

**KOSOVO'S LINCHPIN:  
OVERCOMING DIVISION IN MITROVICA**

31 May 2000

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## **Map of Mitrovica and Kosovo**



## **KOSOVO'S LINCHPIN: OVERCOMING DIVISION IN MITROVICA**

### **EXECUTIVE SUMMARY**

Mitrovica has become the linchpin of Kosovo's future united status. The stakes are high. If the international community cannot re-establish Mitrovica as a single city, efforts to preserve a united Kosovo will also fail.

Trouble has plagued Mitrovica – the city in northern Kosovo effectively divided between a northern Serb portion and a southern Albanian one – since NATO's Kosovo Force (KFOR) arrived in June 1999. Tensions in the city over the past few months have periodically erupted into violence. The situation has crystallised many of the weak points of the international approach in Kosovo: lack of vision for the future; inability to protect the security of minority groups or to promote real reconciliation between Albanians and Serbs; insufficient human and financial resources among international administrators; and poor co-ordination, as well as finger pointing, among both international military and civilian officials in Mitrovica.

Senior UN and KFOR officials are working on plans for improving co-ordination among military and civilian officials in Mitrovica and there are some tentative signs that the efforts of the new UN administrator and others are beginning to take hold. But the United Nations Mission in Kosovo (UNMIK) needs to articulate what it has so far failed to: a public vision and strategy for Mitrovica that will give both Serbs and Albanians the confidence that the international community has the will and resources to help them recreate Mitrovica as a single city where both communities can live in security, tolerance, and prosperity.

Mitrovica needs, in the context of that articulated vision, a package of political, economic, and military carrots and sticks aimed at breaking Belgrade's control over Mitrovica. These measures should be designed to give the Serbs confidence that they can live safely and that their political and cultural identity will be respected in a united Kosovo, while assuring the Albanians that they can return to Mitrovica and that the division will not harden further into *de facto* partition.

## **RECOMMENDATIONS**

### **General**

1. UNMIK should articulate a public vision and strategy for Mitrovica that gives both Serbs and Albanians the confidence that the international community has the will and capacity to help them recreate it as a single city.

### **Security**

2. UNMIK should expand the "zone of confidence" to include all of Mitrovica city, ending the current division along the Ibar River but also preventing Albanians from flooding in behind the zone and harassing Serbs.
3. UNMIK should insist upon improved co-ordination among all elements of the international presence in Mitrovica, a more aggressive posture toward violations of public order and other security problems by international police, and full backing from KFOR.
4. KFOR should reinforce its contingent in Mitrovica with U.S. and British units.
5. KFOR should identify individuals and groups which are acting under Belgrade's control or in other ways inconsistent with current international regulations governing Kosovo or with efforts at reconciliation; exclude them from political life of the region; and, if they persist in their activities, expel them from Kosovo.
6. KFOR should move the headquarters of the Kosovo Protection Corps outside the boundaries of Mitrovica city.

### **Political**

7. UNMIK should expand the co-ordination authority of Mitrovica's regional administrator and provide him with additional human, financial and security resources.
8. Within an expanded zone of confidence, the UNMIK administrator should re-establish a joint city administration step-by-step, beginning by co-locating the offices of Serb leader Oliver Ivanovic and his Albanian counterpart, to be followed by re-opening on a joint basis such city services as the fire brigade.
9. UNMIK should put forward a political program for Mitrovica and the region to the north that, regardless of how the issue of Kosovo's final status is decided, will guarantee local power-sharing arrangements for the Serbs on such issues as running their own schools, health care, social services, and a guaranteed share of representation in the organs of local self-rule and in the police force.

## **Economic**

10. The UNMIK administrator should open a market to re-establish blocked trade ties between the two parts of the city.

**Pristina/Washington/Brussels, 31 May 2000**



## **KOSOVO'S LINCHPIN: OVERCOMING DIVISION IN MITROVICA**

### **I. A CHRONOLOGY OF DIVISION**

Mitrovica marks an informal line of division between the main part of Kosovo, where NATO's Kosovo Force (KFOR) and the United Nations Mission in Kosovo (UNMIK) enforce the international community's writ, and a zone running to the border with Serbia approximately 75 kilometres to the north, where Belgrade continues to heavily influence the daily lives of the Serbs who overwhelmingly inhabit the area. Since the end of the war the line of division in Mitrovica – initially established as a way for Serbs to protect themselves against revenge attacks by Albanians – has been hardening.

Roughly a week after KFOR entered Kosovo, on 20 June 1999, French troops laid the first barbed wire across the bridge that spans the Ibar River in central Mitrovica. At this time, there were already indications that the two parts of town were sliding towards conflict. Self-organised Serb groups, including the "bridge watchers" based in the Dolce Vita café at the northern, Serb end of the bridge, began to appear but they did not immediately prevent the return of many Albanian refugees to areas in north Mitrovica such as "Little Bosnia," which the Serbs had cleansed during the war.

