



# States of Conflict:

## A case study on statebuilding in Kosovo

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## 'States of Conflict'

This paper is one of a series. The other papers are: *States of Conflict: A case study on conflict prevention in Macedonia* and *States of Conflict: A case study on peacebuilding in Bosnia and Herzegovina*. Due for publication in Autumn 2009, they will be available from [www.ippr.org/publicationsandreports](http://www.ippr.org/publicationsandreports)

## Abbreviations

EU	European Union
EULEX	European rule of law mission
ICJ	International Court of Justice
ICO	International Civilian Office
IMF	International Monetary Fund
IPA	Instrument for Pre-Accession Assistance
JIAS	Joint Interim Administrative Structure
KFOR	Kosovo Force
KLA	Kosovo Liberation Army
MUP	Serbian Ministry of the Interior
NATO	North Atlantic Treaty Organisation
OHR	Office of the High Representative in Bosnia and Herzegovina
OSCE	Organisation for Security and Cooperation in Europe
PISG	Provisional Institutions of Self-Governance
UN	United Nations
UNMIK	United Nations Interim Administration Mission in Kosovo

## Introduction

On 17 February 2008, Kosovo declared its independence from Serbia. This brought to an end almost nine years of international administration by the United Nations Interim Administration Mission in Kosovo (UNMIK), established in the aftermath of NATO's operation in Yugoslavia over the regime's atrocities against the territory's Albanian population. However, the divisions in the United Nations Security Council between the United States and its European allies on the one hand and Russia on the other – the same divisions that had shaped political dynamics during the Kosovo War in 1999 – prevented the closing down of the mission itself.

In the 18 months following independence, Kosovo not only passed a new constitution (in June 2008) and joined the International Monetary Fund and the World Bank (in June 2009), but UNMIK was 'reconfigured' from an administration with sweeping executive and legislative powers to a much smaller political mission. A European rule of law mission (EULEX), and an International Civilian Office (ICO) have been deployed to continue the international post-conflict statebuilding and peace consolidation efforts. By July 2009, 60 countries had recognised Kosovo as a state.

Despite ten years of extensive international involvement and unprecedented amounts of donor aid, Kosovo continues to face enormous political, social, and economic challenges that threaten the sustainability and integrity of the new state. Serbia challenged the legality of its declaration of independence, and through its continued support for parallel institutions in Serb municipalities (particularly in the North of Kosovo) has contributed to the de facto partition of the country. International divisions over Kosovo's status have hampered the effective deployment of the ICO and EULEX. Many of Kosovo's institutions remain fragile, and its economy is dramatically underdeveloped. Having attained independence, the unity of purpose of the Kosovo Albanian political elite has almost entirely vanished, revealing a deeply divided political class that tends to engage in personal rivalries rather than work towards programmatic solutions to Kosovo's socio-economic and political challenges.

### **Aims of this paper**

This case study of post-conflict statebuilding focuses in particular on the period since the declaration of independence. It identifies three key challenges to a successful and lasting transition from conflict to self-sustaining peace in Kosovo:

- The difficulties of reconfiguring the international presence in Kosovo and the impact of this on international authority
- The effective division of Kosovo and the challenge posed by the creation of Serb parallel structures in the North to governance in the territory
- The threats to stability and development posed by Kosovo's dire economic situation, exacerbated by its high rate of population growth.

It argues that international involvement in Kosovo has been shaped by a preference for stability, even if this has meant accepting and at times embedding a status quo that undermines the long-term prospects for a well-governed, peaceful Kosovo. While this might be a pragmatic approach minimising the risk of renewed conflict, and necessary to sustain support among donor countries and troop contributors, the danger of such a policy is that it makes an international presence a condition of stability, rather than an instrument to attain self-sustaining peace.

## Background and context

The sources of the conflict in Kosovo are complex, and have been discussed in detail elsewhere (see for example Judah 2002, Malcolm 1998). Its immediate causes were the revocation of Kosovo's autonomy from Serbia by Slobodan Milošević in 1989 and the imposition of what can best be described as an apartheid system, systematically excluding the Albanian majority population of Kosovo from all institutions of political and social life. While Albanians resisted peacefully at first by establishing a parallel state with its own provisional healthcare and education system (see Clark 2000, Hockenos 2003), the response to Serb rule grew increasingly violent with the emergence of the Kosovo Liberation Army (KLA).

