

KOSOVO AFTER HARADINAJ

Europe Report N°163 – 26 May 2005

TABLE OF CONTENTS

EXECUTIVE SUMMARY AND RECOMMENDATIONS.....	i
I. INTRODUCTION	1
II. THE RISK AND DEFLECTION OF REBELLION.....	2
A. MANAGEMENT OF THE HARADINAJ INDICTMENT	2
B. SHADOW WARRIORS TEST THE WATER.....	4
C. THE "WILD WEST" ON THE BRINK	6
D. DUKAGJINI TURNS IN ON ITSELF	9
III. KOSOVO'S NEW POLITICAL CONFIGURATION.....	12
A. THE SHAPE OF KOSOVO ALBANIAN POLITICS	12
B. THE OCTOBER 2004 ELECTIONS	13
C. THE NETWORK CONSOLIDATES CONTROL	14
D. THE ECLIPSE OF THE PARTY OF WAR?	16
E. TRANSCENDING OR DEEPENING WARTIME DIVISIONS?	20
IV. KOSOVO'S POLITICAL SYSTEM AND FINAL STATUS.....	24
A. STALLING AT THE LAST HURDLE	24
B. THE STANDARDS PRIZE AND THE DECENTRALISATION CURSE	27
V. CONCLUSION: RECALIBRATION FOR STATE-BUILDING	28
APPENDICES	
A. MAP OF KOSOVO	31
B. GLOSSARY OF ABBREVIATIONS AND ACRONYMS	32
C. ABOUT THE INTERNATIONAL CRISIS GROUP	34
D. CRISIS GROUP REPORTS AND BRIEFINGS ON EUROPE	35
E. CRISIS GROUP BOARD MEMBERS	37

KOSOVO AFTER HARADINAJ

EXECUTIVE SUMMARY AND RECOMMENDATIONS

Kosovo Albanian society showed welcome maturity in recent months as it reacted calmly to the indictment for war crimes of Prime Minister Haradinaj and the anniversary of the March 2004 riots. However, Kosovo Albanian politics remain fractious and worse. Mutual distrust between the two leading parties, President Rugova's Democratic League of Kosovo (LDK) and Hashim Thaci's Democratic Party of Kosovo (PDK), is distracting politicians from seeking a consensus position for the approaching negotiations on final status. Recent weeks have seen an escalation in tension between them so bitter that it risks spiralling into killings. It is vital that the international community, as it assesses Kosovo's readiness for final status talks, use the next important months to do a great deal more to help build institutions for genuine self-government. Otherwise, Kosovo is likely to return to instability sooner rather than later and again put at risk all that has been invested in building a European future for the Western Balkans.

Even though the international community is beginning to move Kosovo toward some form of independence, the escalation of internal political conflict and the April 2005 murder of former Prime Minister Haradinaj's younger brother show that serious risks of instability remain. Kosovo Albanians' present peace with the international community is highly conditional, resting on renewed optimism about imminent movement on final status and upon some progress in consolidation of a sense of ownership of institutions resulting from the more vigorous and effective government that Haradinaj ran before he was forced to step down and answer charges in The Hague. Most areas are calm, but Haradinaj's home municipality of Decan is a tinderbox, full of angry armed groups, and isolated from the rest of Kosovo. The next security watershed will be the Tribunal's decision whether to grant bail so the former prime minister can return home while awaiting trial.

Forced into opposition by the coalition of Rugova's LDK and Haradinaj's Alliance for the Future of Kosovo (AAK), the PDK, the main successor of the Kosovo Liberation Army, may prefer to derail the government rather than act responsibly by helping to forge a joint

position on final status. Whether its politicians can cooperate over the next months will have far-reaching consequences for Kosovo's ability to function as a state once the current heavy international presence is converted into a lighter monitoring mission. There is a real prospect of a ruinous factionalism similar to that which has developed in Albania.

Kosovo's rival parties have to work consciously to avoid this scenario or they will bear responsibility for the failure to consolidate statehood. The UN Mission (UNMIK) has a responsibility too -- transfer of power and preparation of Kosovo for final status must go beyond a mere letting go of its six-year holding operation. It must use the period leading up to and including negotiations on final status to take the vigorous action necessary to pave the way for genuine self-government. UNMIK has put aside its inertia but appears to be following more of an escape strategy than a state-building strategy. Much of the work being rushed through at present to get a result in the mid-year standards review is of questionable quality, not likely to stand the test of time. Problems that will come back to haunt Kosovo like toleration of widespread corruption and of powerful, unaccountable partisan political intelligence agencies are being swept under the carpet rather than addressed.

RECOMMENDATIONS

Respecting Security:

1. UNMIK should adopt a more credible and open information policy regarding security matters, in particular by moving vigorously to close down the political party intelligence structures about which it has been claiming it has no knowledge.
2. Kosovo's political party leaders should cooperate with police investigations, notably:
 - (a) President Rugova should respond to police requests to interview him about the 15 March 2005 bomb attack against his motorcade; and

- (b) PDK leader Hashim Thaci and General Secretary Jakup Krasniqi should provide evidence and witnesses to substantiate the dossier of accusations against LDK officials they gave to UNMIK.
- 3. The International Criminal Tribunal for Former Yugoslavia (ICTY) should consider granting pre-trial release of former Prime Minister Ramush Haradinaj as a contribution to Kosovo's security and adopting release conditions that permit him to continue delivering constructive messages, such as that delivered at his brother's funeral, that help maintain social peace.
- 4. UNMIK, the government and civil society should launch joint initiatives in Dukagjini, and Decan municipality in particular, to draw the disaffected home area of former Prime Minister Haradinaj more fully into the mainstream of debate on Kosovo's final status, stem KLA-FARK feuding and support the rule of law.

Respecting Final Status Preparations:

- 5. The Contact Group (France, Germany, Italy, Russia, UK, and U.S.) and the UN Security Council should convert their demand for Kosovo's provisional government to begin implementation of decentralisation prior to final status talks into a requirement for the political parties to agree on comprehensive decentralisation proposals as part of the final status negotiations.
 - 6. UNMIK and the major diplomatic liaison offices in Pristina must provide the political will, momentum, and resources for Kosovo Albanians to form and utilise a special commission such as the Political Forum proposed by the Special Representative of the UN Secretary General (SRSG), Jessen-Petersen, to develop detailed positions on final status. That commission:
 - (a) should be run by an able, non-politically aligned Kosovo technocrat, include representatives of each of the main Kosovo political parties, and develop realistic proposals likely both to command political consensus and stand up in status negotiations; and
- (b) have its proposals subject to Kosovo Assembly approval.

