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Kosovo: A Study in Peacebuilding After Secession and the Role of External Actors

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Abstract: Since the end of the conflict in 1999 and its unilateral declaration of independence from Serbia, Kosovo has been subject to several international peacekeeping and peacebuilding missions. This thesis looks at what impact external actors can have in the peacebuilding process after secession and to what extent they can accelerate or hinder the process of state-building and developing of institutions. The thesis makes use of a proto-theory which sketches several variables by which one can determine to what extent there is good governance in a state. The conclusion of the research is that external actors have even more influence in Kosovo than was expected, and that this influence is embedded in the institutional design of Kosovo due to the way Kosovo became what it is today. This leads the building of a viable and sustainable state prone to interests of those external actors, which then in turn results in the hindering of state-building and developing of strong, independent, sustainable institutions.



Foreword

This thesis is the final and most important part of the master degree in Public Administration: specialisation International and European Governance at Leiden University in the Netherlands. Writing this dissertation has been a challenging, unique and rewarding learning experience. I would like to thank my supervisor for his guidance throughout the process, which was key in successfully completing this work, and the interviewees for their availability and willingness to contribute to my research. My gratitude goes also to those colleagues, family and friends who contributed to the completion of this thesis, be that by giving critical feedback to my work, suggesting interesting literature and authors, or simply discussing and debating the content of my research.

I hope you enjoy this read.

The Hague, June 18, 2017



Table of Contents

Foreword.....	2
Tables.....	5
1. Why This Subject?.....	6
References.....	9
2. Relevant Theories, Methodology and Hypotheses.....	10
2.1. The theoretical lens.....	10
2.1.1. Rankings and indices.....	13
2.1.2. Other primary and secondary sources.....	15
2.1.3. Back to theory.....	16
2.2. Methodology and research design.....	19
2.3. Hypotheses.....	20
References.....	20
3. The Historical and Political Context.....	22
3.1. The history of Kosovo – from early ages until 1999.....	22
3.1.1. From early history until the death of Tito in 1980.....	22
3.1.2. 1980 – 1998.....	24
3.1.3. NATO intervenes.....	26
3.2. From NATO intervention in 1999, to the 2008 unilateral declaration of independence, and the 2013 Brussels Agreement.....	27
3.3. The Brussels Agreement in detail.....	29
3.4. The question of implementation.....	31
3.4.1. Stance of the Republic of Kosovo.....	31
3.4.2. Stance of the European Commission.....	32
3.4.3. Stance of the Republic of Serbia.....	34
3.4.4. Stance of third parties.....	35
3.5. What lies ahead?.....	36
References.....	37
4. Results and Analysis.....	41
4.1. Peacekeeping and peacebuilding in Kosovo – document analysis.....	41



4.1.1. International presence, UNSC Resolution 1244 and Belgrade-Pristina relations..	41
4.1.2. Rankings and Indices, how does Kosovo fare?	44
4.1.3. The dire economic situation.....	56
4.1.4. International observers, regional civil society organisations, the European Commission	57
4.1.5. The three theoretical tables – a first attempt.....	61
4.1.6. Hypotheses testing – a first attempt.....	67
4.2. Interviews.....	68
4.2.1. The interviewees	68
4.2.2. The decade ahead	69
4.2.3. Which powers with which external actors	70
4.2.4. The importance of the peacekeepers	73
4.2.5. The normalisation dialogue and the risks of new inter-ethnic violence	75
4.3. The three theoretical tables – a second and final attempt	78
4.4. Hypotheses testing – a second and final attempt	86
References.....	87
5. Conclusions, Summary and Future Considerations	90
Conclusion and summary.....	90
Considerations for future research	93
References.....	94
List of References	95
Appendices.....	100
The Fragile States Index (FSI)	100
Statistics and findings	100
Global Peace Index – indicators and sources.....	105
Bertelsmann Transformation Index (BTI)	107
Interview 1 Transcript – Shpend Kursani	107
Interview 2 Transcript – Bojan Elek.....	115
Interview 3 Transcript – Krenar Gashi	126



Tables

	Page	
<i>Table 1</i>	<i>Concepts of the nature of the state</i>	10
<i>Table 2</i>	<i>Overview of peacebuilding activities</i>	12
<i>Table 3</i>	<i>Variables determining the chances of a transition to the rule of law</i>	15
<i>Table 4</i>	<i>Levels of threats to peace</i>	17
<i>Table 5</i>	<i>GPI Scores for Kosovo in 2008 and in 2016</i>	45
<i>Table 6</i>	<i>Freedom in the World index scores for Kosovo in 2010, 2016 and 2017</i>	48
<i>Table 7</i>	<i>Indicators for levels of democracy</i>	52
<i>Table 8</i>	<i>NIT Kosovo scores per indicator in the period 2008-2017</i>	53
<i>Table 1a</i>	<i>Concepts of the nature of the state, with first conclusions</i>	63
<i>Table 3a</i>	<i>Variables determining the chances of a transition to the rule of law, with first conclusions</i>	64
<i>Table 4a</i>	<i>Levels of threats to peace, with first conclusions</i>	66
<i>Table 1b</i>	<i>Concepts of the nature of the state, with first and final conclusions</i>	80
<i>Table 3b</i>	<i>Variables determining the chances of a transition to the rule of law, with first and final conclusions</i>	82
<i>Table 4b</i>	<i>Levels of threats to peace, with first and final conclusions</i>	85



1. Why This Subject?

The Kosovo question has been an internationally salient topic since the late 1990s, however the grievances between Serbs and Albanians have roots going back long before then. The history of Kosovo and the relations between the two main ethnic groupings are of a complex nature and are often oversimplified for the sake of brevity. Delving deeper in to these matters is necessary to thoroughly understand the current situation and why peacebuilding has as of yet not been successful. Only then can one make his or her own, properly informed, conclusions. As the title suggests, this dissertation aims at studying Kosovo through the lens of a peacebuilding case following secession, looking at its potential implications in terms of the dangers of new violence erupting in the region, the role of the European Union (EU) – and other external actors – and EU enlargement in the Western Balkans.

The main factor that led to the selection of the Kosovo issue as the topic for this dissertation is the high uncertainty surrounding the future of the region and, together with it, the numerous question marks looming over EU enlargement in the area. It can be argued that the Kosovo question is the most challenging long-term issue in the Western Balkans and can be considered an epitome of an unresolved conflict, as it seems unlikely that the current stalemate will be overcome. Since the end of the military intervention led by the North Atlantic Treaty Organisation (NATO) in spring 1999, one would not be wrong to identify the status of peace in Kosovo as ‘negative peace’ – i.e. the absence of violence (Voorhoeve, 2007), rather than any sort of ‘positive peace’. NATO and EU peacekeeping forces are to this day present in the region, if they were to leave the eruption of new violence would be more than possible as tensions between ethnic groups are everything but settled. The settlement of tensions between those ethnic groups has for years been frozen, due to amongst other factors the assumption that EU integration and eventual EU membership of all former Yugoslav states would resolve all issues. However, the EU has faced other, more pressing issues in recent years – the financial crisis, the sovereign debt crisis, talks of Grexit, the migration crisis and Brexit – resulting in enlargement dropping very low on Brussels’ agenda. Moreover, if EU heads of state were to even discuss the topic of Kosovo, reaching unanimity would be impossible to say the least.



Out of the 28 EU member states, 23 recognise Kosovo as an independent, sovereign state; the five countries against recognition are Cyprus, Greece, Romania, Slovakia and Spain. Despite this internal split, the EU still considers Kosovo as an official potential candidate country (European Union External Action, 2016). Kosovo's 2008 unilateral declaration of independence raises another issue: that of Serbia's status as an EU candidate country. Although it was granted official candidate status in March 2012 (European Commission, 2016), the resolution of the dispute over Kosovo remains far from clear. As long as it remains unresolved, EU membership will remain unattainable for both Serbia and Kosovo, unless – and the idea should not be excluded – the EU decides to disregard the issue (due to its internal divisions on the matter) and by doing so create a Cyprus-like arrangement.

Simultaneously, as this hurdle significantly slows down EU integration in other policy areas for both Serbia and Kosovo – since both are aware EU membership will remain unattainable anyway until the issue of recognition and border dispute is resolved – other perils are lurking, arguably more serious and dangerous than EU integration: namely a new wave of violence and bloodshed. The conflict in Kosovo ended in spring 1999, bringing a close to a decade of wars in the Western Balkans. This is almost 18 years ago now. As a consequence, the memories of the bloodshed experienced by all the peoples of the former Yugoslavia are more faded (Stojanović Gajić & Popović, 2017). The new wave that we are seeing in recent months across Europe and the world suggests nationalism can again come to the forefront also in Western Balkan politics, and let us not forget that extreme nationalism was the spark that ignited the conflicts which led to the disintegration of Yugoslavia in the 1990s.

Elsewhere in the region, the structure of Bosnia and Herzegovina, which was designed as part of the Dayton Peace Agreement in 1995, remains unaltered to this day and not all parties involved are satisfied with it – specifically in the Serb dominated Republika Srpska there have been talks of a referendum eventually leading to secession from Bosnia and Herzegovina (Ker-Lindsey, 2016). Milorad Dodik, the leader of Republika Srpska, has in recent months used rhetoric reminiscent of nationalism, appealing to the Serb identity of the people in Republika Srpska and emphasizing the ties between the latter and Serbia. Kosovo, as already mentioned previously in this chapter, is a case of unfinished business. Belgrade never recognised its independence, and neither did major world powers such as Russia or China. Beijing adopts a relatively subtle foreign policy vis-à-vis European countries, it has influence in Serbia in the forms of investments aimed at the developing of transport



infrastructure and energy projects. Serbia is China's key partner in the region, with investments amounting to a total of more than \$1 billion (Tonchev, 2017). Moscow, on the other hand, aims to restore its sphere of influence to what it used to be in the Soviet Union era. It seeks to do this by destabilising neighbouring countries through military action – most notable in Ukraine – and cyberwarfare aimed at destabilising the EU, the USA and NATO by stirring unrest in their proximities. Serbia could easily become an efficient vehicle to further this agenda, also considering Russia and Serbia have historic ties; since they share both Slavic blood and Orthodox Christianity (Wiśniewski, 2017). This has not always been overly emphasized throughout history, as Russia was almost completely absent during the conflicts in the 1990s (due to internal issues following the collapse of the Soviet Union) and did not come to Serbia's aid when Belgrade arguably needed it most. Russian support was something that Milošević had probably ultimately counted on. In more recent years, however, Russia has showed a degree of support for Serbia, and politicians in Serbia have increasingly praised Russia. For instance, Serbia did not impose sanctions on Russia, even though it is an official EU candidate state and as such would be expected to align its foreign policy with that of the Union. Putin himself visited Belgrade in 2014, in which occasion he attended a large military parade and was cheered on by the Serbian public, and reaffirming Russia supports Serbia in its decision to not recognise Kosovo. Russia utilises the case of Kosovo's secession as a justification for its actions in Crimea, and one would not be wrong to suspect Moscow might attempt to stir nationalist sentiments within Serbia to destabilise the region and thereby also the EU and NATO. It is understandable why Serbs would choose to align with Russia (Wiśniewski, 2017), since the EU has (and will probably keep on) pushing for a normalisation of relations with Kosovo, even though this is might not be in Serbia's national interest – even less so when the prospect of finally becoming an EU member is as remote as ever. The underlying peril, however, was already hinted at earlier: new violence. Serbia might not integrate as adequately or quickly as Brussels would like, this might not be so urgent since the EU is not expanding any time soon anyway, but fuelling nationalism can easily spill over in to violence, and history has shown how quickly violence can escalate in the Balkans.

Finally, the decision to study Kosovo as a peacebuilding case after secession was also made due to my personal background. I am from Serbia and have spent my entire life living in the European Union, either in Italy or the Netherlands – I can therefore make use of my language knowledge in order to use sources from the region, while looking at it with the eyes of



somebody who has grown up and was educated in western societies with western values. Throughout my master studies, I have followed courses on international organisations and peacebuilding after conflict, and all cases I chose to study were concerning the Western Balkans. This dissertation is the culmination of the degree; it is therefore a logical continuation to focus on Kosovo.

Following this introductory chapter, we will discuss possible theories that could help explain Kosovo as a peacebuilding case, the methodology which was used to carry out the research, and the hypotheses this research will aim at proving or disproving. Chapter 3 gives a historical and political account of the circumstantial information relevant for gaining a more thorough understanding of the case. The subsequent chapter discusses the findings of the research, and analyses them in relation to the hypotheses identified at the end of Chapter 2. Finally, Chapter 5 recapitulates the whole dissertation, makes the final conclusions and finally gives a concise summary of the whole research.

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2. Relevant Theories, Methodology and Hypotheses

Before embarking on the research of the specific case of Kosovo, and in order to be able to look at it as a peacebuilding case, we must first define the abstract term *peacebuilding*, and identify relevant theories which will aid us in interpreting and eventually analysing the findings. This passage is necessary in order to at the end of the dissertation be able to prove or disprove the hypotheses which will be identified at the end of this chapter.

2.1. The theoretical lens

Let us therefore start by defining *peacebuilding*. In the 2007 book ‘From War to the Rule of Law – Peacebuilding after Violent Conflicts’ by Joris Voorhoeve, the author starts by explaining the concept of *peace*, which is a logical first step. Most simply put, *peace* is the absence of violence – i.e. *negative peace* (Voorhoeve, 2007; p. 29). However, the process of peacebuilding should aim at achieving *positive peace*, which goes beyond the bare cessation of fighting: “post-conflict peacebuilding means building or reconstructing a country after its government, institutions, population and economy have been ravaged by large-scale armed conflict” (p. 19). In the case of Kosovo, as the title of the dissertation suggests, another dimension is added: it concerns the creation of a new state, since this is a case of peacebuilding after secession. Towards the end of the last century, UN Secretary General appointed a panel to assess the shortcomings of UN peace missions – in part as a consequence of the failures in Rwanda and Srebrenica – the product of which was the ‘Brahimi Report’, named after the Chair of the Panel, Lakhdar Brahimi. In this report, peacebuilding was defined as “activities undertaken on the far side of conflict to reassemble the foundations of peace and provide the tools for building on those foundations something that is more than just the absence of war” (UN Peacebuilding Support Office, 2010; p. 5). For the sake of this thesis, we will use the definition given by Voorhoeve. The UN further stresses that “the success of peacebuilding depends in part on the political decisions of those involved (national and local governments, communities, donors, the UN itself)” (p. 5). Voorhoeve also highlights that it is still the task of any type of democratic government to ensure conditions in which citizens can satisfy their needs and desires and have their human rights respected and protected, without harming others (p. 19). Another aspect that must be kept in mind, and which has been empirically proven, is that “hatred between groups exacerbated by war-time violence and abuses often increases the risk of a return to war. Most



wars sow the seeds of new violence” (Voorhoeve, 2007; p. 19). Kosovo, as will be explained in the next chapter, has experienced a long history of ethnic and religious conflict.

Voorhoeve goes on to discuss the notion of *state of peace* (p. 29). Most nations find themselves in this ‘nature of the state’, however they can vary greatly on a set of different dimensions: legitimacy, acceptance, effectiveness, domain and poverty (p. 29-31). Varying degrees in these five aspects makes almost all countries in the world have a different ‘score’. The underlying abstract concept, which can both be a pre-condition and a consequence of those five aspects, is that of *good governance*. The following table makes an attempt at giving a clear overview of these concepts along with a brief explanation for each.

Table 1 – Concepts of the nature of the state

Aspect of the nature of the state	Explanation
Legitimacy	To what degree does the population accept the authority of the govt. due to laws, rules and norms and cultural values; and not due to fear of oppression. Voorhoeve makes an important distinction: <ul style="list-style-type: none"> • Authoritarian regimes → rule <i>by</i> law • Democratic govt. → rule <i>of</i> law
Acceptance	Would the govt. and institutions be rejected if the population could express itself? See ‘rule by law vs. rule of law’ above.
Effectiveness	To what degree are govt. and institutions able to carry out decisions and make citizens behave accordingly. A key aspect here is that the state has a monopoly over physical coercion – therefore no rebellious groups can use violence.
Domain	Which areas and sectors of society does the govt. exert control over? The US is a good example with the divide between states and federal authorities.
Poverty	Difficult to directly relate to peace, income per capita is an option – however political violence tends to rise when economic modernization and social change speed up, unlike the common assumption that more wealth leads to less violence.
Good governance	The fair and efficient management of a country’s public resources in a sustainable fashion and the upholding of laws without trespassing human rights and freedoms. Its purpose is to optimise conditions for sustainable enjoyment of human rights.

Voorhoeve (2007; p. 29-31)

The main criticism of this typology set out by Voorhoeve is that it does not address the fact that barely any state is internally homogenous (p. 32). Governments can appear



representative of its citizens, but only of a group of its citizens – concealing that minorities are being oppressed. Often in such cases, patronage and clientelism are the norm, and lead to “resentment and a lack of trust among those who do not profit or are suppressed, and will weaken the state in the long run” (p. 32).

But how does one go about measuring these abstract concepts and deciding whether there is good governance in country X? For a single researcher with limited resources it would be very difficult to gather and analyse sufficient data to come up with valid conclusions. However, various research institutes have developed different tools and methods to attempt to measure peace and stability in different countries in the world. This is why each year one can consult, amongst others, the Global Peace Index or the Freedom in the World Index.

Before delving deeper in to detail concerning these rankings and indices, and for the sake of completeness, and to aid the readers’ understanding when peacebuilding is being discussed, it is important to clarify what actual activities are included in peacebuilding. Voorhoeve gives a concise and useful overview of the tasks, activities and main organisations responsible in the process of peacebuilding (p. 24):

Table 2 – Overview of peacebuilding activities

Task	Activities	Main Organisations
Ending violence	Political and diplomatic actions to arrange a cease-fire and facilitate a peace agreement. Deterrence of war, civil war and terrorism by military security.	UN, NATO, regional organisations or ad hoc coalitions
Emergency assistance	Food, medicine, water, shelter.	Red Cross, NGOs, UN-agencies, regional organisations
Disarmament, demobilisation, reintegration and de-mining	Reduction of weapons and troops; collection and destruction of munitions; charting mine fields; demining of roads.	UN, NATO, regional security organisations
Economic reconstruction	Restarting the economy; encouraging employment; reducing poverty; Reconstruction of infrastructure Return of investors.	World Bank, IMF, Specialised un organisations, EU, bilateral donors



Transitional justice; reconciliation	Trials of local war criminals; reconciliation programmes and ‘truth commissions’; trauma assistance, especially for women, children, wounded soldiers.	Legal assistance organisations; social and religious organisations; educational institutions; local govt. and media
Legal Order	Monitoring, advising and training of police and prosecutors; training of judges; renewal of laws; renewal of prison system; renewal of courts; trials of war crimes suspects.	UN, regional organisations, NGOs, bilateral donors, war crimes tribunals, International Criminal Court
New (democratic) government	New constitutional order; elections for new leadership at local, regional and national level; political party formation.	UN, regional organisations, OSCE, IDEA, various NGOs and bilateral aid
Refugee return	Return and resettlement of refugees and displaced persons.	UNHCR, World Bank, OCHA, bilateral donors, NGOs

Voorhoeve (2007; p. 24)

Voorhoeve is very explicit in stating that these eight tasks differ in urgency, happen simultaneously and the success of each task often depends on the effective execution of one or more of the other tasks (p. 25). Likewise, not all tasks are equally prioritised by external parties, and therefore effective co-ordination between the different organisations involved is key.

2.1.1. Rankings and indices

The Global Peace Index (GPI), which is made by The Institute for Economics and Peace (an independent, nonpartisan non-profit think tank, with offices in New York, Sydney and Mexico City), together with the Economist Intelligence Unit. It “ranks 163 independent states and territories according to their level of peacefulness” (The Institute for Economics and Peace, 2016; p. 2). The GPI uses three broad themes to gauge global peace, namely (1) the level of safety and security in society, (2) the extent of domestic or international conflict, and (3) the degree of militarisation (p. 2). It is composed of 23 qualitative and quantitative indicators from ‘highly respected’ sources, and it lists the sources used for each of the 23 indicators (see p. 96). Based on their score, the GPI puts all the countries and territories it includes in to one of five categories of ‘State of Peace’: very high, high, medium, low, very low. When the GPI was established in 2007, the so-called ‘Expert Panel’ – composed of



independent experts – played a crucial role in determining which indicators should and should not be included in the index and how much each should weigh on scale of 1 to 5. Other than the three previously mentioned themes by which the indicators are grouped, the Expert Panel concluded that the 23 indicators also be split in to two groups: internal peace and external peace (p. 98). The aggregate of indicators belonging to internal peace count for 60% of the index, while the aggregate of those belonging to external peace count for the remaining 40%. More on this will be discussed in Chapter 4. Each year's edition was overseen by the Expert Panel, the 2016 members of which can be found on page 95 of the report. Furthermore, every single indicator is given a weight as a percentage of the total index and every indicator is explained with a couple of paragraphs of text. Each indicator used by the GPI is measured on a scale of 1 (best possible) to 5 (worst possible), “whereby qualitative indicators are banded into five groupings and quantitative ones are scored from 1-5, to the third decimal point” (p. 96). However, not all indicators are measured in the same time span, which can lead to deceiving findings since indicators can be significantly correlated. The data sources the Institute for Economics and Peace states are used to create the GPI can certainly be useful for the sake of this research. The Fragile States Index (FSI) (formerly the Failed States Index) was mentioned before, however it was consciously left out of this research because it does not include Kosovo as a separate data set. Should one be interested, an analysis of the methodology used to create the FSI and the findings in the latest version can be found in the appendix. Comparing findings from the GPI and FSI can easily lead to fallacies, due to subtle, yet very important, differences in methodology – which is why it has not been included in this thesis.

There are other indices and periodical reports made by various think tanks and watchdogs which can aid in understanding this study. The scope of some of these indices is often too broad for the sake of this dissertation, nevertheless they are still worth more than a mention. For instance, Freedom House's 'Freedom in the World 2017' index “evaluates the state of freedom in 195 countries and 14 territories during calendar year 2016. Each country and territory is assigned between 0 and 4 points on a series of 25 indicators, for an aggregate score of up to 100.” (Freedom House, 2017; p. 2). The scores are then transformed in to two numerical rankings: political rights and civil liberties, between 1 (most free) and 7 (least free). Freedom House, an American ‘non-profit, nonpartisan organization that supports democratic change, monitors freedom, and advocates for democracy and human rights’, regards the Freedom in the World report as its flagship annual report – the first edition was



published more than 40 years ago in 1973. Freedom House's report hence has a far longer running time than either of the previously mentioned GPI or the FSI, and one can presume this makes the Freedom in the World report more fine-tuned and accurate. However, as the GPI and the FSI, Freedom House's report also makes use of an amalgam of quantitative and qualitative data to give each country/territory a score for each indicator. One can easily be tempted to therefore compare scores across indices, however the same warning applies: if the methodologies vary even slightly, the results can differ greatly. Freedom House also produces the yearly "Nations in Transit" report (NIT), which is its "research project on democracy in the 29 formerly communist countries from Central Europe to Central Asia" and has been published since 1995. This report uses a similar methodology to the Freedom in the World index.

Another example of a relevant index is Bertelsmann Transformation Index (BTI), produced by the German Bertelsmann Stiftung; proving that not all indices are produced by American organisations. Unfortunately, the BTI is released every two years and only includes 'developing countries and countries in transition' (Bertelsmann Stiftung BTI, 2017). The selection criteria used is the exclusion of all countries that were members of the Organisation for Economic Cooperation and Development (OECD) by the year 1989, and this decision is justified by the BTI due to the 'absence of a clearly defined threshold of consolidation'. Even though this knock-out criterion is explained, it can be still considered as too arbitrary and therefore make the BTI lose relevance vis-à-vis the other indices mentioned previously, also due to the fact that the BTI is published biannually, rather than annually.

2.1.2. Other primary and secondary sources

The rankings discussed are thorough, annual/biannual lists using a myriad of different datasets compressed in to scores per specific indicator, category and/or overall ranking. It goes without saying that condensing information leads to a loss of detail, and that each score achieved by a country/territory (for instance Kosovo) on a certain indicator can only say so much about the country/territory in question. Nonetheless, consulting such indices based on large datasets gives a solid basis and understanding in order to facilitate future comparisons. A researcher can make use of more frequently published, and hence arguably less thorough, information sources. A good example of such a source is the International Crisis Group's monthly CrisisWatch bulletin. The International Crisis Group is an "independent



organisation working to prevent wars and shape policies that will build a more peaceful world” and which “sounds the alarm to prevent deadly conflict” (International Crisis Group, 2017). CrisisWatch is “a monthly early warning bulletin designed to provide a regular update on the state of the most significant situations of conflict around the world” (International Crisis Group, 2017), it is very efficient at giving a brief overview of the situation in conflict areas and summarising monthly events in a concise fashion. On the other hand, due to its brevity, it does not cover many (background and contextual) details which often play a key role in conflicts. The International Crisis Group also publishes the annual Watch List, where it identifies “up to ten major conflict situations in which prompt action, driven or supported by the European Union and its member states, would generate stronger prospects for peace” (International Crisis Group, 2017). The most useful aspect of this document is that it is a projection for the coming year, since all the previously mentioned sources give a retrospective overview, even though they do have sections addressing future issues. Next to the updates of the International Crisis Group, use can also be made of progress reports on (potential) candidate states by the European Commission, and reports by the Organisation for Security and Co-operation in Europe (OSCE) on its missions in various – amongst which there is Kosovo. Policy papers, policy analyses and research papers made by regional civil society organisations, local and/or international think tanks or policy centres are also of interest.

2.1.3. Back to theory

Returning to the attempt at a theoretical framework as sketched by Voorhoeve (2007), the author formulates the following proto-theory (p. 44-47). Nine variables are identified which determine the degree of chance of success for a transition to a state of rule of law (p. 44). The following table gives a schematic overview of the nine variables:

Table 3 – Variables determining the chances of a transition to the rule of law

	Variable	Explanation
a	State monopoly on coercive power – i.e. the armed forces and police	Necessary for the prevention of civil war, however does on its own not guarantee the rule of law, as governments might abuse this monopoly → totalitarian regime.
b	Domestic supply of legal and judicial institutions and professionals	Includes courts, offices of public prosecutors, the police, human rights institutions and advocacy groups, academic or professional



		training institutes.
<i>c</i>	Quality and type of political and religious leadership of the country, as well as security sector and media leaders	Strong leadership can lead to stronger states, but not necessarily to the rule of law. Weak leadership can lead to weaker states, but not necessarily to a lack of rule of law.
<i>d</i>	The population's demand for legal order	Stems from the values, norms and expectations of the population as shaped by their belief systems, morality, broader culture and other roots of the notion of justice.
<i>e</i>	Prevalence of prosperity, i.e. absence of poverty	A combination of economic indicators (income per capita, income inequality, unemployment, etc.). Particularly important is unemployment among males in the age groups for soldiers, militia and young violent criminals.
<i>f</i>	Strength of international human rights treaties and institutions	Nations respond to international influences and pressures in favour of human rights and legal order, in particular to the strength of international human rights regimes which apply to them, notably regional human rights treaties and courts, like the European Convention on Human Rights.
<i>g</i>	International economic and political benefits and interests	Transitioning to a rule of law state might enable certain countries to join regional organisations (e.g. the EU) which might benefit them greatly both economically and politically.
<i>h</i>	International assistance	How much help is offered by countries and bilateral and multilateral organisations for the (re)construction of legal order and respect of human rights.
<i>i</i>	Time	Disruption and destruction can happen quickly, while rebuilding takes years.

Voorhoeve (2007; p. 44-47)

It is important to highlight how variables *b* and *c* are particularly closely linked; the domestic supply of legal institutions and professionals is a consequence, as well as a cause of the kind of leadership present in the country. Also, the two do not necessarily have to be aligned: pro-human rights leaders might be ruling over a country where violence is frequent, think of the propensity to violence in South Africa during Nelson Mandela's time. Therefore, pro-human rights and rule of law leadership does not necessarily mean there is a high supply of legal institutions and professionals, and likewise totalitarian, regime-like leadership does not necessarily point to a low of supply legal institutions and professionals.

Voorhoeve is quite explicit in stating that these nine variables form a vast number of interrelationships, which cannot be explained in such a short section. These relationships



need to be explained, as they have been for points *b* and *c* in the previous paragraph. However, most of these interrelationships are so case-specific that this is further discussed in Chapter 4.

A further key reflection made by Voorhoeve is that more external assistance is not always better (p. 46), as it can have counterproductive effects first of all in the short-term, before it becomes effective, and later also in the long-term if the assistance was given before thorough planning and studying of the situation in the receiving country. Voorhoeve goes on to discuss the different threats peace faces (p. 47), and he identifies five classes or levels in which these can be analysed:

Table 4 – Levels of threats to peace

1. Personal	Persons inclined to political violence.
2. Social	Groups inclined to political violence (ethnic, religious, economic or other).
3. Political	Leadership of the aforementioned groups, mobilising and applying their violent inclination.
4. State	Propensity of state institutions and leaders to not subdue such violence and instead mobilise it to further their personal goals of control over the state and its resources.
5. External international system	Other states, international and regional organisations, and companies.

Voorhoeve (2007; p. 47)

The activity of peacebuilding aims at minimising the “propensities to violence and increasing inhibition at these five levels” (p. 47), and success at any one level can be instantly reversed by failure on another. Lastly, Voorhoeve identifies three practical questions the answers to which are key in determining the kind of assistance a country needs and what the chances are of establishing (or re-establishing) the rule of law (p. 48). The three questions are:

- What kind of peace has been established?
- What kind of conflict raged?
- What kind of government was in place before the conflict?

These questions are more or less easily answered, but are crucial for understanding what kind of peacebuilding mission is required.



The attempt at theory made by Voorhoeve is not complete, as the author himself clearly expresses (p. 48), but it does however set out several important factors when it comes to determining the success or failure of external assistance aimed at peacebuilding.

In this section of this chapter, an attempt was made to create an amalgam of the three complex, and to some certain extent incomplete, theoretical frameworks developed by Voorhoeve in his book *From War to the Rule of Law* (2007) – which are:

- *Table 1 – Concepts of the nature of the state* (on page 10)
- *Table 3 – Variables determining the chances of a transition to the rule of law* (on pages 15-16)
- *Table 4 – Levels of threats to peace* (on page 17)

In the next section (2.2.), I will explain how this theoretical lens will help in shedding a light while researching the topic of Kosovo as a case of peacebuilding after secession.

2.2. Methodology and research design

The next logical step after having discussed the theory is to address the question of methodology.

First of all, academic and historical sources, as well as documentaries, will be used to gain an understanding of the case at hand. Once the historical and political context has been thoroughly and objectively explained, an attempt will be made to scheme Kosovo as a case of peacebuilding in *Table 1 – Concepts of the nature of the state* (page 10) and *Table 3 – Variables determining the chances of a transition to the rule of law* (pages 15-16). *Table 4 – Levels of threats to peace* (page 17) will also be used to better understand the dynamics at play. This will be done by analysing the contextual information discussed and explained in Chapter 3, and more importantly by consulting the indices and rankings examined in section 2.1.1. of this chapter. Next to that, use will be made of progress reports by the European Commission (which are also used in Chapter 3), mission reports by regional and/or international organisations, policy analyses and briefs by NGOs and civil society organisations (CSOs) from the region, and reports by international observatories and think tanks. In order to gain deeper knowledge and understanding of the case at hand, several semi-structured interviews will be conducted with topic and region experts. By doing so,



qualitative data which cannot be obtained from document analysis will also be collected, and thorough qualitative data analysis can be carried out. By scheming Kosovo as a post secession peacebuilding mission in Table 1 and Table 3, which act as a guide for Chapter 4, it is expected that we will find deficiencies in the mission. Ultimately, this single case study looks at explaining these deficiencies, which is done by testing, that is to say: either proving or disproving, the hypotheses identified in the next section.

2.3. Hypotheses

Following the thorough analysis of the theory completed in this chapter, and considering the case at hand, the following four hypotheses have been identified:

1. *Reconciliation between ethnic-religious groups fails if discrimination prevails.*
2. *Peacebuilding requires inclusion of the defeated party to succeed.*
3. *Internal politics blocks reconciliation between ethnic-religious groups and peacebuilding.*
4. *External actors can nudge but not force reconciliation between ethnic-religious groups and peacebuilding as long as internal politics obstructs it.*

The research and case analysis will seek to test these hypotheses, and by doing so also assessing the successes and limitations of external assistance in Kosovo. The theory, as it has been discussed in this chapter, will be used as a map for the research. However, if the research findings prove to be incompatible with certain parts of the theory, it is the theory that is to be adjusted, not the findings. Like in scouting, a map is designed to help you find your way home, but if the terrain the scout encounters is different than what the map says it should be, it is the scout that adapts to the terrain – and not vice versa.