The crackdown by Serb police against the KLA in 1998, which led to the displacement of more than 200,000 Albanians, moved Kosovo onto the international agenda, leading first to the deployment of the Organisation for Security and Cooperation in Europe's (OSCE) Kosovo Verification Mission of unarmed observers (which failed to halt the violence), and then to the peace conference at Rambouillet, called by the Contact Group<sup>1</sup> to negotiate a political settlement for Kosovo between the Kosovo Albanians and the Yugoslav authorities.

Milošević's refusal to sign the accords in March 1999 precipitated NATO's bombing campaign against Yugoslavia. The war ended with his acceptance of a Contact Group proposal foreseeing the establishment of a temporary international administration over Kosovo that would work towards a resolution of the status question and build governmental institutions. Within days, on 12 June 1999, the UN Security Council passed Resolution 1244, establishing UNMIK and endorsing the deployment of a NATO-led security presence in Kosovo (KFOR [Kosovo Force]). Importantly, Resolution 1244 was designed to end the war rather than provide a roadmap for statebuilding in Kosovo, and deliberately left the question of Kosovo's status unresolved, papering over the divisions within the UN Security Council.

UNMIK was made up of four pillars – Police and Justice, Civil Administration (both led by the UN), Institution Building (led by the OSCE), and Reconstruction (led by the European Union).<sup>2</sup> It quickly established governmental structures in consultation with local political elites, gradually 'kosovarised' them by handing over administrative and political responsibility to local institutions, and democratically legitimised the institutions through elections. Thus in December 1999 UNMIK created the Joint Interim Administrative Structure (JIAS), establishing extensive local consultation mechanisms and a 'double desk' structure of local and international co-heads of municipal administrations and certain ministries. This was followed by local elections in October 2000, the creation of a 'Constitutional Framework for Self Governance' in May 2001, and the first Kosovo-wide elections for the 'Provisional Institutions of Self-Governance' (PISG) in November 2001 (King and Mason 2006, Zaum 2007). While gradually handing over authority to Kosovars, UNMIK retained certain powers considered central to peace consolidation (such as police and justice), or those which would be the preserve of the state and would have to await status resolution (such as the right to sign international agreements).

Throughout the first three years of UNMIK, the international community studiously avoided addressing the question of Kosovo's status. Only in late 2002 the then head of UNMIK, Michael Steiner, brought the issue onto the political agenda by introducing his 'standards before status' policy, making status resolution conditional upon the fulfilment of six broad governance standards related to respect for human rights, the development of democratic institutions, the establishment of a free market economy, and the promotion of the rule of law by the Kosovars.

1. France, Germany, Italy, Russia, United Kingdom and United States.

2. Originally, Pillar I was led by the UN Refugee Agency (UNHCR), and addressed humanitarian affairs. UNHCR left UNMIK in June 2000, after which Pillar I dealt with Police and Justice, led by the UN.

Only in December 2003 did UNMIK and the main donor countries reluctantly adopt the 'standards' as the mechanism to work towards a settlement of the status question (UNMIK 2003). Rather than the fulfilment of the standards, however, it was the outbreak of violence against the Serb minority and UNMIK in March 2004, which left 19 people dead and over 900 injured, that accelerated international efforts to resolve the status question (Judah 2005). The fear of many Western states that addressing Kosovo's status would destabilise the region and fuel secessionism in Bosnia and Macedonia was replaced by the understanding that an unresolved status question was a bigger source of instability. Status was effectively decoupled from the implementation of the more difficult standards (King and Mason 2006). When the Special Envoy of the UN Secretary-General, Kai Eide, reviewed the implementation of the standards in October 2005, he recommended that status negotiations should begin despite important shortcomings in their implementation (United Nations 2005).

Negotiations started under supervision of the former Finnish President Maarti Ahtisaari, the UN Secretary General's Special Envoy for Kosovo's status (Weller 2008a). His final proposal, published in February 2007, envisaged an independent Kosovo supervised by an International Civilian Office (ICO) with executive authority to impose measures to protect the implantation of the Ahtisaari plan, and a European Security and Defence Policy (ESDP) mission (EULEX) promoting the rule of law through assistance and some executive authority in policing, justice, and the customs service (United Nations 2007, see also Weller 2008b).

