



# BULLETIN

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## Kosovo's Domestic Situation and Its International Implications

by Marcin Terlikowski and Tomasz Żornaczuk

*The recent local elections have confirmed the instability of Kosovo's political scene. Despite financial backing from the international community and the activities of EULEX mission, Kosovo still wrestles with high unemployment, poverty, organized crime, corruption, and a low level of respect for human rights. International support has yet to translate into an effective solution of these problems by local authorities. The EU should make greater use of instruments at its disposal so as to mobilize in a stronger manner the Pristina government to carry out long awaited reforms.*

**Social and Political Situation.** The independent Kosovo has so far been recognized by 63 countries, but its functioning is contingent on financial aid from the EU, which in 2007–2012 allocated €565 million through the Instrument for Pre-Accession Assistance (in addition to flows from other foreign sources). And yet the country remains Europe's poorest, with 54% of the population living in poverty or extreme poverty, and unemployment running at 45%. Organized crime, involving trafficking in drugs, arms and people, remains a major challenge, as is corruption. The level of respect for human rights, especially of the non-Albanian population, e.g. the Serbs and Roma, is exceedingly low.

The instability of Kosovo was reflected in the course of the campaign preceding the first local elections since independence, whose first round took place on 15 November. When Prime Minister Hashim Thaçi made a visit to the town of Decani, he was pelted with stones, and shots were fired towards his motorcade. Soon afterwards, in Kosovska Mitrovica, shots were fired at a vehicle carrying a mayoral candidate from the opposition Alliance for the Future of Kosovo (AAK). The incidents came amidst fierce electoral rivalry and two-way accusations between PM Thaçi's Democratic Party of Kosovo (PDK) and the AAK, led by former Kosovo Liberation Army leader Ramush Haradinaj. The local election campaign almost led to a breakup of the ruling coalition of the PDK and the Democratic League of Kosovo headed by President Fatmir Sejdiu. After the elections, Prime Minister Thaçi announced a dissolution of the coalition and said a parliamentary procedure would be opened to remove Sejdiu from office, but eventually the coalition partners reached an agreement and the president declared not to support opposition parties. Opposition politicians in turn accused the closest associates of the prime minister, including several cabinet ministers, of participation in organized criminal groups and politically motivated murders. Many irregularities were also reported during the second part of the local elections (13 December 2009), when numerous interventions by the police were required.

**EULEX Mission.** The EU's civilian Rule of Law Mission in Kosovo (EULEX) formally began operations in February 2008, on the eve of the Kosovo independence declaration. However, for the next several months the mission had not managed to complete its preparatory stage and move to the implementation of its mandate. Technical problems (connected with EULEX's taking over of some personnel and assets from the UN operation UNMIK) were accompanied by Serbia's blocking of the mission's deployment in Serbian enclaves and in the northern part of Kosovo. The impasse was only overcome by a UN-brokered so called six-point plan, assuring the mission's formal neutrality on the question of Kosovo independence and subordinating it to the UN (thus retaining Kosovo's formal legal status as described in Resolution 1244). Compared to the Ahtisaari plan, the six-point plan broadened the scope of local governance for the Serbian minority (including greater control of the

local police force and judiciary, the right to tariff revenue collected on the border with Serbia, additional privileges for the Serbian Orthodox Church) and extended the Serbian government's competences in respect of Kosovo (including the question of maintaining the transport and energy infrastructure in the northern part of the country). The Kosovo authorities, not included in the plan's preparatory work, initially rejected it firmly as undermining the constitutional order and sovereignty of Kosovo. Nevertheless, a strong international pressure forced the government to make concessions, resulting in EULEX being able to start fulfilling its mandate duties in December 2008.

The mission became fully operational in April 2009 but it still faces essential problems, lacking support from a large section of Kosovo's Albanian population (condemning agreements with Serbia) as well as from the Serb community, which perceives EULEX as supporting the consolidation of Kosovo state institutions. Albanian resentment of the mission escalated last August, when EULEX signed an agreement with the Serbian Ministry of Internal Affairs on police cooperation in fighting corruption, organized crime and in border control. It was opposed by the Kosovo government, claiming to be the only authorized party to enter into such arrangements. Albanian protests, led by the radical organization Vetëvendosje (Self-determination) ended in the destruction of some 30 EULEX vehicles. Similar incidents continued on a smaller scale, including shooting at a EULEX convoy.

Even though the mission has been carrying out its mandate—e.g. by uncovering several large-scale smuggling attempts, putting down riots on several occasions, conducting numerous investigations and legal proceedings, also into war crimes—it failed to meet the promises of making a qualitative change after the UN operation UNMIK—much criticized for its ineffectiveness. Within a year from beginning operations, EULEX was not capable of contributing to any tangible progress in fighting corruption or crime.

**KFOR and UNMIK Missions.** NATO's military operation KFOR will be phased out from the present 12,500 troops to some 10,000 in January 2010. Further major reductions, even down to 2,500 troops, will depend on the stability of Kosovo. However, KFOR will retain its importance. For the past several months its major new task has been to build and train the Kosovo Security Force (replacing the civil Kosovo Protection Corps, dissolved last July) and to create civilian institutions to control that force. As for the UN operation (UNMIK), following the transfer to EULEX of most of its duties, personnel and other assets, its main functions include acting as the principal intermediary in the Serb community's communications with the Kosovo government and EULEX, facilitating top-level political contacts and exercising some retained powers with respect to Kosovo government's representation internationally.

**Conclusions and Recommendations.** The local elections have confirmed a low level of political culture in Kosovo. There is only limited room for improvement in the political and economic situation, and this gives rise to people's sense of frustration. Given the plenitude of internal problems and absence of an unequivocal international settlement on Kosovo status, it is unrealistic to expect at present any major progress on the country's road to the EU, even in the form of Stabilization and Association Agreement (SAA) with the EU, available to other countries in the region. Worse still, internal political conflicts may result in a growing destabilization of Kosovo.

Having recognized Kosovo's independence, Poland did not establish diplomatic relations with that country. Poland has very limited opportunities to influence developments there, but on the EU forum it may call for a more determined push to mobilize the Kosovo government to introduce reforms, especially those which increase internal security, strengthen the rule of law and serve economic improvement. EULEX—the EU's key instrument in Kosovo—should make a better use of its extensive powers and resources for the support of the local police and judiciary, and it should focus on the problem of these institutions' ineffective fight against organized crime and corruption. Another available instrument is the EU's visa policy, so far effectively stimulating reforms in other countries in the region. The removal of Schengen visa requirement for the citizens of Macedonia, Montenegro and Serbia, as of 19 December 2009, may provide an incentive for the Pristina authorities to speed up the awaited reforms—if only the EU offers a credible perspective for a phase-in of visa liberalization for Kosovo citizens, uncoupled with the question of Kosovo's international recognition.