilities also needs to be considerably improved. Only ten per cent of children with special needs attend compulsory education. Overall, there is little awareness among Kosovars of the importance of education and it is widely believed that education is not the key to employment. However, those who are interested in attending university often have to abandon their goal since the capacity of the University of Prishtina is limited and university admission is often dependent on the right connections and payment of bribes.

There is still a long way to go to bring Kosovo's pre-university and higher education system up to European standards. The system continues to suffer from severe problems such as unqualified academic staff, low teachers' salaries, lack of adequate

infrastructure and budgetary constraints. Moreover, Kosovo's education system is still ethnically segregated. The existence of a Serb parallel education system is at the core of the problem, provoking further ethnic division and disrupting not only the education system but still more importantly, Kosovo's society.

Despite the government's lip service to the priority of education, it spends considerably less of its budget on education than comparable countries. While spending on education amounted to 16.7 per cent of total expenditures in 2007, this fell to around ten per cent in 2008.

6.2.8 Healthcare system

Kosovo's healthcare system is in need of urgent improvement. Indicators of health outcomes, such as life expectancy and infant mortality are the worst in the region. Healthcare provision is far below the EU average and the needs of the population. The health sector is plagued by poor infrastructure, lack of medical equipment, drugs and hospital capacity, inadequately trained healthcare staff, mismanagement and corruption. As in education, Serb parallel structures also exist in the health sector. The unification of both systems is essential to allow policy coordination, sharing of information and monitoring of security risks. Kosovo's economic problems hamper the implementation of a social health insurance system and the lack of it remains an obstacle to improving healthcare at all levels. While spending on health amounted to 10.3 per cent of total expenditures in 2007, it declined to 7.1 per cent in 2008.

6.2.9 Public infrastructure

Kosovo's transport and energy sectors are underdeveloped and in poor condition, and hence not conducive to sustainable economic growth. Transport infrastructure – road, rail and air – needs urgent development, although the period since independence has featured major road-building programs. These continue to place a significant burden on the Kosovo budget, draining resources from spending on other important areas. The cost for the construction of the 117km highway that will link Kosovo with Albania and Serbia amounts to more than €700 million.

There has also been heavy spending on the effort to provide a stable energy supply, but the problems have not been solved. The country still suffers from serious power outages, which impede economic growth and deter investors. The planned

privatization of electricity supplier KEK and the construction of a new power plant, costing about €3.5 billion, are aimed at putting an end to Kosovo's long-standing energy crisis.

6.2.10 Environment

Kosovo's environment has been severely damaged by pollution as well as indifference for years and standards are consequently far from those in much of the rest of Europe. The environment is affected by poor waste management and water recycling, illegal logging, inadequate urban and industrial planning and a very low public awareness of environmental protection. Therefore, air, soil and water pollution all present serious problems. Moreover, Kosovo is unable to tackle the water shortages which occur particularly in rural areas during summer months. Most of the rural areas do not have access to running water but are dependent on wells with problematic water quality. Only 64 per cent of the population has access to clean water and only a third is connected to sewage systems. Kosovo's environmental problems need to be urgently addressed and this is crucial for improving public health. However, with expenditure on environmental protection accounting for less than one per cent of the Kosovo budget, the likelihood of improvement is as low as the budget itself.

6.3 Concluding assessment

The findings of our study on the main dimensions of security, the political and economic situation, and the social system in Kosovo are now summarized in Table 19. The table lists key indicators of the provision of security and welfare, and Kosovo's performance on each of these indicators is rated from zero to three. A zero rating means complete failure to perform on this indicator; a rating of one means rudimentary achievement; a rating of two indicates moderate success and three means substantial success. Naturally these scores are based on subjective evaluation.

Table 19: Assessment of Kosovo's security and welfare performance

(0: negligible performance; 1: rudimentary performance; 2: moderate performance; 3: high performance)

Indicators by Function	Current performance assessment
SECURITY FUNCTION	
Control over the integrity of national territory	1–2
Control of external borders	1–2
Prevention of ethnic and other violent conflicts	2–3
Maintenance of the state's security apparatus	1–2
Control of crime and development of crime rates	3
Control of corruption and organized crime	1
Maintenance of the rule of law	1–2
WELFARE FUNCTION	
Maintenance of a stable economic situation	1
Reducing unemployment	0
Providing equal access to economic resources	1
Reducing poverty and the urban–rural divide	0
Reducing inequalities in human development	1
Establishing public social-protection systems	1
Ensuring an effective educational system	1–2
Ensuring an effective healthcare system	1
Providing adequate public infrastructure	1
Improving the quality of the environment	1–2

Source: Based on the author's own evaluation.

Table 19 clearly shows that in Kosovo the security function is performed considerably more successfully than the welfare function. In quantitative terms, the mean value of security function indicators amounts to 1.78 while the mean value of the welfare function indicators is only 0.90. While the fulfillment of the security function largely derives from the international organizations' contribution, the fulfillment of the welfare function depends more on the Kosovar authorities.

Indispensable public functions, such as upholding the rule of law, providing infrastructure and services for basic needs, establishing equal access to basic goods and services and maintaining social harmony are inadequately performed. The lack of proper service provision and the unequal distribution of resources by the Kosovo state prevent its citizens from achieving their full potential. It was shown that the unequal distribution of resources applies not only to material wealth – as in, for example, the unequal distribution of income – but still more emphatically in non-material areas such as education, healthcare and literacy. Due to the deficits in these areas, Kosovo remains a state and society in which structural violence is still prevalent. Positive peace – going beyond the mere absence of direct violence – has not yet been achieved, even after 11 years of international presence.

6.4 The Kosovo case in the context of other state-building missions

Kosovo, primarily due to its failure adequately to provide a decent life for its citizens and hope for their future remains a fragile and unfinished state – a judgment which throws a negative light on the efforts of the international community since 1999.

The Kosovo mission, ranks alongside the missions in Afghanistan, Liberia, Sudan, the Democratic Republic of the Congo and Haiti as among the largest state-building operations currently being carried out by the international community under the auspices of the United Nations.⁹¹⁶ Kosovo and East Timor (1999–2002) were the first occasions on which the UN exercised full judicial power within a territory and also rank among “third-generation” peacekeeping missions, with the mandate to organize and conduct elections, establish institutions to maintain law and order, re-establish financial systems and open markets, help maintain dialogues to reconcile former enemies, safeguard human rights and even establish basic health and education systems.⁹¹⁷ Therefore, the mission in Kosovo was designed to be a long-term international engagement from the outset. The experiences and developments in Haiti, Rwanda and Sudan have shown that short-term interventions with insufficient resources are less promising. According to Bruno Schoch, more international resources were committed to the missions in Bosnia and Herzegovina and Kosovo than to all other comparable post-conflict societies. Since the end of the war in June 1999, the international community has spent in Kosovo 25 times more per head of population and deployed 50 times more soldiers than in Afghanistan.⁹¹⁸

UNMIK administered Kosovo from 1999 until 15 June 2008, when Kosovo’s constitution came into force. Over this period its expenditure amounted to \$2.7 billion. Its estimated budget for the period 1 July 2010–30 June 2011, to cover operational costs as well as the deployment of the remaining eight military observers, eight UN police officers, 166 international staff, 241 national staff and 28 UN volunteers, is an estimated

⁹¹⁶ United Nations: Peacekeeping. Online via Internet: URL:

<http://www.un.org/en/peacekeeping/currentops.shtml> [accessed 06 10 2010].