A deeply divided UN Security Council was unable to endorse the Ahtisaari plan, and in coordination with the US and most European states, Kosovo declared independence on 17 February 2008, a move angrily rejected by Russia and Serbia, who requested an advisory opinion on the legality of the declaration of independence from the International Court of Justice (see also Tansey and Zaum 2009). A ruling is expected in early 2010. As of July 2009, 60 states had recognised Kosovo, including 22 of the 27 members of the EU.

## Reconfiguring the international presence

The declaration of independence precipitated a major reconfiguration of the international presence in Kosovo. Only NATO-led KFOR and the OSCE did not significantly change their size and mandate after February 2008, though in June 2009 KFOR announced a gradual reduction of troops from 13,800 to around 2,000 over two years, and on Russian insistence the OSCE mission's mandate currently has to be renewed on a monthly basis. Three issues with regard to the international presence stand out:

- The role of UNMIK since February 2008
- Issues around the deployment of EULEX
- The weakness of the International Civilian Office (ICO).

The role of UNMIK after February 2008, whose closure by the Security Council has been prevented by the Russian rejection of Kosovo's declaration of independence, remains controversial. UNMIK was successful with regard to many aspects of its mandate, in particular the establishment of a wide array of public institutions across Kosovo that generally enjoy wide support of the (Albanian) majority of the territory, and in particular the successful reform of the police. However, its rapidly declining authority once status negotiations commenced, and its contested role after February 2008, have given the impression of a mission without a real mandate. But judging UNMIK by its contribution to the resolution of Kosovo's status ignores the reality that while it was expected to work towards this goal, it did not have the power to deliver it, especially once the status question became caught up in the divisions of the Security Council.

Despite fierce resistance from Russia and Belgrade, UNMIK was 'reconfigured' from June 2008 onwards, to reflect the new conditions on the ground. In reality, this reconfiguration

amounted to the complete abandonment of its executive mandate (with the exception of the UNMIK municipal administration in North Mitrovica<sup>3</sup>), the reduction of the mission's size by 90 per cent, and the move out of the centre of the capital Pristina to a logistics base in the depth of the city's industrial zone – symbolising its shift to the margins of Kosovo politics.

Secondly, EULEX, which had been authorised by a Joint Action of the European Council on the eve of Kosovo's independence, took a long time to deploy into Kosovo, and only became fully operational in April 2009. This was compounded by the lack of a EULEX presence in the North until December 2008, after all sides had accepted the UN Secretary-General's so-called 'Six-point plan' ambiguously placing the mission under a UN umbrella without directly reporting to the UN (United Nations 2008). EULEX took over key functions from UNMIK, in particular policing, the judiciary, and the customs service. While predominantly a monitoring and assistance mission, it also has some executive responsibilities with regard to the judiciary and the police, for example in the context of organised crime and sensitive court cases (European Union 2008).

While the mission and its operational plan have been approved by all EU member states, the fact that five of them have not recognised Kosovo's independence (Cyprus, Greece, Romania, Slovakia, and Spain) has placed some constraints on the mission, especially with regard to the question of the applicable law: for example, should EULEX judges apply law passed by Kosovar institutions after independence? It remains to be seen whether EULEX's mandate is robust enough in practice to take potentially controversial executive action, such as against individuals with close links to the government alleged to be involved in organised crime and corruption, or against the leadership of the parallel Serb institutions in the North.

Thirdly, while the other new international institution in Kosovo, the International Civilian Office (ICO), also has a strong mandate on paper, it is inherently weak in practice, based not on the authority of an established multilateral institution such as the EU or the UN, but on the Ahtisaari Agreement (which is not recognised by Serbia) and the consent of the Kosovo government. While its powers to impose legislation are modelled on the 'Bonn Powers' of the High Representative in Bosnia (OHR), in practice the ICO has not made formal use of them, reflecting the experience in Bosnia, where the liberal use of these powers has made it exceedingly difficult for the OHR to manage its exit. The problem of the pending ICJ decision, and the possibility that any use of the ICO's powers could be construed as an indication that Kosovo is not really sovereign and independent, and could put in question the premise of the Ahtisaari proposal and the ICO's mandate, has also made the ICO reluctant to use its executive powers.