Mitrovica has gone through several phases during the post-1999 war period. Until December 1999, shortly after the departure of the first international administrator, Sir Martin Garrod, some common and ethnically mixed institutions continued to exist – including the hospital, fire brigade and courts, although even then tensions were high and true joint work was difficult. Regular weekly meetings occurred between Mitrovica's Serb leader Oliver Ivanovic and his Albanian counterpart Dr Bajram Rexhepi, although opinions differ about their usefulness. Albanian sources have described these meetings, which often lasted several hours, as constructive. Serbs, by contrast, claim that the meetings remained constructive only as long as no important issues were discussed, an assessment that is generally shared by international officials with long experience in Mitrovica.

In early February 2000, an eruption of hostilities occurred which has continued on a periodic basis until recently. On 2 February, a rocket-propelled grenade attack on a United Nations High Commissioner for Refugees (UNHCR) bus carrying Serbs from Mitrovica killed three and wounded several. The next day a hand grenade was thrown into a Serbian cafe in north Mitrovica, injuring a

number of Serbs and killing one Albanian who was reportedly socialising with Serb friends. That night, large crowds of Serbs and Albanians gathered on both sides of the Ibar River. Eight Albanians and Turks were reportedly killed as Serb crowds went from apartment to apartment killing and expelling non-Serbs. Between the second and twentieth of February approximately 1,700 Albanians, Muslim Slavs, and Turks fled their homes in the north side of the city.<sup>1</sup> No one has ever been arrested for these killings and other violence directed against Albanians in Mitrovica at that time.

Another serious incident of violence erupted on 15 February when snipers wounded two French KFOR soldiers. The French responded by killing an Albanian and wounding at least four others they said were firing at them from the rooftops, while more than 35 other Albanians were detained on suspicion of involvement in the sniping.<sup>2</sup>

As tensions escalated, KFOR on 20 February mounted Operation Ibar, a multinational effort that included U.S., British, German, Italian and other troops under overall French command. The troops sealed off Mitrovica and conducted weapons searches in both parts of town, targeting pre-identified sites and eventually finding about 40 long-barrelled weapons. In order to reduce the chances of inadvertent violence, the operation had been announced the previous day through helicopter leaflet drops and by local radio stations. In one well-publicised incident, a US company participating in the operation was ordered to withdraw from Mitrovica in the face of a stone-throwing Serb crowd. A few days later, after the conclusion of Operation Ibar, the additional national contingents brought in for the event withdrew from Mitrovica.

KFOR sources believe Operation Ibar was successful in reducing tensions in Mitrovica. It also exposed serious internal problems within the alliance structure in Kosovo. Shortly after the operation, the U.S. press reported that Joint Chiefs of Staff Chairman General Hugh Shelton had written to NATO Commander General Wesley Clark to question the wisdom of sending U.S. troops to volatile areas such as Mitrovica, where they could end up in a confrontation with hostile Serb civilians. The letter reportedly said that other KFOR troop contributing nations should send more soldiers to Kosovo before significant numbers of American troops would again be allowed on a mission outside the U.S. sector.<sup>3</sup> The upshot is that American troops have not participated in further missions in the Mitrovica region although those of other nations continue to do so.

## **II. THE SERBS**

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<sup>1</sup> Information from UNHCR and from *Setting the Standard? UNMIK's and KFOR's Response to the Violence in Mitrovica*, Amnesty International, p. 7, 13 March, 2000.

<sup>2</sup> "Diversity Divides a Town in Kosovo," Jeffrey Smith, Washington Post, 16 February, 2000.

<sup>3</sup> "Joint Chiefs Chairman Protests Troops Mission to Kosovo Town," Jane Perlez, *New York Times*, 1 March 2000.



According to the 1991 census, the municipality of Kosovska Mitrovica was 78.9 per cent Albanian and 10.2 per cent Serb. The municipalities to the north of Mitrovica, however, were among the most heavily Serb populated in Kosovo. Leposavic municipality, about 40 kilometres north of Mitrovica, was 87 per cent Serb and only 5.8 per cent Albanian.<sup>4</sup> These districts were only joined to Kosovo in 1957, in an apparent effort by the Serbian republican authorities to increase the proportion of Serbs in Kosovo, which at that period enjoyed less latitude than it subsequently obtained as an Autonomous Province under the 1974 Yugoslav constitution.

Currently an almost complete division exists between Albanian and Serbian controlled portions of Mitrovica. Perhaps a thousand Albanians live in the narrow "zone of confidence" along the northern bank of the Ibar River while a handful of Serbs live under constant KFOR guard around the Orthodox church just to the south of the river. In the north of the city beyond the zone of confidence approximately 650 Albanians live compactly in one neighbourhood while perhaps an additional 600 Albanians, Muslim Slavs, and Turks live scattered through the northern part of the city. Only a few hundred Albanians remain in the largely rural areas to the north of Mitrovica.<sup>5</sup> Serb sources claim that about 16,000 Serbs live in the northern part of Mitrovica city, while about 60,000 live in the territories to the north, but these numbers may be somewhat overstated. Data provided by Albanian sources, based on records of the electric power enterprise in Kosovo, claim to show that shortly before the NATO bombing began, within the northern part of Mitrovica 53 per cent of the households were Albanian and 47 per cent were Serb.