Respecting Kosovo's Political System:

- 7. The PDK must accept that it lost the October 2004 election and its priority is now to win the trust of a greater number of voters by working constructively to develop Kosovo's final status agenda and credible alternative government capacity and policies (rather than soliciting a government role from the international community and smearing LDK ministers).
- 8. Donors and European Union bodies and member states in particular should extend technical assistance to the main opposition parties to enable them to present an informed challenge and alternative proposals across the entire spectrum of government policy, and offer longer term funding to nurture civic activist groups.
- 9. UNMIK should correct the wayward course of the Assembly to enable it to become Kosovo's main forum for constructive political debate, including by:
 - (a) the SRSG using his power to dismiss those who obstruct democratic functioning;
 - (b) Reinforcing the monitoring pillar run by the Organisation for security and Cooperation in Europe (OSCE) and providing it with the sustained political support of the SRSG's Office; and
 - (c) setting clear new minimum expectations for the regularity of plenary sessions and observance of procedures by the Assembly leadership.
- 10. UNMIK should institute much more vigorous and pro-active auditing oversight of both central and municipal government.
- 11. UNMIK should put reform of the closed list election system on the agenda so as to enable establishment for the next general election of a mixed system of party lists and territorial mandates, or of territorial multi-member constituencies.

Pristina/Brussels, 26 May 2005

KOSOVO AFTER HARADINAJ

I. INTRODUCTION

Many observers feared Kosovo's majority Albanian society would again descend into disorder under the multiple strains it was subjected to in March 2005, traditionally a violent month. Instead, Kosovo digested with apparent serenity indictment by the International Criminal Tribunal for the former Yugoslavia (ICTY, The Hague War Crimes Tribunal) of its serving prime minister, Ramush Haradinaj, and the first anniversary of the previous year's riots. Its Albanian majority exhibited an appetite for institution-building rather than violence, and Haradinaj himself persuaded his supporters to stay calm.

Much of this responsible behaviour can be attributed to a renewed sense of confidence among Kosovo's majority community that political processes have lately been moving in its favour, with an adroit UN Mission (UNMIK) chief taking an activist stance on the need to begin final status consideration, working in close partnership with the elected provisional government institutions, and accelerating transfer of competencies to them. Many wondered whether the mature reaction during the first days following Haradinaj's indictment, resignation, and surrender was only "the quiet before the storm". Its continuation, however, gives grounds for hope that Kosovo Albanian society has turned a corner. Nevertheless, any transformation remains conditional on the maintenance of Albanian confidence in progress toward a satisfactory final status outcome.

Ironically, the Kosovo Albanian political establishment is where the apparent pace of progress toward settling final status risks faltering. The opposition PDK party, led by Hashim Thaci, has compiled and publicised a dossier alleging that government ministers of President Ibrahim Rugova's LDK owe their first allegiance to a sinister mafia structure that has taken over their party. This, combined with death threats, a bomb attack on the headquarters of Veton Surroi's ORA party, a late night police operation around the presidential residence to disarm and replace Rugova's praetorian guard, and extension of close police protection to three leading opposition politicians, has escalated political tension and security concerns.

In the wake of Haradinaj's departure, continuation of the government coalition between his AAK party and Rugova's LDK afforded a more functional outcome than the alternative broad multiparty coalition touted by some diplomats. However, it came at the price of alienating the opposition PDK at a point when it is critical for all Kosovo's major political elements to cooperate in building a shared platform for final status talks. Should the parties fail to come together on this, Kosovo's own role in shaping its future will be much weakened. Any consequent delay in status resolution may allow extremist groups to regain the initiative.

The quality of the relationship between government and opposition over coming months will also have long-term implications for Kosovo's ability to function as a coherent modern state. If the PDK is allowed and able to channel its energies within a democratic and peaceful framework, a modern political system is feasible. But this also depends on LDK willingness to govern within constitutional and accountable bodies. Otherwise, there is a risk Kosovo could fracture.

II. THE RISK AND DEFLECTION OF REBELLION

Kosovo's calm reaction to Prime Minister Ramush Haradinaj's indictment for war crimes surprised many observers. The anniversary of the riots of 17-18 March 2004 also passed peacefully. In contrast to the previous year, opinion-formers exerted calming influence. Some took this as Kosovo Albanian society's chance to restore its damaged dignity.¹ While politicians had equivocated on the first day of the March 2004 riots, the message given by Haradinaj from the moment of his indictment was to stay focused on the big picture and keep faith with the institutional route to statehood -- a message he reinforced in an oration at the funeral of his murdered brother on 17 April, for which the ICTY temporarily released him. The crucial question now is whether extremists still enjoy the capacity to unleash a storm at a moment of their choosing.

A. MANAGEMENT OF THE HARADINAJ INDICTMENT

After months of speculation about the potential of an ICTY indictment of Haradinaj to trigger violence, its execution on 8 March went surprisingly well. Much credit belongs to Haradinaj himself.² At his lunchtime press conference to announce that he had been indicted and was resigning with immediate effect, he alone remained composed as journalists, ministers and advisers became tearful around him. He publicly stated his belief that the indictment was only a temporary interruption of Kosovo's political process and not -- as many supporters in his home region of Dukagjini were inclined to believe -- a full-scale (and by implication, deliberate) reversal of it.³

Haradinaj expressed appreciation for the partnership of the UN Secretary General's special representative (SRSG) and the commander of the international troops (COMKFOR), thereby helping to shield the international presence in Kosovo from potential backlash. His last government meeting was with Serb and Bosniak ministers, at which he stressed there would be no attacks on minority Serbs.⁴ Crucially, he relayed a pointed message to people on the ground not to make trouble and continued to do so from detention in The Hague, leading the Kosovo Liberation Army (KLA) Veterans Association to cancel plans for a mass protest in Pristina on 14 March. Crisis Group interviews in the Dukagjini region indicate that Haradinaj's message was the single most important factor in preventing violence.⁵

SRSG Soren Jessen-Petersen's skilful local diplomacy also helped, even if it raised some eyebrows in Pristina.⁶ Together with KFOR Commander General Yves de Kermabon, he had prepared the ground by meeting with KLA veterans associations leaders from mid-January onward, dining with Haradinaj at his father's house in Gllogjan village, near Decan/Decani, and participating in the annual KLA commemorative events the previous weekend, and followed-up by touring Dukagjini on 11 March. With UNMIK still hugely unpopular with Kosovo's Albanian majority, and fearing popular reaction to the indictment, Jessen-Petersen said he empathised with "the sense of shock and anger over this development", and trusted that "Mr Haradinaj will again be able to serve Kosovo to whose better future he has sacrificed and contributed so much", and that under his leadership, "Kosovo is today closer than ever before to achieving its aspirations in settling its future status".⁷ He also told the press that, if asked by the ICTY, UNMIK would provide the necessary guarantees for Haradinaj to be released on bail prior to trial. Also helpful was a chorus of tributes

driving Kosovo toward independence. Crisis Group interviews, Decan area, November 2004.