⁹¹⁷ Jane Holl Lute: The Role of Force in Peacemaking. p. 425. In: William Zartman (ed.): Peacemaking in international conflict: methods and techniques. United States Institute of Peace. Washington 2007. Revised Edition. pp. 419–464.

⁹¹⁸ Bruno Schoch: Demokratisierung von außen – ein Ding der Unmöglichkeit? p. 183. In: Reinhard Mutz: Friedensgutachten 2006. Lit. Berlin 2006. pp. 177–186.

\$48 million.⁹¹⁹ Additionally, the EU spent about €2.3 billion between 1999 and 2008,⁹²⁰ while the operational budget of the European Union's EULEX mission, which officially deployed throughout Kosovo on 9 December 2008, amounted to €265 million as of June 2010. There has also been considerable expenditure by the countries providing KFOR contingents for which comprehensive figures are not available.⁹²¹

The large financial commitment and its wide range of tasks mean that the Kosovo mission is the most ambitious international peacekeeping and democratic institution-building project so far. However, there are question marks over how successful it has been. How well has it promoted lasting peace by establishing democratic political institutions and a political culture including the rule of law, fighting corruption and organized crime, developing a viable economy and improving the social order?

Despite the enormous injection of resources by the international community, Kosovo continues to have critical problems, particularly in respect of the economic and social situation and the rule of law. The ambitious goals set out in UNSCR 1244, such as to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo, the safe and unimpeded return of all refugees and displaced persons to their homes and the economic development and stabilization of the crisis region, are still – eleven years later – far from being realized.

The serious problems that Kosovo as well as other post-conflict societies still face point to the weaknesses in the strategies and choice of priorities of the international community.

On the positive side, with the help of UNMIK, it has been possible to establish democratic political institutions and to hold elections without major problems, which points to the willingness of political parties and politicians as well as Kosovo's citizens to accept the formal rules of modern parliamentary democracy. However, a democratic political culture, in which values such as mutual tolerance and respect for minority rights are taken seriously and put into practice, has not been developed. A major

⁹¹⁹ See Table 20 in Appendix 8.3 for UNMIK's expenditure from June 1999 to June 2011. United Nations General Assembly. Budget for the United Nations Interim Administration Mission in Kosovo for the period from 1 July 2010 to 30 June 2011. Report of the Secretary-General. 9 February 2010. A/64/661. p. 3

⁹²⁰ Vedran Džihic. Helmut Kramer: Kosovo after Independence. Is the EU's EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 14.

⁹²¹ For instance, the expenditure of the Austrian Army for KFOR from 1999 to September 2010 amounts to €340 million. See Table 22 in Appendix 8.5.

hindrance to the development of a political culture is the sometimes close ties between politicians and organized crime structures. The political class in Kosovo also suffers considerably from clientelism and corruption. The fight against organized crime is another area of failure for UNMIK and KFOR. Their rather passive policy and halfhearted efforts against organized crime – not to mention their partial involvement in cases of corruption – has allowed organized crime structures to further stabilize and consequently impeded the overall development process in Kosovo. A strong democratic culture and a political class that seriously addresses the country's problems and acts according to the people's interests rather than aiming at their own enrichment is still far from being realized. Vedran Džihic and Helmut Kramer arrive at the finding that

“the strategies of UNMIK, the OSCE and the EU to support democracy-building in Kosovo have been only moderately successful, among other things owing to the role of the international community as representatives of a protectorate structure.”⁹²²

Another costly mistake by the international organizations when setting their priorities, not only in Kosovo but in the whole Balkans, was the failure to understand that democracy works only when it goes hand in hand with the establishment of the rule of law.⁹²³ Simon Chesterman, in his study of the UN missions in Kosovo, East Timor and Afghanistan, highlights that, while creating a rigid template for reconstructing the judicial system in postwar societies is wrong, and any foreign involvement must be sensitive to particularities of the specific country, the administration of justice should rank among the higher priorities of a post-conflict peace operation.⁹²⁴ However, the initial efforts of the international community in Bosnia and Herzegovina as well as Kosovo were more focused on holding elections than in establishing the rule of law and fighting the criminal and corrupt structures that continued to dominate the political scene. This strategy has seriously hampered the establishment of functional institutions. The focus on early elections runs the risk of returning power to politicians who have no interest in strengthening civil society. One of the lessons learned is that elections should

⁹²² Vedran Džihic. Helmut Kramer: Kosovo after Independence. Is the EU's EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 7.

⁹²³ Michael Ignatieff: Empire lite. Nation-building in Bosnia, Kosovo and Afghanistan. Vintage. London 2003. p. 101.

⁹²⁴ Simon Chesterman: Justice Under International Administration: Kosovo, East Timor and Afghanistan. International Peace Academy. New York 2002. p. 12.

be held after a basic level of the rule of law has been established.⁹²⁵ According to Simon Chesterman, the failure to prioritize law enforcement and justice issues also undermined the credibility of the international presence in Kosovo. The current EULEX policy, which indicates stronger action against politicians involved in corruption, demonstrates the complications that can arise from attempting to establish the rule of law after elections have taken place.

While the international presence in Kosovo succeeded in creating and maintaining a secure environment as an absolute requirement for any peace-building effort, it did very little to achieve a real improvement in the economic and social situation of the country.

According to the UNSCR 1244, the EU's initial responsibility in Kosovo was to promote economic development and stabilization in the region. This mandate was threefold: firstly, the reconstruction of key infrastructure and economic development; secondly, the establishment of economic institutions; and thirdly, the promotion of peace and stability. While the reconstruction of key infrastructure was achieved successfully, economic development was not accomplished. This failure can again be put down to the mistaken choice of priorities. The immediate priority was to improve the security situation, but while pursuing this objective, the development of a comprehensive economic strategy to promote a stable economy received too little emphasis. A striking example of the absence of economic strategy concerns rural development. Kosovo's agricultural sector, which is one of the biggest employers in Kosovo, was largely ignored. Also important steps such as privatization, resolving disputes over property rights, creating job opportunities and strengthening small and medium-sized enterprises were prepared poorly. In sum, UNMIK's economic aid initiatives have not been adequately tailored to the situation in Kosovo and consequently have largely failed to strengthen local institutions.

However, lasting peace cannot be achieved as long as Kosovars have no security in their homes and their jobs. Based on case studies of Afghanistan, Iraq and Kosovo, Graciana del Castillo highlights that unless job opportunities are provided, particularly for the younger population, rebuilding war-torn states will not succeed and peace will be ephemeral:

⁹²⁵ Predrag Jureković: Fifteen Years of Peace-Building Activities in the Western Balkans: Lessons Learned and Current Challenges. Policy Recommendations of the PfP-Consortium Study Group on Regional Stability in South East Europe convened in Reichenau, Austria from 23–25 April 2010. p. 2.