Leadership on the Serb side of Mitrovica has been assumed by an informal, self-constituted body called the Serb National Council (SNC). Its head is Oliver Ivanovic, an articulate and energetic former official of FeroNikel, one of the leading enterprises in the region. Ivanovic has taken the lead in negotiations with the international community, in part because of the charismatic influence he wields over the local Serb population and in part due to his excellent command of English. Ivanovic says that he is committed to Serbs living in Kosovo, and also states his desire to work in a co-operative fashion with the international community to resolve the Mitrovica problem. The first priority in Mitrovica, he believes, is achieving a period of two-to-three months calm to allow time for the current high level of tension to dissipate. After that, he says he would like to begin gradually to re-establish joint institutions, including as a first step co-locating his office with that of the Albanian mayor of Mitrovica on the south side of the river.

Opinions about Ivanovic vary widely. Despite his conciliatory approach in private, some international observers claim to have heard him engaging in inflammatory anti-NATO rhetoric in public meetings before Serb audiences. Questions have also been raised about Ivanovic's relationship to Belgrade. Ivanovic denies any formal connection with Milosevic. Some diplomats, with access to a range of national information, believe that Ivanovic acts under

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<sup>4</sup> FRY Institute of Statistics.

<sup>5</sup> Information provided by UNHCR.

Belgrade's direction; others assert this is not proven. Ivanovic certainly uses Belgrade for such things as money for public services and the salaries of officials in the north but it is probably too simple just to seem him as a creature of Milosevic. Ivanovic told ICG that he shares Milosevic's view that the international community is failing in Mitrovica and throughout Kosovo but he also claimed that he – unlike Milosevic – actually wants the international community to succeed. Ivanovic has succeeded in establishing his own power base through the force of his own personality and through the prestige he gains from his ties with the international community. Ivanovic also maintains ties with the Serbian opposition, especially the nationalist Democratic Party of Serbia, led by Vojislav Kostunica – who held a 18 May press conference at the SNC headquarters – and the Democratic Party, led by Zoran Djindjic.

While Ivanovic talks the talk of reintegration with international officials, on the ground he and the local SNC seem to walk the walk of Belgrade. Ivanovic appears to exercise considerable control over the "bridge watchers"—young men often equipped with walkie-talkie radios who patrol the northern end of the bridge for the Serbs and who also exercise a kind of quasi-police power over the local Serb population. There are, for example, reports of Serbs being beaten up because they refused to join demonstrations against Albanians.

"Bridge watchers" – considered by many as thugs – have often been observed mobilising crowds to demonstrate against returning Albanians or against international representatives. They have also been known to aggressively challenge foreign journalists and impede international police in the performance of their duties, including reported instances of mobilising crowds to disarm police and force them to release detained suspects. Members of the international community and Kosovo Albanian officials contend that many of the "bridge watchers," who seem to rotate through Mitrovica in a regular fashion, are actually plainclothes employees of the Serbian Ministry of Internal Affairs (MUP in its Serbo-Croatian acronym) or of other Serbian agencies.

Another Serb figure who exercises considerable influence in Mitrovica is Marko Jaksic, the number two official on the SNC and the local head of the DSS. The SNC, moreover, is not the only Serb political structure in Mitrovica. Intermingled with it – and in the view of some international officials in Mitrovica sometimes competing with it as well – are structures that report back to Belgrade. The mayor of the pre-war Serb municipal government, Nikola Radovic, continues in office though with a more modest public presence than Ivanovic.

Milosevic's Socialist Party of Serbia (SPS) is also present in Mitrovica and the surrounding region and appears to be stepping up its activities aimed at undermining the work of the international community. In early May, according to sources in the international community, the SPS organised meetings in towns in the north where Organisation for Security and Co-operation in Europe (OSCE) registration centres had been set up. In inflammatory speeches during these meetings, the international community was described as the enemy of Serbs. One OSCE volunteer reported that he was kept from opening a registration station in a Serb-inhabited village by a group of angry men. In late

April Serb leaders in the municipal assembly in Zvecan who had been co-operating with the UN were replaced by representatives of the SPS and Serb opposition leader Vuk Draskovic's Serbian Renewal Movement (SPO). The orchestrators of this "coup," according to OSCE observers, received official endorsement from Belgrade and were reported to have threatened municipal employees with the suspension of their social benefits if they continued to cooperate with the UN.<sup>6</sup>

### **III. SERB RETURNS**

Resolution of Mitrovica cannot be separated from the broader issue of the return of the Serb and Albanian populations to areas beyond Mitrovica from which they were forced to flee during and after the 1999 war. As long as Serbs cannot live normally elsewhere in Kosovo, they will want to keep Mitrovica and the territories to the north as their own, well-defended fortress. Within Mitrovica itself, both sides claim that they would like their respective Internally Displaced Persons (IDPs) to return to their original homes. They cannot do so, however, until adequate security is provided, destroyed homes are rebuilt or people are provided resources to do this themselves, and IDPs of the other ethnic group who might be inhabiting those homes are able to return to their own homes. This conundrum argues, *inter alia*, for a focused international effort aimed at rebuilding homes of IDPs of both ethnic groups, both in Mitrovica itself and in areas outside of Mitrovica, to enable people's timely return to their pre-war places of residence.