⁴ Crisis Group interview with Minister for Returns and Communities Slavisa Petkovic, 11 March 2005. Haradinaj made his requirement that there be no backlash against minorities a theme of the government meeting that immediately preceded his resignation.

⁵ Crisis Group interviews in Peja/Pec and Decan, 5-7 April 2005. Supporting factors cited were the need to save Kosovo's image, for the sake of satisfactory resolution of final status.

⁶ A reference to Haradinaj as "a close partner and friend" in Jessen-Petersen's speech on the occasion of the indictment announcement on 8 March 2005 sparked concern in some quarters of excessive partiality. The diplomatic missions in Pristina of the United States, United Kingdom, France, Germany, and Italy felt obliged to deny this in an 11 March 2005 press statement.

⁷ "SRSG's statement on the Prime Minister's resignation", UNMIK/PR/1325, 8 March 2005.

¹ Feedback from random interviewing reported by a cultural adviser to U.S. forces in Kosovo, Crisis Group interview, Pristina, 20 April 2005.

² Although Haradinaj had gone on record to say he would give himself up if indicted, it was not certain whether he would relay the right messages to people on the ground or keep his temper when it came down to it. At a private meeting with Assembly President Daci and his adviser Ramush Tahiri the previous week, he is reported to have declared, "they won't take me alive". A source to Haradinaj said he "became dysfunctional for several hours" in November 2004 after receiving notification that the ICTY wished to question him as a suspect.

³ Many Kosovo Albanians -- particularly in Haradinaj's home region of Dukagjini (west Kosovo) -- were inclined to view his indictment as deliberate sabotage by ill-wishers in the international community of a successful politician, who was

from other Kosovo party and institutional leaders and from the international community, including an emphasis on the point that staying calm would help with regard to final status prospects.

A well-planned and unobtrusive security operation⁸ minimised tension in Pristina, while a robust security profile was maintained in Dukagjini, where several preventive arrests were made, and joint police and KFOR checkpoints (and a fortuitous snowfall) minimised the possibilities for armed militants to move about.⁹ The security presence in Dukagjini was cut back by 11 March, but KFOR continued a general, pre-planned Kosovo-wide exercise, for which some 2,000 reinforcements had previously been flown in.

In contrast with March 2004, when the Kosovo Police Service (KPS) was unprepared and ill-equipped, unevenly used, and in some areas pushed aside, KFOR and UNMIK delegated much of the operational lead to it. The KPS set up 200 checkpoints around Kosovo as soon as the indictment was served. Five regional riot squads had been built up, to be used in preference to those of the UNMIK police.¹⁰ Faced with increasing tension in Decan/Decani from 9 March, UNMIK's Police Commissioner detailed the most senior KPS colonel, Sheremet Ahmeti, to oversee matters personally.¹¹ This was repeated the following month after Enver Haradinaj's murder.

Decan was the one area where persistent mass street demonstrations did start after the indictment.¹² Colonel Ahmeti met with the municipal authorities and leaders of the protest¹³ to solicit cooperation and feedback, and

visited Haradinaj's father in Glllogjan. After three days, the security forces felt confident enough to remove many of the checkpoints around Decan. Its sponsors voluntarily suspended the protest, fearing it could harm Haradinaj's chances of bail and agreeing with police that every further day risked its hijacking by extremists.¹⁴ Treating the protesters as part of the solution rather than the problem appears to have been good tactics.¹⁵

The March 2004 riots haunted public consciousness. The new restraint was also apparent during the two day flag-waving tour of Kosovo by Serbian President Tadic in February, which many Albanians angrily compared to Slobodan Milosevic's triumphalist descent upon the province in 1989. On both occasions, however, there was general awareness that if violence were to break out, it might not be easily contained¹⁶ and that if the international security forces were overwhelmed, as nearly happened in March 2004, Belgrade's troops might return to northern Kosovo to seal a partition along the line of the River Ibar.¹⁷ Consequently, opinion-formers worked as one to ensure calm, an effort the broadcast media drove home in every way.¹⁸

A new urban group of activists used an innovative campaign to help channel anger into safe channels. At lunchtime on 8 March, while the Veterans Association hesitated, seven or eight young Pristina professionals, who had previously organized a campaign for orphans, came together, determined to "do something". After co-authoring a declaration with other NGOs to go out under a Kosovo "civil society" by-line emphasising that Haradinaj was "needed here", they enlisted a Pristina-

⁸ Outside of Dukagjini, demonstration of capacity to deploy and use force was minimal, if pointed. A KFOR helicopter hovered over the government building in Pristina from early morning on 8 March 2005.

⁹ The arrests were ostensibly on suspicion of involvement in the grenade attack on a UN car in Peja/Pec the previous weekend.

¹⁰ A senior UNMIK police source confided that deployment of its own eight riot squads, provided by countries as diverse as Poland, Jordan, India, Pakistan and others, would be a last resort: "If we bring them out, it's war". Crisis Group interview, 5 March 2005.

¹¹ See Ali Cenaj's interview, "Colonel Sheremet Ahmeti: How we spent 'the critical days' in Dukagjin", *Zeri*, 25 March 2005. The confident, even slightly competitive, self-promotion of two KPS colonels in *Zeri* on 23 and 25 March is further evidence of KPS emergence from the shadow of the UN police.

¹² The paucity of street demonstrations in most of Kosovo was remarkable. Pristina students staged a well-marshalled, calm candle-bearing protest on the evening of 8 March. On tension in Decan, See "Decani will not stay calm", *Express*, 9 March 2005.