It took the international community almost a year to reorganise its presence in Kosovo, despite extensive planning based on assumptions that in the end proved overly optimistic – in particular that Russia and Serbia would accept the Ahtisaari plan. The slow deployment of EULEX contributed to the effective partition of Kosovo along the Ibar river, undermining the sustainability of an independent Kosovo, an objective into which the major donors and political supporters of Kosovo, especially the US and major European states, had invested substantial political capital.

It would be facetious to suggest that the transition should have been planned better; after all an EU planning mission had been in place for almost three years before independence. However, the contested mandates of the ICO and EULEX have contributed to a policy of 'stability first', which has made the international presence reluctant to confront both hardline Serbs in the North and some of the excesses of the government in the South head-on.

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3. Mitrovica is a municipality in Northern Kosovo of one town and 49 villages. Since the 1999 conflict, the town has been ethnically divided along the Ibar River.



With its reorganisation, the international presence also shifted its focus away from seeing Kosovo through the lens of ethnic conflict towards seeing it as a rule of law problem, a perspective informed by the questionable international perception of Kosovo as a 'black hole' riveted by corruption and organised crime (IKS 2008). Such a perspective threatens to marginalise some of the most important challenges to the long-term stability and development of Kosovo, in particular socio-economic challenges. These issues will be discussed in the following sections.

## The challenge of the North

One of the key challenges to a peaceful and stable Kosovo is the effective partition of the country along the River Ibar following independence, when Serb parallel institutions took over the municipal structures in the North. The absence of effective border controls for almost 10 months after the destruction of two customs posts between Serbia and Kosovo by Serb demonstrators in February 2008 meant that smuggling and racketeering flourished in Northern Kosovo (Crisis Group 2008). Albanian officers of the KPS have been withdrawn from the North, and the remaining Kosovo Serb officers no longer report to the KPS hierarchy but to UNMIK (since December 2008 to EULEX). It has been alleged that this latter group are under the control of the Serbian Ministry of the Interior (MUP), which also pays them salaries (ibid). In the municipalities of Zubin Potok and Leposavic the courts either do not function at all or do so as part of the Serbian system. The situation in the North thus poses a fundamental challenge to the rule of law and the territorial integrity of Kosovo.

Even under UNMIK's governance, the control of international institutions and the PISG over the northern municipalities was limited, with many services – such as education and healthcare – funded by Belgrade. The lack of economic development made Serbs in these municipalities highly dependent on financial transfers from the Serbian government. According to one estimate, 63 per cent of the monthly cash income in North Mitrovica is provided by salaries and transfers from Serbia (European Stability Initiative 2004). This has enhanced the power of patronage of those controlling the parallel institutions (such as the hospital in North Mitrovica) through which many of these funds are disbursed.

To keep Serbs in Kosovo, and to discourage their participation in Kosovo's institutions, Belgrade continued to pay often double salaries to Serbs working in the parallel institutions, and encouraged the takeover of municipal structures following independence. In May 2008, Serbia held municipal elections in Kosovo, which were declared illegal by the Kosovo government and the international presence in Kosovo, including UNMIK. The officials chosen in these elections have controlled the parallel municipal administrations since then (though in the Serb enclaves such as Strpce in the South their control has been contested by the Serb officials previously elected to the formal Kosovar municipal structures).

The international response to the parallel structures has been cautious, partly because of the contested mandates of both the ICO and EULEX. The ICO was forced to close its presence in the North a week after independence and has not re-established a formal presence since, as Serbia and Kosovo Serb institutions refuse to have any direct contact with it. EULEX did not deploy into the North until December 2008, after the six-point plan was agreed and it took over from UNMIK police. Efforts to integrate the Northern municipalities into Kosovo's institutional framework have also been limited by concerns over stability, should the parallel institutions be directly and forcefully challenged. Indeed, the international presence has only responded with any vigour when Serbs have violently confronted the institutions of the state.<sup>4</sup> Generally though, KFOR and EULEX have sought a course of limiting confrontation

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4. For example, over the burning down of two customs points with Serbia in the days after the declaration of independence, the occupation of the Mitrovica courthouse by Serbs for several days in March 2008, or the violent protests against attempts by the Kosovo government to facilitate the return of Albanian refugees to their houses in North Mitrovica in Spring 2009 (United Nations 2009).

with the parallel structures, seeking to end obstructions through negotiation rather than enforcement, and only very gradually pushing to bring the North back into Kosovo's institutions.