Ivanovic – who harbours ambitions to exercise a major political role among Serbs throughout Kosovo – has become locked in a major political battle over returns with a group of moderate Serbs centred around Bishop Artemije in the enclave of Gracanica near Pristina. Ivanovic appears to have seized on the issue of returns when it assumed public prominence after articles in the U.S. made it appear that Washington intended to encourage returns as a way of increasing the influence of Artemije and other moderate Serbs who have agreed – unlike Ivanovic – to participate in the joint interim Kosovo institutions established by the UN.<sup>7</sup> Ivanovic adopted a more aggressive approach on the modalities of Serb returns to highlight his differences with the more cautious Artemije and, some speculate, to put the international community on the spot if, as many expect, returns either fail to occur in any significant numbers or returning Serbs are exposed to Albanian violence. Ivanovic's approach to the issue of returns is highly politicised; in a conversation with ICG he refused, for example, even to consider encouraging the return of Albanians to villages in the Serb-controlled areas north of Mitrovica while insisting that the international community bend its efforts toward returning Serbs elsewhere in Kosovo.

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<sup>6</sup> Contacts with international officials involved in Mitrovica.

<sup>7</sup> "U.S. Plans to Return 700 Serbs to Kosovo; UN Expresses Security Concerns," Peter Finn, *Washington Post*, 16 April, 2000.

Serbs have the right to return to their homes and the international community an obligation to help them. Until such time, however, as Ivanovic demonstrates a more co-operative stance on Kosovo-wide issues – for example by joining the UN interim structures, by publicly telling Serbs to join in the process of registration, or by showing willingness to allow Albanians to return to their homes – he is properly being excluded from any role in the return of Serbs to areas beyond his own Mitrovica fiefdom. For now, at least, the international community appears to have no alternative to dealing with Ivanovic on Mitrovica, but that should continue to be the extent of his role until he demonstrates a more co-operative approach on broader issues.

A related dilemma is the registration of the Kosovo population, which is expected to be followed by local elections in the fall. Current rules allow for individuals to register in their municipality of origin, i.e., where they lived before the war, or in the municipality where they live at present. Although Serbs are currently refusing to register, should they begin to do so these rules would allow Serb IDPs from other parts of Kosovo to register there, which would alter Mitrovica's pre-war ethnic balance. On the other hand, should – as now seems possible – only Albanians participate in the elections, the result would be an exclusively Albanian Mitrovica local administration, which would lack all credibility with the Serbs. Unpublished drafts of UNMIK's regulations establishing local governmental structures would allow the UNMIK chief to appoint persons to the elected municipal assemblies, a right he might well have to avail himself of in Mitrovica.

#### **IV. THE ALBANIANS**

Currently Albanians reside in the southern part of Mitrovica and a narrow strip of territory along the north bank of the Ibar River – the zone of confidence. Here they live under the permanent protection of heavily armed French KFOR troops, subject to harassment or attack by Serbs only one block away. This uneasy peace is punctuated by the exchange of insults, stones and sometimes grenades or gunfire from either side.

The Albanian mayor of Mitrovica, Dr Bajram Rexhepi, was installed by the KLA-dominated Provisional Government formed during the 1999 war. Rexhepi operates out of a dilapidated and largely empty suite of offices in a dingy building near the UNMIK headquarters on the south side of the city. Rexhepi, who seems to have few resources at his disposal, takes a low-key approach, in striking contrast to his more flamboyant Serb counterpart Ivanovic. He emphasises that a fifty-fifty division of Mitrovica is unacceptable to the Albanians, but he also adopts a conciliatory approach toward achieving his objective—a joint administration in a single city. He insists that Albanians are ready to move out of apartments on the south side of the city belonging to Serbs and also states his willingness to share offices with Ivanovic.

Rexhepi expresses sharp dissatisfaction with the behaviour of the international community in Mitrovica up to now, which he charges has been characterised by

a rapid rotation at the top, lack of co-ordination, and mutual-finger pointing when trouble breaks out. A surgeon who treated Kosovo Liberation Army (KLA) combatants and civilians in the hills around Mitrovica during the war, Rexhepi is reportedly a member of Hashim Thaci's newly re-named Democratic Party of Kosovo. He says he has been granted co-ordinating authority in Mitrovica by all Albanian political parties.