¹³ The municipal council is controlled by Haradinaj's AAK party thanks to the support of the single PDK member. The

AAK and LDK each have fifteen seats. Mayor Ibrahim Selmanaj was appointed Minister of Social Welfare in the new government on 23 March 2005. The leader of the "Dukagjini Protest Council" and representative of the local associations "emerged from war" is Avdyl Mushkolaj, who is a former KLA fighter, a member not of the AAK but of the small, radical LPK.

¹⁴ Another factor affecting the demonstrators' decision must have been the failure of other areas to mount similar protests.

¹⁵ Several Dukagjini veterans leaders expressed bitterness to Crisis Group in interviews conducted in November and December 2004 that UNMIK imprisoned them for their role in the March 2004 riots. Although most had played an inciting role on day one of the riots, they felt that their calming role on day two had gone unrecognised.

¹⁶ Crisis Group interview with a PDK official, Pristina, 5 November 2004.

¹⁷ A corollary of this was the reserve preparations being considered among KLA circles in Dukagjini to counter any Serbian military incursion into the North.

¹⁸ A television journalist later commented to Crisis Group, "it was an obvious 'mission'....I know my people -- they are talented to fail exams exactly when it's not needed. I did not like the quietness on the first two days, and I felt that it was a 'calm before the storm'".

Vienna based internet design company to produce a logo, bought 300 white t-shirts with their own money, and got them printed up. On 9 March they trawled Pristina's bars, cafes, and hotels, persuading service staff to wear the t-shirts. A businessman financed a larger run of 1,000 t-shirts, which were snapped up. Billboard owners offered space. One of the activists, Laura Kryeziu, said, "It was very easy to get people to volunteer". The campaign snowballed, with people and groups from all over Kosovo printing, distributing or using the design themselves.¹⁹ The Office of the Prime Minister and the AAK were initially mystified, although many naturally assumed their own people had prepared the campaign. The friends insist they had no set plan but "gained enthusiasm and inspiration with each hour" and were overwhelmed by the results.²⁰

Within a week the "Our Prime has a job to do here" logo, with its vaguely Andy Warhol-style portrait of Haradinaj, was ubiquitous, displayed in shop windows like a "help wanted" notice. Instead of mounting joint protests with the war veterans, as was their previous practice, University of Pristina students took up the logo for a rock concert on 21 March. The youth wing of the AAK adopted it too, manning petition points, which became the next focus of a campaign that had a modern edge neither the AAK nor Kosovo's other more traditional protest organisers could have achieved. Its focus on Haradinaj's role as prime minister rather than his war role was deliberate. His unexpectedly impressive performance in that job had caught the attention of Pristina's youthful urban elite. Without it their engagement would not have been forthcoming, and without the vehicle they provided, protest could have taken more destructive forms. As an organiser said, "The campaign worked because there was latent social demand for it. It gave a way to show defiance safely, in English, directed at the international community".²¹

Overall, renewed political optimism among Kosovo's majority Albanians helped keep stability. The activism of Jessen-Petersen, the sense of purpose and action coming

from the Haradinaj government, and even the supportive articles in the international press by various statesmen after appearance of Crisis Group's report, *Kosovo: Toward Final Status*,²² all contributed to orientate Kosovo Albanians toward institutions and away from violence.

B. SHADOW WARRIORS TEST THE WATER

Kosovo's society has a residual addiction to the clandestine -- a preference for focusing on shadow rather than daylight and upon the hidden rather than the open agenda. During March 2005, extremist elements attempted to destabilise the situation. The latest in a string of post-war phantom armies²³ announced itself with threatening communiqués and calls for all the prior Albanian liberation armies to re-activate: Kosovo's KLA, Macedonia's NLA, and the UCPMB of south Serbia's Presevo Valley. In Dukagjini, a significant number of former KLA fighters and the post-KLA generation saw the coming indictment of the former zone commander as an effort by hostile circles to remove the politician who, in their eyes, represented the last best hope for wresting the territory's independence from a reluctant international community. Some were prepared to drive out UNMIK.²⁴ Encouragingly, and in contrast to March 2004, when a similar spate of bomb-related incidents prefigured the collapse into riots,²⁵ society remained resilient. Instead of inducing riots, they prompted an institutionally-oriented demand for creation of a Kosovo police intelligence service.²⁶

²² Crisis Group Europe Report N°161, *Kosovo: Toward Final Status*, 24 January 2005.

²³ The so-called AKSh, or Albanian National Army (ANA), is the best known example of this phenomenon. See the section on "The Rise and Fall of the ANA" in Crisis Group Europe Report N°153, *Pan-Albanianism: How Big a Threat to Balkan Stability?* 25 February 2004, pp. 7-10.

²⁴ Crisis Group interviews in Decan and Peja/Pec municipalities, November 2004-February 2005. Having convinced themselves that the ICTY indictment would be a deliberate effort to block Kosovo's independence, they insisted they would not listen to any appeals for calm, including from Haradinaj himself, and would proceed immediately to achieve a crude form of independence by cleansing as much of Kosovo as they could of UNMIK.

²⁵ See Crisis Group Europe Report N°155: *Collapse in Kosovo*, 22 April 2004, p. 13. Would-be insurgents in Kosovo tend to choreograph and code their actions to match previous rebellions, for example the ANA's April 2004 aping of the KLA's first public appearance in October 1997.

²⁶ The editorial columns of Kosovo newspapers were as one on this the following morning. See "Bejrutizimi i Kosovës" [Beirutization of Kosovo], *Koha Ditore*; "KFOR dhe UNMIK pergatiteshin per trazira, ndersa tani perballen me mjete eksplosive" [KFOR and UNMIK prepared for riots, yet now

¹⁹ A website was quickly constructed to enable downloading of the designs: www.ourprime.org.

²⁰ Crisis Group interview with Laura Kryeziu, Pristina, 22 March 2005. See Malcolm Gladwell's "The Tipping Point: How Little Things Can Make a Big Difference", *Abacus*, London, 2001, for an account of how "ideas, trends and social behaviours cross a threshold, tip and spread like wildfire". Gladwell emphasises the disproportionate trend-setting influence that can be wielded by small groups of well-connected people, and the role of social "permissions" in starting or halting processes as disparate as teenage suicides in Micronesia and crime reduction on the New York subway.