“Consolidation of peace following violent conflict has very little chance of success unless jobs are created and the economy is quickly stabilized and brought onto a path of investment and growth with low inflation. Creating opportunities for employment in the short run is critical, as this will facilitate the long, complex, and expensive process of reintegrating former combatants, returnees, and displaced persons into society and into productive activities”⁹²⁶.

This insight was largely ignored by the international community. UNMIK’s and the EU’s mistaken choice of priorities have been perpetuated by EULEX. Its primary strategy for achieving peace and stability consists of the deployment of 1,400 international police officers who have little impact on the country’s development process. In light of the calm security situation and the well-functioning Kosovo Police, EULEX’s police component should be reduced and its justice component strengthened. Given the immense costs of the EU mission in Kosovo and its dubious effectiveness, a reassessment of EULEX priorities is essential. The mission’s priorities should be extended to include financial and operational support to foster economic development and a proportion of the massive expenditures of the mission should be aimed at clear improvements in Kosovo’s social situation, for instance on Kosovo’s education and health sectors which are in urgent need of improvement.⁹²⁷ It is also necessary for EULEX to strengthen civil society as well as to promote gender equality – further areas that have been neglected by UNMIK. The Kosovo government’s budgets for education and health in 2009 are minute in relation to the huge spending of the international organizations amounting to about €50 million and €74 million respectively.

However, Kosovo remains a fragile and incomplete state not only because the international community has pursued the wrong priorities and strategies, but also due to weaknesses and dilemmas that are intrinsic to an international intervention. These include lack of coordination and coherence, legitimacy issues, personnel problems and, last but not least, local ownership versus external hegemonic control in combination with the footprint-dilemma.

Due to the multitude of international organizations, donors, non-governmental organizations and other actors involved, achieving coordination and coherence is among

⁹²⁶ Graciana del Castillo: *Rebuilding War-Torn States. The challenge of Post-Conflict Economic Reconstruction*. Oxford University Press. New York 2008. p. 29.

⁹²⁷ Vedran Džihic. Helmut Kramer: *Kosovo after Independence. Is the EU’s EULEX Mission Delivering on its Promises?* Friedrich Ebert Stiftung. July 2009. p. 19.

the biggest challenges facing external actors engaged in state-building. In Kosovo there has often been strong competition and rivalry between the UN, EU, KFOR and the OSCE, so that, just as in Bosnia-Herzegovina, the concept of “interlocking institutions” in reality rather resembled “interblocking institutions”.⁹²⁸

The Kosovo mission also has a particularly striking legitimacy problem. In chapter two, it was noted that mandates for peacekeeping missions often prove ineffective in the field. This applies to the UNSCR 1244. In contrast to the mission in East Timor, where the political goal – independence – was clear from the very beginning, UNMIK’s mandate was highly ambivalent. Its central contradiction was that it failed to articulate a position on Kosovo’s final political status. The ambiguity of Resolution 1244 is based on a compromise reached at the end of the NATO campaign in 1999 with Russia and China, which feared that independence for Kosovo could provoke secessionist movements in their own countries. However, this obfuscation hampered the development of a mature political elite, deterred foreign investment and inhibited efforts to start interaction between Kosovo Albanians and Kosovo Serbs.⁹²⁹

Another weak point in international interventions is the selection of personnel and the frequently low qualifications and lack of experience of the international actors. Since the UN does not have a pool of experts to draw on, inexperienced people were often deployed and put into positions for which they lacked the necessary qualifications. The UN’s difficulties with finance and personnel severely impacts on its work in the field, and one example is that the Department of Peacekeeping Operations at the UN headquarters in New York, which administers the UNMIK mission, is understaffed and largely overburdened with work. The many internal difficulties with which the Department of Peacekeeping has to struggle, has had a considerable effect on its overall control of UNMIK as well as other UN interventions.

Short-term contracts are another dilemma that presents a serious obstacle to the efficient fulfillment of the mandate, whether by UNMIK, KFOR or EULEX. Mission contracts are generally issued for six months, which causes frequent staff rotation and the loss of valuable information. Moreover, national actors lose their personal contact with the international contingent every six months which substantially hampers the

⁹²⁸ Martin Reichard: *The EU-NATO Relationship: A Legal and Political Perspective*. Ashgate. Hampshire 2006. p. 52.

⁹²⁹ Simon Chesterman: *You, the People. The United Nations, Transitional Administration, and State-Building*. Oxford University Press. Oxford 2004. p. 240.

building of trust. Another side effect of the perpetual rotation is that there is constant “reinvention of the wheel”, which holds up progress and frustrates national actors who have to adapt to new approaches every six months.

As is the case with international missions in general, a high percentage of the mission expenditure goes on the high salaries of the international personnel. Due to the high salaries available, as well as for career reasons, many internationals turn into “mission-hoppers”, moving to one mission after another. Many “mission-hoppers” care rather more about their own job perspectives than Kosovo’s development. This does not go unnoticed by the population and affects the image and credibility of the international institution.

Moreover, the far superior income, living conditions and other privileges that international staff members enjoy, isolates them from ordinary Kosovars. KFOR soldiers are particularly affected by social isolation since they are accommodated in camps cut off from the outside world. But the civilian personnel of EULEX, UNMIK and the OSCE also live in a way that is totally detached from the reality of the poor and insecure living conditions of Kosovars, a situation that is often aptly described as “living in a bubble”. The isolated and advantaged situation of international actors means that they do not empathize at all with the cultural and historical traditions of Kosovars. This often gives them a mistaken perception of the situation on the ground and leads to inept decisions. The commonly used term “locals” is in itself pejorative and symbolizes the cultural distance between the internationals and the people they have come to help. Again, while the internationals are in managerial positions, Kosovars are employed as support staff such as drivers or interpreters. Michael Ignatieff describes this situation as follows:

“Nation-building isn’t supposed to be an exercise in colonialism, but the relationship between the locals and the internationals is inherently colonial. The locals do the translating, cleaning and driving while the internationals do the grand imperial planning.”⁹³⁰

All these dilemmas, let alone the involvement of some, if only a few, international personnel in corruption and mismanagement, lead to a situation in which international

⁹³⁰ Michael Ignatieff: *Empire lite. Nation-building in Bosnia, Kosovo and Afghanistan*. Vintage. London 2003. p. 95.

intervention forces often lose their moral authority and have difficulties in achieving positive results.⁹³¹

There is also a general unwillingness on the part of the international organizations to accept honest criticism of their policy. It is common practice among them to overstate the success and achievements of their work and avoid systematic evaluation of their weaknesses. The majority of international reports and speeches are highly optimistic and give a totally unrealistic picture of the situation on the ground. Critical analysis of the mission's failures, problems and weaknesses are either ignored or dismissed as highly exaggerated, which makes it difficult to eliminate shortcomings. However, if international actors want to succeed, then rather than only highlighting successes, which are often only apparent to them, they should undertake full and honest evaluations of their mission's strengths and weaknesses. For EULEX in particular this would mean that the mission is made more accountable, transparent and open to oversight by the Kosovo and European public, which could be realized by establishing monitoring mechanisms. Moreover, EULEX needs to have clear benchmarks to evaluate progress and success and be held accountable for achieving them.⁹³²

Despite the ambitious and well-intended goals of international interventions, many state-building efforts are considered, within the states concerned, as highly invasive forms of external regulation. This dilemma of "ownership" versus external hegemonic control, which relates to the extent to which state-building measures should be managed by national or external actors, applies to numerous international peace operations. Where the peace process in the Western Balkans is concerned, the cases of Kosovo and Bosnia and Herzegovina show how sluggishly the transfer of competencies from the international to the local authorities can proceed. Despite lip service to the concept of local ownership, for instance by EULEX whose slogan is "supporting local ownership", it remains questionable if the concept can in any way be put into practice and how the local authorities, can "be the owner" of a process that is driven from the outside.⁹³³ Anna Jarstad sums up the demonstrated problems and weaknesses of

⁹³¹ Helmut Kramer. Vedran Džihic: Die Kosovo Bilanz. Scheitert die internationale Gemeinschaft? Lit. Vienna 2006. Second Edition. pp. 233.