## **V. UNMIK STRATEGIC PLANNING**

At the end of February, UNMIK presented to the Joint Interim Administrative Council (JIAC) a phased plan for Mitrovica, which was not made public but soon filtered to the media. The plan provides for a number of positive steps aimed at creating, within four-to-six months, a secure environment in and around Mitrovica that would:

- Ensure the security of the Serb community;
- Insulate the area from troublemakers;
- Facilitate two-way returns; and
- Eliminate the "green line" as a rallying point for extremists.<sup>8</sup>

Unfortunately, little was done initially to implement the UN's plan. Several Albanian families were returned to three high-rise buildings on the northern banks of the Ibar, and a footbridge was built to allow them to cross the river directly from their homes to the south. French KFOR troops created a heavily guarded zone of confidence around the three bridges crossing the Ibar, and this district is now under strict KFOR control. Some limited measures have been undertaken to provide Mitrovica residents employment in public works measures, such as clean-up projects. Other provisions in the UNMIK plan, including such measures intended to lay the foundation for a joint existence as dissolving parallel structures and appointing international judges and prosecutors, have gone slowly. Not until 25 May did an international judge hold the first trial in Mitrovica. A Serb was sentenced to six months imprisonment for setting fire to a home owned by an Albanian but was immediately released by the Swedish judge because he had already served nine months in jail.<sup>9</sup>

## **VI. U.S. CAVALRY TO THE RESCUE?**

By the spring of 2000 the international community had finally begun to recognise that the situation in Mitrovica could threaten the success of the entire Kosovo peace mission and that the string of short-lived and ineffectual international administrators who followed Garrod in Mitrovica had been unable to address the problems effectively. In April 2000 William Nash, a former US Army General who commanded the first US troops in Bosnia, was appointed as

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<sup>8</sup> Bullet-points are as in the above mentioned phased plan, which bears the title "Mitrovica – a strategy towards co-existence."

<sup>9</sup> "Russian Peacekeepers Come Under Attack for Second Day in Kosovo," AP, 25 May, 2000.

the UN Administrator for Mitrovica. Although Nash did not receive any special new authority, he brought to the job a reputation for dealing firmly but fairly with all sides during his tenure in Bosnia and in particular for developing a good working relationship with leaders in the Serb regions in Bosnia that included much of Nash's zone.

Both sides in Mitrovica have welcomed Nash's arrival. Rexhepi described him as acting "like a true hurricane" to break barriers.<sup>10</sup> Ivanovic has also begun to work closely with the new administrator. Well aware of the expectations aroused by his arrival, Nash in his first weeks in Mitrovica adopted a cautious and low-key approach, intended to build confidence among local Albanian and Serb leaders and to familiarise himself with the situation on the ground before publicly adopting any major new initiatives. He has described his initial priority as seeking to include both sides in a good faith process of engagement and as part of this strategy has persuaded Ivanovic and Rexhepi to resume regular meetings. Nash has been particularly eager to draw the Serbs out of their defensive shell and appears to believe that working closely with Ivanovic is the way to start the process of building confidence and beginning reintegration.

It is of course perfectly legitimate for Nash to move cautiously in the beginning. Even in these early days, however, there are some grounds for concern about how much of a difference one man can make – most of which do not depend on Nash himself. The apparent absence of any special new powers means that, legally, Nash is simply one of many UN regional administrators, dependent on his own special stature and tactical skills and whatever additional resources he can bludgeon or cajole out of UNMIK headquarters in Pristina and from the international community more broadly. At the end of April, UNMIK in Mitrovica had filled only slightly more than half of its authorised positions,<sup>11</sup> not a good sign of international seriousness. Particularly important in Mitrovica would be an increase in the number of local community officers, that is international officials with a responsibility for operating within the local populations to serve as a channel of information in both directions and for acting to reduce tensions and, if possible, prevent violent incidents based on rumour or other forms of misinformation. Additional resources are also necessary in order to create a functioning local judicial system. At the end of May 2000 there were still only one international judge and prosecutor in Mitrovica, which contributed to the delays in dealing with cases of ethnic violence and led to a hunger strike by Serb prisoners who had been waiting months for a trial and demonstrations in the streets outside the jail in their support.

## **VII. EASTER VIOLENCE**

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<sup>10</sup> *Bota Sot*, 9 May 2000.

<sup>11</sup> Conversation with international officials.

One of Nash's tactical objectives is to create a period of calm in the streets that would give him breathing space to tackle Mitrovica's underlying problems. Violent incidents over the Orthodox Easter weekend demonstrated how difficult it will be for Nash and the international community to achieve this desired period of calm without immediately undertaking a more energetic approach on the ground. Tensions were initially raised on Good Friday, when a crowd of rock-throwing Albanians attacked Serbs and their KFOR escorts during a religious ceremony at the Mitrovica Orthodox church located just across the river in the Albanian, south side of Mitrovica. The next evening—the traditional height of Orthodox Easter celebrations—a crowd of Serbs in north Mitrovica went on a rampage, stoning KFOR troops, attacking international facilities, and destroying or damaging over 20 international vehicles.

Exactly what provoked the riots remains unclear. Some internationals thought that the Serbs reacted to rumours that Albanians were smuggling more settlers into the north side. Others cited the coincidence of Easter celebrations and a local football match—both events traditionally accompanied by the substantial intake of alcohol among some elements.