Ironically, the biggest challenge to the parallel institutions has come from Belgrade. As a result of the global economic crisis, the Serbian government cut the extra salaries it pays to Serbs in Kosovo by 50 per cent, and has tried to remove some of the most radical leaders of the Kosovo Serbs linked to the previous government of Kostunica. For example, it has sacked one of the key Kosovo Serb leaders in the North, Marko Jaksic, from his position as head of the Mitrovica hospital, a position he used for patronage and political influence (UNMIK 2009). However, this might be as much the consequence of a struggle in Belgrade over control of the parallel institutions as the beginning of a more cooperative approach with regard to Kosovo.

## Kosovo's development challenge

The focus of international statebuilding efforts in Kosovo has been predominantly on political and security issues, and since 2008 in particular the rule of law. However, one of the major long-term challenges to social stability and a sustainable peace in Kosovo is the dire state of its economy. While donors have argued that promoting the rule of law is a condition for foreign direct investment and economic growth, overall questions of economic development have received less attention and funding from an international presence concerned in particular with stability. Without substantial change, the poor state of Kosovo's economy is likely to fuel a range of security threats, such as illegal trafficking, migration, and organised crime.

Kosovo is a rural society, with almost 70 per cent of the population living in the countryside. The majority of this rural population make their living from agriculture (predominantly subsistence agriculture), almost half of them have only primary education or less, and very few women participate in the labour market. Despite the importance of agriculture for Kosovo's economy and the majority of its citizens, it is neither a priority for the Kosovo government (for several years after 2001 the Minister for Agriculture was a Serb, highlighting the low priority that the government assigns to it) nor the international donor community. Between 1999 and 2007, only 4 per cent of donor aid was allocated to agriculture (European Commission/World Bank 2008).

Since independence, agriculture has not become a higher priority for either the government or donors: for example, of the €184.7 million EU instrument for pre-accession assistance (IPA) for Kosovo, for example, just over €7 million was directly allocated to agriculture-related projects. By contrast, more than €28 million of IPA was directly allocated for rule of law activities over the same period (European Commission Liaison Office to Kosovo 2009).

Formal, taxed employment is very low, totalling around 160,000 out of a working age population of around 1.38 million (Ministry of Economy and Finance 2008).<sup>5</sup> Out of these, 75,000 work for the public sector. Unsurprisingly, such a small base for direct taxation has meant that 65 per cent of tax revenues are collected at the border, in the form of taxes and duties on imported goods (ibid). The ability to financially sustain the institutions of the state, to provide basic public services, and to invest in the country's infrastructure is highly dependent on outside transfers, either in terms of donor funding or through remittances that sustain consumption and thereby indirect tax revenues. In 2007, more than 40 per cent of

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5. Total employment is higher, though estimates vary widely. However, only formal employment contributes to direct tax revenues and sustains the delivery of public services.

Kosovo's GDP was made up of foreign assistance, remittances and foreign direct investment – mostly privatisation proceeds and the issuing of a second mobile phone licence. All of these outside contributions are likely to decline substantially as a consequence of the global financial crisis, with dire consequences for Kosovo's budget.

The poor economic performance of Kosovo is exacerbated by a demographic challenge: Kosovo has Europe's youngest and fastest-growing population. Each year 30,000 more young people reach working age and join the labour market than the number that leave it, while Kosovo's economy has neither the structure nor the dynamism to absorb them (World Bank 2008). Young people are mostly failed by an education system that is poorly governed, poorly resourced, and prone to corruption. Hardly any of the 30 private universities in Kosovo, for example, have met accreditation criteria (British Accreditation Council 2008), and with some notable exceptions they provide sub-standard education. This leaves a whole generation of Kosovars without marketable skills and with very limited economic perspectives.