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3. The Historical and Political Context

The Kosovo question has been an internationally salient topic since the late 1990s, however the grievances between Serbs and Albanians have roots going back long before then. The history of Kosovo and the relations between the two main ethnic groupings are of a complex nature and are often oversimplified for the sake of brevity. Delving deeper in to these matters is necessary to thoroughly understand the current situation, only then can one make his or her own, properly informed, conclusions. This chapter gives a historic overview of Kosovo from ancient history up until the latest developments with regard to the EU facilitated dialogue between Serbia and Kosovo in relation to the latter's unilateral declaration of independence in 2008.

3.1. The history of Kosovo – from early ages until 1999

3.1.1. From early history until the death of Tito in 1980

In the middle ages, the region of Kosovo was ruled by a number of empires. Between the 6th and 12th century, the Byzantine and Bulgarian Empires intermittently ruled over the region until the demise of the Byzantine Empire and the rise of the Serbian Empire towards the end of the 12th century (Malcolm, 1998). Under rule of the Serbian Empire and the Nemanjić dynasty, Kosovo had an important economic role: Pristina was considered a crucial trading city for the empire and there were several mines containing silver and other raw materials present in the region (Malcolm, 1998). During Serbian rule, which lasted from late 12th century until mid-15th century, large quantities of Serbian Orthodox monasteries were built in Kosovo and vast amounts of land were given to the Serbian Orthodox church. The royal family also resided in Kosovo until the fall of the empire in the 15th century. It is difficult to establish ethnic diversity in the region in this time period (Malcolm, 1998), but according to Serbian monastic charters (and later also Turkish cadastral tax-census), the major ethnic group were Serbs – however there were already important minorities consisting of amongst others Albanians and Greeks.

Following the collapse of the Serbian Empire, the Ottoman Empire conquered the region and ruled over it until the end of the Balkan Wars in 1912 (Malcolm, 1998). Before the Ottomans conquered the region from the Serbs, there was a battle that took place in Kosovo in 1389 between the armies of the two empires. The Ottoman troops were numerically vastly superior



to the Serbian troops (who were supported by Christian soldiers from Bosnia, Albania, Hungary and Bulgaria) and finally won the battle. Nevertheless, the ‘Battle of Kosovo’ holds an important and symbolic role in Serbian culture, in folklore it is regarded as a crucial historical event showing the ‘resolve, bravery and unity of Serbs’ (Malcolm, 1998). It is part of the reason why, even today, Serbia feels strongly attached to Kosovo. Ottoman rule lasted for over half a century and Kosovo was given the status of ‘Vilayet’ – meaning ‘administrative division’ in Turkish. In this period, many Albanians from mountainous areas in present-day Albania moved to Kosovo since it is geographically more liveable, and ethnic Albanians who were Christian converted to Islam due to oppression of Christianity by the Ottomans (Malcolm, 1998).

After the Balkan Wars in the early 1910s, Kosovo was divided between the Kingdom of Serbia (to the east – the part geographically called ‘Kosovo’) and the Kingdom of Montenegro (to the west – the part geographically called ‘Metohija’). Both kingdoms were an integral part of what was called the Kingdom of Yugoslavia until the beginning of World War II.

During World War II, once Yugoslavia had been occupied by the Axis, most of Kosovo was assigned to Albanian control – which closely collaborated with Italy. As in other areas of Yugoslavia, there were conflicts at different levels: ethnic, ideological (royalist vs. communist) and international affiliation (Axis vs. Allies). Most Albanians in Kosovo were regarded as Nazi-collaborators by Serbs, and refused to join the Yugoslav Partisans – this contributed to approximately 60,000 Serbs and Montenegrins being expelled from Kosovo during WWII (Bieber & Daskalovski, 2003). After the conflict ended and the Yugoslav Partisans came to power, Tito – their leader – prohibited the return of those Serb and Montenegrin refugees to Kosovo in an attempt to prevent further revenge and ethnic conflict (Bieber & Daskalovski, 2003). Instead, some 70,000 Albanians settled in Kosovo, strongly shifting the ethnic majority in favour of Kosovar Albanians (Mojzes, 2015).

Under Tito’s Yugoslavia, Kosovo received increasing degrees of autonomy. In 1946, following the end of World War II, and as part of the constitution of the Socialist Federal Republic of Yugoslavia (SFRY), Kosovo was declared the ‘Autonomous District of Kosovo and Metohija’, as an integral part of Serbia. This autonomy was, in practice, quite limited, as local administration and police had little say if they disagreed with decisions made in



Belgrade. It was an integral part of Tito's internal policy to prohibit any sort of nationalistic activities, no matter in which region or republic of Yugoslavia – this meant ethnic conflict between Serbs and Albanians in Kosovo was made impossible (Judah, 2008). Nevertheless, a constitutional reform was passed in 1963 which granted further autonomy to Kosovo (Judah, 2002). Firstly, Kosovo received the title of province (no longer region) – it became the 'Autonomous Province of Kosovo and Metohija'. Second, Albanian became an official language in the province, more public positions were given to ethnic Albanians (instead of Serbs or Montenegrins) and the University of Pristina was created as an independent educational institution – rather than a detached branch of the University of Belgrade, as it had been up until then. In this period, both Albanian and Slavic Muslims throughout Yugoslavia were being encouraged to “declare themselves as Turkish and emigrate to Turkey” (Independent International Commission on Kosovo, 2000). However, despite being given more autonomy, the majority of public positions in Kosovo were still held by Serbs and this was resented by the Albanian population in Kosovo (Irvine et al, 1997). As a result, in 1974, a second constitutional reform was passed which granted Kosovo even further autonomy. Kosovo became the Socialist Autonomous Province (SAP) of Kosovo and was granted its own administration, assembly and judiciary (Independent International Commission on Kosovo, 2000). Simultaneously, public positions were increasingly held by ethnic Albanians and SAP Kosovo was given a seat on the Presidium of Yugoslavia – the council where the leaders of all Yugoslav republics met. SAP Kosovo was given veto power on certain policy topics and essentially obtained the same status as other republics such as Serbia, Croatia or Montenegro.

3.1.2. 1980 – 1998

In the 1980s, after the death of Tito (which happened in 1980), tensions between ethnic Albanians and ethnic Serbs started simmering again. Albanians started demanding full independence once again and violence erupted following student protests in Pristina in 1981. Increasing numbers of Serbs living in Kosovo decided to leave the region due to intimidation and harassment by nationalistic Albanians (Howe, 1982). In June 1987, around 1,000 Serbs and Montenegrins demonstrated in Belgrade demanding attention for the situation which led 22,000 Serbs and Montenegrins to leave Kosovo between 1981 and 1987 (New York Times, 1987). The protesters claimed to have been victims of abuses by ethnic Albanians, including



“murder, rape, desecration of graves and churches and blinding of cattle”. The protests were prevented from escalating by Yugoslav authorities.

Until this point in time, Kosovo had largely been ignored by politicians in Belgrade. This changed in 1987, as an up and coming Slobodan Milošević vowed to protect Serbs in Kosovo and visited the region several times. By the end of 1987, Milošević had gained power in Serbia and in 1989 he delivered an emblematic speech at the Gazimestan monument – a monument commemorating the 1389 Battle of Kosovo between Serbs and Ottomans. In this speech, symbolically held on the 600th anniversary of the battle, Milošević called upon Serbian nationalistic spirits and reaffirmed nobody will abuse Serbs living in Kosovo (Halpern & Kideckel, 2000). In the period 1988-1989, the Milošević government unilaterally removed ethnic Albanians from public positions and stripped the region of its autonomy. In 1990, Kosovo’s autonomous status was officially revoked and its administrative structure was restored to its pre-1974 form.

In the early 1990s, Albanians were increasingly stripped of rights and ethnic Albanians felt their identity was being threatened. In 1992, unrecognised elections for the self-declared Republic of Kosovo were held and Ibrahim Rugova won by a landslide (Judah, 2008). Rugova advocated a policy of passive resistance to Yugoslav authorities, not inciting violence or riots. At this time in history, the international focus was on the conflicts in Croatia and Bosnia & Herzegovina, therefore little attention was paid to the rights of Albanians in Kosovo. However, as both those conflicts came to an end by 1995, focus soon switched to Kosovo, as a new non-state actor came to the scene – the Kosovo Liberation Army (KLA).

The KLA was an ethnic Albanian paramilitary organisation whose purpose was fighting for the independence of Kosovo. Although founded as early as 1991, it remained relatively quiet until 1995-96 (Judah, 2008), when it slowly started engaging in what would be its main policy: guerrilla tactics and terrorist activities against Yugoslav authorities present in Kosovo. The KLA obtained most of its arms and ammunition from Albania, where a crisis in 1997 made access to arms relatively easy. The objective of the KLA was obtaining international media coverage through violence, a radically different approach to that of Rugova. These methods were no secret, Hashim Thaçi – one of the key leaders of the KLA – openly said it in an interview given in 2001. The Yugoslav government regarded the KLA as



terrorists, while some locals – mainly Albanian – saw them as liberators. The conflict escalated in 1998 as ambushes on Yugoslav authorities by the KLA increased, and increasingly brutal reprisals from Yugoslav forces followed. The real victims, as is most often the case, were the civilians (no matter of which ethnicity) living in Kosovo, who were driven out by either Yugoslav forces, KLA forces, or simply fled the region to survive.

Having analysed Kosovo's political history, we now move on to the impact the international community has had on the region. It is undeniable that the international community has played a crucial role in Kosovo's history, and it is highly questionable whether its existence in today's form would be possible had it not been for the involvement of outside actors. We pick up the conflict in 1998, as the international community is about to intervene.

3.1.3. NATO intervenes

The conflict in Bosnia & Herzegovina officially ended in 1995 with the signing of the Dayton Peace Accords. As the conflict in Kosovo was escalating, and with the experience of the wars in Croatia and primarily Bosnia, the international community was adamant to show that it had learned its lessons and the consequences a policy of appeasement can have (Henriksen, 2007). The escalation of tensions between the KLA and Yugoslav authorities throughout 1998 led Western states to attempt to solve the issue by diplomacy.

In October 1998, a ceasefire was imposed by the West under threat of use of force by NATO. Prior to the ceasefire being accepted, the United States sent diplomat Richard Holbrooke, who played a key role in orchestrating the Dayton Accords in 1995, to Belgrade and to Kosovo. He met with Milošević in Belgrade and with KLA leaders in Kosovo – an emblematic photo of him sitting on the floor next to a KLA leader with a rifle was spread in the media causing controversy; the KLA had until recently before that been declared a terrorist organisation by the U.S. State Department (Sebak, 1998).

The ceasefire required Yugoslav forces to withdraw from Kosovo and OSCE monitors to be sent in. The KLA took advantage of the Yugoslav withdrawal and moved in, with lightly armed and unarmed OSCE monitors capable of doing nothing more than standing by (Judah, 2008). The ceasefire was short-lived, though, and in December 1998 the KLA and Yugoslav authorities resumed fighting. In February 1999, a last diplomatic attempt was made by the



international community to resolve the conflict without the use of military force. KLA and Yugoslav delegations met in Rambouillet, France, where talks took place while fighting continued in Kosovo, the negotiations lasted much longer than Western mediators expected (Judah, 2002). Eventually, in March 1999, the talks collapsed because the Serbian delegation refused to sign the peace agreement. The main reason being it included allowing NATO troops free passage in Kosovo and the rest of Yugoslav soil, and NATO troops would also be immune to Yugoslav law. On March 22, 1999, OSCE monitors withdrew from Kosovo due to the imminent NATO air campaign (Caraccilo, 2011).

The intervention lasted from March 24, 1999, until June 3, 1999, and targets were both in Kosovo as well as in major Yugoslav cities such as Belgrade and Novi Sad. During the NATO campaign, fighting between Yugoslav forces and the KLA intensified to heights not seen in previous months and the number of refugees spiralled, with Albania, Yugoslavia and Macedonia experiencing unprecedented refugee influxes.

The bombing came to a halt in June 1999 when Milošević accepted an ultimatum brought forward by Finnish UN special envoy Martti Ahtisaari. The threat of a NATO ground invasion was imminent and Milošević realised that Russia – who he expected would support the Yugoslav cause, even militarily – would not come to Yugoslavia's aid. Milošević agreed on withdrawing Yugoslav troops from Kosovo and the advancement of a UN-led peacekeeping force in the region, supported by NATO personnel (Caraccilo, 2011).

3.2. From NATO intervention in 1999, to the 2008 unilateral declaration of independence, and the 2013 Brussels Agreement

Following the cessation of fighting, the UN Security Council passed Resolution 1244, the main points of which were:

- (1) the withdrawal of Yugoslav troops from Kosovo;
- (2) the simultaneous deployment of NATO's Kosovo Force (KFOR) in Kosovo;
- (3) the demilitarisation of the KLA;
- (4) the region is to be put under UN Administration (United Nations Interim Administration Mission in Kosovo – UNMIK);
- (5) the UN is to be authorized to facilitate the future process of determining Kosovo's future status.



For a detailed account of the resolution please refer to the List of References. Kosovo's status was to be brought back to its pre-1990 form.

The Kosovo war produced numerous casualties and even greater numbers of refugees and internally displaced people (IDPs). According to the Kosovo Memory Book, over 13,000 civilians and fighters of all ethnicities lost their lives in the period 1998-2000. Of the over 1,000,000 Albanians expelled from or displaced within Kosovo (Judah, 2002), over 800,000 had returned by November 1999. Approximately 230,000 Serbs and non-Albanians were expelled from Kosovo (Judah, 2008) and, according to Human Rights Watch (2000), more than 160,000 left Kosovo in the first seven weeks following the withdrawal of Yugoslav forces.

In the years following the end of the conflict and since the instatement of UN administration, the protection of minorities has been debated. There have been several incidents between ethnic Serbs and peacekeeping forces, as well as between peacekeeping forces and ethnic Albanians. UNMIK exists to this day, with personnel of circa 350 (UN, 2017), and KFOR is still present in the region with just over 4,200 troops on the ground in February 2017 (NATO, 2017). UNMIK's tasks have been significantly reduced since Kosovo's declaration of independence in 2008. Since then, UNMIK is supported by the European Union Rule of Law Mission in Kosovo (EULEX), whose mandate has been extended until June 2018. EULEX is one of the EU's biggest peacekeeping missions, it is aimed at enforcing the rule of law and training local officials, and has the authorisation for a maximum of 800 staff (EULEX, 2017). This means in total there are around 5,500 international staff present in Kosovo contributing to peacekeeping/building.

When Kosovo unilaterally declared independence on February 17, 2008, it received mixed reactions. Serb representatives in the Assembly of Kosovo boycotted the vote in protest and clashes between protesters and authorities took place in Serb-dominated areas in Kosovo, which are mostly in the north. Serbia opposed Kosovo's independence, and the declaration had such a significant repercussion on the country that two weeks later the government was dissolved over the issue. Serbia submitted a request via the UN General Assembly to the International Court of Justice (ICJ) to review the legality of Kosovo's declaration of independence. The ICJ issued its opinion in 2010, in which it stated there had been no breach of international law (ICJ, 2010). As of 2016, 108 out of 193 United Nations member



countries recognise Kosovo as an independent, sovereign state. In the European Union, 23 of 28 member states recognise Kosovo (at the time of writing).

Since March 2011, the EU has brokered talks between Serbia and Kosovo – officially named the EU facilitated dialogue for the normalisation of relations between Belgrade and Pristina – aimed at normalising relations between the two factions (EEAS, 2016). This means resolving everyday problems between the Serbian and Albanian communities. The main achievement of these talks is without a doubt the Brussels Agreement, which was signed in April 2013. Belgrade agreed to opening the dialogue as a result of EU pressure; an example of the EU exercising its soft power via conditionality, as the negotiations led to the opening of Serbia-EU accession talks (Szpala, 2016). The same can be said about Pristina, who's interest it was to progress EU integration, as well as consolidate its territorial integrity. Current High Representative for Foreign Affairs and Security Policy/Vice-President (HRVP) of the European Commission Federica Mogherini has continued the talks, taking over from her predecessor, Baroness Catherine Ashton, and moving on to the implementation phase of what was signed in the Brussels Agreement.

3.3. The Brussels Agreement in detail

The aim of the dialogue, as specified by the EEAS (2016), is “to promote cooperation between the two sides, help them achieve progress on the path to Europe and improve the lives of the people.” The agreement, which can be found in its entirety in the List of References (Radio Free Europe/Radio Liberty, 2013), consists of fifteen points. The most important ones being the following (some are shortened):

1. There will be an Association/Community of Serb majority municipalities in Kosovo. Membership will be open to any other municipality provided the members are in agreement.
2. The Community/Association will be created by statute. Its dissolution shall only take place by a decision of the participating municipalities. Legal guarantees will be provided by applicable law and constitutional law (including the 2/3 majority rule).
- ...
5. The Association/Community will exercise other additional competences as may be delegated by the central authorities.



6. The Community/Association shall have a representative role to the central authorities and will have a seat in the communities' consultative council for this purpose. In the pursuit of this role a monitoring function is envisaged.
7. There shall be one police force in Kosovo called the Kosovo Police. All police in northern Kosovo shall be integrated in the Kosovo Police framework. Salaries will be only from the KP.
8. Members of other Serbian security structures will be offered a place in equivalent Kosovo structures.
9. There shall be a Police Regional Commander for the four northern Serb majority municipalities (Northern Mitrovica, Zvečan, Zubin Potok and Leposavić). The Commander of this region shall be a Kosovo Serb nominated by the Ministry of Interior from a list provided by the four mayors on behalf of the Community/Association.
10. The judicial authorities will be integrated and operate within the Kosovo legal framework. The Appellate Court in Pristina will establish a panel composed of a majority of K/S judges to deal with all Kosovo Serb majority municipalities.
- ...
14. It is agreed that neither side will block, or encourage others to block, the other side's progress in their respective EU path.
15. An implementation committee will be established by the two sides, with the facilitation of the EU.

As can be seen, securing 'autonomy' and protection for Serb minorities in Kosovo is a major element of the agreement. Furthermore, it stresses the importance of having centralised police and that neither side will block the others' pursuit for EU membership (EEAS, 2013).

When the agreement was signed in 2013, HRVP Catherine Ashton was praised for her work and overall the deal was considered a landmark. However, diplomats were cautious to not over celebrate, instead they acknowledged that the real challenge lied ahead: implementation (Vasovic & Pawlak, 2013).



3.4. The question of implementation

More than three years have passed (at the time of writing) since the Brussels Agreement was signed in April 2013 in Brussels. The EU facilitated dialogue for the normalisation of relations between Belgrade and Pristina has continued, new agreements on specific topics and on implementation procedures have been reached in the meantime, namely the (1) Association/Community of Serb majority municipalities in Kosovo, (2) Joint Action Plan Telecommunications, (3) Conclusions on the implementation of the Energy Agreement and (4) Freedom of Movement/Mitrovica Bridge – all signed on 25 August 2015 (please refer to the List of References for the detailed agreements). Parts of these agreements should have been implemented by now, but have they? As one can expect, the sides in question, as well as third parties not directly involved in the negotiations, have differing opinions and views on the matter of implementation.

3.4.1. Stance of the Republic of Kosovo

According to the latest report (at the time of writing) on the ‘Brussels Agreements Implementation State of Play, January – June 2016’ by the Kosovar Ministry for Dialogue (June, 2016), Kosovo “has been effective in fulfilling its obligations and fully cooperated with the EU to push forward the implementation process”, while Serbia “virtually blocked the process of implementation by not making any significant moves in fulfilling its assumed obligations” (p. 2). More specifically, according to this report, Serbia is delaying the removal of a barricade (the so-called ‘peace park’) from the main bridge in the northern city of Mitrovica (this barricade was erected by Serbs in Mitrovica in 2011 in protest of Kosovo police and customs on the contested border with Serbia (Hopkins & Peci, 2014)); blocking Kosovo from receiving its own telephone country code; and blocking the ‘Kosovo energy transmission system’ (KOSTT) from operating independently by “failing to register a new energy supplying company in accordance with the Kosovo Law as provided by the Energy agreement” (p. 2-3). Kosovo’s response to these blockades is no implementation of the Agreement on Association of Serb majority municipalities in Kosovo.” Furthermore, according to the report, Serbia has made no effort to dismantle its parallel administrative structures in Serb-majority northern regions of Kosovo, it instead actively supports the activities of those municipalities, which violates the 2013 agreement (p. 4).



The Kosovo Ministry for Dialogue, however, does not only hold criticism against the Serbian government. There are also positives: Serb civil protection structures have been integrated in Kosovar civil institutions, with 433 out of 483 persons signing employment contracts with the Kosovo Government, and the remaining 55 in the process of signing (p. 5). The construction of ‘Integrated Border Management’ (IBM) and ‘Border Crossing Points’ (BCP) facilities is considered “remarkable” (p. 22), and the “consolidation of Kosovo’s unitary justice system in northern municipalities, where one Basic Court and a Prosecution Office will be established to serve seven municipalities, in accordance with the Kosovo Law” is in the finalisation stage, while parallel justice structures have been closed and their personnel (judges, prosecutors and administrative staff) is being integrated in the Kosovo justice system (p. 5). In the period the report covers, “there was a new agreement reached on the mutual recognition of the certificates of export-import of dangerous goods (ADR certificates), which is being fully implemented” (p. 5). Lastly, the Kosovo Ministry for Dialogue highlights “outstanding issues” regarding the freedom of movement, which remain to be addressed in the future.

3.4.2. Stance of the European Commission

The European Commission (EC) also files progress reports on the integration process of (potential) candidate states. The latest of these reports (at the time of writing), for both Kosovo and Serbia, were published on 11 November, 2016. According to the EC, the progress on implementation of the agreements reached on 25 August 2015 – which concern the implementation of four key agreements, namely “energy, telecoms, establishment of the Association/Community of Serb majority municipalities as well as the Freedom of Movement/Mitrovica Bridge” (EEAS, 2015) – has been slow due to internal political circumstances in both Kosovo and Serbia (p. 32). Although since the formation of the Serbian government in August 2016 there has been an acceleration in implementation (p. 32). As far as the EC is concerned, work to make the Mitrovica Bridge accessible and usable for both Kosovo Serb and Kosovo Albanian communities is in progress since August 2016, and under the topic of telecoms progress has also been made, although final implementation remains outstanding. Moreover, progress on the Association/Community of Serb majority municipalities in Kosovo has been very little, because, even though an official management team has been appointed, Kosovo needs to “give a mandate to draft the statute of the Association/Community”. Furthermore, in order to allow progress in the field of energy, Serbia “needs to register and license the two Serbian energy companies to be established in



Kosovo” (p. 32). The Kosovo Serb police and civil protection personnel are now fully integrated in the Kosovo system, while the dismantling of the Serbian structures on justice is proceeding according to the schedule, and is expected to be completed by autumn 2016 (p. 33). As far as cadastre is concerned, document scanning has been completed according to plan, however they have not yet been delivered to the EU special representative in Kosovo. Agreements have been reached between the two sides on the matters of the implementation of mutual university diploma and license plate recognition. The EC warns that Serbia needs to “remain committed to the continued implementation of the agreement on representation and participation of Kosovo in regional forums” (p. 33), and that statements made by Serbian officials have at times “interfered with the judicial process led by EULEX” (p. 33). Also, the EC mentions that Serbia needs to address the issue of Serbian administrative customs structures that claim to be located in Kosovo, but actually operate from within Serbia. Serbia must “cease the issuance of documentations or affixing of stamps with denomination that contravenes to the related agreement.” In terms of Integrated Border Management (IBM), the EC is quite positive and states that interim crossing points are fully operational, although there has been no progress in the establishing of the three permanent crossing points to be hosted by Serbia – in fact, illegal border crossings, mainly in the north of Kosovo, continue to be used to smuggle “substantial amounts of goods” (p. 33), the EC urges Serbia to take additional measures to address this issue. Finally, the EC praises Kosovo’s maintained engagement and commitment to the dialogue and implementation of agreements reached, but it simultaneously recommends Kosovo to make “further efforts” in order to establish “circumstances conducive to the normalisation of relations with Serbia”.

The chapter of the EC’s report aimed at reviewing the normalisation between Serbia and Kosovo is exactly the same in the report on Kosovo and the report on Serbia, with only the countries’ names reversed. For instance, in the progress report on Serbia, the EC states that “Serbia has remained engaged in the dialogue and committed to the implementation of the agreements reached. However, Serbia needs to make further efforts and contribute to the establishment of circumstances conducive to the normalisation of relations with Kosovo” (p. 24), which is exactly the same sentence used in the Kosovo report on page 33, but then replacing the word ‘Serbia’ with ‘Kosovo’.



3.4.3. Stance of the Republic of Serbia

The most recent progress report (at the time of writing) by the Office for Kosovo and Metohija of the Republic of Serbia concerns the period October 2015 – April 2016, and was published in April 2016 (in Serbian: Kancelarija za Kosovo i Metohiju). Much like Kosovo's standpoint, Serbia stresses the lack of collaboration in areas which are most in its interest – i.e. the Association/Community of Serb majority municipalities in Kosovo. The report states that Kosovo did not respect point 2 of the agreement reached on 25 August 2015, which states that it would pass a law which would include the Serb majority municipalities in its judicial system (p. 23). Belgrade strongly rejects any unilateral attempt by Pristina to substantially change any provisions of the agreements reached (p. 23). The report, which refers to the Kosovar institutions as the 'Provisional Institutions of Self-Government in Kosovo and Metohija', further stresses the counterproductive approach taken by Kosovo by creating blockades on various administrative levels, and how the situation is "no better when it comes to the increasingly frequent usurpation of property of the Republic of Serbia, its businesses and citizens in Kosovo and Metohija, as well as the aggressive attempts of capturing monuments with spiritual, cultural and historical heritage of the Serbian people" (p. 24). The Office for Kosovo and Metohija states that the overall security of the Serbian and other non-Albanian communities living in Kosovo has worsened in the past period (p. 25), the socially tense climate and particularly benevolent attitude towards the executors of extreme and violent operations resulted in a significant increase in the scope and intensity of ethnically motivated attacks on Serbs and their property (p. 25). The report continues in denouncing the absence of physical, legal and political security – which seriously threatens the survival and stay of Serbs in the province, and raises several questions in regard to any possibility of the return of displaced and expelled Serbs (p. 25). In this situation of general insecurity and physical vulnerability, the increasing presence of radical Islam – which is the result of difficult economic circumstances in the province (p. 3) – represents a further danger for the Serb community, which faces open threats of elimination of themselves and their heritage from the area (p. 25). Around 300 ethnic Albanians from Kosovo are involved in conflict areas in the Middle East, most of which are fighting for the so-called 'Islamic State', where they acquire serious combat and war experience. The return of these fighters to Kosovo would certainly pose a threat to security, and cases such as the attempt made by a group of radical Islamists on 20 January 2016 to attack a Serb monastery – which was prevented thanks to the intervention of KFOR – risk becoming more frequent (p. 3). This status quo is a serious obstacle for the normalization of relations between Belgrade and



Pristina, and as far as the Serbian Office for Kosovo and Metohija's is concerned, representatives of the Provisional Institutions of Self-Government in Kosovo are primarily responsible for the personal and property safety of Serbs and other non-Albanians (p. 25). It is paramount for the Serbian side that these representatives stay committed to urgently identifying and punishing the perpetrators of recent attacks on Serbs (of which there were 40 in the period October 2015 – April 2016, and which are described in detail in the report on pages 3-5), as well as numerous other ethnically motivated attacks that have remained unsolved since 1999, and contribute to the normalization and coexistence of all citizens of Kosovo and Metohija (p. 25).

Finally, the report expresses the openness by the Serbian side to continue the dialogue, despite the setbacks highlighted in the document, and stresses the importance of finding a common, bilateral approach in order to further pursue European integration in the region and to achieve historic reconciliation between Serbian and Albanian people.

3.4.4. Stance of third parties

Apart from the three sides directly involved in the negotiations, namely Pristina, Belgrade and Brussels, there are third party groups which observe the process and also give reports and forecasts on the Serbia-Kosovo situation. These groups include the research and analysis division of The Economist Group – The Economist Intelligence Unit (EIU), the International Crisis Group and Bertelsmann Foundation's Bertelsmann Transformation Index (BTI).

The Economist Intelligence Unit (EIU), which does not release country reports for Kosovo, expects the issue of Kosovo's status to delay Serbia's accession to the EU – although the EIU states Serbia expects to finish EU accession negotiations by 2019 (p. 4). According to the Bertelsmann Transformation Index (BTI) Serbia Country Report (2016), which covers the period 1 February 2013 – 31 January 2015, in this period the government of Serbia adopted a more pragmatic approach towards the issue of Kosovo, this is a result of pressure from the European Union which demanded the normalisation of relations between Belgrade and Pristina be a precondition for Serbia's further EU integration (p. 2). BTI further states that Serbia has maintained its commitment to dismantling parallel Serbian police and justice structures in Kosovo (p. 31), but it also stresses that resolving historic issues is "essential for regional stability and cooperation" (p. 32). BTI's report for Kosovo (2016) expresses both sides' support to the dialogue, although at first it was received with criticism by hardliners in



both Kosovo and Serbia (p. 2). The elections held in June 2014 in Kosovo appeared to consolidate the goodwill of both sides to the agreements reached in Brussels a year earlier, with Serbia encouraging Kosovar Serbs to vote, in an effort to help both countries' EU bids (p. 2). Unfortunately, the turnout was quite low at 42%, although 30,000 election monitors were deployed and no major controversial cases were reported (p. 2). Due to a political deadlock, however, the new prime minister and his cabinet were only appointed in late 2014 (p. 3). The Democratic League of Kosovo's (LDK – one of two centre-right parties) Isa Mustafa – who is an economist – was selected as prime minister, while the outgoing prime minister, Hashim Thaçi, became foreign minister. Both politicians promised continued dialogue with Belgrade, which Kosovo's nationalist party 'Self-Determination' (Vetënvendosje – VV) reacted to with violent street protests in January 2015 (p. 3). Still, BTI notes that Kosovo's economic and social issues remain, with “high unemployment rates; average wages amounting to just €350; a large part of the population living below the poverty line and war criminals who are still active in politics” (p. 3).

The latest reports and articles by the International Crisis Group on the Kosovo issue date back to 2013 (at the time of writing), and are therefore not comparable to the standpoints of the two republics or the European Commission, which are all from late 2016. However, in its latest CrisisWatch update (at the time of writing) from November 2016, the International Crisis Group states that the situation in Kosovo is ‘unchanged’, although between 4 and 16 November there have been nineteen arrests of IS militants suspected of planning simultaneous attacks in Albania and Kosovo; and party member of VV who was incarcerated since August 2016 for allegedly throwing a grenade in parliament died in prison, which led to protests in Pristina demanding an international investigation.

3.5. What lies ahead?

It is evident the past of Kosovo is complicated and difficult to understand. The way things unravelled in the past two decades begs the question: what lies ahead? The future of Kosovo at this point in time looks uncertain and dependent on a wide number of variables.

The imminent future is challenging. Kosovo's economy is struggling; the unemployment rate has grown by almost 5% between 2013 and 2014 (CIA Factbook, 2016) to 35.3%, youth unemployment is near the 60% mark and GDP per capita (PPP) is the lowest in Europe at



\$8,000. Although most of the economy is based on mining, it is still highly dependent on foreign investment. Corruption is also an important issue; work contracts are often not respected and there is a significant number of undeclared workers (CIA Factbook, 2016).

Despite the progress made in the EU facilitated dialogue, it seems highly unlikely Serbia will recognise Kosovo as an independent state any time soon, and the same can be said for countries such as Spain, Greece, Russia and China. Moreover, enlargement is at present not on EU's agenda, and as the Commissioner for EU enlargement – Johannes Hahn – told a Western Balkans policy summit, there is a “majority against enlargement in most EU countries”, although the European Commission is expected to give a policy update only in spring 2018 (Heath, 2016). One would not be wrong to raise the question: if the EU is not expanding anyway, what is Serbia's interest in continuing the Belgrade-Pristina dialogue, which is a road that most likely leads to Serbia's recognition of Kosovo as an independent state? Scholars have argued that Serbia's policy changes towards Kosovo have changed merely due to “pragmatism” and “political opportunism” (Economides & Ker-Lindsey, 2015), which could mean that Serbia might be persuaded to recognise Kosovo's independence in return for EU membership. This might as well happen, nonetheless, the question that would remain is: when?

Having taken a step back from the theoretical point of view discussed in Chapter 2, this chapter gave a detailed and understandable historical and political overview of Kosovo and where Serb-Albanian tensions root from. It is now time to look at the case through the theoretical lens identified in Chapter 2, discuss more detailed research findings and analyse them using the theory.

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4. Results and Analysis

This chapter makes use of all the information discussed and highlighted in Chapter 3 to test the four hypotheses identified at the end of Chapter 2. Table 1 – *Concepts of the nature of the state* (on page 10), Table 3 – *Variables determining the chances of a transition to the rule of law* (p. 15), and Table 4 – *Levels of threats to peace* (p. 17); which are based on Voorhoeve's theory on peacebuilding (2007), will act as guidelines here. By completing the tables in question as much as possible, drawing conclusions for each of the four hypotheses should be facilitated. As the previous chapter gave a historical and political context of the case, it is important to emphasize that at the start of this chapter new information will be given, specific to Kosovo as a case of peacebuilding after secession, and in relation to the theoretical framework discussed in Chapter 2.