Whatever their origin, the demonstrations and the perception among some elements of the international presence in Mitrovica that KFOR had not sufficiently protected them led to an unusual degree of Monday-morning recriminations. The head of UNHCR operations in Kosovo issued a pointed statement complaining that international workers should not be "sitting ducks" and threatening that UNHCR might withdraw if it continued to be targeted by the local population. On the positive side, however, the demonstrations also appear to have led to serious efforts at improving international co-ordination in Mitrovica. International officials have stated that UNMIK headquarters in Pristina and KFOR are taking the lead in developing a Joint Operational Plan intended to allow KFOR, UN police, and UN civil officials to co-operate more effectively. Such an approach is highly desirable but whether it will work remains to be seen.

Although the public thrust of the UNHCR complaint was directed against local rioters, privately many international workers were critical of a perceived unwillingness by French KFOR troops to provide them with sufficient protection. UN police in the Mitrovica region have long chafed at what they regard as insufficient support from KFOR. Police officers have complained that when they detain a suspect they are often surrounded by crowds, jostled, knocked to the ground, and on occasion relieved of the suspect – while KFOR troops watch without intervening. On the other hand, even successful initial apprehension may not make much difference, since police also assert that many suspects who make it back to police headquarters are released without being charged.

The regional UN police commander in Mitrovica expressed a strong preference for a higher security profile generally in the city, including pro-active approaches such as detaining individuals at the first sign of violence to prevent small incidents from escalating and getting out of hand. He also expected that the new Joint Operational Plan currently being worked out in UNMIK

headquarters will allow the police and KFOR to operate more effectively together in all aspects of security in Mitrovica, including riot control.<sup>12</sup>

There are many versions of what happened during the Easter demonstrations. Senior French KFOR officers assert that their troops acted properly in attempting to prevent the Serb demonstrators from moving against the vulnerable, Albanian-inhabited strip along the north bank of the river. These officers and senior officials in KFOR headquarters noted that protecting property is not a priority of the KFOR mission and that it would have been improper to use deadly force for this purpose, especially against what was described as an inebriated group of teen-agers. They also contend that the part of northern Mitrovica, where most of the international vehicles were destroyed and where the international police and civilian workers were concentrated, was actually removed from the main area of violence and noted pointedly that a unit of special police under the authority of the UN police commander in Mitrovica was not deployed during the Easter incident.

Senior French KFOR officers also dispute allegations of passivity by their troops, pointing out, for example, that French forces have sustained over 70 injuries in carrying out their undoubtedly difficult and sensitive mission in Mitrovica. French KFOR sources have said that their priorities in Mitrovica are force protection, protection of the local population, and protection of KFOR installations and equipment. These priorities go a long way toward explaining the behaviour of the French KFOR troops during the Easter demonstrations, where the French believe they acted correctly in protecting the local Albanians and extracting their own troops without losses.

The priorities asserted by the French in Mitrovica, however, appear to be much more limited than are allowed in the documents that underpin the international mission in Kosovo. UN Security Council Resolution 1244, which defines the mandate in Kosovo, includes the following as among the responsibilities for the international security presence in Kosovo:

- Establishing a secure environment in which refugees and displaced persons can return home in safety, the international civil presence can operate, a transition administration can be established, and humanitarian aid can be delivered;
- Ensuring public safety and order until the international civil presence can take responsibility for this task; and
- Ensuring the protection and freedom of movement of KFOR itself, the international civil presence, and other international organisations.

KFOR Rules of Engagement (ROEs), in addition, appear to allow, under certain circumstances, the use of force against civilians engaging in demonstrations or riots or who commit or threaten to commit serious crimes in the presence of KFOR forces, or who pose a threat to the security of individuals or property of

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<sup>12</sup> Conversations with police officials.



persons connected with KFOR or the international civilian missions in Kosovo.<sup>13</sup> Some other national contingents in KFOR, moreover, have not adopted the same restrictive definition of allowed behaviour as the French. Members of British forces, who have responsibility for Pristina, have confirmed that their troops, who engage in foot patrols throughout Pristina, have authority to intervene against threats or the use of force against international civilians or their vehicles and, on some occasions have done so. The problem, therefore, is not that KFOR in Mitrovica lacks the mandate to act. Rather, the senior leadership in KFOR, UNMIK, and in the international community more broadly, lacks the will to use the resources at its disposal and a political strategy in which such use would make sense.

The behaviour of the various international KFOR contingents also naturally reflects their history, traditions, and past military experience. French military forces have traditionally operated more independently from political and alliance command than many other members of KFOR, which often renders their decision-making processes opaque even to close allies. The French reportedly also tend to react episodically to crises, employing their forces quickly and skilfully when they choose to do so but generally seeking a quick return to a more normal level of alert or deployment. This tendency, in the view of some observers, explains the preference of the French for maintaining the zone of confidence with a string of fixed posts and a reported reluctance to engage in foot patrols through the streets. American forces, by contrast, giving priority to force protection, tend to respond to crises through a display of overwhelming force: this can be effective as intimidation, but has had a tendency to leave them muscle-bound in reacting to provocations by individuals or crowds in Mitrovica.