Walter Feichtinger. Predrag Jureković: Internationals Konfliktmanagement im Fokus. Kosovo, Moldova und Afghanistan im kritischen Vergleich. Nomos. Baden-Baden 2006. pp. 122.

⁹³² Vedran Džihic. Helmut Kramer: Kosovo after Independence. Is the EU's EULEX Mission Delivering on its Promises? Friedrich Ebert Stiftung. July 2009. p. 21.

⁹³³ Simon Chesterman: Ownership in Theory and Practice: Transfer of Authority in UN Statebuilding Operations. Journal of Intervention and Statebuilding. Volume 1. Number 1. March 2007.

international intervention forces in the context of the general dilemma of democratization from outside:

“Both in Kosovo and in Bosnia and Herzegovina, there is a problem of democratic accountability. Real power is not vested in the democratically elected governments, but in the international administration. These structures are not formally accountable to the citizens in these states. Such international intervention risks ... undermining democratization.”⁹³⁴

Every major peace-building mission since 1989 has tended to consolidate peace through democratization.⁹³⁵ However, scholars such as Thomas Carothers, from the Carnegie Endowment for International Peace, highlights that while there is great enthusiasm for democratization as the strategy for achieving peace, we know little about the process for achieving democratization:

“.. democracy promotion remains remarkably understudied, and the gap between what we want to accomplish and what we really know about how to accomplish it remains dauntingly wide.”⁹³⁶

What we do know is that the process of democratization can exacerbate social tensions and provoke violence and thus undermine the prospects for stable peace. The question therefore arises as to if and how far an outside intervention can contribute to democratization in the sense of developing and realizing a democratic political culture, establishing the rule of law and improving the economic and social situation.

Different positions exist on this matter and some researchers assert that external democratization of postwar societies is a “mission impossible”, and usually involves little more than faking democracy.⁹³⁷ Michael Ignatieff asserts that “Achieving democratic goals through imperial means is, of course, an exercise in contradiction. A true democracy cannot be ruled by foreigners.”⁹³⁸

Bruno Schoch argues that the success rate of democratization processes conducted under compulsion is low since

⁹³⁴ Anna K. Jarstad: Power sharing: former enemies in joint government. p. 127. In: Anna K. Jarstad. Timothy D. Sisk (eds.): From War to Democracy. Dilemmas of Peacebuilding. Cambridge University Press. Cambridge 2008. pp. 105–133.

⁹³⁵ Roland Paris: At War's End. Building Peace After Civil Conflict. Cambridge University Press. Cambridge 2004.

⁹³⁶ Thomas Carothers: Critical Mission. Essays on Democracy Promotion. Brookings Institution Press. Washington 2004. p. 3.

⁹³⁷ David Chandler: Bosnia. Faking Democracy After Dayton. Pluto Press. London 2000. Second Edition.

⁹³⁸ Michael Ignatieff: Empire lite. Nation-building in Bosnia, Kosovo and Afghanistan. Vintage. London 2003. p. 113.

“Democratisation introduced from the outside in post civil war societies faces particular dilemmas. Most important, it replaces self-determination by heteronomy. It also tends to establish the priority of democratisation vis-à-vis other issues which need to be clarified, like the territorial boundaries and the political status of the communities which are to be democratised.”⁹³⁹

According to Thomas Carothers, the relations between national and international factors in democratization processes are characteristically very vague and complex. He argues that international organizations hardly deal with the particular social, cultural and economic factors that are essential for an efficient promotion of democracy in postwar societies. Therefore, democratization efforts from the outside often have little impact on social development. Furthermore, he emphasizes that the most common and debilitating weakness of democracy programs is the manner in which they are carried out – above all, “the failure to fit activities to the local environment and to give people and organizations of the recipient country a primary role”.⁹⁴⁰

Although there is no definite answer to the question of whether democracy can be imposed from the outside, there does not yet seem to be any alternative to international involvement in fragile states. Despite all the difficulties and failures, it appears that the international community must still try to find the right strategy for promoting democracy by external means.

To improve the chances of peace consolidation, Thomas Carothers stresses that democracy promoters should certainly continue to grapple with the bigger questions, such as how to conceptualize and bring about the rule of law, economic development or the strengthening of civil society, and how to develop strategies appropriate to different countries. Finding the right relationship between aid for political development and aid for social and economic development is crucial.

Last but not least, democracy is based on the sovereignty and self-determination of the people. As the Kosovo case shows, peacekeepers can help provide security and incentives for first steps towards democracy. However, since long-term protectorates can undermine the long-run development of domestically legitimate democratic structures, the principle of local ownership should not just be a lofty aspiration but made

⁹³⁹ Bruno Schoch: *Post Civil War Democratisation from the Outside? Mission Impossible?* San Diego 2006. p. 3.

⁹⁴⁰ Thomas Carothers: *Aiding democracy abroad. The learning curve.* Carnegie Endowment for International Peace. Washington, DC 1999. p. 344.

a practical reality by the international intervention forces in the sense that nationals must drive the process in all circumstances.

In sum, while the international community has an important role to play, Kosovo's achievement of positive peace will primarily depend upon the Kosovar authorities themselves. The measure of success or failure to achieve social justice will be less how many countries have recognized Kosovo, but whether Kosovo succeeds in improving the economic and social conditions of the citizens of the country.⁹⁴¹

⁹⁴¹ Statement of Albert Rohan, former Deputy Special Envoy for the final status negotiations for Kosovo, during a study presentation and discussion of the analysis "Kosovo After Independence. Is the EU's EULEX Mission Delivering on its Promises?" on 27 November 2009 in Vienna.

7 ABSTRACTS

7.1 English abstract

Consolidation of peace following violent conflict does not only depend upon creating and maintaining a secure environment but also requires improvement of the economic and social situation, without which peace will only be ephemeral.

Eleven years after the end of the war in Kosovo, this study investigates how successfully peace has been established in this country. Using the framework of Ulrich Schneckener's theory of state functions and Johan Galtung's concept of direct and structural violence it analyzes the degree and forms of violence that persist in Kosovo and assesses the extent to which its authorities fulfill the state functions of providing security and welfare to the people. The study looks into the extent to which Kosovo has moved beyond negative peace – the simple absence of war and violent conflict – towards positive peace, which implies the entrenchment of social justice through equal opportunity, a fair distribution of power and resources, impartial enforcement of law and equal protection under it.