Section 4.1 of this chapter makes an attempt at completing the three tables via document analysis – including information given in Chapter 3. In the light of the information found and analysed in section 4.1, three semi-structured, qualitative, elite interviews were conducted with experts identified during the document analysis. These interviews aimed at triangulating facts and sources and at filling in the blank spaces that rose to the surface when completing the tables using solely document analysis. The analysis of the interviews is found in section 4.2. By doing this, a second, more thorough round of analysis was completed, leading to a second set of completed tables (section 4.3) – which shows to what extent the interviews confirmed, or contradicted, the findings from the document analysis. In this fashion, the four hypotheses are more credibly tested.

4.1. Peacekeeping and peacebuilding in Kosovo – document analysis

4.1.1. International presence, UNSC Resolution 1244 and Belgrade-Pristina relations

Before making an attempt to complete the three tables mentioned in the introduction to this chapter, it is crucial to give further information about Kosovo as a peacebuilding case. As was explained in Chapter 3, there is still a substantial international peacekeeping force present in Kosovo to this day – in total approximately 5,500 troops. This is a large contingent, considering Kosovo's population is around 1.8 million (in July 2016), according to the Central Intelligence Agency World Factbook (2017) – which means there is one international peacekeeper every 328 citizens in Kosovo. In terms of personnel, of the 16 still



active UN peacekeeping mission, UNMIK is relatively small and is the second smallest operation (UN, 2017) – at the same time however most international personnel in Kosovo are NATO troops. NATO has around 18,000 military personnel engaged in peacekeeping operations (NATO, 2016), it only has one other conflict zone specific peacekeeping mission: Afghanistan, where approximately 13,000 troops are deployed – in Kosovo there are 4,500. Afghanistan is much larger than Kosovo with its 33 million citizens (Central Intelligence Agency, 2017) and the war in Afghanistan is still ongoing, yet NATO’s peacekeeping operation does not have almost twenty times the personnel size of the operation in Kosovo. This hints towards the conclusion that there are factors and dynamics at play in Kosovo which make it necessary for such a significant number of troops to remain committed to the operation. The last pillar of the threefold peacekeeping activities in Kosovo is EULEX, the civilian EU mission. This is the Union’s largest Common Security and Defence Policy (CSDP) mission in terms of contributing countries (27), and one of the largest in terms of personnel (1,495) (Tardy, 2015; p. 18). Although half of the aforementioned personnel is local, it still leaves us with over 700 internationals present. These numbers need to be looked at considering the size of Kosovo, and that the armed conflict ended almost two decades ago. As was mentioned in previous chapters; every peacekeeping and building operation is different and unique, and therefore comparing them can be challenging. Still, it is important to realise the size of the peacekeeping/building mission in Kosovo vis-à-vis the size of the country/region.

UNMIK and KFOR have both been established in 1999, following UN Security Council Resolution 1244, while EULEX is part of the EU’s CSDP and was launched in 2008 – also within the general framework on UNSC Resolution 1244. All three missions’ mandates have been renewed several times. It is important to note that point 5 of Annex 2 of the resolution states that “[UNMIK is 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 to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo”. According to this text, which all parties agreed to at the time, it is explicitly written that Kosovo is *within* the Federal Republic of Yugoslavia (now Serbia), and not an independent state. UNSC Resolution 1244 is valid to this day, and it also states in points 11. (e) and 11. (f) on pages 3-4 that “[the UNSC] Decides that the main responsibilities of the international civil presence will include: ... (e)



Facilitating a political process designed to determine Kosovo's future status, taking into account the Rambouillet accords (S/1999/648); (f) In a final stage, overseeing the transfer of authority from Kosovo's provisional institutions to institutions established under a political settlement; ...” – the resolution therefore already alludes to political processes aimed at determining Kosovo's future status, and the transfer of authority to institutions established under political *settlement*. Part of the mandate has and is still being fulfilled; namely the transfer of authority, however the fulfilment of the part concerning political settlement is strongly debatable. Certain tasks given to UNMIK in 1999 have either been shared or taken over by EULEX, since its goal (as written in Article 2 of the Council Joint Action 2008/124/CFSP) is to “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” (Council of the European Union, 2008). EULEX seems to be fulfilling its duties in a relatively satisfying matter, although the degree of *freedom from political interference* there is in Kosovo institutions is questionable. What is paramount to understand from these resolutions and mandates is that nowhere does an international/external actor/institution explicitly incite or encourage an independent Kosovo, and certainly not via a unilateral declaration. Belgrade holds on to this, respecting UNSC Resolution 1244 by which Kosovo is an integral part of its territory. Nonetheless, as was mentioned in the previous chapter, Belgrade and Pristina have held talks since March 2011 aimed at normalising relations. This dialogue is an important milestone in terms of peacebuilding, as it is the first (and until now the only) time representatives from Kosovo's self-declared government met with representatives from Belgrade. Implementation of the agreements made in 2013 has been slow. Since the beginning of 2017 there have been rising tensions between Kosovo and Serbia: mainly due to a Belgrade-Mitrovica train donated by Russia and painted with pro-Serb slogans (“Kosovo is Serbia” in a myriad of languages), which was understandably deemed provocative by Kosovar Albanian politicians and was stopped before entering Kosovo (Koleka, 2017); and Serbia's 2004 extradition warrant of former KLA officer, later Kosovo Prime Minister and politician – Ramush Haradinaj, who was arrested in France in January 2017. Partly as a result of said tensions, there have been calls for suspending the normalisation dialogue with Belgrade until this warrant is withdrawn (Popova, 2017). It is



evident that peacekeeping, and more importantly peacebuilding, will face significant challenges without cooperation between Kosovo and Serbia.

4.1.2. Rankings and Indices, how does Kosovo fare?

As was discussed in Chapter 2, section 2.1.1, there are several rankings and indices which rank most countries/regions in the world based on a set of indicators. Due to the fact that Kosovo is not a universally recognised country, not all indices include it in their findings and rankings, which is why only those that do have Kosovo as a separate entry are included in this research. The data from the Fragile States Index can, however, be found in the appendix. In this section, we delve deeper in the statistics and information available on Kosovo in the different indices and rankings.

Global Peace Index

As was explained in Chapter 2, the GPI uses three broad themes to estimate the degree of global peace. More specifically, as The Institute for Economics and Peace (IEP) explains in its 2016 report, the GPI “measures a country’s level of Negative Peace using three domains of peacefulness” (p. 95). The three domains in question are (1) ongoing domestic and international conflict, (2) societal safety and security, and (3) militarisation. In total, 23 indicators are used, both qualitative and quantitative, and some make use of other GPI indices. A comprehensive overview with further details of the sources used per indicator in each domain can be found in the Appendices (page 101)

As was briefly touched upon in Chapter 2, IEP has also categorised its 23 indicators in two other groups: external peace and internal peace. It is important to clarify that the indicators are categorised in these two manners separately from each other, that is to say, to give an example: the indicator *political instability* is a ‘societal safety and security’ indicator, as well as an ‘internal peace’ indicator. The distinction between internal and external peace indicators is important because the ones belonging to internal peace weigh for 60% of the index, while the external peace ones for 40%. The table on the previous page, taken from page 98 of the 2016 report, gives an overview.

Kosovo’s overall score in the 2016 report is 2.022, which means it ranks 77th out of 162 and falls in the category of states and territories whose state of peace is medium. To make a



comparison, Serbia scored 1.834 in 2016 – ranking 48th out of 162, while the Netherlands scored 1.541 – ranking 21st. The top three most peaceful states of 2016 are Iceland (1.192), Denmark (1.246) and Austria (1.278). In Europe, the country with the worst record between the 2015 and 2016 editions is Macedonia, which lost 15 places (+0.042 on the index), and it is followed by Kosovo, whose index increased (i.e. worsened) by 0.035. The least peaceful country in 2016 is Syria, which scores 3.806. Both Serbia and the Netherlands fall in the category of countries with a high state of peace, while only the first eleven countries in the index are given a ‘very high’ state of peace. Interestingly, Russia is ranked worse than North Korea – 3.079 and 2.944 respectively. In 2008, when the first GPI was published, Kosovo scored 2.053 – just slightly worse than in 2016. Interestingly, in the 2008 edition Serbia received a much worse result (2.109) and therefore ranked worse than Kosovo. While at the time both countries/territories fell in the ‘medium’ state of peace group, it is since the 2015 edition that Serbia has moved in to the high state of peace category. The GPI also gives a 1 (worst possible) to 5 (best possible) rating for each ‘combined major factor’ which is the equivalent of the three domains within which the 23 indicators fall. For Ongoing domestic and international conflict, Kosovo scores 1.8; for Societal safety and security 2.5; and for Militarisation 1.5. Since peacebuilding is a long-term operation, the following table (Table 5 – *GPI Scores for Kosovo in 2008 and in 2016*) includes the score for each indicator for Kosovo in 2008 (the first edition of the GPI) and 2016 (the most recent GPI), as well as the positive (green) or negative (red) change.

Table 5 – *GPI Scores for Kosovo in 2008 and in 2016*

Internal v. external	Weight	Indicator	2008	2016	Change
<i>Ongoing domestic and international conflict</i>					
Int.	2.56	Number and duration of internal conflicts	1.0	1.0	-
Ext.	5	Number of deaths from organised conflict (external)	1.0	1.0	-
Int.	5	Number of deaths from organised conflict (internal)	1.2	1.0	-0.2
Ext.	2.28	Number, duration and role in external conflicts	1.0	1.0	-
Int.	5	Intensity of organised internal conflict	3.0	3.0	-
Ext.	5	Relations with neighbouring countries	3.0	3.0	-
<i>Domain Overall</i>			<i>1.8</i>	<i>1.8</i>	-
<i>Societal safety and security</i>					
Int.	3	Level of perceived criminality in society	3.0	3.0	-
Ext.	4	Number of refugees and internally	1.0	1.0	-



		displaced people as a percentage of the population			
Int.	4	Political instability	4.0	4.0	-
Int.	4	Political Terror Scale	2.0	2.0	-
Int.	2	Impact of terrorism	2.0	2.0	-
Int.	4	Number of homicides per 100,000 people	3.1	2.1	-1.0
Int.	4	Level of violent crime	3.0	3.0	-
Int.	3	Likelihood of violent demonstrations	3.0	3.0	-
Int.	3	Number of jailed population per 100,000 people	1.5	1.8	+0.3
Int.	3	Number of internal security officers and police per 100,000 people	2.5	3.0	-0.5
<i>Domain Overall</i>			2.5	2.5	-
<i>Militarisation</i>					
Ext.	2	Military expenditure as a percentage of GDP	1.0	1.0	-
Ext.	2	Number of armed services personnel per 100,000 people	1.0	1.0	-
Int.	2	Volume of transfers of major conventional weapons as recipient (imports) per 100,000 people	1.0	1.0	-
Ext.	3	Volume of transfers of major conventional weapons as supplier (exports) per 100,000 people	1.0	1.0	-
Ext.	2	Financial contribution to UN peacekeeping missions	1.0	1.0	-
Ext.	3	Nuclear and heavy weapons capabilities	1.0	1.0	-
Int.	3	Ease of access to small arms and light weapons	4.0	4.0	-
<i>Domain Overall</i>			1.5	1.5	-
OVERALL			2.053	2.022	-0.031

Figures taken from 2008 and 2016 GPI reports

As can be seen by the overall score in the index, Kosovo appears not to have changed that much, although it has improved. Out of 23 indicators, only four have shown a change, and three quarters for the better. Critical scores have remained, however, mainly ease of access to small arms and light weapons – where it scores 4.0, amongst the worst in Europe together with Albania, the Former Yugoslav Republic of Macedonia, Ukraine and Russia. For political instability, Kosovo is the highest scoring European country/territory with 4.0 – Ukraine follows with 3.5, while Russia, Belarus and Moldova score 3.375. Remarkable progress was made in homicide rates – with an improvement of 1.0 in the period 2008-2016 – as well as an important improvement of 0.5 in internal security officers and police. The overall relatively high score of Kosovo can be understood by analysing which indicators have a high rating vis-



à-vis their weighting. For instance, ‘relations with neighbouring countries’ has the highest possible weight, and Kosovo scores 3.0 for it, and the exact same is the case for ‘intensity of organised internal conflict’. In a similar fashion, ‘political instability’ has a weight of 4 and Kosovo scores a high 4.0, while ‘level of violent crime’ and ‘ease of access to small arms and light weapons’ are weighted 4 and 3, respectively, and Kosovo scores 3.0 and 4.0, respectively. These high scores on important indicators clarify why a country/territory that for certain high weight indicators scores very low (look at ‘number of refugees and internally displaced people as a percentage of the population’) still ends up with a high overall score. An important consideration must be made about Militarisation indicators; ‘military expenditure as a percentage of GDP’ and ‘number of armed services personnel per 100,000 people’ – indicators for which Kosovo scores 1.0 – might not be representative. As was already mentioned throughout this dissertation, there is a considerable foreign peacekeeping force present in Kosovo, which does presumably not fall under the measurements of these two indicators. The GPI does not offer a written analysis per country, although it does give regional overviews for Europe, North America, Central America and the Caribbean, South America, Sub-Saharan Africa, Russia and Eurasia, South Asia and the Middle East and North Africa. The average score for European countries/territories, of which there are 36, is 1.660, and Kosovo ranks 33rd regionally – only Greece, Macedonia and Turkey fare worse. This lack of country specific written analysis limits the reader to deduce conclusions from the scores on the indicators, and unlike the FSI, the GPI is less specific in explaining what each score class entails. Nonetheless, the GPI gives significant insights towards completing the tables from the theoretical framework.

Freedom in the World

The ‘Freedom in the World’ (FW) index is developed by the American non-profit organisation Freedom House (FH) and it evaluates countries and territories by their state of freedom across 25 indicators (both qualitative and quantitative), for which a score between 0 (worst) and 4 (best) is given, culminating in an aggregate score of up to 100 – which is the best possible score. The following table (Table 6) gives an overview of the 25 indicators, which are split in to two groups: ‘political rights’ indicators – of which there are 10, and ‘civil liberties’ – of which there are 15. Every indicator falls within a subcategory (for example ‘Electoral Process’) and a number of sub questions are given to aid the analyst in finding and answer to the main indicator question. The full list of sub questions can be found



on Freedom House's Methodology page on its website, please refer to the List of References. The country/territory's aggregate scores for the 10 political rights indicators and for the 15 civil liberties indicators are transformed in to a 1 to 7 rating, 1 representing the greatest degree of freedom and 7 the smallest degree of freedom, each rating corresponding to a specific range of total scores. The average of these two 1-7 ratings is what FH calls the *Freedom Rating*. FH categorises all countries and territories in three overall categories:

- (1) Free – countries with a Freedom Rating between 1.0 and 2.5
- (2) Partly Free – countries with a Freedom Rating between 3.0 and 5.0
- (3) Not Free – countries with a Freedom Rating between 5.5 and 7.0

Table 6 also includes the scores for each indicator group and subcategory (where available) for the years 2010, 2016 and 2017. 2010 is the first edition of the FW which includes Kosovo, which is why the results are included so that they can be a benchmark. Unfortunately, neither the 2010 nor the 2017 editions give scores for indicator subcategories, but only for the two major indicator groups. The 2016 edition gives both, which is why it is included, since it is the most recent and most detailed report. Even with this limitation, however, trends can be identified.

Table 6 – Freedom in the World index scores for Kosovo in 2010, 2016 and 2017

Indicator		Kosovo's score per year		
		2010	2016	2017
Political Rights	<i>Electoral Process</i>	N.A.	9/12	N.A.
	<i>Political Pluralism and Participation</i>	N.A.	10/16	N.A.
	<i>Functioning of Government</i>	N.A.	5/12	N.A.
Political Rights on a scale of 1-7 and aggregate score (where possible)		5/7	3/7 – 24/40	3/7
Civil Liberties	<i>Freedom of Expression and Belief</i>	N.A.	9/16	N.A.
	<i>Associational and Organizational Rights</i>	N.A.	6/12	N.A.
	<i>Rule of Law</i>	N.A.	6/16	N.A.
	<i>Personal Autonomy and Individual Rights</i>	N.A.	7/16	N.A.
Civil Liberties on a scale 1-7 and aggregate score (where possible)		4/7	4/7 – 28/60	4/7
Total aggregate score		N.A.	52/100	52/100
Freedom Rating		4.5	3.5	3.5

Figures taken from 2010, 2016 and 2017 Freedom House reports

Comparing the figures to other countries puts them in to perspective: in 2017 Serbia has a Freedom Rating of 2.5, the Netherlands scores 1.0, making it the 5th most free country in the world – behind only Finland, Norway, Sweden and Canada. The worst scoring country in the



2017 index is Syria, followed by Tibet, Uzbekistan and North Korea. Countries and territories with the closest rating to Kosovo in 2017 include Côte D'Ivoire, Mozambique, Guatemala and Bosnia and Herzegovina. As the statistics in Table 6 show, between 2010 and 2016 Kosovo's *Freedom Rating* significantly improved – from 4.5 to 3.5 – which is the consequence of a remarkable 2-point improvement in the political rights category.

Between 2016 and 2017, from the statistics that are available at the time of writing, insignificant changes have taken place. Yet, Kosovo still falls in the category of Partly Free countries. Considering the 2017 detailed statistics are not yet available at the time of writing, and since there is no difference between 2016 and 2017 in the 1-7 scores for both 'political rights' and 'civil liberties' indicators, the total aggregate score, and the Freedom Rating, the 2016 results are regarded as most detailed, recent, and therefore most representative. For 2016, Kosovo has an aggregate score of 3 out of 7 for political rights indicators. Freedom House describes countries in this rating group as follows: "Countries and territories with a rating of 3, 4, or 5 either moderately protect almost all political rights or strongly protect some political rights while neglecting others. The same factors that undermine freedom in countries with a rating of 2 may also weaken political rights in those with a rating of 3, 4, or 5, but to a greater extent at each successive rating." (2017). Countries falling in the category of 2 out of 7 have "slightly weaker political rights than those with a rating of 1 because of such factors as political corruption, limits on the functioning of political parties and opposition groups, and foreign or military influence on politics." In terms of civil liberties indicators, Kosovo has a rating of 4 out of 7 in 2016, for which FH gives a very similar explanation (2017): "Countries and territories with a rating of 3, 4, or 5 either moderately protect almost all civil liberties or strongly protect some civil liberties while neglecting others. The same factors that undermine freedom in countries with a rating of 2 may also weaken civil liberties in those with a rating of 3, 4, or 5, but to a greater extent at each successive rating." Out of the 7 indicator subcategories, Kosovo fares the worst in 'Rule of Law', where it scores 6/16 – which is equal to a 3.75 out of 10. This concerning low level suggests there is little to no independent judiciary, that the rule of law does not prevail in civil and criminal matters and that the police is not always under direct civilian control. This could be partly explained by the fact that security forces in Kosovo are dependent on foreign peacekeepers, which do not report back to the people of Kosovo, but rather to the international community, i.e. NATO and/or the UN. Considering information discussed in previous chapters of this thesis, it can be deduced that this low score also suggest that laws,



policies and practices do not guarantee equal treatment of various segments of the population. In the written explanation for Kosovo's score for rule of law, FH (2016) emphasizes the judiciary's susceptibility to "political interference and corruption" and the "lack of resources and qualified staff". Not all courts are integrated in the Kosovo national system, specifically in the Northern Serb regions, even though in February 2015 the EU brokered a deal (as part of the Brussels Agreement) to integrate Serb courts. Integration has been slow. The Kosovo Assembly has voted to amend the constitution in order to "introduce a new war crimes court to prosecute accused former KLA members", many of whom now hold important, high-level positions in Kosovo politics. The report lastly mentions how "ethnic Albanian officials rarely prosecute cases involving Albanian attacks on non-Albanians" and that the EU has reached an agreement for the Serb security force, which operated in the north of Kosovo, to be disbanded and its members become part of the Kosovo Police Force. According to Freedom House, the police are the most trusted rule of law institution in Kosovo. Even though prohibited by the constitution, LGBT people still "face pressure to hide their sexual orientation".

The score for 'Personal Autonomy and Individual Rights' is also amongst the lowest for the indicator subcategories, at 7 out of 16 – i.e. 4.4 out of 10. It is also the only indicator subcategory which worsened (-1) compared to the previous year (2015). A low score in this indicator subcategory hints at a lack of freedom of travel or choice of residence, employment or institution of higher education for individuals. This is most likely the case for Serb minorities in Kosovo, who might also not enjoy the right to own property and establish private businesses. Gender equality, freedom in choice of marriage partners and other personal social freedoms are most likely also threatened. Furthermore, this score increases the probability that there is little equal opportunity and that there is economic exploitation. The written text explanation for this indicator subcategory mentions how "free movement into ethnic enclaves is sometimes restricted" and that refugee return is not facilitated due to hostility towards returning refugees and "bleak economic prospects". Displaced persons attempting to reclaim property remains challenging and a matter of concern. Unemployment rates are high in Kosovo, roughly 31%, and youth unemployment above 50%. The so-called 'grey economy' accounts for "a considerable share of economic activity", which might suggest unemployment figures are in reality lower than officially reported. Women rights in the household are limited, with the male heads in rural areas casting votes on behalf of the whole family – rather than each member individually – and domestic violence still an issue.



Although the Kosovo Assembly passed a law guaranteeing “financial compensation and other social-welfare benefits to the more than 20,000 people who were victims of sexual violence during the 1998–99 war”, rape and war rape still remains a taboo subject in Kosovar society, making the law essentially useless. Lastly, Kosovo remains a “source, transit point, and destination for human trafficking, and corruption within the government enables perpetrators”, children are particularly vulnerable to exploitation by traffickers who “can force them to beg or engage in sex work”.

There are other issues mentioned in FH’s 2016 report on Kosovo that are of interesting to this dissertation, especially keeping an eye on the theoretical framework set out in Chapter 2. The institutional framework to tackle corruption is weak (2016) and the four anticorruption bodies have overlapping tasks and authorities – resulting in difficulties coordinating efforts. This is also embodied in the low score (5/12) for the ‘Functioning of Government’ indicator subgroup. Cases of corruption within EULEX, concerning senior staff accepting bribes in relation to murder and corruption cases, are perhaps even more grave. An April 2015 EU report commissioned by EU HRVP Mogherini – the Jacqué Report – strongly “criticised EULEX’s handling of corruption allegations”.

In terms of political pluralism and representation, steps forward have been made, most notably in the establishment of the Association of Serb Municipalities (ZSO – Zajednica Srpskih Opština, in Serbian). The ZSO was already touched upon in previous chapters of this thesis, and the establishment of this body requires more EU facilitated negotiation, however its eventual establishment could be significant in terms of state acceptance and legitimacy. Kosovo’s constitution makes it nearly impossible for one single party to form a government, therefore coalitions are the norm, although according to FH most political parties (except for Vetëvendosje – a grassroots movement grown in to a party focusing on protecting Kosovo’s national sovereignty) have very similar policy ideas. In this indicator area, as is the case for most indicators, the presence of NATO and EU personnel play a substantial role.

All the detailed analysis discussed in the previous paragraphs is from FH’s 2016 report. However, the 2017 report gives a few paragraphs of text for each world region explaining the latest trends, in the section on Europe we find a paragraph on the Balkans, where Freedom House emphasizes how “...fair election processes and the rule of law further deteriorated as the EU neglected its role in promoting democracy among aspiring member states” (p. 17). The commentary goes on to conclude that “...observers expressed concerns that progress



toward democratic standards was being replaced by a toxic mix of nationalism, corruption, governmental dysfunction, and Russian interference”. The short paragraph never specifically mentions Kosovo; however, it is the most Balkan-specific piece of text available from the 2017 report (at the time of writing).

Freedom in the World gives a good, broad view of the state of affairs on a global level, and is very useful in identifying global or regional trends. However, Freedom House publishes another annual report – *Nations in Transit* – which is very useful for understanding what indicators are used to evaluate transitioning countries, and therefore – in the light of the focus of this thesis – understanding the role of external actors in nations in transit.

Nations in Transit (NIT)

The Nations in Transit is an annual report published since 1995, measuring “progress and setbacks in democratisation in 29 countries from Central Europe to Central Asia” (Freedom House, 2017). Unlike the Freedom in the World index (FW), NIT uses data from January 1 to December 31 of the previous year, and does therefore not allow for the risk of misleading conclusions due to different data being recorded in different time spans. The methodology is very similar to FW, as NIT gives a score from 1 (highest level of democracy) to 7 (lowest level of democracy) for the following set of seven indicators.

Table 7 – Indicators for levels of democracy

National Democratic Governance	Considers the democratic character and stability of the governmental system; the independence, effectiveness, and accountability of legislative and executive branches; and the democratic oversight of military and security services.
Electoral Process	Examines national executive and legislative elections, electoral processes, the development of multiparty systems, and popular participation in the political process.
Civil Society	Assesses the growth of nongovernmental organizations (NGOs), their organizational capacity and financial sustainability, and the legal and political environment in which they function; the development of free trade unions; and interest group participation in the policy process.
Independent Media	Addresses the current state of press freedom, including libel laws, harassment of journalists, and editorial independence; the emergence of a financially viable private press; and internet access for private citizens.
Local Democratic Governance	Considers the decentralization of power; the responsibilities, election, and capacity of local governmental bodies; and the transparency and accountability of local authorities.
Judicial Framework and	Highlights constitutional reform, human rights protections, criminal code reform, judicial independence, the status of ethnic minority rights, guarantees of equality before the law, treatment of suspects and



Independence	prisoners, and compliance with judicial decisions.
Corruption	Looks at public perceptions of corruption, the business interests of top policymakers, laws on financial disclosure and conflict of interest, and the efficacy of anticorruption initiatives.

Freedom House (2017)

Every indicator has a set of sub questions, which give researchers more guidance in determining a country's, for example state of independent media. As a careful eye would quickly see, certain indicators overlap or are even the same as in the FH report – for instance 'electoral process'. For more details, please consult the *Nations in Transit Methodology* page on Freedom House's website (see list of references). The 1-7 ratings follow a quarter point scale, FH states that (2017) "minor to moderate developments typically warrant a positive or negative change of a quarter point (0.25), while significant developments warrant a half point (0.50)", FH goes on to stress that "it is rare for any category to fluctuate more than a half point in a single year". The average score of the seven indicators is the country's "Democracy Score". The 2017 edition of NIT sees Estonia in first place with a Democracy Score of 1.93, followed by Latvia and Slovenia both at 2.04. Serbia is the first non-EU state with a Democracy Score of 3.82, Bosnia and Herzegovina scores 4.54, Ukraine 4.61, Kosovo 4.96, Russia 6.57. Tied last are Turkmenistan and Uzbekistan at 6.96. Based on their Democracy Score, countries are categorised in one of the following groups: (1) Consolidated Democracies, 1.00-2.99; (2) Semi-Consolidated Democracies, 3.00-3.99; (3) Transitional or Hybrid Regimes, 4.00-4.99; (4) Semi-Consolidated Authoritarian Regimes, 5.00-5.99; (5) Consolidated Authoritarian Regimes, 6.00-7.00. The following table (on the next page), based on the 2017 NIT Kosovo Country Profile, gives an overview of Kosovo's scores over the past decade.

Table 8 – NIT Kosovo scores per indicator in the period 2008-2017

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
National Democratic Governance	5.50	5.25	5.50	5.75	5.75	5.75	5.50	5.50	5.50	5.50
Electoral Process	4.50	4.50	4.25	4.50	5.00	5.00	4.75	4.75	4.75	4.75
Civil Society	4.00	4.00	3.75	3.75	3.75	4.00	3.75	3.75	3.75	3.75
Independent Media	5.50	5.50	5.50	5.75	5.75	5.75	5.75	5.50	5.25	5.00
Local Democratic Governance	5.50	5.25	5.00	5.00	4.75	4.75	4.75	4.75	4.50	4.50
Judicial Framework and	5.75	5.75	5.75	5.75	5.50	5.50	5.50	5.75	5.75	5.50



Independence										
Corruption	5.75	5.75	5.75	5.75	5.75	6.00	6.00	6.00	6.00	5.75
Democracy Score	5.21	5.14	5.07	5.18	5.18	5.25	5.14	5.14	5.07	4.96

Figures taken from Freedom House reports

These ratings show a steady improvement in Kosovo’s Democracy Score since 2008. The 2017 edition saw Kosovo score below 5.0 for the first time, categorising it as a ‘Transitional or Hybrid Regime’ rather than a ‘Semi-Consolidated Authoritarian Regime’. Despite an improvement of 0.25, corruption remains the worst scoring indicator – which confirms conclusions from previously discussed indices. The improvement is down to “changes in the legal framework, the prosecution of high-profile cases, as well as a general increase in public awareness”. The 2017 country report further emphasizes that “political actors continue to show authoritarian tendencies” and that this eventually leads to power structures in Kosovo remaining informal and external to the state system; essentially undermining strong institutions. Furthermore, even though the government remains formally strong (with two thirds of all seats in the parliament), “its popularity continues to be low, which weakens its position in tackling key policy issues” – policy issues over which Kosovo is sharply divided, for instance concerning the EU brokered Belgrade-Pristina talks. According to FH, the biggest improvement of 2016 “was made in strengthening the independence of the judiciary” via constitutional changes which made the Judicial Council slightly more independent by enabling the majority of the body to be elected by peers, while “the Prosecutorial Council gained full independence from the executive after the removal of the Minister of Justice from its membership”.

Finally, Freedom House gives a very brief outlook for 2017, according to which Kosovo’s institutions will continue to struggle to function in 2017, in the midst of EU pressure to solve major policy issues (e.g. the dialogue with Serbia) and criticism by opposition and civil society to the way these issues are being handled – leading to “a level of unpopularity where the status quo becomes unsustainable”. Municipal elections are scheduled for November 2017, according to FH this could lead to early parliamentary elections and an increase in tensions – resulting in jeopardising the dialogue with Serbia and hindering the implementation of agreements.

Bertelsmann Transformation Index (BTI)



The last index discussed is the BTI, published biannually by the German Bertelsmann Stiftung. The BTI “analyses and evaluates whether and how developing countries and countries in transition are steering social change toward democracy and a market economy” and it includes ‘developing countries and countries in transition’ (Bertelsmann Stiftung BTI, 2017). The selection criteria used is the exclusion of all countries that were members of the Organisation for Economic Cooperation and Development (OECD) by the year 1989, and this decision is justified by the BTI due to the ‘absence of a clearly defined threshold of consolidation’. The biannual publication can be seen as a downside compared to the other indices, however Bertelsmann justifies this by saying it “allows us to assess observed trends and identify the outcomes of transformation strategies” (Bertelsmann Stiftung BTI, 2017). The BTI assess 129 countries based on 17 criteria, which are divided in three categories: political transformation (criteria 1-5), economic transformation (6-12) and transformation management (13-17). A table in the Appendix gives an overview of the criteria. For more information on the methodology, please refer to Bertelsmann’s website in the List of References. The 17 criteria, subdivided in 49 questions, give a 1 (worst possible) to 10 (best possible) rating to each country, being aggregated in to two main indices: the (1) Status Index – which is an average of the *political transformation* and *economic transformation* categories – and the (2) Management Index – which is derived only from the *transformation management* category. In the latest report (2016), Kosovo scores 6.33 in the Status Index and 5.15 in the Management Index, putting it respectively number 44 and 59 out of 129. Kosovo’s overall is relatively low, which can come as no surprise considering everything that has been discussed up until now in this dissertation. However, keeping in mind the focus of this research, Kosovo scores particularly low on the following indicators: *anti-corruption policy*, *efficient use of assets* and *civil society traditions* – all 4; and among others, Kosovo scores 5 for *independent judiciary*, *prosecution of office abuse*, *socioeconomic barriers* and *reconciliation*. Even though Kosovo has institutions and legal mechanisms to tackle corruption, BTI stresses there is still political influence on corruption cases that touch high level political interests. BTI, like Freedom House, notes how different anti-corruption bodies lack co-operation. Most concerning is the lack of political will to “clean up public institutions and decision-making processes”, which leads to anti-corruption legislative bodies to be essentially futile and elected officeholders and civil servants to operate with impunity. EULEX has also been under criticism for lack of tackling corruption, and even for contributing to covering up corruption and bribery. According to the 2016 report, monitoring public spending is also weak in Kosovo, with overarching mechanisms and frameworks



existing, but not being duly implemented. The BTI says Kosovo needs a substantial public administration reform, as it accounts for a considerably number of jobs (70,000) and since the current recruitment procedure is heavily politicised; party loyalty is more important than professional competences. Minorities also hold a very low percentage of public posts. As far as reconciliation, which mainly concerns the Serb-Albanian relation, BTI states that there has been progress, however not sufficiently. War Veterans Organisations protest against prosecuting former KLA members accused of ethnic cleansing of Serbs in the 1998-99 conflict, thus hindering reconciliation. This has changed since the publication of BTI's latest report, however, since the establishment of the Kosovo Specialist Chambers & Specialist Prosecutor's Office, which is part of Kosovo's legal system but is located in The Hague and staffed by international judges, prosecutors and staff. Lastly, Kosovo is faced with difficult economic conditions, which the BTI also discusses in its report. This aspect will be looked at in the following section of this chapter in order to use the most up to date statistics.