British forces, on the other hand, with long experience in Northern Ireland and other trouble spots, tend to adopt a more flexible and aggressive posture. They work close to the ground and deploy small units with an active approach both to intelligence and contact with the local population. Units often operate with a high degree of independence and initiative to identify, isolate, and if possible, suppress incidents before they have the opportunity to expand, while retaining the capacity to concentrate larger forces rapidly, if necessary.

These different military philosophies have not always meshed together well in Mitrovica. On balance, the British approach would appear to be the most effective in dealing with the special challenges that Mitrovica presents. The British, therefore, should be given a more active role in Mitrovica city, and the Americans and French assigned the task of walling off the city and the northern portion of Kosovo from Serbia, which would better fit the capabilities and approach of each national KFOR contingent. This would require a relaxation of current US rules against the deployment of U.S. troops outside their zone except in the case of emergencies and with high-level Washington

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<sup>13</sup> At the end of April 2000 KFOR's "Rules of Engagement for Land Operations," dated 23 December 1999 and taken from Operational Plan 31402 were sent by mistake to a number of computers in Great Britain and possibly elsewhere in the world. The text of the document, which was classified "NATO Restricted," was published in the Pristina daily *Zeri* on 1 May 2000.

approval, but it would be fully warranted in view of the importance of Mitrovica to the overall success the international mission in Kosovo.

## **VIII. A FRAMEWORK FOR RESOLUTION**

Resolution of the Mitrovica problem requires a combination of political, military, and economic measures, the overall purpose of which should be to convince the Serbs that they have a secure and prosperous future in Kosovo and the Albanians that their dream of a united Kosovo can only be achieved by respecting the security, individual rights, and cultural identity of Serbs in Mitrovica as in the rest of Kosovo. Resolution of Mitrovica will also require an awareness on the part of the international community that Mitrovica has become the linchpin of Kosovo's future united status and that failure to correct the consequences of the past year's drift could cause the failure of the international mission in Kosovo.

The international community should articulate, through UNMIK, a public vision and strategy for Mitrovica that gives the people of the region – both Serb and Albanian – the confidence that it has the determination and capability to take charge in a way that protects the interests of both groups. UN and KFOR planning for Mitrovica up to now has focused on technical issues, such as expanding the zone of control. These are vitally important, but they cannot succeed unless embedded in a broader political framework. These plans have also been kept secret – which is appropriate for their military-technical elements – but secret plans obviously cannot positively motivate people's behaviour.

The Mitrovica framework has to begin with the notion that the international community is absolutely determined to protect the legitimate security interests of the Serb population in Mitrovica and the territories to the north of the city. The division of the city along the Ibar came about because the Serbs drew the line there to protect themselves against Albanian reprisals in the summer of 1999 and neither KFOR nor the UN authorities moved to stop them. The international community cannot expect the Serbs to support the gradual relaxation of the Mitrovica "green line" unless it demonstrates that it can do a better job of protecting Serbs than it did in 1999.

The second vital element of the new international approach to Mitrovica should be reclaiming from Belgrade control of the city and the territories to the north. As things stand now, to cross the Ibar in Mitrovica is in most respects to leave Kosovo and enter Serbia. Civil servants continue to be paid by Belgrade, newsstands sell only newspapers available in Belgrade, prices are quoted in dinars, schools use a Serbian curriculum, and shops sell goods available in Belgrade. Belgrade also continues to exercise a heavy influence over security in the region. KFOR is supreme where it chooses to exert its influence—for now, in the narrow zone of confidence in central Mitrovica and along the main roads leading north of the city to the border. Beyond the shadow of KFOR's gun barrels, however, begins a security grey zone where UN police contest control of the streets with the "bridge watchers." It also seems clear from

anecdotal accounts that there is a parallel, quasi-legal structure of power and authority operating under the surface in the Serb-dominated north of Kosovo just as in the Albanian south, which acts to intimidate and silence opponents of the official line.

Breaking Belgrade's grip will require political, economic, and military measures used as both carrots and sticks. These measures must be implemented in a way that will give Mitrovica's Serb population the hope that its political and ethnic distinctiveness will be respected and its economic interests better served as part of a united Kosovo than as an outpost of Milosevic's Serbia. As a corollary, strict border and road controls should be introduced at the already existing KFOR checkpoints to the north of Mitrovica to prevent the importation of personnel, weapons, money, or other material used by Belgrade in its current campaign to subvert international control in Mitrovica. A number of internationals and locals alike have said that breaking Belgrade's control would help the people of Mitrovica begin themselves to work toward re-knitting the fabric of joint life.