The main assumption of this study is that there is a relationship between the fulfillment of the state functions of providing security and welfare and the achievement of positive peace. A thorough evaluation of the political system, the security situation, the social dimension and the state of the economy, brings the result that Kosovo, primarily due to its failure adequately to provide a decent life for its citizens and hope for their future, remains a fragile and unfinished state – a judgment which throws a negative light on the efforts of the international community since 1999.

While the international engagement in Kosovo has successfully managed to improve security and considerably curtailed direct violence, the economic and social position of the country is still calamitous, and unemployment and poverty are Kosovo's most intractable problems. Structural violence, which Galtung describes as violence built into the structure of a society, showing up as unequal power and consequently as unequal life chances, pervades the young state. Positive peace has not been achieved even after 11 years of international presence.

Although the international community has an important role to play, Kosovo's achievement of positive peace will primarily depend upon the Kosovar authorities. The

measure of success or failure to achieve an end to violence, will be less how many countries have recognized Kosovo's independence, but whether Kosovo succeeds in improving economic and social conditions.

7.2 German abstract

Friedenskonsolidierung nach gewaltsamen Konflikten hängt nicht nur davon ab ein sicheres Umfeld zu schaffen und aufrecht zu erhalten, sondern verlangt auch die Entwicklung der ökonomischen und sozialen Situation, ohne die sich Friede nur als vorübergehend erweisen wird.

Elf Jahre nach Beendigung des Krieges im Kosovo untersucht die vorliegende Arbeit, inwieweit sich Frieden im Kosovo erfolgreich etabliert hat. Aufbauend auf Ulrich Schneckeners Ansätzen über die Funktionen eines Staates und den Theorien des Friedens- und Konfliktforschers Johan Galtung über direkte und strukturelle Gewalt untersucht diese Studie, inwieweit und in welcher Form Gewalt im Kosovo vorhanden ist, und beurteilt, in welchem Ausmaß der Staat seinen Bürgern Sicherheit und Wohlfahrt bietet – Lebensdimensionen die einen Staat unter anderem ausmachen. Zugleich wird analysiert, in welchem Ausmaß über den vorhandenen negativen Frieden – das ist lediglich ein Nichtvorhandensein von Krieg und direkter Gewalt – hinausgehend Ansätze zum positiven Frieden vorhanden sind, welcher Verwirklichung sozialer Gerechtigkeit, Rechtsstaatlichkeit, gleiche Entfaltungsmöglichkeiten, gleiche Verteilung von Macht und Ressourcen sowie die Garantie menschlicher und sozialer Sicherheit voraussetzt.

Die Hypothese dieser Arbeit lautet, dass es einen Zusammenhang zwischen der Erfüllung der Staatsfunktionen Sicherheit und Wohlfahrt und der Verwirklichung eines positiven Friedens gibt. Eine gründliche Analyse des politischen Systems, der Sicherheitssituation und der sozialen und wirtschaftlichen Lage ergibt, dass Kosovo – vor allem dadurch, dass er seinen Bürgern kein angemessenes Leben und dementsprechende Zukunftsperspektiven bietet – ein fragiler und unvollendeter Staat ist – ein Ergebnis, das auf die Bemühungen der internationalen Staatengemeinschaft seit 1999 ein schlechtes Licht wirft.

Während der internationale Einsatz eine deutliche Verbesserung der Sicherheitslage und eine Reduzierung der direkten Gewalt brachte, bleibt die wirtschaftliche und soziale Lage des Landes weiterhin katastrophal; Arbeitslosigkeit

und Armut stellen die hartnäckigsten Probleme dar. Strukturelle Gewalt, welche Galtung als Gewalt in der Struktur einer Gesellschaft definiert, die sich in ungleicher Macht und ungleichen Entfaltungsmöglichkeiten manifestiert, durchdringt den jungen Staat. Positiven Frieden gibt es auch nach elf Jahren internationaler Präsenz nicht.

Obwohl die internationale Gemeinschaft eine entscheidende Rolle spielt, hängt die Erreichung eines positiven Friedens in erster Linie von den kosovarischen Autoritäten selbst ab. Der Maßstab, ob Gewalt erfolgreich bekämpft werden kann oder nicht, ist nicht darin zu sehen, wie viele Staaten Kosovos Unabhängigkeit anerkannt haben, sondern ob es Kosovo schaffen wird, seine ökonomische und soziale Lage zu verbessern.

8 APPENDIX

8.1 Kosovo municipalities⁹⁴²

1. Deçan/Dečani	24. Suharekë/Suva Reka
2. Gjakovë/Dakovica	25. Ferizaj/Uroševac
3. Glogovc/Glogovac	26. Viti/Vitina
4. Gjilan/Gnjilane	27. Vushtrri/Vučitrn
5. Dragash/Dragaš	28. Zubin Potok/Zubin Potok
6. Istog/Istok	29. Zvečan/Zvečan
7. Kaçanik/Kaçanik	30. Malishevë/Mališevo
8. Klinë/Klina	31. Hani i Elezit/General Janković
9. Fushë Kosovë/Kosovo Polje	32. Mamushë/Mamuša
10. Kamenicë/Kamenica	33. Junik/Junik
11. Mitrovicë/Mitrovica	34. Kllokoti/Klokot
12. Leposaviq/Leposavić	35. Graçanicë/Gračanica
13. Lipjan/Lipljan	36. Ranillug/Ranilug
14. Novobërdë/Novo Brdo	37. Partesh/Parteš
15. Obilić/Obilić	
16. Rahovec/Orahovac	
17. Pejë/Peć	
18. Podujevë/Podujevo	
19. Prishtinë/Priština	
20. Prizren/Prizren	
21. Skënderaj/Srbica	
22. Shtime/Štimlje	
23. Shtërpçë/Štrpce	

⁹⁴² Municipalities web sites of the Republic of Kosovo: Online via Internet: URL: <http://kk.rks-gov.net/> [accessed 10 09 2010].

8.2 Registered political parties in Kosovo as of 2009⁹⁴³

1. Aleanca për Ardhmërinë e Kosovës (Alliance for the Future of Kosovo)
2. Alternativa Demokratike e Kosovës (Democratic Alternative of Kosovo)
3. Aleanca Kosova e Re (Alliance New Kosovo)
4. Bashkimi Demokratik I Ashkalive (Democratic Union of Ashkalis)
5. Balli Kombëtar (National Front)
6. Partia e Aksionit Demokratik të Boshnjakëve të Kosovës (Bosniac Party of Kosovo)
7. Partia Boshnjake e Kosovës (Bosniak Party of Kosovo)
8. Partia Demokratike e Boshnjakëve (Democratic Party of Bosniacs)
9. Partia Demokratike Vatan (Democratic Party Vatan)
10. Iniciativa Qytetare e Gorës (Citizens' Initiative of Gora)
11. Iniciativa e Re Demokratike e Kosovës (New Democratic Initiative of Kosovo)
12. Kosova Demokratik Türk Partisi (Turkish Democratic Party of Kosovo)
13. Lëvizja për Bashkim (Movement for Unification)
14. Lidhja Demokratike Dardanisë (Democratic League of Dardania)
15. Lidhja Demokratike e Kosovës (Democratic League of Kosovo)
16. Lëvizja Kombëtare për Çlirimin e Kosovës (National Movement for Liberation of Kosovo)
17. Lëvizja Popullore e Kosovës (People's Movement of Kosovo)
18. Demokracia e Re (New Democracy)
19. Partia e Re Demokratike (New Democratic Party)
20. ORA (ORA)
21. Partia e Drejtësisë (Justice Party)
22. Partia Demokratike e Ashkanlive të Kosovës (Democratic Ashkali Party of Kosovo)
23. Partia e Integrimit Demokratik (Party of Democratic Integration)
24. Partia Demokratike e Kosovës (Democratic Party of Kosovo)
25. Partia Demokristiane për Integrim (Christian Democratic Party for Integration)
26. Partia Ekologjike e Kosovës (Kosovo Ecological Party)
27. Partia e të Gjellbërve të Kosovës (Green Party of Kosovo)

⁹⁴³ Central Election Commission: Online via Internet: URL: <http://www.kqz-ks.org/> [10 09 2009].