4.1.3. The dire economic situation

As some of the indices that have just been looked at discussed, one of the critical challenges faced by Kosovo is the economic one. According to the CIA World Factbook (2017), the GDP per capita (PPP) is one of the lowest in Europe at \$10.000 in 2014. To put that in perspective, the 2016 average for the European Union is \$37.800, in Serbia \$14.200 and in Bosnia-Herzegovina \$11.000. Official unemployment rates are worryingly high in Kosovo as well, with the 2014 estimate being at 35,3%, while more than half of the youth is unemployed, which leads to considerable migration. The CIA emphasizes the presence of a considerably large so-called "grey economy", i.e. unreported, unregistered and therefore untaxed economic activity. Kosovar diaspora, living mostly in Germany, Switzerland and Nordic European countries, accounts for approximately 15% of Kosovo's GDP via their remittances – i.e. money sent back home. International donor assistance accounts to another 10% of Kosovo's GDP. Corruption in Kosovo has slowed foreign investment. Mining used to be the back bone of industry in Kosovo, but this has declined drastically due to out-dated equipment and unreliable electricity supply. The Belgrade-Pristina dialogue led to an agreement concerning electricity supply, which should be a boost in Kosovo's economy, however implementation is lacking. In May 2014, the Kosovar government increased public salaries and certain social benefits by 25% - this soon backfired as central revenues could not sustain the costs. As a result, fiscal policy was adjusted accordingly: decreasing taxes on



basic food items and public utilities, but increasing them for all other goods. In March 2016, during a summit of Balkan leaders in Sarajevo, Serbia's prime minister and president-elect Aleksandar Vučić proposed a customs union including all former Yugoslav states and Albania – essentially creating a common market (Economist Intelligence Unit, 2017). Such an agreement would probably aid Kosovo economically, however the idea received mixed reactions – Kosovo expressed it is not interested and rather prefers simply pursuing EU membership. Montenegro and Albania share this view. Regardless of a possible Western Balkans customs union, Kosovo's economic situation remains dire, and dependent on foreign aid and investment. A stable economy would undoubtedly contribute to successful peacebuilding in Kosovo, although this will most likely need to be preceded by improvement in other areas identified in the theoretical tables used for this research.

4.1.4. International observers, regional civil society organisations, the European Commission

The last documents consulted before conducting qualitative interviews were progress reports by the European Commission and regional organisations reports organisations – namely the OSCE, as well as policy briefs and policy analyses by observer groups and regional and civil society organisations from the region.

The latest European Commission progress report on Kosovo, which was published November 11, 2016, is in line with most conclusions made by the various indices previously analysed. This is most likely also due to the fact that the conclusions made by those indices are in some parts based on information by the European Commission. The European Commission states positive developments in 2016 for Kosovo – such as the entering in to force of the Stabilisation and Association Agreement (SAA), which is the first contractual relationship between Kosovo and the EU and is a “comprehensive framework for closer political dialogue and economic ties” (European Commission, 2016). The European Commission also stresses Kosovo's deficiencies in different areas; for instance, in tackling corruption and fighting organised crime, independence of the judicial system – which is still subject to political influence – and how Kosovo should “step up the fight against informal economy and tax evasion. Lastly, the report also mentions issues concerning the energy sector (which was discussed by one of the indices) and the null progress in terms or renewables. Overall, the report gives an impression of slow progress in Kosovo, but progress nonetheless. The European Commission seems to be aware that Kosovo faces important challenges and that



they cannot be overcome in a quick manner – therefore this report puts these challenges in a row, and encourages determination – which will lead to improvement in the coming years.

The OSCE has running missions in several Western Balkan countries – namely Bosnia-Herzegovina, Kosovo, Montenegro, Serbia and Macedonia – aimed at different goals, ranging from addressing issues concerning displaced refugees to encouraging and facilitating media development. According to the OSCE’s latest annual report, which covers its activities in 2016, of the OSCE’s 16 missions, the one in Kosovo was the largest field operation in terms of budget – amounting to almost €18 million, which is 13% of the OSCE’s total annual budget (OSCE, 2017; p. 104). The mission to Kosovo focused on “enhancing the response of local and central government to the needs of non-majority communities ... and on strengthening their effectiveness and accountability” (p. 66), and in parallel promoting democracy and human rights via a set of grass-roots initiatives, such as interfaith forums, and particularly targeting youth and women. Moreover, the mission liaised with Kosovo institutions and the Serbian Orthodox church in order to “create sustainable conditions for the return and integration of displaced people” and to “advocate the protection of cultural and religious sites” (p. 66). Finally, it also enabled Serbian citizens in the north of Kosovo to vote in the parliamentary elections in April 2016 by collecting their votes and in doing so alleviating possible tensions. For assisting the normalisation of relations between Kosovo and Serbia, the OSCE organised training courses for almost 400 members of the former civilian protection corps, former administration personnel of the Serbian Ministry of the Interior, and “provided bar exam preparations for 33 graduate lawyers from northern Kosovo” (p. 67). The mission to Kosovo also facilitates and encourages more transparency in the judicial system by providing digital platforms which enable easier communication and information exchange between judges and prosecutors and journalists. The OSCE mission seems to be tackling many of the issues that need urgent addressing. The degree of efficiency of the mission is of course debatable, however the results illustrated in the annual report are positive and encouraging, because it is activities such as those by the OSCE that can ultimately lead to the creation of a rule-of-law state.

There are also several civil society organisations (CSOs) in the Western Balkan region that focus on a variety of policy issues and deliver analyses and proposals on them. They describe themselves as either think tanks, policy centres or advocacy groups. These CSOs often focus on the country they stem from, for instance the *Belgrade Centre for Security Policy (BCSP)* –



an independent think tank established in 1997 “dedicated to advancing security of the citizens and society on the basis of democratic principles and respect for human rights” (BCSP, 2017) – deals with issues in Serbia, as well as Kosovo and the question of normalising relations and regional security. There is also the *Kosovar Centre for Security Studies (KCSS)*, which is an “independent policy research centre” founded in 2008 and whose “main interest remains the development of the security sector in Kosovo and Western Balkans based on good governance” (KCSS, 2017). There are similar think tanks present in other Western Balkan states, namely in Macedonia, Montenegro and Bosnia-Herzegovina. As can be expected, the work and research of these organisations often overlap – especially when they look at issues of regional security and cooperation – which leads to co-publication of policy papers and research papers, or even the creation of networks. A prime example is POINTPULSE, a “network of seven CSOs ... created with the goal to monitor the state of police integrity in law enforcement agencies and advocate for policy changes for tackling the police corruption” (POINTPULSE, 2017). These organisations and their research projects are often funded by the European Union or by EU member states’ ministries of foreign affairs – frequently Norway, the United Kingdom and Germany.

One of the policy papers published by the BCSP researches the degree of cooperation between Serbian and Kosovar police (Elek, 2015), and concludes that even though one of the European Commission’s most pressing and explicit requests to Serbia is for it to “raise cooperation with Kosovo to the same level as with any other neighbouring country for a number of policy areas, including police cooperation ... Police cooperation is still at a nascent level, which significantly affects the ability of the competent authorities to enforce the law and fight organised crime, while also having detrimental effects on the level of human security in the region.” (p. 6). The report stresses the importance of agreements needing to be found on a bilateral level as part of the Belgrade-Pristina dialogue, especially within the realm of Chapters 23 (Judiciary and Fundamental Rights) and 24 (Area of Freedom, Security and Justice) of the EU acquis. In another research paper published by the BCSP on the perceptions of personal safety and security threats in Serbia, Kosovo and Albania (Stakić, 2016), it is of interest to look at public opinion because it contributes to understanding whether, and to what extent, government policy is in line with the views of the public. In the report, the author notes how “respondents from Kosovo have more trust in state institutions than do respondents from Albania and Serbia”, and goes on to say how “this mild optimism can be explained by the fact that Kosovo’s security institutions are “young” and



therefore less compromised.” (p. 5). The report further concludes that according to “the latest public opinion research covering North Kosovo ... perceptions of inter-ethnic violence are drastically different in the four Kosovo municipalities with the Serbian majority” (p. 12), with a significant majority of respondents (44%) saying inter-ethnic confrontations are the greatest security threat, followed by organised crime (26%) and unemployment (25%).

A research paper by the *Platform for Analysis and Research (PAR)* – “a coalition of NGOs and individual researchers, activists of the civil sector” established in April 2015 and aiming at “strengthening capacity of the CSO's in Northern Kosovo to become more effective contributors in decision making process” (NGO Aktiv, 2016) – surveyed the views of citizens in north Kosovo on political, economic and security aspects. The research was implemented by one of the leading members of PAR – NGO Aktiv; which aims at enabling the meaningful involvement of the Kosovo Serb community in the construction of a participatory, peaceful, and prosperous future for the region and was founded in 2009 (NGO Aktiv, 2017) – between May and July 2015 with the goal of “gaining insight into the key social and economic issues Kosovo Serbs face” (Jović & Nešović, 2015; p. 5). According to this paper, 83,2% of respondent are of the opinion that the Brussels Agreement did not improve the freedoms and rights of Serbs living in Kosovo, 43,8% of young respondents (in the age group 18-29) are unemployed and 40% of young respondents do not see themselves in Kosovo in the future (p. 8). The fact that 60,5% of respondents said they never or rarely visit Albanian-majority towns suggests reconciliation between Serbs and Albanians is not present. The report further found that even though the level of trust in international institutions is very low amongst Serbs, they are “still afraid of the withdrawal of international representatives from Kosovo, because, consequently, with this they expect their own mass departure from Kosovo” (p. 39), showing that international presence is on the one hand the cause of the current state of affairs, while on the other hand the only factor keeping the situation from aggravating. Finally, the report concludes that an increasing percentage (56,3%) of Serbs from the north of Kosovo supports their participation in Kosovo institutions, however political participation must be done more efficiently and constructively (p. 40). The respondents, although sceptically cautious, view the Community/Association of Serbian Municipalities (ZSO) as a mechanism to protect Serb rights in Kosovo and “one of the few positive outcomes of the Brussels Agreement” (p. 40).

The ‘Kosovo Security Barometer’ is an annual publication by the *Kosovar Centre for Security Studies (KCSS)* identifying the trends in perception of Kosovo’s foreign policy and



its dialogue with Serbia. In the latest edition, which was published in February 2017 and covers the period 2013-2016, the interviewed respondents consist of 86,9% Kosovar Albanian, 7,0% Kosovar Serbian and 6,1% from another community (Emini, 2017; p. 9). According to the findings of the barometer, “almost half of the respondents believe that Serbia is benefiting more than Kosovo in this process by referring to the EU integration processes in both states” and that the “majority of the respondents believe that the dialogue is failing to reach the overarching goal - the actual normalization of relations between Kosovo and Serbia.” (p. 11). Moreover, more than 80% of respondents have a negative attitude towards the establishment of the ZSO and see it as harmful to Kosovo. These conflicting responses confirm an earlier finding: Kosovar Serbs and Kosovar Albanians have strong differing views. Even though there does seem to be a trend amongst Serbs in Kosovo towards integrating in Kosovo institutions, it is questionable to what degree Kosovar Albanians want this, it would not be surprising if they would simply prefer Kosovar Serbs to leave – which is exactly what the Serbs in the north of Kosovo fear would happen if the international peacekeepers were to be withdrawn. This raises a further question: when would international representatives leave Kosovo? As of yet, there is no clear exit strategy. The status quo provides some kind of balance, with essentially neither Kosovar Serbs nor Kosovar Albanians fully satisfied, however it remains to be seen how much longer this balance will last.

4.1.5. The three theoretical tables – a first attempt

Having made a thorough analysis of primary and secondary documents, a first attempt can be made at completing the three theoretical tables set out in Chapter 2. The tables have been reproduced and a third column – ‘conclusions’ – has been added. The conclusions are a condensation of the findings and the analysis thereof written throughout section 4.1 of this chapter.



Table 1a – Concepts of the nature of the state, with first conclusions

Aspect of the nature of the state	Explanation	Conclusion
Legitimacy	<p>To what degree does the population accept the authority of the govt. due to laws, rules and norms and cultural values; and not due to fear of oppression.</p> <p>Voorhoeve makes an important distinction:</p> <ul style="list-style-type: none"> • Authoritarian regimes → rule <i>by</i> law • Democratic govt. → rule <i>of</i> law 	<p>The majority of the population does accept the authority of the government, certainly in the Albanian community – which makes up a large majority of the population. Legitimacy amongst Serb communities is debatable, although an increasing number of Serbs in Kosovo supports the participation in Kosovo institutions. Corruption remains an important issue which undermines the legitimacy of institutions – especially relating to justice and fundamental rights.</p>
Acceptance	<p>Would the govt. and institutions be rejected if the population could express itself? See ‘rule by law vs. rule of law’ above.</p>	<p>The govt. and its institutions would mostly not be rejected by the majority of Kosovo’s population. This is once again due to the majority of Kosovo’s population being Albanian, even though there are disagreements amongst Kosovar Albanians on certain government policies – especially in regard to the Belgrade-Pristina dialogue. Acceptance in Serb communities appears to be on the rise, however there is no clear rapprochement between Kosovar Serbs and Kosovar Albanians.</p>
Effectiveness	<p>To what degree are govt. and institutions able to carry out decisions and make citizens behave accordingly. A key aspect here is that the state has a monopoly over physical coercion – therefore no rebellious groups can use violence.</p>	<p>Government effectiveness is low, particularly in certain policy areas – e.g. security, which is closely linked to the next point; <i>domain</i>. The dire economic situation also limits the effectiveness of the government, which makes reforms subject to strict supervision from international organisations. Anti-corruption is again an issue here, as bodies designed to tackle the phenomenon obstruct each other and are therefore ineffective.</p>
Domain	<p>Which areas and sectors of society does the govt. exert control over? The US is a good example with the divide between states and federal authorities.</p>	<p>Kosovo’s government exerts control over most areas of society, the main policy area it does not have direct control over is security – most of which is in the hands of international peacekeepers. Some powers have been transferred to the Kosovo Police, however major order is still being enforced by the more or less 5000 international peacekeepers present in Kosovo. Judicial matters are partly dealt with by Kosovo courts, however most of the time under supervision of EULEX, if not entirely by EULEX personnel – particularly in cases involving Kosovar Serbs.</p>



Poverty	Difficult to directly relate to peace, income per capita is an option – however political violence tends to rise when economic modernization and social change speed up, unlike the common assumption that more wealth leads to less violence.	The economy of Kosovo is very weak resulting in high unemployment and youth unemployment rates. Regulation of employment is also weak, as there is a large grey economy, which is unregistered and untaxed, resulting in unemployment figures being less reliable. Poverty is therefore definitely an issue in Kosovo, as foreign investment and remittances by Kosovar diaspora contribute to a significant part of Kosovo’s GDP.
Good governance	The fair and efficient management of a country’s public resources in a sustainable fashion and the upholding of laws without trespassing human rights and freedoms. Its purpose is to optimise conditions for sustainable enjoyment of human rights.	Considering the conclusions for the five previous aspects of the nature of the state, it is safe to say that there is not yet a sufficient degree of good governance in Kosovo. Cases of corruption and high level political influence in the judicial process undermine the achievement of this goal. Furthermore, the challenge relating to the inclusion of minorities (mainly Serb) in society and the political system needs to be addressed in order for there to be sustainable enjoyment of human rights.

Table 3a – Variables determining the chances of a transition to the rule of law, with first conclusions

Variable		Explanation	Conclusion
<i>a</i>	State monopoly on coercive power – i.e. the armed forces and police	Necessary for the prevention of civil war, however does on its own not guarantee the rule of law, as governments might abuse this monopoly → totalitarian regime.	The monopoly on coercive power lies with the international peacekeepers, namely KFOR and UNMIK. There is no Kosovo Army (yet) and the Kosovo government only has control over lightly armed security forces. As long as this arrangement persists, the risk of civil war remains close to zero. What might become worrying is the lack of any sort of exit strategy for the international peacekeepers.
<i>b</i>	Domestic supply of legal and judicial institutions and professionals	Includes courts, offices of public prosecutors, the police, human rights institutions and advocacy groups, academic or professional training institutes.	The domestic supply of judicial personnel is insufficient. There is improvement in terms of advocacy groups and civil society organisations promoting human rights and doing good research aimed at improving Kosovo’s institutions. Corruption remains an obstacle.



<i>c</i>	Quality and type of political and religious leadership of the country, as well as security sector and media leaders	Strong leadership can lead to stronger states, but not necessarily to the rule of law. Weak leadership can lead to weaker states, but not necessarily to a lack of rule of law.	No excessive focus has been given to the leadership personalities in Kosovo. The presence of former KLA members in high-level politics – a prime example being current president Hashim Thaçi – hint towards a situation where strong leaders are those in power. Such situations have in the past led to increasingly autocratic leaders in other countries, which could also happen in Kosovo. Considering the lack of independence of the judicial system, strong leadership can be considered as an obstacle for the state building of Kosovo, as politicians will always remain above institutions, resulting in a weak rule of law state.
<i>d</i>	The population's demand for legal order	Stems from the values, norms and expectations of the population as shaped by their belief systems, morality, broader culture and other roots of the notion of justice.	The demand for legal order is doubtful, considering the patriarchal nature of families, where the male head of the family explicitly or implicitly makes decisions for all members of the family. Attempts to change this appear to be present, as efforts are being made by CSOs to strengthen institutions and the rule of law.
<i>e</i>	Prevalence of prosperity, i.e. absence of poverty	A combination of economic indicators (income per capita, income inequality, unemployment, etc.). Particularly important is unemployment among males in the age groups for soldiers, militia and young violent criminals.	Incomes, unemployment rates and GDP per capita all indicate a very low prevalence of prosperity. Kosovo is per definition a poor state, the poorest in Europe. The large grey economy is particularly worrisome as far as state-building is concerned. The high levels of unemployment, particularly amongst the youth, result in a significant brain-drain as well as further contribution to the grey economy, as young workers seek for ways to earn as much as possible in an otherwise poor economy.
<i>f</i>	Strength of international human rights treaties and institutions	Nations respond to international influences and pressures in favour of human rights and legal order, in particular to the strength of international human rights regimes which apply to them, notably regional human rights treaties and courts, like the European Convention on Human Rights.	The strength of international human rights treaties and institutions in Kosovo is relatively strong, considering it can be argued Kosovo exists as an independent state mainly due to international involvement. The EU – an institution which per definition encourages the respect of human rights – has quite some leverage in Kosovo, since Kosovo aspires to EU membership. The pace by which Kosovo will embrace conventions is uncertain, considering the weakness of its institutions. This variable is strongly linked to the next variable (g).



g	International economic and political benefits and interests	Transitioning to a rule of law state might enable certain countries to join regional organisations (e.g. the EU) which might benefit them greatly both economically and politically.	International political and economic benefits and interests are strong for Kosovo, as it aspires to become an EU member. The EU has the strongest leverage over Kosovo, also with boots on the ground via its EULEX rule of law mission. As was mentioned for the previous variable, the EU is the strongest influencer (more than the USA or single EU member states) in terms of promoting a human rights-based, rule of law state in Kosovo.
h	International assistance	How much help is offered by countries and bilateral and multilateral organisations for the (re)construction of legal order and respect of human rights.	The presence of international peacekeepers is an illustration of the degree of international assistance. Foreign missions aimed at the construction of sustainable rule of law structures – namely EULEX – are also very important. Furthermore, foreign investment and aid are very important for Kosovo’s economy.
i	Time	Disruption and destruction can happen quickly, while rebuilding takes years.	The conflict in Kosovo came to an end in spring 1999, which is 18 years ago. The period following the end of NATO’s air campaign and the Kosovo war was followed by a transitional period – the highlight of which was Kosovo’s unilateral declaration of independence in 2008. Nine years in building a new state are not many, therefore much more time will be needed until a functioning and sustainable rule of law state is created.

Table 4a – Levels of threats to peace, with first conclusions

1. Personal	Persons inclined to political violence.	There are persons inclined to violence, often younger in age, and often due to the dire economic circumstances and/or ethnic aspects. Violence on this level is not of too much concern however, as it is nothing exceptional.
2. Social	Groups inclined to political violence (ethnic, religious, economic or other).	Social violence and groups exercising political violence is a more concerning issue. There have been several cases of attempts at vandalising Serb monasteries, which are often prevented by intervening KFOR units. Clashes between groups (of all ethnic groups) with international peacekeepers have also been recorded.
3. Political	Leadership of the aforementioned groups, mobilising and applying their violent inclination.	There are political factions in Kosovo who support the territorial and national integrity of Kosovo – the nationalist party <i>Vetëvendosje</i> – and could by their rhetoric lead to political violence. MPs of this group have also called for the suspension of the UE brokered normalisation talks with Serbia.



4. State	Propensity of state institutions and leaders to not subdue such violence and instead mobilise it to further their personal goals of control over the state and its resources.	This level of violence is closely linked to the previous one (political) and the following one (external international system). Even though level three (political) violence could be mobilised, state propensity to do so is low, mainly due to the state in level 5 (external international system).
5. External international system	Other states, international and regional organisations, and companies.	The EU is the external actor with most leverage in Kosovo, making it the lead peacebuilder, starting with its promotion of the dialogue with Serbia. NATO, in the form of KFOR, is an essential peacekeeper – because it guarantees order via the ‘threat’ of force.



4.1.6. Hypotheses testing – a first attempt

After completing the three tables with the knowledge acquired through primary and secondary document analysis, a first attempt can be made at testing the four hypotheses.

1. Reconciliation between ethnic-religious groups fails if discrimination prevails.

At this stage of analysis, this hypothesis proves to be true. Reconciliation has not yet happened and griefs between ethnic-religious groups continue to exist, and not only between Serbs and Albanians. Cases of inter-ethnic violence in Kosovo are rarer than in the past, but still present. Their decrease can however also be accredited to the presence of the international peacekeeping force, the absence of which would probably result in an exodus of Serbs from Kosovo. Reconciliation therefore fails, because discrimination is still present.

2. Peacebuilding requires inclusion of the defeated party to succeed.

True. The data has showed that, in the case of Kosovo, in order to pursue all aspects of peacebuilding defeated parties must be included – if they are not expelled from the territory of said country. In Kosovo's case, research has shown that Serb minorities have not been included in the new state that is Kosovo, this is due to both resistance from the Kosovo Serbs and reluctance from the Kosovo Albanians to address the question. This leads to certain Serb majority communities in Kosovo being detached from the rest of Kosovo. Certain policy areas peacebuilding aims at can be pursued without inclusion of the defeated party, however at a certain point the defeated side must be included, especially when security, judicial and moreover human rights related policies are addressed.

3. Internal politics blocks reconciliation between ethnic-religious groups and peacebuilding.

At this stage of the research this hypothesis seems to be true, however more research is necessary to better prove or disprove this hypothesis. Internal politics seems to block both reconciliation and peacebuilding even if it is due to only a minority of the political spectrum. Parties in favour of reconciliation and inclusive peacebuilding are often the biggest losers in this process.

4. External actors can nudge but not force reconciliation between ethnic-religious groups and peacebuilding as long as internal politics obstructs it.



True, although external actors play a very significant role in Kosovo. Up until now, the research findings suggest that nudging by external parties can ultimately lead to reconciliation and inclusion of the defeated party, however it needs to be persistent and coherent, with a long-term vision and goal. It must be done in a balanced carrot-stick fashion, both pushing as well as persuading internal politics to pursue pro-reconciliation and pro-inclusive peacebuilding policies.

This first attempt at testing the hypothesis is based exclusively on findings from document analysis, which poses certain limitations. Interviews can certainly give a more insightful idea on for example reconciliation in Kosovo or the degree of influence external actors in Kosovo's internal politics. In the light of this, it needs to be noted that this hypothesis testing is certainly important, but that the second round of hypothesis testing – which will be done after the interviews have been completed.

4.2. Interviews

The previous section (4.1) of this chapter gave a comprehensive overview of how Kosovo fits in the three theoretical tables. Although all sections of all three tables have been answered, deeper knowledge and understanding of the case can be gained by interviewing experts on the subject. For this reason, three elite interviews were conducted in order to gain a deeper, more insightful understanding of Kosovo as a peacebuilding case. The in-depth interviews were all done via Skype and were conducted in such a way that the experts interviewed had the opportunity to elaborate their views and assessments, while also steering the interview – as much as possible – at the focusing on the four hypotheses; therefore, mainly addressing issues concerning reconciliation (primarily Albanian-Serb relations) and to what extent external actors can affect this process, both positively and negatively. This sub-chapter has been divided based on four broad themes discussed by the interviewees, with an initial section (4.2.1) which gives information on the interviewees and why they were selected.

4.2.1. The interviewees

All three interviews were conducted via Skype. The first of which took place on May 4, 2017 with Shpend Kursani who is a Kosovo Albanian external senior research fellow at the Kosovar Centre for Security Studies (KCSS) and PhD researcher at the European University



Institute in Florence, Italy. Kursani has previously worked for other think tanks, mostly in Kosovo, and for a period of time was also a political activist. He was selected as one of the interviewees because of his experience both as an actor (while political activist) and observer (as a researcher), his profile was identified while researching publications of the KCSS as part of the document analysis. The second interview was also conducted on May 4, 2017 with Bojan Elek – a researcher at the Belgrade Centre for Security Policy (BCSP) and a Serb from the north of Kosovo. He was approached due to his professional focus – which lies in security matters in Kosovo, and his personal background – which is from northern Kosovo. The third and final interview took place on May 8, 2017 with Krenar Gashi who is a PhD researcher at the University of Gent, Belgium. His name was first encountered while consulting Freedom House publications he wrote. He was interviewed because his research focuses on the EU’s international power and EU-Kosovo-Serbia relations. Gashi has previously worked as an investigative journalist and has worked in policy research and analysis in several think tanks in Kosovo.

4.2.2. The decade ahead

To gain an impression of the views of each interviewee on Kosovo, the first topic which the interviewees were asked about concerned the biggest challenges in the next decade for Kosovo. According to Kursani and Elek, if we are to consider Kosovo as a state or entity, the biggest challenge it faces in the coming 5 to 10 years is two-fold: domestic and international – the two being closely linked. Gashi is more cautious on separating the two, however he also agrees on the two not being the same, although they are separated only by a very thin line. The domestic aspect, in general lines, concerns the economy, worrying unemployment and poverty rates and overall development. Elek stresses that these internal economic and education system related challenges Kosovo faces are not unique, as they are also present in for instance Serbia. Kursani notes that the education system has remained in the same dire state in the last decade or so, and that overall the state has failed to provide its own citizens with basic services such as education, healthcare and other services. All three respondents are quite pessimistic about Kosovo’s prospects in this regard. Kursani says that despite macroeconomic numbers one might find for Kosovo, there is a major gap between state and society – meaning that society is not engaged in economic activity such as production, but mostly focused on trade; which is essentially imports. Gashi notes that since foreign direct investment, which is considered to be the only way out of this economic stalemate, are



closely tied to the externally perceived political stability in Kosovo. Most foreign investments will not come as long as there is contested statehood or as long as there are (perceived) inter-ethnic tensions, Gashi claims. This is an example where external and internal challenges become one. Gashi concludes that resolving the contested statehood and/or (perceived) inter-ethnic tensions would not solve the economic issues, as the political situation in the overall region is prone to instability, leading to lower foreign investments. This thought is in part supported by Elek's views, who claims that that the biggest challenge in Kosovo is not the non-integration of the Serbs in the north – as it is often written in the media – and that he doubts there would be much change in Kosovo even if the north was integrated.

In terms of the international aspect, the main problem in Kursani's, Elek's and Gashi's views is Kosovo's limited external sovereignty and international recognition and legitimisation of its independence. Kursani makes an interesting assessment, according to which Kosovo has decided – whether it could have done differently he is unsure – to seek international recognition (by becoming a member of various international organisations such as the United Nations, the Council of Europe or the EU) via Serbia, through the Belgrade-Pristina dialogue. This leads to Kosovo being subject to Serbia's demands in terms of Serbia's desired influence in Kosovo – which in turn leads to tensions both internally and externally, as veto players emerge which weaken the centrality of Kosovo's government. Kursani believes Serbia has every right to require what it requires, which is in truth not more rights for the Serb minority in Kosovo – as is always publicly said – but is instead significant veto power in the decision making in Kosovo. According to Kursani, Serbia wants to have veto power inside Kosovo, and seeks to achieve this via the Serbs in Kosovo. Therefore, Serbia wants that *it* has veto power in Kosovo, not the Serbs in Kosovo. According to the status quo, Kosovo cannot change any letter of the constitution without consent from the Serb MPs in the Kosovar parliament – MPs which by proxy represent Serbia's interests in Kosovo. As such, Kosovo will never *de facto* be a fully independent state, because Serbia will always have a say in its constitutional changes.

4.2.3. Which powers with which external actors

All three interviewees share the view that the most influential external actor in Kosovo is the United States of America (US). Gashi supports this notion, although he deems it important to note that the US has remained the most influential external actor in Kosovo despite the de-



politicisation of US policy towards the Balkans during the two Obama mandates – i.e. due to focus on other areas, decision making was left to policy-makers and then bureaucrats. All three respondents agree that the EU is the second most influential external actor in Kosovo, however its power is often not exercised, and when it is, it is of a soft nature which affects the political elite rather than the population. When something major needs to be done in Kosovo, the US needs to be involved. Gashi sustains that US influence in Kosovo is also entrenched in the Albanian identity in Kosovo and the whole independence project. Kursani shared the following information he obtained directly from a Kosovar MP when he was a political activist: when major laws and/or policies are being discussed and/or voted in the Kosovo parliament, US officials are present on the grounds of the parliament, and there have been cases of MPs not being allowed to leave the main parliament room until they have voted as wanted by the US officials. Likewise, there have been cases of members of certain parliament commissions not allowed to leave until they have agreed on what they are supposed to agree on. Something like this would never happen with EU officials. Also, public statements made by US officials weigh more than those of for instance EU officials, because Kosovars regard the US very highly. For instance, US leaders such as Joe Biden praising Thaçi, claiming he is the ‘George Washington of Kosovo’, leads Kosovar leaders to vote for those candidates, because Kosovars have very strong trust in America. Gashi confirms Kursani’s statements and further emphasizes that US influence in Kosovo is not unilateral; he claims that there is also a demand from the Kosovars for US involvement in delicate political matters. According to Gashi, once there is a preference from the US embassy in regard to a specific policy question, Kosovar policy makers will tend to not even listen to local NGOs or advocacy groups if those NGOs or advocacy groups plea for an opposing view. Elek supports the views of Kursani and Gashi on US influence in Kosovo’s domestic decision-making process. He goes on to give an interesting comparison, noting that the influence and pressure of Western and US officials on Kosovo’s MPs was very evident when the parliament was voting on the creation of the special tribunal for the 1998-99 war (the Kosovo Specialist Chambers – which is based in The Hague), while Serbia when pressured to collaborate with the ICTY it had the chance to refuse, which led to its EU accession being frozen for two years. Kosovo, Elek concludes, does not even have the possibility to disagree, instead has to do as it is told by the West right from the start. Elek also notes that Vetëvendosje (the extreme right party) opposes this special court, and that support for this court and dealing with this past in general is also very low among the population. Gashi notes that in most cases US and EU interests are aligned in terms of a long-term vision for Kosovo. The execution and way of getting to



this goal differs, with the US often being fast-track, while the EU is slow-track. Gashi gives an example where both the US and the EU wanted to help Kosovo secure its borders, so the US installed a software-hardware system for checking entrance and exit of border checkpoints, only to realise this system is not compatible with European standards, which Kosovo needs to meet in order to follow its European agenda. The system had to be re-done all over simply because there was no co-ordination between Europeans and Americans. As far as Russian influence is concerned, Kursani is most vocal in playing down the rumours of Russian involvement in domestic politics in Kosovo and other Western Balkan states. Although Russia does try to exert influence, primarily via investments and financial support for groups sceptical about Western integration, it has nowhere close the means and capabilities of the EU or the US. Kursani believes that Russia has other priorities and problems; in its immediate neighbourhood, namely Ukraine and the Caucuses, and the conflict in Syria, therefore it does not have the capability to be actively and strongly involved in the Western Balkans. Overall, though, Kursani concludes that the overall influence of Russia in the Balkans, compared to its dire capabilities, is quite strong.