The international community – KFOR, UN police, and UNMIK – should move gradually but decisively to regain control of Mitrovica and the region to the north. The current zone of control should be expanded to the point where it includes all of the city of Mitrovica, in a fashion which ends the current division along the Ibar River but which also prevents Albanians from flooding in behind the expanding zone and expelling or otherwise harassing Serbs. This would probably require reinforcing the numbers of KFOR troops in Mitrovica and, as noted above, might be facilitated by assigning KFOR national troop contingents to roles in this process which reflect their special national strengths and experience.

Within this expanded zone, the international community should begin the step-by-step process of re-establishing the institutions of a united city administration. As a first step, Ivanovic and Rexhepi should begin to work jointly out of new, co-located offices. City services, such as the fire brigade, should then begin to work throughout the city on a joint basis. Also useful in restoring confidence among the Serb population would be the removal of the Kosovo Protection Corps (KPC) headquarters outside the boundaries of Mitrovica city.

KFOR and other elements in the international community should also undertake an active program of all-source intelligence measures to identify individuals and groups which are acting under Belgrade's control or in other ways inconsistent with the reconciliation activities of the international community. Legal criteria should be developed on the basis of which such individuals could be warned to cease their activities. Those who fail to heed this warning should be prevented from participating in the political, economic, and cultural life of Mitrovica and, if they persist, expelled from Kosovo.

Existing regulations associated with the international mission in Kosovo provide sufficient authority for tough action against agitators or other undesirables in Mitrovica. What has been lacking up to now is the will to use them and an

overall political strategy which would make them effective. Thus, the Military Technical Agreement of 12 June 1999 includes military and police forces, armed civilian groups, and "other groups or individuals so designated by the international security force commander" in the category of Federal Republic of Yugoslavia (FRY) forces whose presence is not allowed in Kosovo. This would appear to give sufficient authority to remove the "bridge watchers" and other quasi-police groups in Mitrovica. Similarly, UNMIK regulation 1999/2 "On the Prevention of Access by Individuals and their Removal to Secure Peace and Public Order," authorises the temporary removal, prevention of access, or temporary detention of individuals deemed a threat to public peace and order including acts that jeopardise the rule of law, human rights, property, or the functioning of public institutions. During the February riots in Mitrovica UN officials reportedly drew up a list of ten men – including some linked to Belgrade – whom they considered major troublemakers. One man, a top aide to Ivanovic, was expelled from the city.<sup>14</sup>

Implementation of the ambitious program described above would require strengthening the mandate and resources currently devoted to Mitrovica. The international community should promptly reconsider its decision not to grant General Nash additional special powers, under the overall guidance of UNMIK chief Bernard Kouchner. At a minimum, Nash should immediately be given the authority to direct all civilian international activities within the Mitrovica region, including the police. KFOR should simultaneously publicly state its readiness to provide full military backing for Nash. Finally, the UN and other civilian agencies should make Mitrovica their highest priority for the assignment of top-quality staff.

Tough security measures must also be accompanied by a political program to show the Serb population of Mitrovica that within a united Kosovo – regardless of the resolution of Kosovo's final status – there will be power sharing arrangements to protect their political and ethnic interests. Such measures could include guarantees that within the heavily Serb areas of Mitrovica and the north, the Serb population would have the right to use the Serb language in administration and the legal system, that there would be a Serb curriculum in the schools, Serbs would have authority over local health care and social welfare facilities, and there would be a Serb presence in the local police that would reflect the ethnic balance of the region. The international community should also declare its readiness to work with the Serb community to ensure a special status for the organs of local self-government, within the framework of a united Kosovo.

Internationals and locals in Mitrovica both assert the importance of economic measures aimed at reducing tensions by getting the large numbers of unemployed men off the streets. Reconstruction of Mitrovica's major enterprises, such as the massive Trepca mine works and smelter, whose facilities cover both sides of the divided city, will take time.<sup>15</sup> There are, however, smaller scale economic measures which could be taken promptly. A

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<sup>14</sup> "Violence Escalates in Kosovo," Jeffrey Smith, *Washington Post*, 15 February, 2000.

<sup>15</sup> See ICG report *Trepca: Making Sense of the Labyrinth*, 26 November 1999.

visitor to Mitrovica is immediately struck by the contrast between the vibrant economic activity in the expanding net of shops and small businesses on the Albanian side of the city and the slow-moving economic life in Mitrovica north, linked as it is to the depressed, sanctions-afflicted economy of Serbia. The international community should immediately take steps to break down the economic barriers and to open up trade ties between the two parts of the city. During his tenure in Bosnia, Nash was famous for presiding over the opening of the "Arizona market," the first place where Bosnian Serbs began significant trade with the rest of Bosnia. UNMIK, in the presence of KFOR and strictly monitored by international UN police, should immediately establish a similar trading centre between north and south Mitrovica. Given better, guaranteed security, the greater availability of goods in the southern Albanian portion of Mitrovica should prove a strong, attractive force for the population in the north.<sup>16</sup>

**Pristina/Washington/Brussels, 31 May 2000**

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<sup>16</sup> Measures must be taken, however, to restrict the influence of racketeers, who reportedly moved into the Arizona market.