Unsurprisingly, more than 60 per cent of Kosovo Albanians and non-Serb minorities see economic problems as the main threat to stability in Kosovo (United Nations Development Programme 2008). This lack of economic development thus contains a high potential for social conflict. In the past, migration into Western Europe helped to mitigate the consequences of this population growth, but stricter limits on migration in EU countries have effectively closed this pressure valve. As some analysts have highlighted, economic development in Kosovo needs to be complemented with a rethinking of European immigration policy. Allowing young Kosovars to find legal work in an ageing Europe, and actively training them in European countries in skills that would help with economic development back in Kosovo is a cheaper and more credible development policy than trying to police an increasingly frustrated, impoverished, and desperate young population (European Stability Initiative 2006).

## The price of stability

In many ways, Kosovo has been a successful international intervention. Since 1999, a substantial military and police presence by NATO, the UN and later the EU has kept Kosovo peaceful, and has for the most part minimised violent conflict. With extensive donor support, UNMIK, the EU and OSCE have managed to build state institutions which, while weak, generally have the support of Albanians and non-Serb minorities. Over time, the international presence has been substantially reduced and governmental responsibilities have been handed to local institutions. Western supporters of Kosovo have managed a very contentious transition to independence with some success, and have created a situation where, despite Serbian and Russian efforts to stem the tide, an independent Kosovo is the only realistic framework for any further statebuilding and development activities.

The most visible problems faced by UNMIK and its successor operations have had little to do with developments in Kosovo itself, but with divisions between major powers in the UN Security Council. Traditionally, UN peacekeeping operations were envisaged as a way of insulating a conflict from the wider Cold War dynamics (Berdal 2008). In the case of Kosovo, however, the Security Council's involvement left Kosovo's future hostage to the changing relations between major powers. This dynamic was the source of the ambiguity with regard to both UNMIK's mandate and Kosovo's final status; made it impossible to close UNMIK down; and has led to weakened and contested mandates of the key successor missions to UNMIK, EULEX and the ICO. Russia's stance on Kosovo has little to do with a principled argument about the dangers of secessionism, given its recognition of Abkhazia and South Ossetia. Instead, Kosovo has become caught up in the wider political struggle between a resurgent Russia and the West.

Throughout its presence, one of the main concerns of the international community has been the maintenance of stability in Kosovo, for two reasons in particular. Firstly, Western states, NATO, and the UN have invested substantial political, reputational and financial capital into making Kosovo a success. EULEX has been described as the EU's flagship mission, where failure would put into question the feasibility of a common security policy. Another major outbreak of violence would seriously affect the reputation of these states and organisations. Secondly, instability could affect the ability of Kosovo to obtain international legitimacy through further recognitions, and might affect the ICJ's assessment of the legality of the declaration of independence. It is therefore unsurprising that the Kosovo government has not made any serious attempts to try to assert its presence in the North.

However, this emphasis on stability has come at a price. Most obviously, it raises the danger that systematic development efforts are marginalised by a focus on stability and the rule of law. The limited donor funding available for agriculture and for education are just two indicators of such a trend.

In the North, stability depends on some form of tacit recognition and cooperation with informal structures that arguably have links to crime and that effectively control these municipalities. But this approach risks further embedding these structures, and in the long run might make it more difficult to establish the capacity and legitimacy of the state to exercise control over all its territory. More importantly, as the relationship between the Northern Serb municipalities and the Kosovo government is mediated through the international presence, the international community will find it hard to leave Kosovo. Rather than creating the conditions for peace and stability, the international presence may yet become a condition for the maintenance of peace and stability.

This is not only an issue with regard to the North. There have been a growing number of reports about the prominent role played by several members of the former KLA intelligence service K-SHIK in the current government of former KLA leader Hashim Thaci (Crisis Group 2008). In a society where there has been little open dissent until independence in 2008, the government has been increasingly thin-skinned about critical media reporting. It has reportedly used its economic muscle as the main advertiser in Kosovo to encourage more pro-government reporting, and the largest cable provider in Kosovo has taken a channel critical of the government off its airwaves (*The Economist* 2009). There have been several cases of journalists being threatened, most prominently Jeta Xharra, who was subjected to a media campaign by a pro-government newspaper calling her a Serbian agent and editorialising that she had shortened her own life with her critical reporting on the mayor of Skenderaj, who is a member of the prime minister's PDK party (Xharra 2009). UNMIK set a worrying precedent for such behaviour when it arrested the leader of the pro-independence movement Vetevendosje, Albin Kurti, after demonstrations against UNMIK in 2007 for six months and then put him under house arrest for a further six months. His trial (conducted by international judges) was criticised by human rights organisations as politicised and riddled with procedural problems (Amnesty International 2007).