Kursani and Elek agree that Kosovo does not strictly require external actors to solve its domestic challenges. If international actors wish to have Kosovo as a viable country, Elek says, they have to withdraw and reduce powers of international players in Kosovo – such as EULEX or UNMIK. Also, ambassadors (for instance the US ambassador) have too much power, Elek believes, and this – amongst other things – leads to Kosovo never being a fully-fledged independent state. According to Elek and Kursani, the lack of overall development in Kosovo is because the international actors – both the US and the EU (and some of its member states) – have as their main policy goal in Kosovo (and in the Balkans) the maintaining stability. Those external actors might also desire more justice and development (both economic and social), but if those get in the way of stability, the international actors will always give priority to stability. This is an understandable and reasonable target, Kursani says, considering the history in the region. According to Elek, prioritising stability to such an extent comes at the cost of justice, rule of law, human rights and overall democracy. The EU is failing by insisting so strongly on stability, Elek believes, and does not address questions of democratic backsliding in the region or increasing war like rhetoric by leaders in the region – such as Albanian Prime Minister Edi Rama claiming that if EU integration fails they will create Greater Albania. Statements such as these are incendiary, no matter which side makes them, and the EU should do more in terms of keeping the region in check. When asked



whether EU pressure to push for more rule of law and justice in Kosovo would yield results, Elek believes it would, however the EU has no real interest in it at the moment, as it is embroiled in other issues such as Brexit and the migration crisis. The priority is therefore on stability and security, ensuring Balkan states keep their borders under control and whatever happens inside, the EU will close an eye. The latest crisis in Macedonia being a prime example. Elek, Kursani and Gashi all agree that Kosovo does need a hand in terms of countries lobbying for its recognition, like the US, Germany and the UK have done. However, on domestic issues external actors have not lived up to expectations, according to Kursani, although he does stress that they have not necessarily worsened the situation. As far as EULEX is concerned, Kursani believes that considering the cost of the mission, it did not do much. EULEX did prosecute certain criminals the locals would otherwise not have dealt with; however, the mission did not meet expectations. Kursani stresses that, even though EULEX has been present for almost a decade, not much difference can be seen in terms of justice and rule of law in Kosovo between 2008 and 2017. Elek also criticises the success of EULEX in achieving its goals, as there is still rampant organised crime in Kosovo – which is due to the isolation of Kosovo from both Serbia and the global arena, which in turn leads to less investment, more unemployment, and other push factors which lead to organised crime; in the form of drug trafficking and organ trafficking. Kursani lays the blame primarily on the local authorities who do not take the lead – however also EULEX needs to take part of the blame, since it claimed exclusive authority on certain cases involving high level criminals. Kursani stresses that it is very difficult to run a counterfactual – i.e. what would an absence of EULEX lead to? Finally, involvement from EU governments and the US sometimes also hindered EULEX' work. If EULEX wanted to prosecute individuals who had the power to mobilise large groups of people, leading to protests and clashes, EULEX could not touch those individuals. This led to the mission proceeding in a 'depressed' mode, leading to the officials becoming prone to corruption.

4.2.4. The importance of the peacekeepers

While Kursani and Gashi have essentially the same views on the almost 5000 international peacekeepers present in Kosovo, although they are not completely aligned, while Elek has a slightly differing assessment. Kursani believes they are important for what Kosovo claimed it would become after it declared independence in 2008, which is a multi-ethnic state. According to Kursani, it is difficult to estimate whether Kosovars would start an interethnic



conflict if the peacekeepers were not there, but the peacekeepers have definitely played an important role in making minorities (primarily the Serbs) and also the Albanians, feel comfortable, because the peacekeepers are viewed as a neutral, security, mediator, which would protect all sides. Considering the way in which Kosovo came about to become a state/entity as it is today, the external peacekeepers are important. On a slightly different note, Gashi believes the peacekeepers have more of a symbolic importance than a real one. The symbolic importance is that all people in Kosovo are, according to UNSC Resolution 1244, under the protection of NATO – which is important especially in the recent polarisation of world politics and what some scholars call the new cold war. Elek, on the other hand, stresses how the international peacekeepers lose its purpose as time passes. As the whole region is becoming increasingly integrated and demilitarised, even if there was a conflict, there would not be the firepower to actually wage a war. Elek therefore identifies a trend in shifting from a conflict zone to a nascent form of a security community, with numerous regional security forums being created, also targeted at migration issues. Simultaneously, the EU future of the whole region is another factor that keeps the region stable and less prone to conflict. On the other hand, the international peacekeeping force in Kosovo is still a deterrent – however, Elek states that the Kosovo Security Force, considering the size, although not officially an army by mandate, is *de facto* an army. Any effort to make it an official army is not seen keenly by Western states, Elek continues, due to the high priority given to stability. Contrary to Elek, Gashi believes that the recent rumours of Kosovo creating an army are exaggerated, and that a small country such as Kosovo, like others in the European continent, can benefit from the same feeling of security NATO member states benefit from, as long as KFOR exists. If the international peacekeeping force were to be removed, Gashi firmly believes there would not be an inter-ethnic clash. It is important to note, and this is something which is rarely written about – Gashi stresses, that there are no Serb Orthodox sites being protected by KFOR, instead they have been protected by the Kosovo Police (which is mainly Albanian) since 2009. This emphasizes that the role of KFOR is more symbolic than real.

None of the three interviewees see the international peacekeeping missions in Kosovo ceasing to exist. Kursani stresses that it is not only Kosovo's or NATO's decision whether they leave. Since KFOR operates under UNSC Resolution 1244, Russia and China would have to be consulted, and according to the Kursani it will not be in their interest to change anything – at least as far as can be foreseen now. Kursani believes the presence will shrink, in terms of UN and NATO member states withdrawing their troops, but as an institution



Kursani does not see KFOR exiting Kosovo any time soon. Again, stability remains the main priority. Gashi assesses that when the UN, NATO and EU entered in Kosovo, there was no exit strategy planned – nor was there meant to be. The idea was – Gashi continues – for the external forces to be in Kosovo until it joined the EU. Gashi's PhD study focuses on the EU, and he has come to the conclusion that the EU's policy in Kosovo (and the Balkans for that matter) is "let's do what we can do", which translates in to "let's do what does not interfere with other policy agendas". Gashi continues saying that the decisions in the Balkans are tied to the EU enlargement process, which is not only concerned with the expansion of the EU, but also with the mere existence of the European project. When this project comes in a time crisis – like it does presently – it leads the EU to make small actions which do not really lead to a specific goal. Gashi gives the analogy of the police car: have you ever seen a police patrol which is not chasing someone and which is driving fast? Police are either driving way too slow or they are chasing someone, the reason why they drive way to slow when they are patrolling is because they have no destination to reach. This is exactly what is happening with the European project right now, Gashi concludes. In a way, one could argue this is what happened with the whole international community involvement in Kosovo – they are driving way too slow because there is no real destination where they want things to go.

4.2.5. The normalisation dialogue and the risks of new inter-ethnic violence

The fourth and final theme discussed in the interviews concerns the Belgrade-Pristina talks and the risk of new inter-ethnic violence. The three respondents have differing views on this topic, as their answers explored differing aspects of the issue. All interviewees believe the dialogue would not exist would it not be for the EU, however for instance Kursani believes the talks are important in the realm of stability, because as long as you keep the two belligerent parties talking at a table in Brussels, you somehow guarantee they will not fight in Kosovo. The only reason the normalisation dialogue is possible is thanks to the eventual membership of the European Union for both countries. Eventually, if Serbia were to be pressured to recognise Kosovo by for example Germany, Kursani thinks the question would be settled with a vague, ambiguous document which states Serbia establishes relations with, but never recognises, Kosovo as an independent state. This scenario stands with all other things being equal, because if the EU crumbles internally, many factors would rapidly change. In a scenario where the EU crumbles, Kursani believes the US would not intervene in the Balkans as it did in the 1990s, especially with the current administration in Washington



D.C. While Elek also believes that the normalisation talks between Belgrade and Pristina are positive, and that they would not take place were it not for the EU, he stresses that too much time has passed since the dialogue has reached agreements (i.e. the Brussels Agreement). Elek also criticises that the dialogue focused too much on political issues while completely lacking a citizens-oriented perspective – since there are many outstanding issues nobody is discussing. For instance, the dialogue focused on Kosovo receiving an international dialling code, while there are Kosovo citizens who do not have pensions because they used to work for Yugoslav companies and contribute in pension funds which now are handled by Serbia (since it is the heir of Yugoslavia), who does not pay them since they are Kosovar and Serbia does not recognise it. Same goes for property issues which have not been settled. Elek and Gashi both underline the lack of transparency and inclusiveness in the negotiations, as only top-ranking politicians partake in them. Gashi states that the moment other players are involved in the dialogue, such as civil society or people directly impacted by the dialogue, then there are much stronger chances for it to be understood as a tool rather than a liability by the people. If the idea of becoming an EU member disappears, the dialogue would be completely suspended, Gashi firmly believes. This is something the EU has been risking with, and it is exactly why it has been pushing the discourse of ambiguity, because it allows everyone to believe reality is as they want it to be. As long as you have ambiguous agreements and European ambitions, everyone stays happy, until there is a serious political shift against European ambitions by one of the sides. With the current settings, this is very likely, however there is still a plausibility to it. Gashi further evaluates that the talks and the agreements coming out of the talks are used by the EU to conceal that EU enlargement, as it was envisioned at the beginning of the 21st century at the Thessaloniki Summit, no longer exists. Instead, the EU engages in bilateral or multilateral dialogues, such as the Belgrade-Pristina dialogue. Elek notes that from Serbia's point of view, there is no long-term strategy on where, for example, it would like to see Kosovo in 2025 – but that it is rather dealing with every issue as it shows up. Elek also highlights the manipulation by political elites of the perception by the public of these deals, such as the Brussels Agreement, which result in not many citizens knowing what has actually been agreed. According to focus groups conducted by Elek and his colleagues at BCSP, barely any participants have read the actual Brussels Agreement. Elek confirms that Serbs in the north of Kosovo are afraid of a new Serb exodus from Kosovo if the international peacekeepers were to leave. Although this might not be the case in practice, Elek stresses that as long as there are no strong, inclusive, security institutions, the international peacekeeping force should remain in Kosovo.



As far as the question of the north of Kosovo is concerned, all three respondents agree that it is isolated from the rest of Kosovo. Gashi believes that every Belgrade government since the Kosovo conflict has used the status of the north as a threat, while no side is truly interested in partitioning Kosovo. Also, Gashi notes that two-thirds of Serbs live south of the Ibar river, so this distinction of ‘the north’ is to a certain extent artificial. However, Gashi does note that when he travelled to northern Kosovo since the dialogue has been taking place, he has noticed that tensions between ethnic Serbs and ethnic Albanians have dropped, just because people have seen their high political representatives shake hands. The dialogue, as it is, cannot lead to reconciliation between Serbs and Albanians in Kosovo. As it is, Gashi says, it has a very good chance of falling in a pattern of reversibility. If there is a shift in political discourse by any side, the dialogue can be used to blame each other – or the EU – i.e. externalising the guilt. Gashi does believe that the dialogue as it is can also lead to a new level where reconciliation might become possible. Elek underlines that the Serbs in the north of Kosovo do not want to integrate in Kosovo, as the current situation is conducive to many shady deals – for instance not having to pay taxes or receiving 50% higher salaries than people in Serbia. Also, a doctor in Kosovo earns €200-300, while in the north a doctor’s salary is €800-1000. Schools and healthcare are better in the north of Kosovo than in the rest of Kosovo. These people do not want to lose this security and social welfare. Even though there is a push from Pristina to integrate the north of Kosovo in Kosovo state, via for example the head of police in northern Kosovo being a Serb, but his/her deputy would be an Albanian. The bottom line, according to Elek, is that if the Serbs in the north of Kosovo would integrate in the rest of Kosovo, they would lose more than they would gain. Overall, neither from the side of Belgrade nor Pristina, nor from the Serbs in the north of Kosovo, there is a priority for integrating northern Kosovo. As things stand, most likely nothing much will change. Kursani also supports the notion that Serbs in Kosovo are isolated, and further notes that the question concerning Serbs in Kosovo is at the moment secondary or even tertiary on the political agenda and also in the public sphere. Kursani says that due to ‘demographic brutality’ the Serbs must accept that the majority in Kosovo is Albanian, which they have not come to terms with yet. The Serbs in Kosovo are isolated from the rest of (Albanian) Kosovo society, and they fear that the Kosovo state would not protect them. Kursani believes that the state would defend the Serbs, because it is part of its identity as a multi-ethnic state and because it is simultaneously a justification for it being a state. If the state would not protect the Serbs, it fears it would be portrayed negatively and lose support internationally. Inter-ethnic issues are



there, in the sense that Serbs still do not trust Kosovo as a state, but the issues are not as major as they are portrayed in the media. While Elek, Kursani and Gashi all doubt new ethnic clashes would take place, the latter two highlight that Serb representatives rarely speak about the interests of the Serbs in Kosovo, but only about interests of Serbia. Gashi notes that since Serbia ensured its influence in Kosovo, Kosovo Serbs have not been able to produce their own leaders in 18 years since the end of the conflict, instead their leaders have always come from top-down (from Belgrade) or they needed the blessing from Belgrade to be embraced as leaders. This is unfortunate especially because when it came to post-dialogue integration, Serbs have been very slow in assuming their responsibilities and this is because they are somehow left hostage between power and representation. The Serbs are powerful, but the people representing them represent Belgrade. Serbs from Kosovo often do not even know their leaders.

4.3. The three theoretical tables – a second and final attempt

Having analysed the findings from the three interviews and considering the information discussed in section 4.1 of this chapter, it is not possible to better complete the three tables and better test the hypotheses.



Table 1b – Concepts of the nature of the state, with first and final conclusions

Aspect of the nature of the state	Explanation	Conclusion	Conclusion – added comments
Legitimacy	<p>To what degree does the population accept the authority of the govt. due to laws, rules and norms and cultural values; and not due to fear of oppression.</p> <p>Voorhoeve makes an important distinction:</p> <ul style="list-style-type: none"> • Authoritarian regimes → rule <i>by</i> law • Democratic govt. → rule <i>of</i> law 	<p>The majority of the population does accept the authority of the government, certainly in the Albanian community – which makes up a large majority of the population. Legitimacy amongst Serb communities is debatable, although an increasing number of Serbs in Kosovo supports the participation in Kosovo institutions. Corruption remains an important issue which undermines the legitimacy of institutions – especially relating to justice and fundamental rights.</p>	<p>The government might not be fully legitimate; however, no community seems to have an immediate interest in changing the status quo.</p>
Acceptance	<p>Would the govt. and institutions be rejected if the population could express itself? See ‘rule by law vs. rule of law’ above.</p>	<p>The govt. and its institutions would mostly not be rejected by the majority of Kosovo’s population. This is once again due to the majority of Kosovo’s population being Albanian, even though there are disagreements amongst Kosovar Albanians on certain government policies – especially in regard to the Belgrade-Pristina dialogue. Acceptance in Serb communities appears to be on the rise, however there is no clear rapprochement between Kosovar Serbs and Kosovar Albanians.</p>	<p><i>Nothing to be added.</i></p>
Effectiveness	<p>To what degree are govt. and institutions able to carry out decisions and make citizens behave accordingly. A key aspect here is that the state has a monopoly over physical coercion – therefore no rebellious groups can use violence.</p>	<p>Government effectiveness is low, particularly in certain policy areas – e.g. security, which is closely linked to the next point; <i>domain</i>. The dire economic situation also limits the effectiveness of the government, which makes reforms subject to strict supervision from international organisations. Anti-corruption is again an issue here, as bodies designed to tackle the phenomenon obstruct each other and are therefore ineffective.</p>	<p>The government is indeed not very effective, it must deal with veto powers exerted by international organisations and also by Serbia, who uses the Kosovo Serbs as proxies.</p>



<p>Domain</p>	<p>Which areas and sectors of society does the govt. exert control over? The US is a good example with the divide between states and federal authorities.</p>	<p>Kosovo's government exerts control over most areas of society, the main policy area it does not have direct control over is security – most of which is in the hands of international peacekeepers. Some powers have been transferred to the Kosovo Police, however major order is still being enforced by the more or less 5000 international peacekeepers present in Kosovo. Judicial matters are partly dealt with by Kosovo courts, however most of the time under supervision of EULEX, if not entirely by EULEX personnel – particularly in cases involving Kosovar Serbs.</p>	<p>The Serbs in the north remain highly isolated, both societally and institutionally. Security policy seems to be more in the hands of the Kosovo govt. than previously concluded, however the decisions made by the Kosovo govt. remain highly vulnerable to external influence, whether by the US, EU or Serbia. Judicially Kosovo's domain is very limited, as EULEX has exclusivity to certain cases, which results in notable problems concerning development of Kosovo's own judicial.</p>
<p>Poverty</p>	<p>Difficult to directly relate to peace, income per capita is an option – however political violence tends to rise when economic modernization and social change speed up, unlike the common assumption that more wealth leads to less violence.</p>	<p>The economy of Kosovo is very weak resulting in high unemployment and youth unemployment rates. Regulation of employment is also weak, as there is a large grey economy, which is unregistered and untaxed, resulting in unemployment figures being less reliable. Poverty is therefore definitely an issue in Kosovo, as foreign investment and remittances by Kosovar diaspora contribute to a significant part of Kosovo's GDP.</p>	<p><i>Nothing to be added.</i></p>



<p>Good governance</p>	<p>The fair and efficient management of a country’s public resources in a sustainable fashion and the upholding of laws without trespassing human rights and freedoms. Its purpose is to optimise conditions for sustainable enjoyment of human rights.</p>	<p>Considering the conclusions for the five previous aspects of the nature of the state, it is safe to say that much work needs to be done for there to be good governance in Kosovo. Cases of corruption and high level political influence in the judicial process undermine the achievement of this goal. Furthermore, the challenge relating to the inclusion of minorities (mainly Serb) in society and the political system needs to be addressed in order for there to be sustainable enjoyment of human rights.</p>	<p>Good governance cannot be achieved as long domestic institutions do not reach full maturity. This is hindered by presence and influence of external actors – for instance by EULEX vis-à-vis the domestic judicial.</p>
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Table 3b – Variables determining the chances of a transition to the rule of law, with first and final conclusions

Variable		Explanation	Conclusion	Conclusion – added comments
a	<p>State monopoly on coercive power – i.e. the armed forces and police</p>	<p>Necessary for the prevention of civil war, however does on its own not guarantee the rule of law, as governments might abuse this monopoly → totalitarian regime.</p>	<p>The monopoly on coercive power lies with the international peacekeepers, namely KFOR and UNMIK. There is no Kosovo Army (yet) and the Kosovo government only has control over lightly armed security forces. As long as this arrangement persists, the risk of civil war remains close to zero. What might become worrying is the lack of any sort of exit strategy for the international peacekeepers.</p>	<p>Although the state does not have a monopoly on, it does have more coercive power than previously concluded. However, the external presence still plays a crucial role in maintaining peace.</p>
b	<p>Domestic supply of legal and judicial institutions and professionals</p>	<p>Includes courts, offices of public prosecutors, the police, human rights institutions and advocacy groups, academic or professional training institutes.</p>	<p>The domestic supply of judicial personnel is insufficient, considering there is a significant amount of ‘brain drain’ in Kosovo, with young citizens who have the opportunity leaving the country. There is improvement in terms of advocacy groups and civil society organisations promoting human rights and doing good research aimed at improving Kosovo’s institutions. Corruption remains an obstacle.</p>	<p>Previous conclusions are confirmed. The judicial remains problematic, in part also due to the presence of EULEX, which does not live up to its expectations and indirectly (and probably involuntarily) hinders the development of domestic judicial.</p>



c	Quality and type of political and religious leadership of the country, as well as security sector and media leaders	Strong leadership can lead to stronger states, but not necessarily to the rule of law. Weak leadership can lead to weaker states, but not necessarily to a lack of rule of law.	No excessive focus has been given to the leadership personalities in Kosovo. The presence of former KLA members in high-level politics – a prime example being current president Hashim Thaçi – hint towards a situation where strong leaders are those in power. Such situations have in the past led to increasingly autocratic leaders in other countries, which could also happen in Kosovo. Considering the lack of independence of the judicial system, strong leadership can be considered as an obstacle for the state building of Kosovo, as politicians will always remain above institutions, resulting in a weak rule of law state.	<i>Nothing to be added.</i>
d	The population's demand for legal order	Stems from the values, norms and expectations of the population as shaped by their belief systems, morality, broader culture and other roots of the notion of justice.	The demand for legal order is doubtful, considering the patriarchal nature of families, where the male head of the family explicitly or implicitly makes decisions for all members of the family. Attempts to change this appear to be present, as efforts are being made by CSOs to strengthen institutions and the rule of law.	<i>Nothing to be added.</i>
e	Prevalence of prosperity, i.e. absence of poverty	A combination of economic indicators (income per capita, income inequality, unemployment, etc.). Particularly important is unemployment among males in the age groups for soldiers, militia and young violent criminals.	Incomes, unemployment rates and GDP per capita all indicate a very low prevalence of prosperity. Kosovo is per definition a poor state, the poorest in Europe. The large grey economy is particularly worrisome as far as state-building is concerned. The high levels of unemployment, particularly amongst the youth, result in a significant brain-drain as well as further contribution to the grey economy, as young workers seek for ways to earn as much as possible in an otherwise poor economy.	<i>Nothing to be added.</i>



<i>f</i>	Strength of international human rights treaties and institutions	Nations respond to international influences and pressures in favour of human rights and legal order, in particular to the strength of international human rights regimes which apply to them, notably regional human rights treaties and courts, like the European Convention on Human Rights.	The strength of international human rights treaties and institutions in Kosovo is relatively strong, considering it can be argued Kosovo exists as an independent state mainly due to international involvement. The EU – an institution which per definition encourages the respect of human rights – has quite some leverage in Kosovo, since Kosovo aspires to EU membership. The pace by which Kosovo will embrace conventions is uncertain, considering the weakness of its institutions. This variable is strongly linked to the next variable (g).	<i>Nothing to be added.</i>
<i>g</i>	International economic and political benefits and interests	Transitioning to a rule of law state might enable certain countries to join regional organisations (e.g. the EU) which might benefit them greatly both economically and politically.	International political and economic benefits and interests are strong for Kosovo, as it aspires to become an EU member. The EU has the strongest leverage over Kosovo, also with boots on the ground via its EULEX rule of law mission. As was mentioned for the previous variable, the EU is the strongest influencer (more than the USA or single EU member states) in terms of promoting a human rights-based, rule of law state in Kosovo.	International recognition is perhaps the main political goal Kosovo has. This can only be reached by agreeing to international standards and influences, which it has no choice but doing – be it agreeing to US, EU or Serbian desires.
<i>h</i>	International assistance	How much help is offered by countries and bilateral and multilateral organisations for the (re)construction of legal order and respect of human rights.	The presence of international peacekeepers is an illustration of the degree of international assistance. Foreign missions aimed at the construction of sustainable rule of law structures – namely EULEX – are also very important. Furthermore, foreign investment and aid are very important for Kosovo's economy.	The danger of international assistance hindering the actual development of domestic institutions is very much real in Kosovo.



<i>i</i>	Time	Disruption and destruction can happen quickly, while rebuilding takes years.	The conflict in Kosovo came to an end in spring 1999, which is 18 years ago. The period following the end of NATO's air campaign and the Kosovo war was followed by a transitional period – the highlight of which was Kosovo's unilateral declaration of independence in 2008. Nine years in building a new state are not many, therefore much more time will be needed until a functioning and sustainable rule of law state is created.	<i>Nothing to be added.</i>
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Table 4b – Levels of threats to peace, with first and final conclusions

1. Personal	Persons inclined to political violence.	There are persons inclined to violence, often younger in age, and often due to the dire economic circumstances and/or ethnic aspects. Violence on this level is not of too much concern however, as it is nothing exceptional.	<i>Nothing to be added</i>
2. Social	Groups inclined to political violence (ethnic, religious, economic or other).	Social violence and groups exercising political violence is a more concerning issue. There have been several cases of attempts at vandalising Serb monasteries, which are often prevented by intervening KFOR units. Clashes between groups (of all ethnic groups) with international peacekeepers have also been recorded.	This appears not to be such a concerning issues as stated before.
3. Political	Leadership of the aforementioned groups, mobilising and applying their violent inclination.	There are political factions in Kosovo who support the territorial and national integrity of Kosovo – the nationalist party <i>Vetëvendosje</i> – and could by their rhetoric lead to political violence. MPs of this group have also called for the suspension of the UE brokered normalisation talks with Serbia.	Political violence remains out of the question as long as external interests are present (either via KFOR or by direct influence of the US or conditionality by the EU).
4. State	Propensity of state	This level of violence is closely linked to the	The state is so strongly subject to



	institutions and leaders to not subdue such violence and instead mobilise it to further their personal goals of control over the state and its resources.	previous one (political) and the following one (external international system). Even though level three (political) violence could be mobilised, state propensity to do so is low, mainly due to the state in level 5 (external international system).	external influence it cannot mobilise any kind of violence against any group of citizens.
5. External international system	Other states, international and regional organisations, and companies.	The EU is the external actor with most leverage in Kosovo, making it the lead peacebuilder, starting with its promotion of the dialogue with Serbia. NATO, in the form of KFOR, is an essential peacekeeper – because it guarantees order via the ‘threat’ of force.	The main external actor is not the EU, rather the US. As stated for points 3 and 4, violence in Kosovo is kept in check not necessarily by the presence of KFOR, but rather by the knowledge of what consequences violence would have by the Kosovo government.



4.4. Hypotheses testing – a second and final attempt

Having added to the three theoretical tables the knowledge gained with the semi-structured elite interviews, a second and final attempt can be made to definitely test the hypotheses.

1. Reconciliation between ethnic-religious groups fails if discrimination prevails.

True. Reconciliation does not happen primarily due to residual ethnic-religious discrimination. The document analysis shows the Serbs in Kosovo are isolated, and interviews confirm this. This isolation is a sort of discrimination, which the interviews have shown is not necessarily unilateral – i.e. from the Kosovar Albanians towards the Serbs in Kosovo. The international missions have failed in eradicating this discrimination, as have the leaderships of the two factions. The EU-brokered high level negotiations that have been taking place in the last years have initiated a process which might lead to the eradication of discrimination in the future, which could lead to reconciliation. At present, however, reconciliation still fails due to the presence of discrimination.

2. Peacebuilding requires inclusion of the defeated party to succeed.

This hypothesis proves true; however, a few important considerations must be made. Many aspects of peacebuilding can be successfully achieved without inclusion of the defeated party. In Kosovo, the defeated party are the Kosovo Serbs, who are isolated from the rest of Kosovo. This is due to resistance from both sides in integrating Kosovo Serbs in Kosovo state. The status quo also seems to suit all sides, especially the ruling elites, who on the other hand do not represent the interests of their constituents. The research has shown that the inclusion of the defeated party would not necessarily solve other issues which might be attributed to the exclusion of the defeated party. Ultimately, however, certain vital elements of state building – i.e. the development of an independent judicial system and the protection of human rights – cannot be addressed without inclusion of the defeated party. The establishment of such institutions, on the other hand, is also an issue in countries that do not face issues such as Kosovo does with the Serb minority. The root cause of such issues are the ruling elites that keep a firm grip on power at whatever cost.

3. Internal politics blocks reconciliation between ethnic-religious groups and peacebuilding.



True, however a few important considerations must be made. The notion of ‘internal politics’ can be subject to considerable external influence, which then vests itself as internal politics. This is over-evident in Kosovo, with foreign officials directly influencing the domestic decision-making process of Kosovo. ‘Internal politics’ as such is therefore not truly internal. Furthermore, the ruling class in Kosovo seems to be detached from its constituents, serving its own interests rather than those of its constituents. This undermines the attempts of external actors attempting to create independent and strong institutions. Those external actors might, however, not always want to create independent and strong institutions – as research has shown. Ultimately, internal politics does indeed block reconciliation between ethnic-religious groups and peacebuilding as long as it is in the interest of the ruling elites to do so.

4. External actors can nudge but not force reconciliation between ethnic-religious groups and peacebuilding as long as internal politics obstructs it.

False. External parties have a very important role in Kosovo, resulting in them having a very strong influence in the internal politics, while at the same time keeping many other factors in check. The influence of external actors in Kosovo is stronger than was expected at the beginning of the research, and also than was concluded at the end of the document analysis. External actors can do more than just nudging reconciliation between ethnic-religious groups and peacebuilding, because they have a strong voice in the development of internal politics in Kosovo. The interests of external actors have in recent years resulted in slowing down reconciliation and peacebuilding, due to the prioritisation of stability in Kosovo (and the region). If external actors were to have aligned interests aimed at the creation of independent and strong institutions at no matter what cost, they would have the leverage to speed up reconciliation and peacebuilding by exerting pressure on the ruling elites in Kosovo. Hence, external actors might not be able to force reconciliation and peacebuilding, but they are certainly able to do more than just nudge reconciliation and peacebuilding in Kosovo.

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5. Conclusions, Summary and Future Considerations

At this point all the research, both document analysis and semi-structured elite interviews (and analysis thereof) has been concluded. The three theoretical tables have been completed, the hypotheses were tested, and we are now in position to make final conclusions, summarise the whole dissertation, and note a few considerations for future research.

Conclusion and summary

The starting point of this dissertation was that Kosovo is a fragile state, prone to historic grievances between Serbs and Albanians that reached their peak in the 1998-99 conflict and subsequent NATO air-campaign. Kosovo has been subject to peacebuilding operations since then. These operations continue to this day, even if Kosovo unilaterally declared independence from Serbia in 2008 and to this day remains a contested state. The overarching question this dissertation aimed at answering was what role external actors have in peacebuilding in Kosovo. Initial, contextual research has led to the creation of the four hypotheses (to be found in section 2.3) which the thesis sought to test by collecting data (both document analysis and interviews), which was then categorised and analysed in the light of the following three theoretical tables; Table 1 – *Concepts of the nature of the state* (page 10), Table 3 – *Variables determining the chances of a transition to the rule of law* (page 15), and Table 4 – *Levels of threats to peace* (page 17).

Peacebuilding operations aim at creating viable, sustainable states – as was discussed in Chapter 2 – and with that goal they were started in Kosovo as well. However, the findings have shown that the presence of external actors ultimately prevents local and domestic institutions from maturing and gaining legitimacy, effectiveness and domain. This is particularly true for civilian peacebuilding missions aiming at creating an independent judicial system. EULEX, the largest EU peacebuilding mission in terms of funding – which gives an idea of the benevolent intentions of the EU – has ultimately hindered the development of Kosovo’s judicial, which today (in 2017) is for too many aspects the equivalent to what it was in 2008. EULEX’ failure is in part also due to conflicting policy agendas. In recent years, the priority of the EU and US has been to ensure stability in the Western Balkans, this has conflicted with the targets of EULEX, resulting in those targets not having been met. Due to this policy agenda of the EU and US, local ruling elites have been



able to maintain their firm hold on power and become increasingly authoritarian (Nechev & Trauner, 2017) because they are able to ensure stability. This has come at the cost of justice and protection of human rights domestically, which the external actors have been closing an eye to. The divide between the ruling elite and the local population has therefore not been reduced by attempts of external actors, be it EULEX or the Belgrade-Pristina dialogue. Moreover, large foreign civilian missions, which are often (presumably) created with the best intentions, run the risk of being viewed negatively by the local population. In the case of Kosovo and EULEX because it aims at dealing with a delicate past (the 1998-99 conflict and war crimes committed during the conflict) – which could lead (or at least give an important boost) to reconciliation – and because foreign officials present on the ground are far detached from the real struggles and problems the local population face. This is best illustrated by the fact that foreign officials earn twenty-fold the average local salary. Although in the case of EULEX there were attempts, the research has concluded that much more focus needs to be given to the inclusion of grass-roots initiatives, including local citizens, aimed at creating a strong, independent judicial.

The way in which Kosovo came about to become the quasi-independent state it is today is undoubtedly due to involvement of external actors. Kosovo might have achieved (full) independence without such heavy involvement by external actors, however it would have taken much more time. The fact that Kosovo decided (assuming it even had a choice) to use this ‘fast-track’ to reach its ‘independence’ puts it in a precarious position. Kosovo will never be a fully independent state – although it might become so on paper – because there will always be external actors (the EU, the US, Serbia) who will hold veto powers in its domestic decision making process. Moreover, the development and pursuit of good governance, justice and human rights is prone to interests of those external actors, and the space given by those external actors for those values (justice, human rights, etc.) to grow. The findings of this research have shown that global geopolitical interest and crises; the Ukraine crisis, the Arab spring and subsequent instability in the Middle East, and the migration crisis, have resulted in the West giving absolute highest priority to stability in the Western Balkan region, and therefore also in Kosovo. This has come at the cost of other policy agendas, for instance the furthering of a fair and independent judicial – like was previously explained for the case of EULEX. Even if EULEX wanted to create a better judicial – and there are cases where it wanted to arrest and prosecute alleged high-profile criminals – it would not be able to if such an investigation would put stability in the country or region at risk. This is paradoxical, and at



the same time emblematic of how politics comes before rule of law, because it means a peacebuilding mission cannot fully operate due to indirect hindrances by the very countries which finance and initiated the operation. This dynamic has also ensured that the local ruling elites have remained unchanged, with many politicians in charge today being former ultranationalists or militia fighters.