28. Partia Liberale e Kosovës (Liberal Party of Kosovo)
29. Partia Nacionale Demokratike Shqiptare (Albanian National Democratic Party)
30. Partia Rome e Bashkuar e Kosovës (United Roma Party of Kosovo)
31. Partia Republikane Shqiptare (Albanian Republican Party)
32. Partia Social Demokrate e Kosovës (Social Democratic Party of Kosovo)
33. Partia Shqiptare Demokristiane e Kosovës (Albanian Christian Democratic Party of Kosovo)
34. Partia e Aksionit Demokratik (Party of Democratic Action)
35. Partia e Ndryshimeve Demokratike (Party of Democratic Changes)
36. Partia Demokratike Serbe e Kosovës dhe e Metohisë (Serbian Democratic Party of Kosovo and Metohija)
37. Partia Serbe e Kosovës dhe Metohisë (Serbian Kosovo and Metohija Party)
38. Partia e Pavarur Liberale (Independent Liberal Party)
39. Partia Popullore Serbe (Serbian People's Party)
40. Lidhja e Socialdemokratëve të Pavarur të Kosovës dhe Metohisë (Alliance of Independent Social Democrats of Kosovo and Metohija)

8.3 UNMIK mission expenditures, June 1999–June 2011

Table 20: UNMIK mission expenditures, June 1999–June 2011 (US\$'000)

Category of expenditure	Jun 99–Jun 00	Jul 00–Jun 01	Jul 01–Jun 02	Jul 02–Jun 03	Jul 03–Jun 04	Jul 04–Jun 05
Military and Police Personnel	2,696.2	5,918.4	125,532.0	115,208.7	106,598.1	106,253.3
Civilian Personnel	216,543.4	280,113.5	184,775.0	170,595.0	163,458.9	156,162.2
Operational Requirements	188,425.6	73,816.0	49,941.0	44,164.1	45,452.2	32,081.5
Other	2,426.5	839.1	n/a	n/a	n/a	n/a
Gross Requirements	410,091.7	360,687.0	360,248.0	329,967.8	315,509.2	294,497.0
Staff Assessment Income	16,970.1	22,775.0	25,989.0	25,082.5	23,467.6	22,720.5
Net Requirements	393,121.6	337,912.0	334,259.0	304,885.3	292,041.6	271,776.5
Total Requirements	410,091.7	360,687.0	360,248.0	329,967.8	315,509.2	294,497.0
Category of expenditure	Jul 05–Jun 06	Jul 06–Jun 07	Jul 07–Jun 08	Jul 08–Jun 09	Jul 09–Jun 10 (estimate)	Jul 10–Jun 11 (estimate)
Military and Police Personnel	70,230.2	64,172.3	73,254.1	38,258.8	704.9	804.7
Civilian Personnel	135,815.5	120,802.7	123,048.4	105,561.4	33,929.2	35,650.7
Operational Requirements	27,707.9	25,217.0	24,164.1	24,703.1	12,447.9	11,902.5
Other	n/a	n/a	n/a	n/a	n/a	n/a
Gross Requirements	233,753.6	210,192.0	220,466.6	168,523.3	47,082.0	48,357.9
Staff Assessment Income	19,321.3	16,365.3	16,720.4	15,295.3	3,992.4	4,558.1
Net Requirements	214,432.3	193,826.7	203,746.2	153,228.0	43,089.6	43,799.8
Total Requirements	233,753.6	210,192.0	220,466.6	168,523.3	47,082.0	48,357.9

Source: Based on Advisory Committee on Administrative and Budgetary Questions. Online via Internet: URL: http://www.un.org/ga/acabq/subject_results.asp?desc=PKI-UNMIK%20United%20Nations%20Mission%20in%20Kosovo [accessed 04 10 2010]. UN Documents: A/54807; A/56/763; A/57/678; A/58/634; A/59/623; A/60/637; A/61/675; A/62/610; A/63/569; A/64/604; A/63/803; A/64/661.

8.4 KFOR troop contributing countries, 2010

Table 21: KFOR troop contributing countries, 2010

NATO Countries		Non-NATO Countries	
Country	Number of soldiers	Country	Number of soldiers
Albania	2	Austria	434
Belgium	99	Finland	242
Bulgaria	10	Ireland	232
Canada	5	Morocco	213
Croatia	20	Sweden	253
Czech Republic	321	Switzerland	206
Denmark	188	Ukraine	187
Estonia	1	TOTAL	1,767
France	807		
Germany	1,507		
Greece	366		
Hungary	241		
Italy	1,409		
Luxembourg	29		
The Netherlands	10		
Norway	6		
Poland	227		
Portugal	279		
Romania	145		
Slovakia	146		
Slovenia	387		
Spain	3		
Turkey	465		
United Kingdom	5		
United States	1,480		
TOTAL	8,158		

Source: NATO: KFOR Troops. Updated 26 February 2010. Online via Internet: URL: http://www.nato.int/kfor/structur/nations/placemap/kfor_placemat.pdf [accessed 18 06 2010].

8.5 Austrian Army expenditure on KFOR, 1999–2010

Table 22: Austrian Army expenditure on KFOR, 1999–2010

Year	Total expenditure
1999	€24,027,878
2000	€37,078,360
2001	€29,866,947
2002	€31,096,440
2003	€28,826,582
2004	€26,459,351
2005	€21,454,419
2006	€29,338,269
2007	€30,860,254
2008	€32,849,871
2009	€30,243,703
2010 ⁹⁴⁴	€17,223,758
TOTAL	€339,325,832

Source: Data were made available by Franz Enz.
Section Logistic Support. Austrian Army in October 2010.

⁹⁴⁴ End of September 2010.