The challenges to sustainable peace in Kosovo will remain salient for years to come, and international involvement in Kosovo will continue, both with a security and a civilian presence that will evolve over the years. The fact that Kosovo's wider neighbourhood is the European Union means that major donor states retain an interest in a reasonably stable and prosperous Kosovo, and will be willing to continue to commit resources to it. The possibility of membership in the EU ultimately provides an incentive and a process to continue on the road towards these goals. This sets Kosovo apart from most other states of conflict, and their internationally assisted transitions from war to peace.

## Conclusion: lessons and recommendations

The international presence in Kosovo has had a strong mandate and has been very well resourced compared with most statebuilding operations in post-conflict countries where developments have only limited implications for the security interests of Western countries. This inherently limits the applicability of any lessons from Kosovo to such cases. Nonetheless, the 10 years of international statebuilding efforts in Kosovo highlight three general lessons that are of relevance for such operations more generally.

Firstly, statebuilding in post-conflict countries is a deeply political exercise, requiring fundamentally political decisions to be made about the distribution of power and resources. UNMIK was never the arbiter between different groups competing for power in Kosovo. Instead, its mandate made it an active player and part of the territory's political dynamics. Had UNMIK (between 1999 and 2008) and EULEX (since late 2008) followed status neutrality to the letter, they would have been paralysed and unable to exercise valuable aspects of their statebuilding mandates. If statebuilding operations affect the local political order, more thought needs to be given to their impact on these dynamics, as they can shape them for better or worse, with implications for political stability and ultimately security. In particular, it can make exiting from an operation very difficult, as a mission's presence can become a condition for local stability (see also de Waal 2009).

Importantly, a mission's participation in the political process also affects the security of statebuilding operations and its staff: if they are seen as part of the political landscape and not as neutral arbiters, they are likely to be drawn into local conflicts, including violent ones. The targeting of UNMIK during the 2004 riots highlights how the mission had come to be seen as part of the confrontation over Kosovo's independence, and as an obstacle to obtaining this goal.

Secondly, the case of Kosovo highlights the fact that states and international organisations intervening in post-conflict situations need to be realistic about what socio-political transformations they can actually achieve. Despite unprecedented resources and a very strong mandate, the capacity of the international presence in Kosovo to shape the statebuilding process has been limited, and its policies have been mostly responsive. This was evident when the eruption of violence in March 2004 pushed the international community towards addressing the status question, and even more so in the international response to the challenge posed by the Serbs in the North of Kosovo in the aftermath of the declaration of independence. Post-conflict environments are not a blank canvas onto which interveners can project their institutional visions, and coercively forcing change onto unwilling elites either requires resources not available or methods most Western publics would find hard to accept. As such, statebuilding operations need to engage strategically with local parties, identifying where changes to practices and institutions can be made, and where resistance will be substantial.

Finally, Kosovo is a good example of the kind of state that international interventions have built as a consequence of their focus on stability: an unbalanced state dominated by a powerful executive and weak legislative and by judicial institutions that lack the capacity to hold it accountable. The focus of capacity-building efforts has been on executive institutions – in particular the Prime Minister's Office and the Ministry of Internal Affairs – with few concomitant efforts to strengthen the institutions of oversight and civil society. In Kosovo, the control of the executive currently rests predominantly with international actors, in particular the ICO and EULEX, a situation that ultimately threatens to weaken the country's still fragile democracy.

Facilitating the emergence of an executive-dominated and largely unaccountable state has made Kosovo an attractive prize for capture and has created opportunities for rent-seeking and patronage, conditions associated with arrested economic development, mounting

inequality and political violence. In their desire to quickly strengthen security institutions, statebuilders run a serious risk of creating the conditions for latent insecurity. There are critical policy challenges here around how best to design and implement post-conflict peacebuilding missions: the experience in Kosovo shows that there is a long way to go before these lessons are fully learned.

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