Lastly, and this is specific to a case of peacebuilding after *unilateral* secession, a dialogue mediated by an external actor – such as the Belgrade-Pristina dialogue – is crucial in preventing a revival of conflict. The Belgrade-Pristina dialogue proved to be successful (at least up until now) in easing tensions – as the findings have shown that locals perceive the risk of a new conflict as lower, since they see their leaders meet and shake hands on TV. For the mediator, i.e. the EU, it is also comforting, because as long as the two antagonistic sides are talking around a table, they will not wage war against each other. However, the EU must be very careful because the dialogue can easily be used by either negotiating side to externalise and justify a new conflict. To prevent this, such a dialogue needs to be made more inclusive – inviting local representatives and civil society to participate in negotiations, rather than making it exclusive to high-level, elite politicians. The research has concluded that the probability of the dialogue ultimately leading to full independence of Kosovo is low, since Serbia's demands of veto power in Kosovo's domestic decision making procedure have already been met by giving veto powers to Kosovo Serbs in Kosovo's national assembly. However, the negotiations might as well lead to pseudo-full independence recognition of Kosovo, but even if it does reach this point, Kosovo will never be able to make major domestic decisions without the consent of Serbia. One overarching caveat must be stressed: this discourse is valid under current international settings; a major shift in interest by global powers could quickly change this whole dynamic. What external actors should ultimately strive towards in Kosovo, or in any nascent state, is a state where policies respect and protect individual human rights, rather than group human rights – i.e. 'the Kosovo Serbs' or the 'Kosovo Albanians'. This is a long-term goal, which is undoubtedly difficult to reach, as even in Western societies this is not the status quo.

Kosovo is far from success story. Foreign peacekeeping and peacebuilding missions need to continue existing, but they need to change the way they operate in order to encourage and enable local institutions in taking responsibility, maturing and strengthening. Achieving this will remain challenging as long as external actors persist in prioritising stability in Kosovo



(and the whole Western Balkan region) at any cost. Until there is a change in this policy, the prospects of replacing the current autocratic ruling elite and shift to a state based on independent, strong and sustainable institutions will remain dire.

Considerations for future research

This dissertation looked at Kosovo as a case of peacebuilding after secession and the role of external actors in this process. The research led to the conclusion that the role of external actors is very important in Kosovo, even more important than was estimated before embarking in this research. In the light of these conclusions, future research could focus on the role of external actors on one specific policy area in Kosovo, for instance the judicial system, the domestic security apparatus, economic reform or the education system. Moreover, future research could also look at other Western Balkan states and perhaps be of a comparative nature. For example, one could compare the impact of foreign influence on the judicial reforms in Montenegro on the one hand, and in Macedonia on the other – by doing so explaining why one is much quicker than the other in integrating. Another interesting aspect one might consider researching taps in to a dynamic touched upon in this dissertation; which is how the ruling elites in Western Balkan states have managed to hold on to power. The findings of this thesis, and other research (Nechev & Trauner, 2017), have confirmed that this has led to domestic democratic backsliding and increasing authoritarianism – despite this being against the values and declared targets of external actors involved in those Western Balkan states. This phenomenon might be analysed by using Robert Putnam’s theory discussed in “Diplomacy and domestic politics: the logic of two-level games” (1988). Furthermore, the research of this thesis has mostly looked at Western influence in Kosovo. More research could be dedicated to analysing the increasing influence and presence in the Western Balkans of other external actors, such as Russia, Turkey or the Gulf states (Nechev & Trauner, 2017). Bosnia-Herzegovina and its constitutional arrangement and possible secession of Republika Srpska (Ker-Lindsey, 2016) is another question which could be further researched, perhaps by looking at what role Serbia plays in facilitating or obstructing the ambitions of Republika Srpska to secede.

These are just a few ideas for possible future research relating to state transformation and European integration in the Western Balkans. Such research would undoubtedly be relevant to policy-makers, analysts and scholars for understanding why certain states in the Western



Balkan region have been slow in adhering to EU standards, while others have been quicker, and how European integration might be encouraged and accelerated in those states lagging behind.

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Appendices

The Fragile States Index (FSI)

The Fragile States Index (FSI) (formerly the Failed States Index) is made by the Fund for Peace – an independent, nonpartisan and non-profit research and educational organisation based in Washington, D.C. – and published by Foreign Policy magazine. The Fund for Peace describes the index as “an annual ranking of 178 nations based on their levels of stability and the pressures they face” (The Fund for Peace, 2016; p. 3). The index has been published every year since 2004 and is based on the 1 January-31 December time span of the year prior to publication – in the case of the latest report (2016) therefore the research concerns the period 1 January-31 December 2015. The method the Fund for Peace uses to create the index is its own developed ‘Conflict Assessment System Tool’ (CAST), whereby “data from three primary sources is triangulated and subjected to critical review” (p. 3). This analytical platform is a methodology which looks at twelve conflict risk indicators, categorised in three categories: (1) Social – e.g. refugees and internally displaced people; (2) Economic – e.g. uneven economic development; (3) Political and Military – e.g. state legitimacy, security apparatus or external intervention (The Fund for Peace, 2014; p. 4). Each indicator is thoroughly explained and each possible score is clarified. Countries are given a score between 0 (best possible) and 10 (worst possible) for each of these twelve ‘pressure indicators’, resulting in an overall score: the lower the country’s score, the less fragile said country. The CAST manual (please refer to the List of References for the entire report) also provides a guide for assessing the capacities of the state (p. 17 onwards): these ‘capacity indicators’, of which there are only five, look only at the capacity of the government – examples are ‘leadership’ and ‘judiciary’. Unlike the pressure indicators, capacity indicators are given a score between 0 (worst possible) and 5 (best possible). Like for pressure indicators, the accumulated score of each country for all the indicators determines the capacity of its government. It is important to note that the FSI is a snapshot of the state a country finds itself in in a given moment in history. The annual index report gives a global ranking – from least to most fragile – of 178 nations, although in the latest release the authors have stressed it is more important and useful to “compare a country against itself, over time” (p. 3), rather than to other countries. Unfortunately for this research, the FSI does not include Kosovo as a country – therefore no comparisons or trends made or identified by the Fund for Peace can be used, which is a shame since this index has by now been well fine-tuned – considering it is the 12th edition. Nevertheless, the indicators used in the CAST methodology can come very handy in conducting research for the case this dissertation focuses on.

Statistics and findings

The Fragile States Index (FSI) by the Fund for Peace (FFP) is an example of an index that does not offer data for Kosovo. When looking at the A-Z list of countries one can find Kosovo listed, however there is no data on it to be found (FFP, 2017). This is also the case for Taiwan and the Palestinian Territories. Kosovo is excluded from the FSI as it is not a UN-recognised state (Lawrence, 2012). Until 2011, Kosovo was included in the analysis of Serbia – however since the 2012 version of the index it has been removed from the analysis on Serbia, therefore there is no analysis on Kosovo to be found in the FSI. When Montenegro seceded from Serbia in 2006 following a constitutionally legal referendum, it was also removed from the analysis of Serbia, however since 2007 Montenegro has had its own data analysis in the FSI, while Kosovo has had none since it was removed from the analysis of Serbia in 2012. On the ten-year anniversary of the FSI in 2014, the FFP concluded that of the seven countries which succeeded Yugoslavia, four were in the top ten FSI most improved



states in the period 2006-2014 (Brisard, 2014). Bosnia & Herzegovina was first, (Indonesia second), Serbia third, Croatia ninth and Macedonia tenth. Since Serbia fared so well, it would lead us to conclude that Kosovo also improved in the scores (at least in the period 2006-2011). In the latest decade trend (2007-2016), Serbia is first amongst former Yugoslav states, and comes in 30th in most improved states (FFP, 2016; p. 10). In this decade, Serbia went from an overall score of 81.1 in 2007 to 72.1 in 2016. In the period 2007-2011 (because from 2012 Kosovo was excluded from Serbia's statistics), Serbia went from 81.1 to 74.4 (FFP, 2016). Again, considering Kosovo was included in Serbia's statistics until 2011, one could again conclude Kosovo improved. Most of the twelve conflict risk indicators (each country being ranked from 0 – best possible, to 10 – worst possible) used by the FFP in their own developed 'Conflict Assessment System Tool' – CAST (see first section for more information) to assess each country are relevant for the sake of this study. The following are tables taken from the 2016 index (p. 12-13) giving an overview of the twelve indicators.

Social and Economic Indicators used by CAST

Social Indicators

Demographic Pressures

Pressures on the population such as disease and natural disasters make it difficult for the government to protect its citizens or demonstrate a lack of capacity or will.

Includes pressures and measures related to:

- Natural Disasters
- Disease
- Environment
- Pollution
- Food Scarcity
- Malnutrition
- Water Scarcity
- Population Growth
- Youth Bulge
- Mortality

Refugees and IDPs

Pressures associated with population displacement. This strains public services and has the potential to pose a security threat.

Includes pressures and measures related to:

- Displacement
- Refugee Camps
- IDP Camps
- Disease related to Displacement
- Refugees per capita
- IDPs per capita
- Capacity to absorb

Group Grievance

When tension and violence exists between groups, the state's ability to provide security is undermined and fear and further violence may ensue.

Includes pressures and measures related to:

- Discrimination
- Powerlessness
- Ethnic Violence
- Communal Violence
- Sectarian Violence
- Religious Violence

Human Flight & Brain Drain

When there is little opportunity, people migrate, leaving a vacuum of human capital. Those with resources also often leave before, or just as, conflict erupts.

Includes pressures and measures related to:

- Migration per capita
- Human Capital
- Emigration of Educated Citizens

Economic Indicators

Uneven Economic Development

When there are ethnic, religious, or regional disparities, governments tend to be uneven in their commitment to the social contract.

Includes pressures and measures related to:

- GINI Coefficient
- Income Share of Highest 10%
- Income Share of Lowest 10%
- Rural v. Urban Distribution of Services
- Improved Service Access
- Slum Population

Poverty & Economic Decline

Poverty and economic decline strain the ability of the state to provide for its citizens if they cannot provide for themselves and can create friction between "haves" and "have nots".

Includes pressures and measures related to:

- Economic Deficit
- Government Debt
- Unemployment
- Youth Employment
- Purchasing Power
- GDP per capita
- GDP Growth
- Inflation

Fund for Peace (2016; p. 12)

Political and Military Indicators used by CAST

Political and Military Indicators

State Legitimacy

Corruption and lack of representativeness in the government directly undermine social contract.

Includes pressures and measures related to:

- Corruption
- Government Effectiveness
- Political Participation
- Electoral Process
- Level of Democracy
- Illicit Economy
- Drug Trade
- Protests and Demonstrations
- Power Struggles

Public Services

The provision of health, education, and sanitation services, among others, are key roles of the state.

Includes pressures and measures related to:

- Policing
- Criminality
- Education Provision
- Literacy
- Water & Sanitation
- Infrastructure
- Quality Healthcare
- Telephony
- Internet Access
- Energy Reliability
- Roads

Human Rights & Rule of Law

When human rights are violated or unevenly protected, the state is failing in its ultimate responsibility.

Includes pressures and measures related to:

- Press Freedom
- Civil Liberties
- Political Freedoms
- Human Trafficking
- Political Prisoners
- Incarceration
- Religious Persecution
- Torture
- Executions

Security Apparatus

The security apparatus should have a monopoly on use of legitimate force. The social contract is weakened where affected by competing groups.

Includes pressures and measures related to:

- Internal Conflict
- Small Arms Proliferation
- Riots and Protests
- Fatalities from Conflict
- Military Coups
- Rebel Activity
- Militancy
- Bombings
- Political Prisoners

Factionalized Elites

When local and national leaders engage in deadlock and brinkmanship for political gain, this undermines the social contract.

Includes pressures and measures related to:

- Power Struggles
- Defectors
- Flawed Elections
- Political Competition

External Intervention

When the state fails to meet its international or domestic obligations, external actors may intervene to provide services or to manipulate internal affairs.

Includes pressures and measures related to:

- Foreign Assistance
- Presence of Peacekeepers
- Presence of UN Missions
- Foreign Military Intervention
- Sanctions
- Credit Rating



In order to put the scores for each indicator for Serbia to better use, the following table (“*FSI Statistics for Serbia*”) gives an overview of Serbia’s score in 2007, 2011 (last year Kosovo was included), and 2012 (first year Kosovo was excluded), together with the explanation for the given score, as stated in the CAST manual (2014). Statistics for 2012 are added in order to identify changes in scores for certain indicators, which could be potentially a consequence of Kosovo being excluded from the statistics.



FSI Statistics for Serbia

Indicator	2007		2011		2012	
	Score	Explanation	Score	Explanation	Score	Explanation
<i>Social Indicators</i>						
Demographic Pressures	6.0	Evidence of chronic or serious demographic pressures greatly affecting select regions or communities	5.3	Evidence of chronic or serious demographic pressures moderately affecting select regions or communities	5.0	Evidence of chronic or serious demographic pressures moderately affecting select regions or communities
Refugees and IDPs	8.0	Tens of thousands of displaced persons are fleeing	6.4	Select communities are fleeing	6.3	Select communities are fleeing
Group Grievance	7.7	Group grievance is deep and generates a pattern of spontaneous group-based violence with emergence of "self-defence" ethnic nationalist groups or protection gangs policing neighbourhoods	7.5	Group grievance is not being addressed and is growing with sporadic outbursts of group-based violence often triggered by provocation events or activities, including the media that inspires scapegoating, mob violence and group-based hostilities	7.9	Group grievance is deep and generates a pattern of spontaneous group-based violence with emergence of "self-defence" ethnic nationalist groups or protection gangs policing neighbourhoods
Human Flight & Brain Drain	5.5	Brain drain is becoming more severe and has been occurring for years	5.0	Brain drain is increasing in severity	4.7	Brain drain is increasing in severity
<i>Economic Indicators</i>						
Uneven Economic Development	7.7	Uneven economic development is severe along group lines and associated violence is sporadic or group grievance on the rise	6.5	Uneven economic development is somewhat severe along group lines but associated violence is rare and/or group grievance is low	6.2	Uneven economic development is somewhat severe along group lines but associated violence is rare and/or group grievance is low
Poverty & Economic Decline	6.5	A strong economy is in a sharp decline with high inflation and low GDP and affecting every level	5.7	The economy is weak but is neither showing major signs of decline or improvement	6.2	The economy is weak but is neither showing major signs of decline or improvement



<i>Political and Military Indicators</i>						
State Legitimacy	7.5	Government is considered illegitimate and criminal, and opposition exists on some level but is not violent	6.5	Corruption is a major issue but not endemic. Some levels of government may be working on addressing it	6.6	Corruption is a major issue but not endemic. Some levels of government may be working on addressing it
Public Services	5.0	Public services are weak in rural areas and adequate in all urban areas	4.9	Public services are weak in rural areas and adequate in all urban areas	4.6	Public services are weak in rural areas and adequate in all urban areas
Human Rights & Rule of Law	6.1	Human rights are sporadically abused and only weak civil society and independent media exist	5.3	Human rights are arbitrary but a civil society and independent media are allowed to exist	5.8	Human rights are sporadically abused and only weak civil society and independent media exist
Security Apparatus	6.3	Security in a small portion of the country is in the hands of a party other than the state which uses sporadic violence or praetorian guard	6.5	Security in some parts of the country is in the hands of a party other than the state that rules without excessive use of force or praetorian guard has some independent influence	6.4	Security in a small portion of the country is in the hands of a party other than the state which uses sporadic violence or praetorian guard
Factionalized Elites	8.0	Weak and fractious political class try to overcome the deep divisions with the ruling elites but with no lasting success and experiencing frequent collapse of governing coalitions and alliances	8.0	Weak and fractious political class try to overcome the deep divisions with the ruling elites but with no lasting success and experiencing frequent collapse of governing coalitions and alliances	8.0	Weak and fractious political class try to overcome the deep divisions with the ruling elites but with no lasting success and experiencing frequent collapse of governing coalitions and alliances
External Intervention	6.8	An external actor(s) is providing major assistance for many government functions at the behest of the government or there are some externally supported militia or rebel activities or some dependency on outside economic support	6.8	An external actor(s) is providing major assistance for many government functions at the behest of the government or there are some externally supported militia or rebel activities or some dependency on outside economic support	7.3	Weak and fractious political class try to overcome the deep divisions with the ruling elites but with no lasting success and experiencing frequent collapse of governing coalitions and alliances
Overall		81.1		74.4		75.0

Only one indicator showed a higher (i.e. worse) score in 2011 than in 2007: Security Apparatus, albeit very slight. Other than that, it is evident there has been a clear improvement between 2007 and 2011, even though in that period of time Kosovo declared independence. Of course, this rating must be read with a certain degree of carefulness, since it is statistics on the whole of Serbia, and not only Kosovo. However, in the 2012 we can see a rise in the indicators Group Grievance, Poverty & Economic Decline, State Legitimacy, Human Rights & Rule of Law, and External Intervention, which could suggest that Kosovo contributed to more state legitimacy in Serbia, or that group grievances in Kosovo are very low (unlikely considering previous knowledge – see Chapter 3). The 2012 result were included in this table for the sake of consideration, however the correlation between the indicator score change and the exclusion of Kosovo from the statistics is very difficult, if not impossible, to prove, as other events might have occurred during the observation period in Serbia that have nothing to do with Kosovo.

Global Peace Index – indicators and sources

The following four excerpts are taken from page 96 of the 2016 report, and give more details of the sources used per indicator in each domain. To visualise the results, the IEP has made a very good interactive website; www.visionofhumanity.org, where all the stats can be seen.

Ongoing Domestic and International Conflict indicators and sources



ONGOING DOMESTIC AND INTERNATIONAL CONFLICT

Number and duration of internal conflicts

Uppsala Conflict Data Program (UCDP) Battle-Related Deaths Dataset, Non-State Conflict Dataset and One-sided Violence Dataset; Institute for Economics and Peace (IEP)

Number of deaths from organised conflict (external)

UCDP Armed Conflict Dataset

Number of deaths from organised conflict (internal)

International Institute for Strategic Studies (IISS) Armed Conflict Database (ACD)

Number, duration and role in external conflicts

UCDP Battle-Related Deaths Dataset; IEP

Intensity of organised internal conflict

Qualitative assessment by EIU analysts

Relations with neighbouring countries

Qualitative assessment by EIU analysts

IEP (2016, p. 96)

Societal Safety and Security indicators and sources



SOCIETAL SAFETY AND SECURITY

Level of perceived criminality in society

Qualitative assessment by EIU analysts

Number of refugees and internally displaced people as a percentage of the population

Office of the High Commissioner for Refugees (UNHCR) Mid-Year Trends; Internal Displacement Monitoring Centre (IDMC)

Political instability

Qualitative assessment by EIU analysts

Political Terror Scale

Qualitative assessment of Amnesty International and US State Department yearly reports

Impact of terrorism

IEP Global Terrorism Index (GTI)

IEP (2016, p. 96)

Militarisation indicators and sources



MILITARISATION

Military expenditure as a percentage of GDP

The Military Balance, IISS

Number of armed services personnel per 100,000 people

The Military Balance, IISS

Volume of transfers of major conventional weapons as recipient (imports) per 100,000 people

Stockholm International Peace Research Institute (SIPRI)
Arms Transfers Database

Volume of transfers of major conventional weapons as supplier (exports) per 100,000 people

SIPRI Arms Transfers Database

Financial contribution to UN peacekeeping missions

United Nations Committee on Contributions; IEP

Nuclear and heavy weapons capabilities

The Military Balance, IISS; SIPRI; UN Register of Conventional Arms; IEP

Ease of access to small arms and light weapons

Qualitative assessment by EIU analysts

Number of homicides per 100,000 people

United Nations Office on Drugs and Crime (UNODC) Surveys on Crime Trends and the Operations of Criminal Justice Systems (CTS); EIU estimates

Level of violent crime

Qualitative assessment by EIU analysts

Likelihood of violent demonstrations

Qualitative assessment by EIU analysts

Number of jailed population per 100,000 people

World Prison Brief, International Centre for Prison Studies, University of Essex

Number of internal security officers and police per 100,000 people

UNODC; EIU estimates

IEP (2016, p. 96)

Weight per indicator

TABLE 29 INDICATOR WEIGHTS
Internal Peace 60% / External Peace 40%

INTERNAL PEACE (WEIGHT 1 TO 5)	
Perceptions of criminality	3
Security officers and police rate	3
Homicide rate	4
Incarceration rate	3
Access to small arms	3
Intensity of internal conflict	5
Violent demonstrations	3
Violent crime	4
Political instability	4
Political Terror	4
Weapons imports	2
Terrorism impact	2
Deaths from internal conflict	5
Internal conflicts fought	2.56
EXTERNAL PEACE (WEIGHT 1 TO 5)	
Military expenditure (% GDP)	2
Armed services personnel rate	2
UN peacekeeping funding	2
Nuclear and heavy weapons capabilities	3
Weapons exports	3
Refugees and IDPs	4
Neighbouring countries relations	5
Number, duration and role in external conflicts	2.28
Deaths from external conflict	5

IEP (2016, p. 96)

Bertelsmann Transformation Index (BTI)

This table is taken from BTI's website and gives an overview of the criteria and indicators used to compile the index

Criteria and indicators used to compile the BTI

Criteria and indicators

<p>① Stateness</p> <p>1.1 Monopoly on the use of force 1.2 State identity 1.3 No interference of religious dogmas 1.4 Basic administration</p>	<p>⑥ Level of socio-economic development</p> <p>6.1 Socioeconomic barriers</p>	<p>⑬ Level of difficulty</p> <p>13.1 Structural constraints 13.2 Civil society traditions 13.3 Conflict intensity 13.4 GNI p.c. PPP rescaled 13.5 UN Education Index rescaled 13.6 BTI Stateness & Rule of Law</p>
<p>② Political participation</p> <p>2.1 Free and fair elections 2.2 Effective power to govern 2.3 Association/assembly rights 2.4 Freedom of expression</p>	<p>⑦ Organization of the market and competition</p> <p>7.1 Market-based competition 7.2 Anti-monopoly policy 7.3 Liberalization of foreign trade 7.4 Banking system</p>	<p>⑭ Steering capability</p> <p>14.1 Prioritization 14.2 Implementation 14.3 Policy learning</p>
<p>③ Rule of Law</p> <p>3.1 Separation of powers 3.2 Independent judiciary 3.3 Prosecution of office abuse 3.4 Civil rights</p>	<p>⑧ Currency and price stability</p> <p>8.1 Anti-inflation / forex policy 8.2 Macrostability</p>	<p>⑮ Resource efficiency</p> <p>15.1 Efficient use of assets 15.2 Policy coordination 15.3 Anti-corruption policy</p>
<p>④ Stability of democratic institutions</p> <p>4.1 Performance of democratic institutions 4.2 Commitment to democratic institutions</p>	<p>⑨ Private property</p> <p>9.1 Property rights 9.2 Private enterprise</p>	<p>⑯ Consensus-building</p> <p>16.1 Consensus on goals 16.2 Anti-democratic actors 16.3 Cleavage / conflict management 16.4 Civil society participation 16.5 Reconciliation</p>
<p>⑤ Political and social integration</p> <p>5.1 Party system 5.2 Interest groups 5.3 Approval of democracy 5.4 Social capital</p>	<p>⑩ Welfare regime</p> <p>10.1 Social safety nets 10.2 Equal opportunity</p>	<p>⑰ International cooperation</p> <p>17.1 Effective use of support 17.2 Credibility 17.3 Regional cooperation</p>
	<p>⑪ Economic performance</p> <p>11.1 Output strength</p>	
	<p>⑫ Sustainability</p> <p>12.1 Environmental policy 12.2 Education policy / R&D</p>	

BTI (2017)

Interview 1 Transcript – Shpend Kursani

“I:” – followed by text in *cursive* is text spoken by the interviewer

“SK:” – followed by standard text is text spoken by the interviewee, i.e. Shpend Kursani.

Interviewer: *Hello Shpend. Thank you first of all for agreeing to do this interview, as I wrote you in the email I am recording this at the moment.*

Shpend Kursani: No problem.

I: *As I wrote to you in the email, I am writing my master thesis on "Kosovo: a study in peacebuilding after secession", which is the working title. Personally, I am from Serbia, however I was born and have always lived abroad. This interview is the last part of the research I conducted, the previous part consisted of document analysis of policy briefs and papers by observer groups and CSOs, which is also how I found you, actually. The theory I use for the actual thesis is from a book that my supervisor wrote, called 'From war to the rule of law', in which he designs a proto-theory for peacebuilding operations and how to*

create peacebuilding after a conflict. This theory identifies a set of concepts, such as 'legitimacy', 'effectiveness', 'government domain' and a few others, by which one can gauge to what extent a peacebuilding mission where there has been external intervention has been successful. The interview will be about 30-45 minutes, do you have any questions about the technicalities?

SK: No, no, I just hope I will be able to help with any of the questions you have. Your topic seems quite interesting, that's why I also was interested to answer whatever you may need to know.

I: *To start, could you just tell me briefly about yourself?*

SK: I am an external senior research fellow at the Kosovo Centre for Security Studies and at the moment I am a PhD researcher at the European University Institute in Florence, Italy. Before I have worked for a few other think tanks, mostly in Kosovo and for some period I have been also a political activist - but I will try to be as objective as I can, regardless of my opinions about anything.

I: *What I would like to ask you, to break the ice, would be: what would you say is the biggest challenge for Kosovo in the next 5-10 years?*

SK: Well, now, if you look at Kosovo as an emerging state or entity, the biggest challenge it faces is linked between domestic and international. From the domestic one, it is mostly - in general - the economy together with education. Kosovo has, despite you see numbers growing (GDP, this index or that index), the problem is there is a major gap between the state and its society, in a sense that the society is not engaged that much in economic activity such as production and stuff like that - it is mostly focused on trade, which is basically imports, and the education system pretty much has remained the same in a terrible condition. So I think the state has not managed to provide its own citizens with, let's say basic services: from healthcare to education and all other services, and likewise the society has also not engaged in such activities. On the international sphere, it is its limited external sovereignty, the problem I think that can then cause some internal problems for Kosovo then in the future is that Kosovo has decided to - and I don't know if it had any other possibilities - but we can say that it decided to seek its further international legitimacy, so to gain recognition, to gain membership in international organisations - which I would say they are important, sure - but it decided to do that through only one road: which is through Serbia. So, it engages in dialogue with Serbia with the intention to strengthen its international legitimacy, if you look at the discourse of all the political elite in Kosovo, basically you can see they are concerned with recognition and potential membership of UN. They talk of membership in UN as if, they think it's a matter of some months or year, but that's not going to happen. And they decided, because UN gives life insurance to states let's say, once you get a seat there - when I say life insurance it is not from internal crumble like Yugoslavia or the Soviet Union, but at least rarely did states die if they got a UN membership. Basically you can be invaded, but that is against international law, and at some point you will emerge again. So it gives you some sort of a guarantee. So I can see the benefit Kosovo can get out of UN membership, but that basically they are doing through the negotiation with Serbia - and that of course leads to having to listen also what Serbia wants in Kosovo. This creates a lot of tension inside and outside, and creates a lot of veto powers, it weakens I would say the centrality of the state, both in terms of bureaucracy, decision-making, basically makes it look more like a bastion future. It's not going to be divided like that, because the ethnic structure is not like that, but I

mean of course Serbia has every right to require what it requires, but then I am talking from the perspective of Kosovo - that in order to get that international legitimacy, they of course have to listen what Serbia wants. And what Serbia wants of course is not more rights for the Serb minority, that of course they have to say, but it wants a lot of veto power in the decision-making process inside Kosovo. Serbia uses rhetoric "we are doing this for the Serbs", which I think might be true, but I think it has another intention that it is Serbia who wants to have veto power in the decision making in Kosovo, and not necessarily that they want Serbs in Kosovo to have veto powers - that's for sure. These are the challenges, if I can wrap it up in a very superficial level, the challenges that Kosovo faces.

I: *You made this distinction between internal and external challenges, which are interlinked, so you would say that the external ones concern the recognition of Kosovo, while domestically, the basic needs not being met from the government. From what I understand in Kosovo there is a lot of grey economy, and the Serbs in Kosovo are divided between some wanting to stay and some wanting to go. Would you say that solving these internal issues would require external influence?*

SK: Actually, I don't think that for Kosovo to be able to solve its problems it necessarily needs somebody from abroad to tell them what to do. Why I say this is because the international actors, both the US and the EU - as a structure or some of its member states, their policy in Kosovo and in the Balkans in general, we can focus on Kosovo which reflects what the interests are in the Balkans, the primary goal is to maintain stability. You can understand why somebody would want stability in the Balkans. Now of course they would have liked to have beyond stability also justice etc., but if justice, development, growth in terms of economy and total social development, if these sorts of things get in the way of stability, then the international actors would side with stability and not justice. Just in general. Now, how can this happen. For example, if I was a prosecutor or judge - as a prosecutor I start investigating my prime minister, or the president or the criminal groups that potentially are interlinked with the region, or what not, and I want to bring them before court. I think that, just to simplify, it would get to this point that any EU member state or the United States will actually side with the criminal being prosecuted than with an "independent prosecutor" who wants to bring justice. Why? Because, even this grey economy which is a consequence of many substructural problems, come from this stability that the elites have had in Kosovo and in the Balkans. This is because they were really good at keeping order and stability, and you could not put somebody in jail, even if you wanted to, because simply very big powers came behind the doors backing these structures, backing stability. And again I can understand why somebody wants stability. Because if you start bringing justice the theory goes that, oh well now what do we do, total new faces etc. Under some conditions, yes international intervention or presence might help in one way or another, but I would not say necessarily. There are other ways that one could build, let's say Kosovo seceded, of course it needs a hand internationally - Germany, France, UK, US lobbied a lot for some recognition, which is important to survive. But their intervention inside was not necessarily fantastic or good. Also saying bad, I don't know because I don't know how it would have been without, running a counterfactual is impossible. We can only talk how it is now. You know so for example Joe Biden calls Hashim Thaci the George Washington of Kosovo. Then you have the chair of the Kosovo parliament, who used to lead a very dodgy underground security service during the war and after, which was also charged for assassinating some political opponents. You have McCain coming from the US saying this guy is a great leader. Of course then, I don't want to pretend Kosovar voters don't have some agency, but I can also tell you that they trust the Americans so much that if McCain and Biden say this about these guys - many will vote for

these guys. Under the belief that 'look these guys are closed to Americans, and it's always good to be close with America'. Then you have EULEX in Kosovo, I wrote a report on it. Did it do anything bad? No, but in proportion to the millions Europeans invested in the mission it did not do much. They dealt with some cases I would say the locals would not have been able to, so I mean to their credit, they've charged a few possible criminals, but that's only a few. It is nothing to the expectations. Christopher Hill has this theory of expectations and capabilities. The expectations were so high, but the capabilities meant they did not do much. They didn't do anything bad, i would never argue they did terrible things in Kosovo, no, the presence of EULEX didn't do anything terrible - it just didn't meet neither peoples expectations - which was having a foreign mission which would be independent and that you cannot corrupt which would clean out the system which the locals were unable or unwilling to do. For now, it has been almost 10 years of their presence, and basically you can judge Kosovo between 2008 and 2017, in terms of justice and rule of law - you don't see much difference, to tell the truth. The primary problem are the local authorities, they are the ones who should take the lead, but because EULEX claim to have some exclusive authority on some cases, regarding war crimes and high level economic and corruption criminals and all that, they need to take some responsibility - in my judgement - of why there is not much difference between 2008 and 2017 in terms of rule of law etc. the court system is pretty much the same. Again, it is very difficult to run a counterfactual, what the absence of EULEX would have led to. So, it did do some positive things, as I mentioned, but simply the money that the Europeans invested in the mission - which tells you they were very serious and very generous about it - but the outcome was not good. I am not saying the intention of the mission was, which was actually need and genuine, but then they ran in to these problems of some of the EU governments, meaning Germany, possibly Italy, UK or France, and of course the US, did not want to lose their stability interlocutors. If you EULEX wanted to take in to custody a person that maintains power in the system, that can mobilise people if they wanted to - meaning massive protests and instability - they couldn't touch those guys! They couldn't touch them! This led to the mission running in a very depressed way. This tells you the corruption thing is not local, because you have Italian judges or German police officers acting like the local authorities, starting asking for money, not looking at the cases properly, not giving a damn about it. The system is as such. This is about the external intervention through EULEX.

I: *Considering there are also some 5000 peacekeepers in Kosovo, how much importance do you give to that presence?*

SK: I think in that case that has been quite important. For, I would say, what Kosovo was set to become before independence, but also what it said, after independence, it would become: meaning a multi-ethnic state. Again, it's difficult to judge if Kosovars after independence would start some interethnic conflict of some sort, if the peacekeepers were not there. The peacekeepers played the role in making the Serb minority, but also the Albanian majority on the other, comfortable because it was viewed as some sort of a neutral security mediator which would protect Albanians from a potential invasion, but also the minorities from a potential hegemony or even conflict, that is of course in peoples minds. In that sense the international presence in terms of troops, again as the way in which Kosovo came to be what it is today I think they played quite an important role. I am trying to be objective in my assessment here, but I could give you my opinion and push the argument that - and I support the independence of Kosovo - I think Kosovo got the state quite cheap. NATO did a lot of the work for enabling Kosovo to become independent, if you look at how states were formed in Europe it is based on bloodshed. If NATO and the West had just supplied Kosovo with the

means to fight the war and Kosovo would have won, you would not have the need for this international peacekeeping force there. The way in which Kosovo became independent, under UN SC resolution 1244, with NATO presence, etc., then under this context the presence of the international community played a positive, facilitating role in preventing a possible interethnic clash or some other instability. I disagree when everything is focused on interethnic conflict, I mean that must be kept in check, but also major instabilities, basically possible state fragmentation and crumbling for all sorts of reason that a state might collapse. In that sense, I think the presence gave confidence to people of all varieties of ethnicities or social strata. Even for businesses or potential investors, but also for ethnicity A, B, or C. Cross-ethnic, social and structural confidence basis.