8.6 Composition and strength of the UNMIK Civilian Police, 1999–2008

Table 23: Composition and strength of the UNMIK Civilian Police, 1999–2008

Country	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	TOTAL
Argentina	38	22	22	24	26	8	13	10	10	7	180
Austria	49	52	57	39	39	29	23	23	22	4	337
Bangladesh	67	104	18	86	76	80	32	29	23	12	527
Belgium	5			2							7
Benin		5									5
Brazil					3	3	3		2	2	13
Bulgaria	51	34	64	43	45	29	25	35		26	352
Cameroon (Rep of)		24	1		20						45
Canada	88	106	74	36	10						314
Chile	5										5
China						19	18	18		18	73
Cote D'Ivoire		1									1
Croatia							2	9	13	10	34
Czech Republic	10	20	2	7	11	6	11	7	20	9	103
Denmark	23	47	42	42	36	27	27	26	26	13	309
Dominican Republic		16									16
East Timor							10				10
Egypt	61	12	74	67	50		20	16			300
Estonia	10										10
Fiji	35	41		35	31	33	19				194
Finland	2	20	26	16	11	9	6	3	8		101
France	80	138	130	132	105	85	65	55	44	18	852
Gambia		5									5
Germany	214	409	352	412	356	230	263	176	151	103	2,666
Ghana	35	126	120	110	58	34		15	40		538
Greece		22	10	10	20	18		10			90
Hungary	10		5	1	4	7	6	2	13	1	49
Iceland	2	2	4	2							10
India	119	273	289	262	180	216	91	57	86	38	1,611
Italy	56	33	48	55	26	49	21	28	43	16	375
Jordan	52	228	213	200	171	192	42	58	68	74	1,298
Kenya	24	26	26	51	18	28	17	15			205
Kyrgyzstan	4	3		4		4	2	3	6	4	30
Lithuania	10	9		10	8	8	9		6	2	62
Malawi		19		21	17		8	5		4	74
Malaysia	48	49	33	46	33		12				221
Mauritius					5						5
Mozambique	5										5

Country	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	TOTAL
Nepal	50	54	50	40	33	45	19	17			308
Netherlands	1					1					2
Niger		5									5
Nigeria	17	134		72	54	53	34		20	21	405
Norway	1	29	27	26	19	20	20	18	16	5	181
Pakistan	85	82	39	50	45	84	1	40	65	19	510
Philippines	23	63	63	62	43	87	20	47	28	26	462
Poland	10		9	10	9	9	9	8		10	74
Portugal	36	16	8	19	5	8	6	2	4		104
Romania	48	30	46	47	22	50	35	35	38	8	359
Russian Federation	137	7	104	88	80	87	35	15	18	12	583
Senegal	16		16		16						48
Slovenia		16	6	10	13	14	15	15	15		104
Spain	50	14	32	8	8	13	12	10	10	13	170
Sweden	44	54	56	54	50	38	45	38	33	26	438
Switzerland		10	9	8	6	7	5	8	8	1	62
Tanzania	5										5
Tunisia	10	5		6		5	5				31
Turkey	49	92	84	146	124	197	134	123	90	44	1,083
Uganda									4		4
Ukraine	30	20	24	37	22	49	19	13	6	7	227
United Kingdom	67	115	137	92	83	65	40	54	53	15	721
USA	476	514	353	354	251	202	163	126	145	71	2,655
Zambia	14	44	38	9	23	11	10	10	10	10	179
Zimbabwe	24	50	61	67	54	25	30	18	17	7	353
TOTAL	2,296	3,200	2,772	2,918	2,319	2,184	1,402	1,197	1,161	656	20,105

Source: Data were made available by the Department of Peacekeeping Operations. Situation Center. Research and Liaison Unit in March 2009.

8.7 Composition and strength of the UNMIK Special Police, 2000–08

Table 24: Composition and strength of the UNMIK Special Police, 2000–08

Country	2000	2001	2002	2003	2004	2005	2006	2007	2008	TOTAL
Argentina		248	230	230	230	115				1,053
Bangladesh									125	125
India	399	239	240	120	120	80				1,198
Jordan	480	480	480	480	480					2,400
Pakistan	113	116	115	115	116	112	114	114	111	1,026
Poland	116	123	236	232	231	232	230	234	115	1,749
Romania			116	115	115	115	115	116	115	807
Spain	224	225	227	4						680
Ukraine	152	144	157	162	156	164	156	155	33	1,279
TOTAL	1,484	1,575	1,801	1,458	1,448	818	615	619	499	10,317

Source: Data were made available by the Department of Peacekeeping Operations, Situation Center, Research and Liaison Unit in March 2009.

8.8 Composition and strength of the UNMIK Military Liaison component, 1999–2009

Table 25: Composition and strength of the UNMIK Military Liaison component, 1999–2009

Country	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	TOTAL
Argentina		1	1	1	1	1	1	1	1	1		9
Austria	2	2	2									6
Bangladesh	1	1	1	1	1	1	1	1	1	2		11
Belgium	1	1		1		1						4
Bolivia	1	2	1	1	1	1	1	1	2	1		12
Bulgaria		1		1	1		1	1	1			6
Canada	2	1	1									4
Chile		1	1	1	1	2	1	1	1	1		10
Czech Rep		1	1	1	1	1	1	1	1	1		9
Denmark	2	2	2	2	1	1	2	2	1	3		18
Finland	2	2	3	2	2	2	2	2	1			18
Hungary	1	1	1	1		1	1	1	1			8
Ireland	4	3	3	3	3	4	4	3		4		31
Italy	1	1	1		2	1	1	1				8
Jordan	1	1	1	1	2	2	3	2	2			15
Kenya	1	1	1	1	1	1	1	1	2			10
Malawi	1		1	1		1	1		1			6
Malaysia	1	1	1	1	1	1	1	1	1			9
Nepal	1	1	1	2	2	2	2	1	1			13
New Zealand	1	2	2	2	3	2	2	2	2	1		19
Norway	2	1	2	2	1	1	1	1	1	2		14
Pakistan	1	1	1	1		1	1		2	1		9
Poland	1	1		1	1	1	1		1	1	1	9
Portugal						1	2		1			4
Romania	1	1	1	1	1	1	2	3	3	2		16
Russia	2	2		2	2		2	1	1			12
Spain	3	2	3	3	3	4	4	4	4	4	1	35
Switzerland	1	1	1	1	1							5
Ukraine	1		1	2	2	2	3	2	1	3		17
United Kingdom		2	2	2	1	1	1	1	1			11
USA	4	8	4	4	5	1						26
Zambia	1	1		1	1		1		1			6
TOTAL	40	46	40	43	41	38	44	34	35	27	2	390

Source: Data were made available by the Department of Peacekeeping Operations, Situation Center, Research and Liaison Unit in March 2009.

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9.2 Interviews

9.2.1 Interviews with international representatives

All listed interview partners were asked for their personal opinion and did not represent their organization's standpoint during the interviews.