²¹ Crisis Group interview with Laura Kryeziu, Pristina, 22 March 2005.

That is not to say that universal peace prevailed. Culminating a rising tide of angry "communiqués" from former Dukagjini KLA fighters,²⁷ a new "Albanian Liberation Army" issued a statement on 4 March claiming credit for bomb attacks that came overnight in towns across Kosovo.²⁸ The following night empty UN cars were blown up or strafed in the western towns of Gjakova/Djakovica and Peja/Pec.²⁹ Two grenades were thrown opposite UNMIK headquarters in the evening of 11 March, wounding a passing teenager and destroying a car, and shots were fired at a telecommunications node at the top of UNMIK headquarters. A police communications node was similarly shot at the following night at Pristina airport.³⁰ Bomb scares disrupted the central Pristina street that houses the police headquarters and the main building of the public broadcaster, RTK, on 7 and 8 March and the centre of Peja/Pec on 17 March. Two explosions at Albanian-owned houses in Serb-dominated North Mitrovica over the weekend of 12-13 March jangled local nerves.

The extent to which the incidents themselves and the so-called "Albanian Liberation Army" were the product of the rising anger and militancy of armed groups in Haradinaj's home area remains unclear. The incidents probably had diverse authors and motives.³¹ Both Kosovo

Albanian extremists seeking to eject UNMIK and those in Serbia who would prefer Kosovo to discredit itself again at a critical political time shared an interest in provocation. The chief of the KPS crime department suggested that certain individuals had entered Kosovo to cause trouble and then left and that the same people had been identified as movers in the March 2004 riots.³²

The most alarming incident suggested trouble within Kosovo Albanian political groups. A remotely-controlled device exploded in a roadside garbage container in central Pristina on 15 March as President Rugova's motorcade was taking him to meet with EU foreign policy chief Javier Solana. Rugova's car was damaged and a passer-by injured but the president and his entourage were unscathed.³³ Solana had come to urge Rugova to

face explosive devices], *Zeri*; "Ministria I Rendit" [A Ministry of Order], *Kosova Sot*, all 16 March 2005.

²⁷ A series of angry communiqués issued from November 2004 onward by the Dukagjini associations "emerged from war" were followed in mid-February 2005 by one from the Black Eagles. It warned that further neglect of Kosovo Albanian aspirations would "result in the re-organisation of the KLA's guerrilla structures as a guarantee for implementation of a sovereign and independent state". See "Po na humbet durimi, thone 'Shqiponjat'" [Our patience is running out say the 'Eagles'], *Epoka e Re*, 18 February 2005.

²⁸ "We have assumed the blessing of the nation to begin a new struggle for dignity and independence, to take to its conclusion the will of the generation that sacrificed itself for liberty and independence. In our mission we have the full support from many elements of the nation....The blasts of last night in many different Kosovo cities are only a warning that there are freedom-loving people who await the call of liberty, who fear neither death nor enemies, however strong they may be. We will not allow anyone to push this country into a ravine....We are determined to achieve our objectives peacefully, but will not discard the concept of armed struggle...our structures have been prepared intensively for seven months now".

²⁹ Crisis Group witnessed the unreported removal by KFOR of a grenade from the rear approach road of the Ministry of Public Services on 4 March 2005.

³⁰ Crisis Group interview with a witness. Also see Branislav Krstic, "Snajperima na UNMIK" [Snipers on UNMIK], *Vesti*, 17 March 2005.

³¹ At UNMIK's weekly press conference on 6 April 2005, KPS Colonel Rahman Sylejmani stated, "according to our

analysis we do not see any connection between the cases".

³² Colonel Rahman Sylejmani, in *Zeri*, 23 March 2005. Crisis Group believes that the colonel was referring to known and wanted criminals, in particular a group of fifteen who escaped from Mitrovica prison in 2001, led by Xheladin Geci, whom the police are now understood to have re-arrested. Senior KPC and KLA veterans in Peja/Pec voiced concern about infiltration from Serbia, claiming that 72 Albanians -- of whom they named ten or twelve -- were being trained in Serbia to foment disorder and attacks upon Serbs in Kosovo, Crisis Group interview, February 2005. In November 2004 a PDK official voiced a similar concern to Crisis Group in more general terms: "The Serbs know our defects, incapacities, and which buttons to press, and they will play to provoke us".

³³ The positioning of the device inside a roadside metal garbage container and the moderate amount of explosive it contained appear to have limited its capacity to do serious damage. The police have questioned why President Rugova's security service kept his car stationary opposite the garbage container for up to fifteen minutes following the explosion, rather than removing him from the area as quickly as possible. They complain that over two months later President Rugova has still not made himself available for interview about the attack. UNMIK and the KPS are increasingly drawn to the premise that elements within the LDK camp were responsible for the explosion. A hand grenade detonated in the garden of President Rugova's residence almost to the day the previous year, on 12 March 2004. On that occasion Rugova's intelligence chief, Rame Maraj, is reported to have voiced his suspicion to UNMIK that the attack was "an inside job" involving a discontented member of the presidential security service. See Lorik Pustina, "Partneriteti" [Partnership], *Express*, 15 April 2005, in which an internal UNMIK memorandum from Paul Niven, head of the CIVPOL regional crime squad, detailing a June 2004 interview with "the director of intelligence for LDK, Ram Maraj", is reproduced. In January 2005 a senior AAK official stated his opinion to Crisis Group that the March 2004 attack was simply guards creating an artificial threat to reduce pressure from UNMIK and KFOR to hand in many of their registered weapons. On 10 May 2005, police raided the offices of Rame Maraj's Institute for Researching Public Opinion and Strategies (IHPSO),

give the PDK a leading role in the post-Haradinaj government. He declared: "After the bomb, which appeared aimed at me personally, I don't see any reason why I should support a broad coalition".³⁴ A dam-burst of further recriminations, accusations, threats, and security incidents bearing a party political hue followed in April.