I: *Considering the way it came to be, the way it is today Kosovo, and the presence of external actors on the ground in Kosovo, which one of the external actors who has an interest in Kosovo has the most interest of what happens on the ground?*

SK: I think the most influence is the United States. If you speak of classical influence of basically entity A directly influencing entity B, the strongest one comes from the US. The EU is second in line as an organisation, it is a much more subtle one, based on conditionality, on you do this, i give you this. The EU also, if you check the public perception, ranks very high among where Kosovars would like to be and it is perceived as the end of history - if they get there all the problems in the world will be solved, so it has the soft power. It has had that influence on the political elite in pushing some reforms, but it has been more slow and subtle. But when push comes to shove, if one wants to make Kosovars do something, then you need to call, the United States, you need to call Washington or the US embassy in Pristina. I mean, the influence that the US embassy has on any state body, be that the government or the parliament, I don't have evidence to say for the court, though I may have my doubts that they also interfere there, but in terms of the parliament - there is overwhelming evidence of direct interference, which of course you would not see that happening from the EU.

I: *How does it directly influence the parliament then?*

SK: So I can tell you a few, this is based on my first account with some members of the parliament. When I was a political activist I was quite involved, and I was quite critical of some laws passing and policies etc. and this what I am going to tell you comes from two independent sources, even accidentally without me intentionally asking the question. So, one member of the parliament when I asked them why do you do this, why don't you criticise this law/act - one of them told me the story that when one MP during the parliament voting session wanted to actually go outside the parliament room - when important laws are being voted the grounds of the Kosovo parliament are filled by US officials, putting immense pressure and influence on the MPs - this MP tells me that when an colleague of his wanted to go out of the parliament session to go to the toilet, he was put back and not allowed to go to the toilet, because he had to be there to raise his hand. Why was this story convincing to me? Because first it's an embarrassment for the person telling me, who would like to embarrass themselves? So why somebody lie to me to embarrass themselves? he said: "i liked something about what happened; the door where that interaction happened was the corner where the self-determination movement sits in the parliament, i was so happy because all of them saw it's not that we like to vote these laws, but actually we have to". The other was in a commission of the parliament, where people where not allowed to leave before they finished what they had to finish. So in this sense, there are other more verifiable examples - if the government doesn't pass something which the US government wants to pass, you would have

the US ambassador on the hall of the parliament giving a statement criticising the decision of the Kosovo government. You are an ambassador, you are not supposed to interfere with the deliberations of an independent state. How can a Dutch ambassador in Germany go to the Bundestag and say "I strongly disagree...", this is not a joke! To wrap the influence part up, there is an immense influence by the US, compared to other actors. The EU also has a lot of power, but is much more subtle. The US is very important in the minds of Kosovars, also for its actions in the war, so if you say something against the United States, people might look at you strangely.

I: *It seems to be from your assessment of the situation that the ethnic grievances are on the background, they are not such a big deal in reality?*

SK: I would say so, especially right now. It is unfortunate that the Serbs in Kosovo live under unacceptable level of isolation. There is a reason for that, which is because they still fear of living in a new state where, because of demographic brutality - for the Serbs, 90+% are Albanian now, there is a state where of course in such a demographic absolutism, of course the Albanians will run the state. Serbs have not come to terms with that, and of course it's very difficult because what do you do in the state when you know all these Albanians lead it. And they fear that the state will not protect them. The fear exists in reality, and it is justified I would say, but if I then run that fear against the possibility of that happening, there is a bit of a disjuncture there. Again, I justify their fear, however I think there shouldn't be fear that somebody would affect them or the state would not protect them. And I am not saying because the Albanians are so nice, I consider no people to be neither nice nor bad, but I think the state will protect them in any case because it is part of its identity and a justification for being a state - that it's a multiethnic state that will protect minorities. That is why Kosovar Albanians accepted the Ahtisaari plan, which created a very loose state, it gave a disproportional number of rights - i am not against the rights of minorities, actually I would give them more rights of different kind, not the kind they receive. Kosovars accepted a lot of stuff, which tells you that it's part of the identity also to protect, otherwise the state fears it will lose international support and be portrayed as bad. There has not been interethnic clashes since the 2004 riots, except for the problem with the North. Even in the north, the north almost seceded for a while - they run their own business there. There was no interethnic clash after the independence. In the north there were some Albanians who were thrown out of their homes and a few bombs here and there, and in the south with the Serbs the problem is the justified isolation. When I speak to Serbs, I have some friends among them, I can see they still fear and have some distrust but any title in the media that there are interethnic problems are exaggerated. At the moment I would say interethnic problems are now a secondary or tertiary issue. Also the Serbs representatives have joined together with the Albanian representatives at state level and they are just making money together, which is very unfortunate. I think the Serb leaders in Kosovo do not represent the Serbs in Kosovo because I never see them speaking about problems of Kosovo Serbs, they mostly speak about Serbia and what Serbia wants in Kosovo. In the future, under drastic international circumstances, if they were to change, then you always have the differences in ethnicity and nation as an immediate reason to fight wars and conflict. But in the present order I don't think that's a problem anymore.

I: *There is absolutely no talk of the 5000 peacekeepers being withdrawn at some point time.*

SK: Their presence is very strange in relation to how Kosovo seceded. It is not going to be Kosovo's choice, or even NATO's choice whether to have these troops. It is of course also

their choice, but it is not sufficient to explain. You need to ask also Russia and China, because the presence of the troops that are under NATO work under SC resolution 1244 - now, you need Russia and China to change anything regarding that. In that sense, it is more complicated, of course the member states are shrinking the number of troops - just recently Portugal withdrew all its troops. The Americans I think have even less 500 troops, it's mostly Germany, Italy maintain most troops - but no state maintains more than 1000 troops. The US have a huge base in Kosovo, that's true, but they have less than 500 soldiers - i don't know what they do there. I see the presence will shrink, but the presence as an institution I don't think - of course talking with these permanent terms wouldn't make sense, but let's say: i don't think they will ever leave. I know saying 'ever' is problematic, but just to make a point. You know I don't see Russia and China agreeing to change that resolution in any way. No P5 member would push for a change in the resolution. Kosovo tried to increase its number of troops, it has this Kosovo Security Force - a quasi army - but of course they need to ask the US. I think as soon as Kosovars will increase their number of troops, NATO presence will decrease somehow. I think the stability issue plays an important role in regard to why they would maintain the peacekeeping troops, in addition to the UN SC resolution 1244. I don't see them leaving any time soon.

I: *Continuing the discussion on Serbs in the north of Kosovo and their inclusion in Kosovar society and statehood, how important would you say the EU brokered normalisation talks are in relation to eventual reconciliation between Serbs and Albanians?*

SK: I think whether the Serbs, especially those in the north, their relation to Kosovo in the future relations as a state - be that integration in state or accepting the state, is an identical stance of what Serbia will do with Kosovo. Now, if Serbia hypothetically recognises Kosovo, and I don't think they will and they have a reason for that, then the Serbs in Kosovo, especially those in the north, will have no choice but integrate. I am saying this because Serbia has an immense influence on the Serbs in Kosovo, and Serbia wants to pull a lot of levers inside Kosovo through the Serbs in Kosovo. Now that Kosovo's constitution gives the Serbs the veto rights to any changes in the constitution, so even if everybody in the parliament, 110 members out of 120 agree to changes of the constitution, if the Serbs don't agree, no letter in the constitution can be changed. What does that mean in the context of the dialogue or Kosovo-Serbia relations? Those veto rights are not given only to the Serbs, they were designed as such, but with the dialogue the veto rights have been transferred to Serbia. So basically Kosovo today cannot change its constitution without Serbia's consent. De facto, Kosovo cannot change any letter of its constitution without asking Serbia. The dialogue does primarily not concern the Serbs in Kosovo, it's a facade, it concerns first of all stability: if the two parties constantly meet then you do ensure stability, the probability of stability increasing if you keep the two antagonistic parties together talking. If an EU member state, say Germany, lays it as a condition that Serbia recognise Kosovo - then probably a very vague document will be drafted where Serbia established relations with Kosovo but never recognises it as a state. All other things being equal.

I: *Do you think that Serbia will continue the dialogue with Kosovo as long as it thinks it can become an EU member?*

SK: Yes, I think what keeps the dialogue going for both parties is this eventual membership in the EU. It would have been very difficult to convince these two parties to negotiate and agree what they agreed without this membership flag. Again, the EU has this influence of waving this membership possibility. That is more important for Kosovo, where the public is

very pro EU, but also for Serbia in its leadership and establishment. Despite that the public opinion in Serbia remains divided about the EU, I think no government in Serbia can afford to basically say 'forget the EU', because as much as the public remains divided there is this around half of the people - like 3.5 million - who are strong supporters of Serbia's EU membership. It's difficult to ignore that part. The voice against the EU is there in Serbia, but it is not that strong. As long as the EU remains as an actor as it is today, if it doesn't fracture or isn't concerned with more immediate problems, then it will be a credible actor in influencing both Kosovo and Serbia in continuing this dialogue. The dialogue has served what the EU wants, bringing both teams of actors in Brussels gives the EU some degree of comfort. It is very difficult to say whether relations will eventually improve, international relations are impacted by so many other things that we cannot say how they will look, because we don't know what will happen with the EU but also with the domestic structure of both Serbia and Kosovo. Keeping the EU like this, I would say the relations will stay stable - there will not be a war any time soon. But if the EU crumbles, then who knows.

I: *Do you think the US would step in?*

SK: No, they would not go in as they did in 1999. That's over. With this administration in the US and other problems on their plate it is very very unlikely. Today the middle east is a mess, China today is a much stronger actor - the US bombed the Chinese embassy in Belgrade in 1999, that would never happen today. There is a global context that limits the US' decision if the EU retracts.

I: *To conclude, since we have already been talking for more than one hour, what do you think about influence from other external actors? and then I mainly mean Russia, do you think they do anything in Kosovo or the Balkans in general? What's your view on it.*

SK: Blaming Russians has become such a joke, I'm not saying they don't have influence. Just like the attempt to blame Russia for Trump coming to power in the US, you see the same story in the Balkans as well. The Kosovo National Security Council issued a statement that "we have discovered groups who want to assassinate our personalities, our state leaders, who want to destabilise our country", so never mentioning anybody, but of course every knew they were talking about Russia. And I think that's a game that they are playing, to induce the EU and the US and play the victim role "oh get us in the EU before Russia got us". So, of course Russia would like to see instability in the Balkans, now liking to see instability does not necessarily mean that they are involved in making it unstable. Had they had the power to, yes they would. I don't think they have the capabilities with such a vulnerable immediate region, from Ukraine to Georgia and the Caucasus, and now they are involved in Syria - Russia does not have the capacity to do much. Though, they are trying, we have some evidence. I usually read stories with caution, but I think the attempted coup - calling it coup sounds cool, first of all you don't start a coup with 30 people, right? but it sounds nice in the international media - in Montenegro, the prosecutors say there were Russians involved. If Russia was involved in this, it is because it had an immediate interest in preventing or at least postponing Montenegro's accession to NATO. Russia likewise is involved in Macedonia, and when I say involved I don't want to hype it up like the media does, but their influence remains in terms of money. They are behind some private businesses as well, I had a colleague in Macedonia researching businesses covered as Greek companies, and financing certain political parties they would like to see in the government. Parties who are sceptical of NATO and the EU will be supported, for instance they supported Gruevski's party because he started playing the nationalist card disagreeing with Greece on the name. Russia said "ok this

is perfect, as long as they don't agree with Greece they will not be in NATO" - which is happening. I was recently in Belgrade and I asked about the influence of Russia there - Russia is present, but the means and capabilities are nothing compared to what the EU and US have. They go with money, does that have impact? yes it does, I'm not saying it doesn't. But I would not portray it as this behemoth, nasty power trying to overthrow everybody. In Belgrade, they opened the offices of Sputnik, it had - at least until 2 months ago when I was there - one employee. But it immediately became one of the most cited sources in Serbia, according to my interlocutors there. The reason is because they are the only media present in Serbia who say "you can quote me for free", because apparently - i didn't know that - there is this agreement between media that if you quote them and they quote you in the end of the year you kind of cut a deal who quoted more the other and you pay a certain fee because you are adopting the news or something, and Sputnik went in and said "I don't need money just please quote me", now everybody was quoting them because it's free! In this sense, Russia is playing its cards right - their influence is much more than their very dire capabilities in the Balkans, which are so minimal. That is my assessment on them.

I: *Thank you very much for this interview Shpend, the purpose of an interview like this is that I learn something new which I can't find in a book somewhere - so thank you for your extensive elaborations. Especially with the story on EU influence on the ground - do you mind briefly telling me what the US officials pushed for?*

SK: I think the law in question was an amnesty law. In order to integrate the Serbs in the north of Kosovo, a law of amnesty had to be passed so that Kosovo does not prosecute potential criminals in the north, it would give them amnesty under Kosovo law. So that the Brussels agreement does not collapse.

I: *Fascinating, fascinating. Thank you very much for your views.*

Interview 2 Transcript – Bojan Elek

“**I:**” – followed by text in *cursive* is text spoken by the interviewer

“**BE:**” – followed by standard text is text spoken by the interviewee, i.e. Bojan Elek.

Interviewer: *Hello Bojan. Thank you first of all for agreeing to do this interview, as I wrote you in the email I am recording this at the moment.*

Bojan Elek: Ok.

I: *As I wrote to you in the email, I am writing my master thesis on "Kosovo: a study in peacebuilding after secession", which is the working title. Personally, I am from Serbia, however I was born and have always lived abroad. This interview is the last part of the research I conducted, the previous part consisted of document analysis of policy briefs and papers by observer groups and CSOs, which is also how I found you, actually. The theory I use for the actual thesis is from a book that my supervisor wrote, called 'From war to the rule of law', in which he designs a proto-theory for peacebuilding operations and how to create peacebuilding after a conflict. This theory identifies a set of concepts, such as 'legitimacy', 'effectiveness', 'government domain' and a few others, by which one can gauge to what extent a peacebuilding mission where there has been external intervention has been successful. The interview will be about 30-45 minutes. To start, could you just tell me briefly about yourself and your expertise?*

BE: So, actually I grew up in northern Kosovo, and I used to live there until 2006 - so I grew up there, I lived there until I was 19. Then I moved to Belgrade, I did my bachelor at Faculty of Political Sciences, University of Belgrade, I did one year at George Mason University in Fairfax, Virginia - close to DC, and I did my masters European Studies and International Relations at Central European University, the one they try to close now, in Budapest. So I did my master thesis on Serbian enclaves in Kosovo actually, and I try to - I'm not sure if you found it maybe - I try to tell two different stories why Serbian enclaves in the south decided to integrate within this Pristina framework and why the north remain hostile. It's called something like "Ethnic bargaining", I did like a case study of northern Kosovo and then Gracanica, which is an enclave in the south. I did also a couple of other briefs, police co-operation Serbia-Kosovo, and then also police integration in northern Kosovo within the Brussels agreement. So, that's it. And I also did, actually my first policy brief that I wrote at the university was something on peacebuilding in Kosovo, also. It's the Centre for European Union Enlargement Studies (CEEU), I mean it's 2012 so it's kind of old and outdated. So to keep it short, since I grew up there I am both personally and professionally engaged with the issues, mostly within security sector, foreign policy to some extent.

I: *Does your family still live there?*

BE: Yes they do. Yeah, I go there frequently. I was there for these elections to vote.

I: So how does it work actually? It was actually interesting, for me to see it from outside it's different.

BE: With my Serbian papers I can just cross the border with my ID, while for instance Shpend needs to get a special paper to travel which he gets at a border crossing point.

I: *So you go there from Serbia and that's it?*

BE: Yeah because I'm a Serbian citizen so I just use my ID and then Kosovar citizens they can't just go to Serbia. They need to get this special paper in addition to their personal documents.

I: *So what if you want to enter northern Kosovo from, let's say Kosovo proper?*

BE: If you want to go from Kosovo to Serbia proper, some call it administrative crossing points some call it border, you need to get this paper. Within Kosovo you can travel freely, but Serbs mainly stick to the north and these couple of enclaves in the south, whilst Albanians also do not cross to the northern part, because there is not much communication between these two groups.

I: *No, exactly, what I am wondering is for instance like the Serbs in the north, for example your family and yourself, everything I've read and heard is that they are very isolated from the rest of Kosovo?*

BE: That is true, yes. Up until this Brussels agreement they had this completely separate set up of, you know, local administration that was funded directly from Belgrade, their schools, their hospitals, that had nothing to do with Kosovo. Not even Kosovo police had a lot of, because we had Serbian police that worked under cover, which technically it should not have

been doing under the UN SC resolution 1244, but they were still present there. And we had Serbia, well we still have these parallel Serbian institutions as how they call them.

I: *Ah they still exist?*

BE: Technically they are in the process of dismantling, but for example there is this association of Serbian communities which needs to be formed (ZSO), but you know the Brussels agreement was signed in, I don't know, April 2013, and now it's been four years and there were supposed to be these elections that took place and then these municipalities did form actually but then the other ones continued to exist parallel. So technically you still have two local governments that operate there. Schools are still not integrated and are still funded by Belgrade, not even the hospitals - in northern Kosovo. Police did integrate, and also civilian protection units integrated. So the security institutions were dismantled, and these other civilians were not. There were also courts that were supposed to be integrated, I think there was this special protocol which was signed maybe two years ago, but still no progress. I don't think there is.

I: *Well, we are actually already getting ahead of ourselves! What I wanted to ask you, is what would you say is the biggest challenge for Kosovo in the next 5-10 years?*

BE: Ehh you mean like, many challenges, from what perspective?

I: *For instance in terms of state building?*

BE: Ah ok, in terms of state building I would definitely say it cannot have like international recognition, if that's the perspective you are looking at. It cannot get international recognition with the situation as it is now, without five EU member states recognising it, without having a chair at the United Nations, without being part of the Council of Europe and these international bodies. So, it is very much, you don't get represented in these world fora. I think this is let's say the outsider perspective.

I: *And what do you think about like internal issues? Like economic one, brain drain, corruption?*

BE: I mean it's very difficult, like in Serbia there is a bunch of these problems. I just want to point that, you can hear often in the media that the biggest challenge in Kosovo is this north, which is not integrated. I don't think that even if it was integrated that there would be much change internally. Because you still have these internationals who have, I mean they have reduced mandates but they do still have - they wield a lot of power like EULEX, or UNMIK, or international ambassadors. So I think that actually, I think these international institutions should, if they plan to have Kosovo as a viable country, they need to start withdrawing a little bit and then give the local political elites and parties more say in deciding on what they want to do. Because still internationals are very much present, I mean the US ambassador has more power than the president of the Republic.

I: *Yeah, I wanted to ask you something about that - I asked Shpend before, and now I am completely not following the schedule I made for the interview - in terms of external actors, who would you say has the most influence?*

BE: Well, I would definitely say the US. Because the EU is a very soft power, as it is, I mean you probably know that. US is much more, it wields more power I guess, it has a bigger clutch. It is both militarily, both with engagement within the region. EU is too much embroiled within this internal crisis of its own, and again it never actually delivered. Also this EULEX mission, it was the most expensive mission ever, and it did not produce much positive effects on the ground, because you still have rampant organised crime due to this isolation of Kosovo, both from Serbia and in the global arena. You don't have much investment, the unemployment amongst youth is 50%, and then these are all push factors for having more organised crime, drug trafficking, human trafficking, organ trafficking. So it's a very bad situation in these regards.

I: *And what would you say then, what does the US do?*

BE: Well the US is a is, I don't want to say a friend, but say their interests converge at the moment. So the US supported, even during the war in the 1990s, all these special envoys, and then in the state-building after the war, you know trying to push forward for Kosovo in the international arena and also having American troops there, I mean as a part of KFOR. Now, I think there is less than 5000 troops. They have this huge base there, Camp Bondsteel, so they have a lot of interest there, and then also business interests came. I think American companies were building highways there and they bought some license for some extraction of some mineral resources.

I: *Ok, but when you said before that the US ambassador has more power than the president of the republic, what do you mean?*

BE: I mean, it's like in any country that is not a fully-fledged country, that is a failed state, that is in a process of developing. Like even in Serbia you have foreign ambassadors having a lot of potential to influence the cabinets, who is going to be the minister, who is not going to be the minister, what should the foreign policy goals be. I mean it is as if it is not a sovereign country. I mean it happens in Serbia, but in Kosovo to a much greater extent. Because of this failed state, or not complete state status today. Quasi state. I think his name was Dell, ambassador Dell, I think he was reassigned somewhere else, but he was this grey eminence of Kosovo, whatever he said the parties had to do. You can also see that from this new special court that was created, based in The Hague but it will work in Kosovo. Ehm, when they were ratifying the agreement in the parliament you could see these western diplomats and ambassadors saying "yeah Kosovo citizens should make their own minds and like you know you have to accept it otherwise we will like impose it" and then they did accept it. Serbia had much more trouble, I mean you probably know because you are from The Hague, we had this EU accession process blocked for two years for non-cooperation. Kosovo does not even get to say no, we don't want to cooperate. Although, there is this Vetevendosje who is against this court, and I think the support amongst the population is very low for this court, or dealing with this past in general.

I: *So you mentioned already that there is these less than 5000 peacekeepers, how much importance do you give to them in terms of the stability in Kosovo?*

BE: Well, as time passes I do think they do lose their, I don't want to say purpose, but they become less and less important. First of all, because of this whole region becoming ever more integrated and demilitarised as well, for example Serbia you know cancelled its military draft. A lot of disarmament happened, even if there was a conflict in the region there would not be

firepower to wage a war. So I think there is this whole trend of moving from this conflict zone to this, not still security community, but maybe like a nascent form of a security community, when there is a big number of regional security forums for cooperation. I'm not sure if you are familiar with like RACVIAC or SELEC or like MARI, Migration and Asylum Regional Initiative, or SELEC which is South European Law Enforcement Centre, a bunch of these regional cooperation mechanisms, or RCC - Regional Cooperation Council, Svilanovic is the head of it, Serbia's former minister of foreign affairs. So everything is networked. Then there is this presence of EU future, the EU integration is also one of the factors which keeps, let's say the region stable and less prone to conflict. But then this military force is like a deterrent, because Kosovo now is trying to form its own army, if you have been following closely, technically they do have the manpower - they have this like an organisation, it's just not called army, and it doesn't have the mandate to wage wars. Technically they do have an army, it's a de facto army, just not in the name. They have some other mandates, like helping in emergency situations and stuff like that. I think KCSS also published this interesting paper, I had it somewhere on my desk, where they analyse the whole set up and the words used in the constitution to actually claim that there is no constitutional hindrances from then to have an army.

I: *When Thaci tried to transform this quasi-army in an actual army all Western capitals were against it.*

BE: Yes, sure, because they see it as a destabilisation in the region. This stability in the region is the only thing that is on the agenda of the European Union and the west, and I think it is very bad for like rule of law and democracy in the region, but that's a different issue. You know not to get in to media freedoms and rule of law issues, but it is very bad they insist so much on stability and completely disregard human rights and rule of law institutions and justice in general.

I: *I mean we are both actually Serbs here, so if I ask you - is Kosovo an independent state?*

BE: Well, de facto it is, but de jure it technically it is not. But I think the more time passes it will become more state-like, but I would not say it's an independent state because a lot of thing that a state can do Kosovo can't, for example up until recently they didn't have a phone code, or they don't have a chair at the United Nations. You can go and deconstruct what is a state, is it a state if it is a member of the UN, or is it a state under the Council of Europe. You don't have an army, can you build your foreign policy without you know getting interferences from others etc etc. De facto it is a state, but de jure I would not say it is. From Serbian perspective it is completely, to say extraterrestrial, I mean Serbia does not have much sovereignty there. No police, no military etc.

I: *I mean when I go to Belgrade, and I was there two weeks ago, I mean some people say 'Kosovo is Serbia', and then I think well but how - I mean yes and no, I understand why you say it - but then I think rationally and how can it be your country if your prime minister cannot go there, or you cannot go there as a citizen?*

BE: I mean yeah it's different how you feel, but then the reality is different. I guess people have the right to feel whatever they want to feel, but then you need to look reality in the eyes and say yes this is what the situation is. And this technically situation Serbia does not have sovereignty in Kosovo.

I: *With regard to what we were saying before in terms of the biggest issue of Kosovo, you said its independent state recognition internationally - you said that the US has most influence in terms of what happens internally, where would you put the EU on that scale?*

BE: As time passes by, the EU is getting more involved, but this is more this larger shift in US not getting engaged in all parts of the world, but you know giving their regional partners their fair share of responsibility, so I mean as time progresses - I mean US was the biggest force, then EU came with all these new instruments, with the EULEX mission - which is the first civilian mission they launched - and they try to build their muscles to be like a regional power at least so they can handle their own neighbourhood. This is what the US was requesting from them.

I: *Do you think it does?*

BE: I mean they try, we can discuss if they are failing or not, you can tell they are failing with this migration crisis and with not being able to handle the situation in Ukraine, not being able to handle the situation in the Middle East without America getting involved. But it is a more structural issue with the NATO member relation etc.

I: *In terms of the Western Balkans, which should be actually "jurisdiction" - for lack of a better word - of the EU to handle, what mark would you give the EU for handling it?*

BE: Well, I would say it does have an important role, but more in a long-term perspective. Like there is some future for you, and then you uphold these European values whatever, it gives you some perspective, but then I think it fails on a lot of fronts. For example, as I mentioned before, insisting on stability, you see democratic backsliding across the region, you see increasing war-like rhetoric between the leaders in the region. Only recently you had Edi Rama announcing that if the EU prospects fail they will create greater Albania. Which is also, when somebody in Serbia hear that of course they will react and say "no you will not that due that, because you are criminals" and then you get in whole this mess, like in Macedonia what is happening now, all of that you can see as a failure of the EU to actually keep this region in check. So I think it's failing on a lot of fronts.

I: *How would you briefly define, or how would you analyse, or what is your view on the EU brokered normalisation talks between Belgrade and Pristina?*

BE: Well it's good, because if it was not for the EU the talks would not take place, and I think it's good that there is this dialogue. However, again, it has been too long, and it is focused on some political issues I would say, and again it completely lacks this citizen oriented perspective, because there are so many outstanding issues that nobody is discussing. They are more focused on this political or status talks, like you know getting this international dialling code, and for example you have Kosovo citizens who don't have pensions, because they used to work for Yugoslav companies and they were paying in to these pension funds, and now they don't get pensions because Serbia is not paying. Property issues are still not resolved, and you have this lack of transparency within this negotiation, lack of inclusiveness, you only have top ranked politicians there. Like no other parties involved. For example in Serbia you don't have any long term strategy, like where would you like to see Serbia or Kosovo in 2025, for example, as time goes by they just face these challenges as they rise, no like long-term vision or strategy. Just like "oh now we have to

discuss this ok let's go to Brussels and talk about these issues", so there is no like a policy or a plan or a strategy or anything.

I: *I mean it seems to me from what I can understand of the situation and looking at it from the side of Belgrade, and then personifying it as Vucic because he has been the leader since 2012, I mean it has this platform of "we are going in the EU" etc etc, in which, within this rhetoric, the elephant in the rhetoric, or in the room: what about Kosovo? Because what do you do? Belgrade has vowed never to recognise it, but everybody knows that you will never get in to the EU if you don't handle this question.*

BE: Yes, this is what I have been saying, these are the issues that have just been left somewhere out there, like they don't have to deal with this right now because it hurts a lot and it doesn't come so quickly, because I mean we won't be members of the EU for quite some time. I think their long-term strategy is "let's leave these issues somebody else will deal with them, while we are in power we will try to balance and you know stay in power as long as we can". So yeah no these long-term strategic thinking or anything, of course there a lot of issues about Kosovo - EU does not want another Cyprus within their territory. There are also some possible scenarios where like both Serbia and Kosovo could be satisfied, something like Eastern Germany signed a pact with Western Germany, they recognise they exist but they don't recognise their statehood. This is like, some very shady, technical document. I don't think it will happen but then again the EU cannot force Serbia to recognise Kosovo because four other member states didn't. However any member state needs to ratify this agreement in the parliament. So Germany for example, and Germany is the most persistent one, they can say we will not ratify the accession agreement of Serbia unless you do this, this and this. So any country can block it or veto it, or make any demands they seem fit.

I: But in terms of for instance the Pristina dialogue, I don't know if you were involved in it, I read a research paper from mid 2015 from NGO Aktiv, where they asked what Serbs in northern Kosovo thought about the Brussels Agreement, and most of them thought the only good thing of the normalisation talks is the Brussels Agreement. While another research by the KCSS, the Kosovo Security Barometer, which is from this year February, said that Kosovo Albanians found the normalisation talks benefited Serbia more, especially in terms of the creation of the ZSO.

BE: I think it has a lot to do with the public perceptions, it's influenced a lot by political elites and how they translate these deals when they come back from Brussels. We also did a research, I'm trying to find it on our website and I will send you the link, about the perceptions of Serbian citizens in general outside of Kosovo - most people thought the dialogue should continue. So I think there is a lot of manipulation by the political elite, by Vucic who said "we won 5-0" when they came back in 2015, they signed five agreements and then I think Djuric said it. And then all these tabloids serviced it and amplified it, so media and manipulation by the political elite have a lot to do with these divergent perceptions.

I: *So you think those perceptions are not reflecting what the deals are?*

BE: No, because if you talk to people, like we did focus groups in northern Kosovo, we didn't publish anything from that, but we did some research. People don't know much about it, nobody actually read the Brussels Agreement, they just know what has been told to them. Not many people go in to fact checking "maybe we didn't win 5-0, let's see what we signed", and you cannot find these documents. So you only have a vague idea of what these

documents are. So not many people read it. Then there is this additional technical protocol, for instance on the integration of police forces. Then if you read the Brussels Agreement you know that this association of Serbian communities has some very soft powers, like education and local investment, culture mandate, and here they are presented in the public as an autonomous region of Serbs in Kosovo that will protect their interests, that they will be like little Republika Srpska within Kosovo. And this is not the fact. So I think this is why these negotiations have been stalled. I mean there is a Kosovo part to blame as well, it is very difficult for Serbs to say oh we got an NGO in the north of Kosovo, but actually it's not an autonomous region which can make policies.

I: *Coming back to this international peacekeeping presence, I think it was in the NGO Aktiv paper, they said that the Serbs in Kosovo don't like that there is this international presence in Kosovo and how it is designed at the moment, but that at the same time they don't want it to leave because then that would mean that the Serbs would also be expelled. Would an exit strategy of the international peacekeepers lead to an exodus of Serbs from Kosovo?*

BE: I would say well, I completely understand this viewpoint because I mean I grew up there so I know what are the general feelings amongst the population so. Like you had these incidents in 2004 when there was a second exodus, of course there is a general feeling that these internationals are here serving you know Albanian interests and they work against Serbs. This is like a general feeling people have, they say: "yeah they took our country, they took our land, and now they came here to help Albanians establish their country, their state". But at the same time they know they don't have Serbian police there, they don't have Serbian military, they don't have anything to fall on to if something happened, so they still have trust that this is the last line of defence if something happened, god forbid. So I think they understand the situation very well, and this is like the consequence of this very undefined state-hood and lack of integration of Serbs there. They feel like an outsider there and this is the last line of defence if something happened and Albanians decided to integrate them in a violent manner perhaps.

I: *But they don't think that the Albanians would? Since when Kosovo declared independence it did so under the banner of a 'multi-ethnic' state, do the Serbs in the north of Kosovo not believe that a Kosovo state would protect them, no matter their ethnicity?*

BE: I think they feel that because they are Serbs Kosovo state will not protect them. It has to do with ethnicity definitely.

I: *Do you think it will actually happen? Do you think if the NATO and KFOR would leave, do you think there would be actually ethnic violence?*

BE: I hope there wouldn't be, and I think there wouldn't, because time has passed and now there is some sort of normalcy achieved maybe, but at the same time you don't have working institutions. So if you don't have a properly working police force that can keep law and order, which at the time you don't have, then maybe this foreign factor is still necessary. This is what I argued in my first paper on this issue is that you need to have these gradual transitions of powers, so there is this sense of local ownership there, which of course has to be inclusive, so it has to include Serbs and a lot of minorities, but at the same time you have to set some things right, like from top to bottom, from the outsiders as the peacekeeping forces and these rule of law institutions. You need to set something straight, like if the local communities are not willing to deal with war crimes, then of course we need a special international court to

take care of that. If they don't want to fight organised crime, then yes we do need still some EULEX assistance. But the question is: if this is enough and is EULEX also effective? And I don't think it is.