Andriani Mortoglou
Political Affairs Officer. Europe and Latin America Division. Office of Operations.
Department of Peacekeeping Operations.
New York [30 04 2009]

Ata Yenigun
Special Assistant. Police Division. Office of Rule of Law and Security Institutions.
Department of Peacekeeping Operations.
New York [05 05 2009]

Benjamin Segarra-Cervera
Operations Officer. Situation Centre. Office of Operations.
Department of Peacekeeping Operations.
New York [23 04 2009]

Claire Bamber
Head of the Research and Liaison Unit. Peacekeeping Situation Centre.
Department of Peacekeeping Operations.
New York [07 05 2009]

David Harland
Chief Europe and Latin America Division. Office of Operations.
Department of Peacekeeping Operations.
New York [07 05 2009]

David Marshall
Human Rights Officer. New York Office of the High Commissioner for Human Rights.
New York [07 05 2009]

Denis Tikhomirov
Police Liaison Officer. Europe and Latin America Division. Integrated Operational Team/MINURCAT. Department of Peacekeeping Operations.
New York [07 05 2009]

Dennis Besedic
Coordination Officer. Office of the Director, Partnerships. Division of Policy, Evaluation and Training. Department of Peacekeeping Operations.
New York [08 05 2009]

Gerard Beekman
Senior Police Liaison Officer. Europe and Latin America Division, Integrated
Operational Team.
Department of Peacekeeping Operations.
New York [29 04 2009]

Hardin Lang
Political Affairs Officer. Europe and Latin America Division. Office of Operations.
Department of Peacekeeping Operations.
New York [07 05 2009]

Ignacio Sáez-Benito
Political Affairs Officer. Europe and Latin America Division. Office of Operations.
Department of Peacekeeping Operations.
New York [23 04 2009]

Marco Bianchini
Political Affairs Officer. Europe and Latin America Division. Office of Operations.
Department of Peacekeeping Operations.
New York [28 04 2009]

Mustafa Tekinbas
UNMIK Senior Police Adviser to SRSG.
New York. Telephone interview [05 05 2009]
Prishtinë/Priština [08 09 2009]

Robert A. Pulver
Chief. Criminal Law and Judicial Advisory Section.
Office of Rule of Law and Security Institutions.
Department of Peacekeeping Operations.
New York [01 05 2009]

Stéphane Jean
Policy and Legal Affairs Officer. Civilian Police Division.
Department of Peacekeeping Operations.
New York [29 04 2009]

Viktoriya Tymoshenko
Mission Manager. Police Division. Office of Rule of Law and Security Institutions.
Department of Peacekeeping Operations.
New York [05 05 2009]

9.2.2 Interviews with Kosovars

Arben Hajrullahu

Professor at the Department for Political Science at the University in Prishtinë/Priština.

Free-lance researcher at the European Academy of Bolzano, Italy.

Prishtinë/Priština [11 09 2009]

Arsim Berisha

Kosovo Police Station Commander in Suharekë/ Suva Reka.

Suharekë/Suva Reka [18 09 2009]

Artan Kasumi

Senior Human Rights Assistant. Department of Human Rights and Communities.

OSCE Mission in Kosovo.

Prishtinë/Priština [10 09 2009]

Bashkim Hisari

Helsinki Committee for Human Rights. Head of Prishtinë/Priština Branch Office.

Prizren/Prizren [13 09 2009]

Bekim Baliqi

Professor at the Department for Political Science at the University in Prishtinë/Priština.

Mitrovicë/Mitrovica [12 09 2009]

Bekim Kryeziu

Translator for Swiss KFOR in Suharekë/Suva Reka.

Suharekë/Suva Reka [17 09 2009]

Dejan and Jovana Baljošević

Former head of the Coordination Center for Kosovo. English teacher.

Rahovec/Orahovac [18 09 2009]

Dugagjin Palushi

Translator for the Austrian CIMIC in Suharekë/Suva Reka.

Suharekë/Suva Reka [16 09 2009]

Elisabeth Abazi

Educator and teacher at DON BOSCO in Prishtinë/Priština.

Prishtinë/Priština [14 09 2009]

Florim Zeqiri

Translator for Swiss KFOR in Suharekë/Suva Reka.

Suharekë/Suva Reka [12 09 2009]

Hamdi Berisha
Translator for SETEC Engineering in Pejë/Peć. Former translator for UNMIK Police in Suharekë/Suva Reka.
Suharekë/Suva Reka [15 09 2009]

Igballe Rogova
Director of the Kosovo Women's Network.
Vienna [27 11 2009]

Lulzim Peci
Ambassador of the Republic of Kosovo to Sweden.
Prishtinë/Priština [11 09 2009]

Petrit Hysaj
Assembly Monitoring Assistant. OSCE Headquarters Prishtinë/Priština. OSCE Mission in Kosovo.
Ferizaj/Uroševac [10 09 2009]

Rexhep Kuci
Coordinator at HANDIKOS - Association of paraplegics and paralyzed children of Kosovo- in Suharekë/Suva Reka.
Suharekë/Suva Reka [14 09 2009]

Salih Asslanaj
Former mayor of Suharekë/Suva Reka.
Suharekë/Suva Reka [15 09 2009]

Sylë Ukshini
Foreign Ministry of Prishtinë/Priština. Responsible for bilateral cooperation and international organizations.
Prishtinë/Priština [10 09 2009]

Xhabir Hamiti
Professor for Islamic Studies at the Faculty of Islamic Studies in Prishtinë/Priština.
Prishtinë/Priština [17 09 2009]

Anonymity requested
Female professional.
Prishtinë/Priština [19 09 2009]

10 CURRICULUM VITAE

PERSONAL DATA

Name: Elisabeth Schleicher
Date of Birth: January 12, 1983
Birth Place: Vienna, Austria
Nationality: Austria
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EDUCATION

UNIVERSITY

Oct. 2007–Dec. 2010 Ph.D. Political Science, University of Vienna, Austria
Dissertation: “The International Engagement in Kosovo: Achieving Positive Peace?”
Sept. 2006 Austrian Military Academy; promoted to Lieutenant; currently serving as a Reserve Officer
Feb. 2003–Sept. 2006 Master Study of Military Leadership, Theresan Military Academy, Austria; passed with distinction
Thesis: “Das Milizsystem der Österreichischen Streitkräfte im Vergleich zur Army National Guard”

MILITARY EDUCATION

Oct. 2001–Jan. 2003 Military service in the Austrian Army; preparatory training for the admission to the Austrian Military Academy

SCHOOL

Sept. 1993–Jun. 2001 High School Diploma, De La Salle High School, Vienna, Austria
Jan. 2000–Jun. 2000 Canyonville Christian Academy, Canyonville, Oregon USA
Sept. 1989–Jun. 1993 De La Salle Elementary School, Vienna, Austria

FIELD MISSION EXPERIENCE

Oct. 2006–Oct. 2007 KFOR Mission in **Kosovo**, Commander of a Liaison Monitoring Team; rank Captain
Duties: Establish and maintain close rapport between authorities of the municipality, international and non-governmental organizations, and the general population to foster a secure environment; monitor and report the political, economic and social conditions; run the municipality field office; serve as a contact for the local population and international staff.

INTERNATIONAL EXPERIENCE

- Jan. 2009–May 2009 Internship at the **Department of Peacekeeping Operations**, Situation Centre/Research and Liaison Unit, New York City
Duties: Prepare country studies, reports and background assessments regarding security trends that affect ongoing and potential peacekeeping operations; prepare daily presentations and briefings on political and operational developments for the Chief of the Situation Centre, and serve as an assistant to him.
- Mar. 2008–Sept. 2008 Internship at the **United Nations Office on Drugs and Crime**, Division for Operations/South East Asia and the Pacific Unit, Vienna
Duties: Research Assistant for this division's Technical Cooperation activities in Europe and Asia aimed at demand reduction, crime prevention, development of alternative livelihoods, and reduction of illicit opium poppy cultivation; research and analyze information on specific projects and concepts; update existing documentation systems with appropriate country, thematic and project data; prepare articles, reports, project documents and presentations relating to program matters.