C. THE "WILD WEST" ON THE BRINK

Dukagjini's two northernmost municipalities, Peja/Pec and Decan, presented acute security risks following the Haradinaj indictment.³⁵ In early April 2005 a knowledgeable UNMIK official said Peja/Pec had been "a phone call away from catastrophe". In late December 2004 an UNMIK police officer had observed that, "the reality in Peja and Dukagjini is very different from the rest of Kosovo....It could explode in two minutes....We have no contacts with the population....It is impossible to talk to Albanians now in Dukagjini".³⁶ But these risks also threatened to engulf the rest of Kosovo. During the days preceding the indictment, there appears to have been a significant movement of weapons from Peja/Pec to other urban centres, including Pristina, allegedly organised by the security entourage of a west Kosovo businessman.³⁷ Shop and kiosk workers in the capital noticed an influx of unfamiliar "rough and rude" men.³⁸

Dukagjini has traditionally been Kosovo's leading region, with its own sense of identity. Its trading and agricultural heritage, pockets with higher education standards, and an older tradition of labour migration have made it comparatively wealthier. During the 1990s it provided foodstuffs and then weapons to central Kosovo. Post-war, Kosovo's highest concentration of illicit weapons remains in its three northernmost municipalities.³⁹ Both

its strong diaspora and its kinship with Albanians from neighbouring Montenegro and northern Albania have given traditional customs and codes of behaviour a stronger hold than elsewhere in the province, and a certain "Sicilian" flavour, reinforced by the region's lead role in cross-border smuggling. Wartime rivalry between the KLA and the LDK-loyal Armed Forces of the Republic of Kosovo (FARK), the region's particularly poor law enforcement, a continuing contest for ownership of the organised crime and smuggling business, and the socially ingrained tradition of blood feuds have combined to produce a post-war stream of killings with a political colouring. The 1998-1999 war was at its fiercest in Dukagjini, and it has been the most difficult area for Serb returns.

Dukagjini's lesser acceptance of official institutions and Peja's position as Kosovo's trade capital have rendered the region less patient with UNMIK than central Kosovo and Pristina, where there is heavy economic dependence on the international presence. In turn Dukagjini has suffered proportionately more from UNMIK neglect, with its industrial and agricultural enterprises left dormant,⁴⁰ weak policing⁴¹ and thinly spread international

market weapons prices that suggested relative saturation of the market near the western borders and higher prices in the centre and east (p.26).

⁴⁰ See the European Stability Initiative report, "De-industrialisation and its Consequences, A Kosovo Story", 1 March 2002, for an account of Peja/Pec's industrial legacy. Available at: www.esiweb.org. In summer 2004 Astrit Haracia, the LDK chief of Gjakova/Djakovica municipality (now minister of culture, sports and youth), launched a billboard campaign, complaining about the KTA's alleged negligence of the municipality's socially owned enterprises, and rhetorically proclaimed Gjakova "an independent republic". Speaking in late 2004, Decan officials blamed the KTA for not moving to privatise any of the municipality's former production enterprises and reprised a common complaint that UNMIK's tax and excise policies hindered local businesses. See Curr Mazrekaj: "Ne Decan rritet numri i te papuneve, kriza sociale thellohet" [Unemployment rises in Decan, the social crisis deepens], *Zeri*, 30 November 2004.

⁴¹ Peja/Pec was UNMIK's last regional priority in establishing its policing presence, which allowed criminals to settle in the security vacuum. KFOR retained the lead in crime prevention through 2000. A senior UNMIK police officer recounted that: "We did not break the 100 (international officers) figure until December in the whole region, and the region was slated for an eventual 500, though this target was never reached. It was a frustrating time, while in the other regions the goods and personnel were flowing to the field". Email communication with Crisis Group, 17 May 2005. Allegedly, corruption and accommodation with smuggling consolidated during the tenure of a Russian regional police commander from mid-2001 to August 2002. Crisis Group interviews with UNMIK police sources, 2003-2004. An international prosecutor with Peja/Pec case experience described it as "resembling at times Chicago in

acting on a court order issued in connection with the investigation into the bombing of President Rugova's motorcade.

³⁴ Artan Mustafa and Arben Rugova, "U kry' puna" [The job is done], *Express*, 17 March 2005.

³⁵ The villages in Gjakova/Djakovica municipality to the south of Decan have a sizeable AAK and former KLA contingent, yet Gjakova is far calmer than Decan.

³⁶ Crisis Group interviews, Peja/Pec.

³⁷ Crisis Group interview with a self-confessed weapons courier, April 2005.

³⁸ Crisis Group interviews, Pristina, 3-4 March 2005.

³⁹ Crisis Group interviews, Peja/Pec and Decan, 24-25 November 2004. See also the UN Development Program (UNDP) report, "Light Blue, Public Perceptions of Security and Police Performance in Kosovo", June 2004, p. 20; a large public opinion survey conducted in late 2003 revealed the three western municipalities of Decani, Peja/Pec, and Gjakova/Djakovica to be the most problematic in regard to illicit weapons, with Decani the epicentre. The UNDP report "Kosovo and the Gun", June 2003, gave an overview of black

staff. An old Albanian clan wish to be rid of foreign interference in order to do as it pleased, recorded by a traveller in 1908, is still very much evident in Dukagjini.⁴² A view popular for some time in former KLA circles in the region has been that they could pick and choose the international presence -- exerting enough violence to expel UNMIK, yet retain KFOR.⁴³ Dukagjini's impatience and central Kosovo's dependency even find their trace in the final status stances of the two regions' respective KLA successor parties -- while the PDK has taken the view that Kosovo must solicit independence from the international community, the AAK has previously argued for a unilateral declaration.

The March 2004 riots marked a watershed in Dukagjini society's treatment of UNMIK -- locals erected a wall of silence between themselves and internationals. An UNMIK police officer in Decan was reduced to seeking his intelligence from the UNMIK municipal representative, who in turn confessed: "People think we know everything that's going to happen here. We know nothing".⁴⁴ At the regional police headquarters in Peja/Pec, another international officer rued that: "I had ten or twelve informants when I started. We lost them after the riots. Now I am down to two". He expressed misgivings about how much he could still trust his Albanian colleagues.⁴⁵ A close observer of civil society organisations in Dukagjini reported that NGO effectiveness is now limited, because from 2003, and particularly since the March 2004 riots, they have been perceived as UNMIK puppets.⁴⁶

Regional particularism, relative distance from the international administration, and the interests of its criminal elites and some of its politicians combined in

the 1930s, with a per capita homicide rate five times greater than the rest of Kosovo". Crisis Group interview, March 2005. See also Jeta Xharra, Muhamet Hajrullahuh, Arben Salihu: "Kosovo's Wild West", Institute for War and Peace Reporting (IWPR), 18 February 2005, available at www.iwpr.net.