I: *EULEX, which is the biggest civilian mission by the EU, do you think it's successful? Do you think it reaches what it is supposed to reach?*

BE: It definitely did not reach its full potential, it did cost a lot of money, there was this report concerning potential corruption within EULEX. But then you have what's happens in these countries, when you have foreigners coming in working for like 5000-10000 euro salaries and then you have local population who work for 200-300 euros. You cannot identify with those people and what their issues are, and there is this huge resentment against the internationals. And then when you have this kind of relation between these two, it can never work. So, much more needs to be done to help to bring these new generations of prosecutors and judges that are independent, and create institutions in Kosovo. And not bring these strangers who actually don't care what happens in Kosovo, they are not there to help them they are just there to take their 5000, 10000, 15000 euro salaries per month.

I: *In terms of domestic judicial structure in Kosovo, would you say there is a shift in the last decade - both in terms of top-down: the elite wanting an independent judicial - and also grass-roots: in terms of people in Kosovo saying "actually I want to become a prosecutor and study for it"?*

BE: Honestly, I would not be able to comment with confidence because this is not an issue I am following closely, but if it is anything remotely close to the status quo in the rest of the region, none of the political elites in the Balkans is interested in having these institutions, because it would not allow them to maintain this autocratic way of governing. This is just my informed yes, I am not closely following the judicial system in Kosovo, but this is my yes.

I: *But if you would say for instance, I mean we can talk about Vucic and how he suppresses the media etc, but then we are also tied to our discussion earlier of how Serbia could say "no we don't want to collaborate with the tribunal in The Hague", and then we get frozen in terms of EU membership, but we can still say that we don't want to, while Kosovo cannot even say no. In that sense, if an external actors (the US or the EU) would demand from Kosovo to pursue a more rule of law like policy, do you think it would do it or do you think there would be mechanisms deeply rooted in society or in the actual ruling class - who are often former KLA fighters or involved in criminal activities - do you think they would say "well since the EU (or the US) asks us we will do this", or they will by some way block it?*

BE: I think yes, the internationals definitively have a lot of power to influence, but it is not about whether they can it is about what they ask and what they are requesting. This rule of law story is only heard or read in these EU reports, nobody is even mentioning it anymore, not is only stability and security. Nobody cares about this. I think yes, if they would push more pressure, like you can take Serbia as an example - when there was no Middle East crisis or Ukraine crisis or the Euro crisis like 2006-2007, that's when they cared about Serbia not collaborating with the Hague tribunal, and that is when they had this blockade. But now they have other issues to take care about, so they don't put so much emphasis on rule of law and soft issues. It's just security, keep your borders tightly closed so we don't have influx of refugees and whatever you do internally is ok.

I: *So basically forsaking justice for the sake of stability?*

BE: Yes you can say that, trading democracy for stability.

I: *Which is to a certain extent understandable considering the history of the region.*

BE: Yeah, and it is completely also within the best interests of the EU, because EU citizens and EU countries and the US they care about their own citizens - like Churchill said: "I don't care what happens in Russia I don't need to live there". It's the same here, Germany does not care how a regular Kosovar or Serbian citizen live, as long as they have their interest protected. And I think it is selfish, but that's how it works.

I: *Well, of course, it's a realist perspective, I mean what else can it be. In terms of the normalisation talks and actual inclusion and reconciliation between Serbs and Albanians within Kosovo, the state of affairs as it is at the moment - would you say as it is now, due to foreign presence?*

BE: You still have this very strong resistance by the Serbs in the north, who still simply refuse to accept Kosovo as a legitimate country, they don't want to live there. So, I don't think if whoever comes and tells them otherwise, it's not going to work. So it's either you provide them with some incentives to integrate or you do it forcefully, I don't think there is some other way around, no matter who comes and tells what. Like even if Russians, who are the most favoured, came and said they should become more integrated, I don't think they would listen, because the situation as it is now in the north is very conducive to shady deals. They don't pay taxes in the north for example, they receive 50% higher salaries than people who work in Serbia, they have a lot of benefits they don't want to lose, if they integrate in Kosovo they would lose. In Kosovo doctors work for 200-300 euros, in the north their salary is 800-1000 euros. Then there are much better schools and better healthcare in the north than the rest of Kosovo. So these people don't want to lose this security and social welfare.

I: *So do you think there is a push from Pristina for an inclusion of the north of Kosovo with the rest of Kosovo?*

BE: I would say there is some push, definitely, in 2012 a first local office was opened and with the Brussels Agreement there is a court district for the whole of northern Kosovo. When they integrated police offices they said yeah the head of the police will be a Serb and his deputy will be Albanian. So there are these moves to make them feel more welcome, but I am not sure if it is enough. What they have to lose is much more than they would gain if they were to integrate, it's just a cost-benefit analysis by the people.

I: *From what I understood now, and also from Shpend before, actually as far as Kosovo is concerned (Kosovo in terms of the Albanians), it is not such a big deal this question of the Serbs in the north? I mean they have other issues, foreign involvement in their own state bodies, corruption, etc.?*

BE: Yes, border demarcation with Montenegro, political divisions within themselves. I think before, I remember seeing tv shows saying that having civil protection units, which is basically like firefighters, in the north, and being not integrated, is a threat to Kosovo's constitutional order. Which is an overstatement by huge proportions. But then as they get embroiled with this internal crisis, this is less and less an issue, and I think it has completely

slipped off the agenda. Have you read this "Big Deal report"? It is a comprehensive report where they assess all the aspects of normalisation, it was produced by BIRN. You can definitively say it has become less of an issue, but it is the same with Kosovo in Serbian politics. The last time it was prominently featured in an election campaign was in 2012. Then we had three elections afterwards and Kosovo was not even an issue. Nobody would run on this platform like "let's keep Kosovo in Serbia", it just doesn't exist anymore, it's always corruption, economy, pensions etc.

I: *Everybody apparently seems to care about other stuff; both Belgrade, both Pristina, not to talk about Brussels, Moscow or Washington.*

BE: Yes, simply it has been now 17-18 years, there were some other priorities, they tried to achieve some things, some they managed to, to a larger extent let's say they failed. And they just maybe decided that since they have limited resources at their disposal and they are thinly stretched around the globe - so ok let's just go to Ukraine and handle the Middle East crisis, and Kosovo leave it for the moment, just like with Bosnia.

I: *Just to conclude the interview, otherwise we will go on for another few hours, what factor would change the status quo?*

BE: I think this very big issue is this huge interethnic distance between the people. You have had a war, yes, but then - if we are talking only about Kosovo - for instance Serbs from the north and Albanians who live in the south, they lack even basic communication, they don't travel, they don't meet, they don't talk. They don't speak the same language, because Albanians the young ones they don't speak Serbian anymore, their parents still do, but the younger people they do not, and then the Serbs in the north they don't speak Albanian. Then you have this group of people living technically in the same country, who don't speak the same language, they can't understand each other, there is no contact between themselves. There is some business and trade, but then it is not to a great extent. I am not sure how to achieve it, but definitely there needs to be much more people-to-people contacts, and then to open up this dialogue, not just include politicians meet and greet in Brussels where they shake hands and now we are getting normalised, it's not true, we need much more free travel, so that people can visit and meet other people, their peers who live right across the river, but they have never seen them. So in the long term this is what needs to be achieved. More people-to-people contact.

I: *That is pretty much it actually.*

BE: Ok, cool. If anything additional comes up you can send me an email.

I: *I didn't know that you actually are from northern Kosovo. That's interesting to hear.*

BE: Have you been to Kosovo?

I: *No never. For instance if I would want to go how should I do?*

BE: Well if you have EU citizenship you can go by plane to Pristina, but planes cannot go over Serbian airspace, so there is some ways around it. But if you fly to Pristina, you cannot enter Serbia with your passport, because they would consider you illegally entering the country. Police would still consider you being in Serbian territory but you would not have a

stamp on your passport since you didn't enter through a proper border crossing point. So technically if you want to go from Pristina to Belgrade then you will have to go to Macedonia through Kosovo-Macedonia border and then enter Serbia through Macedonia-Serbia border and travel to Belgrade. Walking on the street in Pristina is just fine, you can speak Serbian there, I was there many times and it's a very international city full of people from all around the world. It's very cheap, good food, people are very friendly and very young.

I: *Great, great, interesting. Well, thank you again Bojan, your responses have been very useful.*

Interview 3 Transcript – Krenar Gashi

“**I:**” – followed by text in *cursive* is text spoken by the interviewer

“**KG:**” – followed by standard text is text spoken by the interviewee, i.e. Krenar Gashi.

Krenar Gashi: Hi, this is actually the only time I can actually make the talk and I am literally cycling from hospital and my own doctor. So apologies for the surrounding sounds and everything, and also for being late. So all I know about your work is what you wrote me, so basically just the title.

Interviewer: *As I wrote to you in the email, I am writing my master thesis on "Kosovo: a study in peacebuilding after secession", which is the working title.*

KG: And your title suggests you are looking only at post-2008? So, you got yourself in good spot there, not to deal with every pre-status issue that has been faced.

I: *Exactly I tried to keep it to a master thesis, not a PhD dissertation. Anyway I am writing it as part of my master in International and European Governance at Leiden University. Personally, I am from Serbia, however I was born and have always lived abroad. This interview is the last part of the research I conducted, the previous part consisted of document analysis of policy briefs and papers by observer groups and CSOs, which is also how I found you, by looking at reports by for instance Freedom House. The theory I use for the actual thesis is from a book that my supervisor wrote, called 'From war to the rule of law', in which he designs a proto-theory for peacebuilding operations and how to create peacebuilding after a conflict. This theory identifies a set of concepts, such as 'legitimacy', 'effectiveness', 'government domain' and a few others, by which one can gauge to what extent a peacebuilding mission where there has been external intervention has been successful. The interview will be about 30-45 minutes. To start, could you just tell me briefly about yourself and your expertise?*

KG: Sure, when I started my career as an investigative reporter I would never have thought I would be doing a PhD now, which I am doing. So I am wrapping up my PhD in Ghent, and I am looking at the EU's international power focusing mainly on EU and Kosovo-Serbia relations, so I am analysing the dialogue, and I have become an expert on that dialogue, so to say, because I have been dealing with it for the last three years. Before that I used to be a think tank guy, I ran two think tanks in Kosovo, I established one of them - I ran KIPRED for a while, between 2008 and 2011, and in 2011 I established INDEP - Institute for Development Policy, a think tank focused on sustainable development. And before that I was a journalist, so I am one of those guys who goes from one word and word to another, so from here say to journalism to policy research to academic research. That sums it up.

I: *So if I could ask you just to start, considering also the focus on your PhD, what would you say is the biggest challenge for Kosovo in the next decade?*

KG: Well, we have to somehow categorise these elements because there are plenty. So the standard way of mapping them would be an internal and external challenges. Although nowadays I do not belong to the group of scholars that believes that the two in terms of state and societies are quite separate, actually they are quite forming each other in and out. But externally I think that Kosovo still deals with the biggest problem that its sovereignty, not in the classical sense, I don't mean here like Westphalian definition of sovereignty, but more like legitimation of the 2008 independence for Kosovo. And it includes aspects which then in turn reflect to the internal issues, for example last year there were two great events in this regard: and that is Kosovo's membership in sports association, which is if you look at it at this point, is an international issue but which has great ramification for the internal ones, having in mind that one could not simply be a sportsman in Kosovo and hope to succeed. So that's one. Second, is really connected again to the internal issue and that is sort of Kosovo's embedment in the international finance, in the world trade, in the picture of the world as such. Which then brings us to the second sort of internal challenge which is Kosovo's economic development. I mean I am quite pessimistic if you look at the numbers that most of the pundits and analysts like to bring up, 16% extreme poverty and sort of 35-40% kind of unemployment rate - which leave really no big hope for the country as such. Especially when you have in mind that foreign direct investment, which are considered to be the only kind of way out of this economic stalemate, are then interconnected to what is defined as Kosovo's externally perceived political stability. And most of these foreign direct investments will not come as long as there is a contested statehood or as long as there is inter-ethnic tension, or at least a perception of such contestation or tensions.

I: *Ok, so would you say that either perception or real possible inter-ethnic issue in Kosovo is actually the show-stopper?*

KG: First of all, when it comes to politics, I don't really want to distinguish when it comes to perception and reality. I do belong to that group of scholars that sees social reality as a simulation, sell whatever you can. Those perceptions no matter how unreal they are from one single point of view - be that you are a Kosovo Serb or you're a Kosovo Albanian point of view - all in all they are real, they are there and they are preventing things from happening or they are as powerful as in moving things in to action. So a lot of that is true. Unfortunately it is not as simple as you put it, because then we would have a solution to it - which is kind of invest in this nice picture. Which is what all of Kosovo's prime ministers have tried to do since independence, by giving a tractor to a Serb family since it's a mainly Albanian majority government, and then pretending everything is alright - but it doesn't work. The reason it doesn't work is because there are other factors in play. When it comes to for example Kosovo's political stability in the whole region, until recently we had at least two or three related and then some closely related factors. The whole region is seen, especially from the west, as something which is unstable, which is about to burst, which is about to explode, which is this continuous altering of the Western Balkans by the west through political discourse. You know here, you probably came across Maria Todorova's account on what the Balkan is in the western discourse and how that shapes reality in the west. So the reality in the west, if I am an investor considering Kosovo, I would be like ah this is a highly complex, highly tension situation over there, because we have Serbia which still has some plugs and some power play in Kosovo, we have a Kosovo government - although it's getting more and

more legitimacy internationally, it's still being contested in the very heart of it - and then we have other factors, most recently with the sort of abrupt and intense Russian involvement in the Western Balkans which then connects the whole stability issue to the stability of surrounding nations, that is from Macedonia (especially with what is going on right now) and then we have Mr. Dodik in Bosnia always wanting to make some trouble. So basically this whole situation is not like you can say ok this is the cause and this is the effect, it's all kind of a multidimensional spiral, in a way. And that constitutes the Balkan mess, in my view.

I: *Considering also that in Kosovo at the moment there are some 5000 international peacekeeping troops present, how much importance would you give to that international presence?*

KG: There is a symbolic importance and there is the real importance. The symbolic one has to do with basically, under the UN mandate, at least the territory and the people inside, are kind of under the protection mandate of NATO. And that is symbolic aspect is especially important these days when we have this intensification of negative discourse between east and west again, and some kind of polarisation between the west and Russia or what the foreign policy analysts are calling the new cold war. The real effect is, of course as important as the symbolic one, and has to do with the fact that Kosovo has no army, nor it intends to have one. I mean, this whole debate about Kosovo Army, which in my view is going really ballistically nuts and without any kind of temporal reason to be going in that direction, is always perceived both by the west and the local people who are actually where the situation is, is that it is going some sort of symbolic protection force, rather than a fully fledged army. So just like every other small nation in this continent, Kosovo in this way can from this real presence of the troops kind of join the symbolic feeling of safety that NATO and NATO partners have. So from that perspective I think it's really crucial and this is why I think the Western allies also see it like that and although that force might decrease a little bit further, perhaps to 3000 or something, I don't see it kind of ceasing existing in the next decade or so.

I: *Yes, you anticipated my next question, which was: since there is no talk whatsoever of an exit strategy, there are here to stay apparently?*

KG: Now you are entering the field of my own research. Basically I am problematising what the EU wanted with Kosovo and honestly I came to the conclusion that it doesn't want to do anything with it. Basically things do not happen because there are interests which are portrayed there and are very well defined, which then you use power to kind of chase those interests. Rather there is a whole social political construction of "let's do what we can do" and very often that narrows to let's do what is doable and then what is doable without really interfering with other policy agendas. In this case I really think no there was no exit strategy from the very beginning in Kosovo, nor there was meant to be. When I interviewed the head of the EU planning team in Kosovo in 2006, when they were planning to establish EULEX but also some kind of a supervision of Kosovo's independence because at the time it was not known if the Ahtisaari plan would be voted in the security council or not, so they were thinking you know this is an entrance point and the exit point is basically when Kosovo joins the EU. This whole enterprise of actions and discourse which is being produced and effect which are still there are not so to say interest driven, but rather driven by the agenda of the European integration project, and this project is not only about expansion of the EU in terms of territory but primarily of the sort of existence of the European project itself. This in times of crisis, such as a project becomes really hegemonic in terms of other effects that it causes. So in order to save this whole idea of enlargement and keeping the enlargement dead, the EU

is doing a bunch of tiny little things which not necessarily are driven towards reaching a concrete interest or a point. The analogy I use is with the police car: have you ever seen a police patrol which is not chasing someone and which is driving fast? Police are either driving way too slow or they are chasing someone, and the reason why they drive way too slow when they are patrolling is because they have no destination to reach. This is exactly what is happening with the European project right now and I think in a way you could argue that's what happened with the whole involvement of the international community in Kosovo. They are driving too slow because there is no real destination where they want things to go.

I: *You mentioned already, in terms of the Balkan region and considering your research focus, the recent involvement of Russia in the region. Which external actor would you say has the most influence in Kosovo?*

KG: It is the United States, no matter what happens and what the policy of the US in the Balkans is, United States will continue to be the top international actor. I say this with responsibility although I am fully aware of what has happened during the two Obama mandates is basically a depoliticisation of the US policy in the western Balkans - whereby, due to focus on other areas, the decision making was left from policy-makers to bureaucrats, and there is no real sort of interest or priority given to the western balkans. Still, on top of that, despite that in Kosovo the US remain the most influential actor. That has to do, I mean it's really entrenched in the Albanian identity in Kosovo, it's really entrenched with the whole independence project, it has to do a lot with the brutal altering and identity building in terms of world politics, how you know small nations and small societies see it. And it is a very complex sort of issue to be studied on its own, but all in all Americans are the most influential ones.

I: *How would you say they are influential then in Kosovo? Do you have any actual examples?*

KG: Of course, influential from dictating policy agenda in case they are interested up to establishing governing coalitions between parties they think would cause stability, up to choosing the country's own president - like it happened with the former president. So basically due to stalemates of our own institutions, mainly owing to the fact that there is no real institutional experience and practice, and you know sets of rules and procedures, with the new constitution we are prone to intervention, we are actually the whole society ended up requiring the Americans to intervene in some of the sort of hardcore political issues. And they do that, from my experience working with think tanks in Kosovo. I managed to establish a think tank which probably claims to be the most influential think tank, and they were influential in changing the whole government agenda on a policy, just last week there was an attempt of government to criminalise liable and insult against the state and state officials, which was mainly kind of, but my side or our side, mainly was seen as an attempt to basically create legal provisions which would be specifically used to target Serbs or particular opposition movements. And you know the think tank I established was able to change those provisions last minute and influence sort of directly the policy agenda. But let's just say that if there would be a US amnesty policy, that such provisions would pass, then we would find them impossible to advocate them amongst policy makers, they would simply not listen to us once there is a sort of preference from the US embassy as such. So their influence is really huge.

I: *And where would you put the EU on this influence scale?*

KG: Ehm, the EU is a different actor, because the EU plays by the rules book. And that book of rules is so thick that basically it doesn't allow anyone to really have power on their own hands. In this way if the EU special representative in Kosovo would want to have similar influence on a policy agenda, that influence would be similar, or even exactly the same to that of the US ambassador, as long as it would fall directly kind of textually within what the EU considers to be you know European values, which Kosovo aims to reach and to integrate in to their own. Where for example, there would be an issue of the criminalisation of the liable and the EU would be as influential, but if there would be like an international governing coalition, or disempowering a very corrupt politician, then the EU would have no power whatsoever.

I: *Would you say that the interests of the US and the EU in Kosovo are aligned?*

KG: Yes, most of the time. When I say most of the time this means they are aligned in terms of a vision of Kosovo and where and what they think Kosovo should be. However when it comes to actually putting in to function their powers to get in to that state and reach that vision, then they are very much different. There we have from very simple fast-track and slow-track approaches, fast-track by Americans and slow-track by Europeans, kind of collision. Up to collision such as where, I remember for example one case where both actors wanted to help Kosovo secure its borders, so they both provided them with a software-hardware system to check exit and entrance points in the borders, but once the Americans installed the system they realised that it is not compatible with European standards, which Kosovo would have to do in order to follow its European agenda. So they had to change the whole hardware and software twice simply because there was no coordination whatsoever between the EU and the US. But that is just one of the examples, there are many similar examples.

I: *You said for your PhD you focus on the normalisation talks, how would you briefly give me your view on the normalisation talks?*

KG: Well, I am working with post-modern, post-structuralist philosophers, so I am trying to employ the works of French philosopher Jean Baudrillard in making sense what kind of power the EU is and what kind of power it is showing to be in the Kosovo-Serbia dialogue. An article which is scheduled to be published in *European Foreign Affairs Review* just in end June beginning July, where I argue basically that because of the fact that the EU is a weird sort of political animal and has no means to project self interest - in the case of Kosovo and Serbia, it is basically trying to hide the fact it cannot project self interest, so basically the EU is what I call a huge simulation of power, as per Baudrillard's view, not to mix it with the sort of day-to-day perception of simulation. This simulation what I argue creates effects, be that positive or negative, but it is just impossible to see and to analyse it with the traditional analytical tools, because in traditional tools you see what a power wants to do when you see why it hasn't or has been doing what it want to do. But in the case of the EU I claim that those interests are something which are very questionable. So for example, you have a very ambiguous agreement - the Brussels Agreement - which then translates in to very ambiguous follow-up agreements and then very ambiguous interpretation of those agreements where at the end of the day the parties could interpret them not only differently, but in sort of opposing manners, which in a way would mean the EU would have failed as a mediator. But at the same time, because all of this is entrenched in the European integration project, the EU can claim that these ambiguous agreements, which really don't have any kind of insurance that

they would not be reversible, that they are a success story and historical agreements as they call them. So, in my view the EU is using the dialogue just as a means to hide the fact that enlargement as we know it from the declaration of Thessaloniki is no longer alive. Enlargement as we knew it in Thessaloniki is dead and now the EU is basically trying to keep it alive by engaging in such bilateral or multilateral issues in the Western Balkans, such as the dialogue between Kosovo and Serbia, such as the Berlin process for infrastructural projects, and all other mechanisms which are emerging - in my view - just to hide the fact that there is no enlargement anymore. That was the shortest way I could explain it.

I: *In terms of the dialogue, and actual inter-ethnic tensions between Kosovo Albanians and Kosovo Serbs, where would you put that issue of the north of Kosovo in the agenda of Kosovo? Is it a big deal at the moment?*

KG: Well, I mean this whole northern Kosovo southern Kosovo division is something which I would buy and employ only for the purpose of reaching a segmental analysis. I don't really believe there is such a distinction. After all you have got two thirds of Kosovo Serbs who live south of the Ibar river, so northern Kosovo was never an issue so to say, and that is something every Belgrade government since the Kosovo conflict has tried to use more as in a carrot and a stick kind of form by using it as a threat. I don't think it would be in the interest of any communities and especially not for Serbs, for example for an idea of partitioning or any kind of positive or negative distinction northern Kosovo Serbs and southern Kosovo Serbs, so that actually has damaged the interests of Serbs in Kosovo quite a lot, because this division was put in from top-down, and mainly from Belgrade to Mitrovica, kind of. But in terms of dialogue, listen I am writing a very long critique on the dialogue, four articles on it, which doesn't mean I'm against it. My job as a researcher is to look at it critically and just see what is a driving force, what are the patterns of power that drive this dialogue, and that is why I am kind of pessimistic, but there is a real effect of this simulator dialogue. And that real effect is noted every time I go to northern Kosovo ever since, by the simple fact that people have seen their prime ministers shaking hands in meetings, the inter-ethnic tensions in Kosovo in general, but especially in northern Kosovo, have dropped. And people are communicating more freely and this is a side effect, this is something the EU could not have even expected this to happen, because it could have as well happened differently. Now people are saying, look these leaders of ours are going there and they are agreeing on something which is highly ambiguous and then they come back and they change their words and now they are trying to come back with some sort of nationalist discourse over the fact that they have given up something which is ours. And this is the sentiment in both societies, Serbs and Albanians, and they don't buy it anymore. But them not buying it fortunately is not resulting in some kind of a revival of hatred and so on, because people are just sick and tired of it. And I think this side-effect alone has been mainly, and I call it side-effect because I don't think anybody made it happen on purpose, otherwise they could have made it happen a long time ago, it was just a side effect which is now taking root, and you have real change happening both in Kosovo and in Serbia which can be attributed to the dialogue.

I: *Do you think this dialogue can lead to reconciliation between Serbs and Albanians?*

KG: Not as it is, but it can lead to a new setting which would then lead to reconciliation. As it is, it has a very good chance of actually having the opposite effect; and that is fall in to a pattern of reversibility. If let's say the parties are not, if something happens in terms of shift of political settings in Belgrade or Pristina, or a major shift in political discourse, then the dialogue can be used to blame each other, or the EU, externalise the guilt - which is

something politicians do perfectly well, and then things can go backwards. Fortunately by that time there will be more and more players involved and this is something where the dialogue has been falling short in, and that is transparency and involving other players. The moment other players are involved, like civil society and people who are involved directly and impacted by the decisions of the dialogue, then basically there are more and more chances for the dialogue to be understood as a tool more than as a liability by the people. So yes, it can lead but not as it, if it changes to something more open, more multilevel, less top-down, more bottom-up approach then yes.

I: *Say that the 5000 troops are removed from Kosovo, would you think that there would be an interethnic clash?*

KG: No, absolutely not. This is something that is very little written about and not very well known, there are no sites in Kosovo which are protected by KFOR right now. KFOR troops are not seen, they are literally like - I don't know Belgian army, I live in Belgium and you see a soldier every once in a while, in three years I've seen a soldier once - because they work in their barracks, they are in their bases and they do their jobs. This is what KFOR is doing right now. All the sort of community protection, the protection of sites of the Serbian orthodox church, most of the damaged sites during the March riots, are now under - for years now, basically since 2009 - under the protection of Kosovo police, and this is mainly Albanians police force, of course lately with the integration of the north it's changing. So this is something not many people know, and I think it is a very important factor which tells you that KFOR's role is rather symbolic than real.

I: *It seems to like essentially this dialogue is on a path of non-return, you cannot undo what is done, it is evident than external actors are doing anything to maintain stability in the region - and also in Kosovo -*

KG: I would not agree with your first point, not in principle, in practice yes, but in principle no. Because what is the legal weight of the Brussels Agreement of 2013? There is none. For Serbia it is just an agreement that the EU is making them do, for Kosovo it is an international agreement which has been ratified by the parliament, for the EU it has no legal meaning whatsoever. So there is no sort of authority to guarantee irreversibility of what has been achieved. And that authority is only projected to be integration project itself. So yes, you are right but only as your ontology - your whole reality - is the European integration project, once you zoom out from that ontology and you see that there is more to world politics and to reality than the European integration project, then you also see the flaws of the dialogue as such.

I: *Right, but do you think the dialogue would be completely suspended by one of the two sides if the idea of becoming an EU member disappears?*

KG: Absolutely, absolutely, and this is something with which the EU has been risking with. This is exactly why the EU is pushing the discourse of ambiguities, because ambiguities allow everyone to think that the reality is as they want it to be. So as long as you have ambiguous agreements, ambiguous provisions, ambiguous European future, then everyone can be happy. Until someone goes extremely, radically against it, like I don't know, a real shift in the political scene with the hardliners coming to power. But that can happen. I mean, there is no guarantee that it would happen.

I: *How likely do you think that it is to happen?*

KG: With the current settings I don't think it is very likely, but you know it is very difficult to predict. With the current settings I think it is very unlikely to happen, but there is a plausibility of it.

I: *What change in the current setting would cause the quickest, let's say, crumbling of this dialogue? Should it come from Belgrade, Pristina or Brussels?*

KG: Well, I mean, when I was rejecting your assertion that this is irreversible, I was doing it only in principle. Once you contextualise the whole analysis then you see there is very little chance someone, anyone, in Pristina would ever actually contest to that degree. In Belgrade perhaps the chances are a bit bigger, given that you know Serbia doesn't have legitimate issues of its statehood like Kosovo has, but still I don't see them doing that even if Seselj would come to power in Serbia we would see some kind of total stopping of the dialogue and going backwards, because after all the EU is a power actor - it's different that it doesn't really know what to do with its powers - and even current establishment in both countries was once perceived to be hardliners and people you cannot negotiate with. Mind you that we have in Kosovo Hashim Thaci as president, who was deliberately left out from the 2001 first Kosovo government after the war, after losing elections, simply because he was not as a figure accepted by the international community and by his counterparts. The same way you have Nikolic and Vucic, who would have imagined ten years ago them being the pro-Europeans? Especially when Boris Tadic and his people were like pushing the discourse "we are the only pro-European and if you don't keep us in power you will see this place go nuts" and that didn't happen really, what happened was totally the opposite. I don't know, it's very difficult to foresee in such a setting, one thing I know - I mentioned it before and I'm mentioning it again - is that other, third party interests are not to be minimised, and neither is the fact that the EU is very slow in generating solutions. So for instance we have an ever rising Russian influence, and I am not only talking about the sort of traditional feeling in Serbia, because that has nothing to do with Russian influence - it's more like a left-over of some kind of mythical allegiance - but I am talking about real Russian interest. The Russian implication in the coup in Montenegro, the Russian implication with the current regime in Macedonia and Gruevski, and the Russian implications through Turkey to some other Bosnia and Kosovo. So we have more and more Russian influence, although not particularly seen, which can - given the unpredictability of Mr. Putin's foreign policy agenda - be bringing things down or up or steering them different ways without us even knowing about it.

I: *The interest of Russian foreign policy, as you said, is unpredictable.*

KG: It's quite unpredictable in terms of how it can materialise itself. But in terms of what it wants, and that is an unstable Balkans, which is exactly the opposite of what the EU wants, that's very simple to predict. The good thing is that it is more mythical than real, but it's getting real.

I: *But how does it get real then, as far as you can tell me?*

KG: It gets real when they try to overthrow a government in Montenegro, it gets real when they get supported - including support from European partners - for regimes likes Gruevski. It gets real by funding neo-Ottoman ideas through Erdogan in Bosnia and Kosovo, I mean more in Bosnia than in Kosovo but I think that even Kosovars who are claiming to be Kosovar

Albanians, claiming to be the most anti-Russian kind of society and society where Russian influence would never penetrate, I think they are not immune to that. There is a lot of sort of societal elements in play, and one never knows, but I can see more and more direct and real influence from external actions. And I am not talking about conspiracy theories here, I'm merely talking about...

I: *Can we agree that the Serb enclaves in Kosovo are quite isolated from the rest of Kosovo?*

KG: Well, yes, in principle yes.

I: *Do you think there is a push from any of the two parties (centralised Kosovo state or Serb minorities in Kosovo) to integrate in to Kosovo?*

KG: You see isolation and integration in this case are not necessarily in the opposing poles. I think that for a great period of time, and especially during the Tadic government the policy of Serbia was to make those enclaves as miserable as possible and portray them as miserable as possible. I don't think it is even necessary to state how opposed I am to such way of governing and being governed. Nowadays, when I talk about enclaves, I talk merely of a few small settlements like villages, not really the municipalities which have their own local government system in place, where life is pretty much integrated, like Gracanica and Strpce and the others. But there are other villages like Gorazdevac, where a really good friend of mine lives, which are totally enclaves on its own - the lifestyle there has been boosted through these security measures which basically let little hope for any kind of interaction and which will lead to any kind of real - not only structural and institutional - but societal integration. And in this regard I think that both governments - both in Kosovo and in Serbia - most of the time didn't give a damn about Kosovo Serbs. As simple as that. I recall in the first government meeting of Kosovo after the declaration of independence, the prime minister - Thaci at the time - asked the ministers not to do anything about the north because this was deliberately asked from them by the members of the Quint (the US and four EU member states), simply because everyone was afraid that if the Pristina government does anything regarding the north of Kosovo Serbs, it would be seen as hostile - which I think at the time would be true. However that was just a stability about all continuation mantra the UN and EU had installed in Kosovo. So basically what we had then if they asked you not to do anything about them in terms of after-math of independence, that did not prevent any Kosovo government so far from working more on inclusion of Kosovo Serbs, and so basically nothing. When it comes to the Belgrade government I think they did exactly the opposite; not only did they encourage enclavisation of Kosovo, but they also encouraged and made sure their own influence over Kosovo - it is the greatest unfortune of the Serbian community in Kosovo that you know for 18 years after the conflict they have been incapable of producing their own leaders who speak on their behalf. They always needed some kind of top-down approach. Even people that emerged from the people, like Randjel Nojkic and Oliver Ivanovic and all the figures, they always needed to have the blessing of Belgrade in order to be accepted as local leaders. This is the most unfortunate because when it came to post-dialogue integration, Serbs have been really slow in assuming their responsibilities and taking care of themselves in municipalities where they can, and this is because they are kind of left hostage in between this vacuum between power and representation. So, yes Serbs are powerful, but the powerful are not representing the people who live there. They are representing the Belgrade government at this point. Most of my Serbian friends in Kosovo don't know any of their members of parliament from Srpska Lista, because they are people

who have never been sort of embedded in the community as such. I really have to go now, we can do a follow up, be that in written or orally.

I: *Sure, thank you. I will work on it, if there is something more I need I will email you. Thank you very much for your time Krenar, I really appreciate your views and comments.*