⁴² Edith Durham, *High Albania* (reprinted London, 1985 reprint).

⁴³ Crisis Group interview with Florin Krasniqi, Brooklyn, U.S., May 2004.

⁴⁴ Crisis Group interview with Luis Perez-Segnini, Decan, 16 December 2004. He further noted, "Over the last six months I have seen changes in my local staff. They don't quite tell me what they told me before. They have a limited window now to prove to local society that they are not collaborators. They are under pressure. They have put barriers up".

⁴⁵ Crisis Group interview, 16 December 2004.

⁴⁶ Crisis Group interview, Peja/Pec, 29 December 2004. See Besnik Pula, "A Changing Society, A Changing Civil Society: Kosovo's NGO Sector After the War", Kosovar Institute for Policy Research and Development (KIPRED), July 2004, for a more in-depth analysis of the interaction of Kosovo NGOs and donor agendas. Available at: www.kipredinstitute.org.

Dukagjini⁴⁷ to magnify the Kosovo-wide plunge in UNMIK's popularity that occurred in 2003.⁴⁸ The December 2002 imprisonment of Ramush Haradinaj's brother Daut was another key factor. From then on, the AAK adopted a more radical anti-UNMIK stance, even bringing to the Assembly a motion for a unilateral declaration of independence. Locally, former Decan KLA commander Avdyli Mushkolaj came to prominence by organizing regular anti-UNMIK protests on behalf of Daut and the "Dukagjini Group", KLA men tried and sentenced by an UNMIK court for having tortured and killed FARK soldiers in summer 1999. At these demonstrations in February and March 2003, crowd chants and some speakers glorified the so-called ANA, a virtually phantom or "internet army" that in contrast to elsewhere in Kosovo⁴⁹ was a tangible presence in some reaches of Decan, Gjakova, and Istok municipalities, where masked men patrolled and mounted checkpoints. Members of a focus group of young men drawn from various Decan villages assembled by Crisis Group in late November 2004 approved of the ANA "patrols" in 2003, claimed that the ANA had disarmed police in Isniq village, and that police patrols had been reduced ever since.⁵⁰ They estimated its strength then at between 50 and 200 fighters and were able to name some of its members and villages where it was particularly strong, but expressed frustration that it had petered out in 2004.

Along with Drenica, Decan was one of the two key backward, clannish and traditional rural areas that generated the KLA. Its UNMIK representative describes

⁴⁷ In the assessment of a former regional police commander, criminals in Dukagjini use and heighten insecurity over the unresolved final status issue to maintain widespread public sympathy and loyalty -- wrapping themselves in a nationalist flag. He assessed that once status is resolved, and attention shifts to economic issues, it could be easier to gain support for fighting organised crime. Crisis Group interview, 21 January 2004.

⁴⁸ In regular quarterly opinion polls conducted for Riinvest/UNDP's Early Warning Reports, UNMIK's rating plunged from 63.8 per cent approval in November 2002 to 28.4 per cent a year later. It reached an all-time low of 20.7 per cent in July 2004, and has picked up only slightly since. See: <http://www.kosovo.undp.org/index.asp>.

⁴⁹ Crisis Group Report, *Pan-Albanianism*, op. cit., pp. 7-10.

⁵⁰ Competent police sources dismiss any notion that the patrol was disarmed. Confronted in the night by several masked men with AK-47s, the patrol car reversed away from the illegal checkpoint and awaited back-up. When it arrived, the masked gunmen fired several shots and escaped through woods and fields. The police sources also deny that patrolling was thereafter reduced, pointing out that it was in fact augmented by covert police, and later KFOR stake-outs in woodland areas along roads where ANA activity had been reported. Crisis Group interviews, January 2004 and May 2005.

it as: "a special area -- a lot more direct, more brutal".⁵¹ Its KLA veteran contingent is several thousand strong. Most are unemployed, as is the burgeoning post-KLA generation of eighteen to 22-year olds that local observers see as more radical and "trigger-happy" than the KLA veterans, anxious for a chance to emulate their war exploits and with no other reference points because of the lack of economic development and jobs.⁵² "War values" monopolise cultural space and seem to transcend party political loyalties.⁵³ Decan municipal authorities and police appear to defer to Mushkolaj. The KPS there does not enjoy unequivocal backing and is sometimes seen to conduct its duties "on tiptoe", not wishing to offend local KLA sentiment. It did nothing to apprehend the perpetrators of a four-month campaign of death threats against the chief of a local radio station, even though he gave the police the telephone number from which the threats emanated. Top Illiria Radio's anonymous tormentors were demanding that the station cease all mention of the LDK and President Rugova.⁵⁴

In December 2004, an UNMIK officer recounted to Crisis Group that when he arrived at the station eight months earlier, he found hundreds of unserved summons and warrants. Another at regional police headquarters in Peja/Pec said of the decision to turn Decan police station over to local control in December 2004: "Decani is one of the most dangerous and difficult areas. I do not understand the rationale behind the decision".⁵⁵ An idea now circulating in senior KPS ranks is to bus in officers from Prizren.

The Decan mentality appears politically detached from the rest of Kosovo.⁵⁶ There is a blithe recklessness about political consequences among the young men who indulge in rhetoric about avenging Haradinaj and expelling UNMIK. Enthusiasm for newspapers is low, unless it is their own "war values" weekly *Fokusi*, or to keep tabs on the "enemy" war values rag: Drenica KLA's daily *Epoka e Re*, with its accusations of betrayal against the AAK, Haradinaj, and hence Dukagjini. Compared with most other Kosovo towns, Decan has very few internet cafes. Oblivious to the positive moves made under Jessen-Petersen in recent months, many in Decan still regard UNMIK with deep hostility, accusing it of staying in Kosovo just to earn money; of working to drive Kosovo back into Serbia's embrace; of humiliating Kosovo's elected institutions; and of deliberately subjecting Albanians to "economic enslavement" in order to soften them up to accept any final status determination.⁵⁷

Cocooned in its own mythmaking, Decan in particular -- and to an extent KLA circles throughout Dukagjini -- exude an unhealthy air of military over-confidence. After the successive achievements of the KLA, the UCPMB in South Serbia's Presevo Valley, and the NLA in Macedonia -- in all of which Dukagjini fighters played a part -- some are tempted to see the solutions to Kosovo's problems in terms of one last military push. Awash with weapons⁵⁸ and eager young recruits,⁵⁹ it would not take much for the Decan groups to mobilise sizeable forces either to attack UNMIK or to confront a Serbian military incursion into north Kosovo (a likely consequence of any violent destabilisation of the international presence in Kosovo). Former KLA in Decan and Peja/Pec emphasise

⁵¹ Crisis Group interview with Luis Perez-Segnini, Decan/Decani, 16 December 2004.

⁵² Curr Mazrekaj: "Ne Decan rritet numri i te papuneve, kriza sociale thellohet" [Unemployment rises in Decan, the social crisis deepens], *Zeri*, 30 November 2004. There are an estimated 3,500 persons employed in the municipality, including 600 in the private sector. Estimates of the number of unemployed range up to 23,000. Among the roughly 600 school leavers in Decan every year, between 50 and 100 are able to continue in higher education but very few can find jobs in the municipality upon graduating.

⁵³ Although the AAK draws bedrock support from KLA circles in Dukagjini's three northernmost municipalities, Haradinaj did not establish it as an explicitly KLA party. Many former fighters and younger men in Decan voted for other parties such as the LDK in the October 2004 elections -- indeed the AAK's vote in Dukagjini was down -- while still retaining intense loyalty to Haradinaj as their "commander". Crisis Group interviews, Decan, November 2004-February 2005.

⁵⁴ The case was publicised in a communiqué from the Association of Professional Journalists of Kosovo, 22 February 2005.

⁵⁵ Crisis Group interview, Peja/Pec, 29 December 2004.

⁵⁶ For example, UNMIK's permission for President Tadic's visit in early February 2005 -- which included a stop in Decan -- was read by many in the municipality as confirmation of its alleged intention of reintroducing the Serbian state into Kosovo. Predictably, Tadic's convoy faced its greatest challenge in Decan -- youths pelted one of the coaches with snowballs and stones, and a Polish riot squad countered them with tear gas. Decan Mayor Ibrahim Selmanaj helped calm the situation, which might otherwise have escalated to the point of hundreds of Decan men bringing out their cached firearms.

⁵⁷ Crisis Group interviews, Decan, late November 2004-early April 2005.

⁵⁸ Decan has the highest concentration of illicit weapons in Kosovo. According to former KLA sources, some weapons used during the Macedonian insurgency in 2001 were clandestinely shipped back to Kosovo in 2004. The scale of arms finds by the international security forces in Dukagjini over the weeks straddling New Year 2005 alarmed UNMIK police. Crisis Group interviews, Peja/Pec, 16-29 December 2004.

⁵⁹ Several of Crisis Group's interlocutors in Decan believe that "2,000 fighters could be mobilised overnight".

that conditions for a military campaign are far better now than in 1997-1999: a secure hinterland, easier communications, more experience, more arms, and a larger pool of fighters.⁶⁰

Some of Decan's former and potential fighters connected to Haradinaj through Mushkolaj, some through Haradinaj's home village of Glllogjan, some through the former KLA special unit the Black Eagles.⁶¹ Other connections include the (apparently retired and superseded) ANA, and the latest phantom army, the "Albanian Liberation Army" (ALA). These military and ex-military groupings are only loosely connected with each other. Many armed fighters from disparate groups in Glllogjan and elsewhere came to Pristina to watch over UNMIK headquarters in early November 2004 when Haradinaj was questioned by ICTY investigators, and stood down only when he emerged and convened a press conference to emphasise that his dealings with the Tribunal were "over".⁶² Haradinaj's firm instructions have kept them in check so far, but the potential exists for a competitive spiral of violence against the international presence, as each group bids for leadership. By February 2005, indications given by former KLA circles in Dukagjini were not encouraging -- a hardcore of several dozen were reportedly determined to hit UNMIK, anywhere in Kosovo; some had already disappeared or figuratively "gone to the hills".

Radical circles in Peja/Pec were apparently preparing a more politically ambitious plan, to be activated in spring 2005 or 2006 if the international community has not demonstrated sufficient movement on final status or in response to a special event such as the Haradinaj indictment. Taking inspiration from Ukraine's "Orange Revolution", the idea was circulating that the street protests expected to break out in response to the indictment could be escalated into a challenge to Kosovo's political establishment to demand immediate independence. While much of the planning appeared to be within local KLA circles, including members of the Kosovo Protection Corps and veterans associations, there was confidence that LDK elements would join in, bringing people onto the streets,⁶³ blocking all local institutions,

and facilitating a takeover of media by a protest council, all of which would mark termination of UNMIK's rule in Dukagjini. The protest would continue until the Kosovo Assembly had declared independence and taken all remaining government competencies from UNMIK. "They will have 3-4 days to come on side", one enthusiast told Crisis Group. "Otherwise they'll be politically dead -- nobody will listen to Thaci or Rugova any more, and it will be the end of this Assembly. Kosovo will move toward a new structure, a new election, new people".⁶⁴

Those planning these moves wished the regional KPC to position itself as an honest broker between protestors, UNMIK and KFOR, and to deploy to protect Serb villages and churches.⁶⁵ Recalling the March 2004 riots, the planners felt strongly that, "the anti-Serb violence was a humiliation for us, and we won't allow it again".⁶⁶

D. DUKAGJINI TURNS IN ON ITSELF

But when the indictment came, there were no street protests in Peja/Pec, and those planning the revolution were baffled. Peja Veterans leader Nexhmi Lajci worked hard to keep the city calm and was instrumental in getting the central Veterans Association in Pristina to cancel a demonstration it had called for 14 March, fearing that Drenica KLA circles would use it to stir trouble.⁶⁷ Fear expressed earlier by the central KLA veterans association that it might be "blackmailed" into excessive protest by the Dukagjini associations⁶⁸ was played out in reverse.

A month after the indictment, Peja/Pec, along with the rest of Kosovo, was beginning slowly to forget Haradinaj. Just as the 100 days of Haradinaj's government

⁶⁰ Crisis Group interviews, November 2004--February 2005.

⁶¹ Commanded by "Toger" Idriz Balaj during the war, who was convicted of murdering rival Kosovo Albanian soldiers of the LDK's FARK forces in the "Dukagjini case", and who was indicted together with Haradinaj by the ICTY in early March 2005. The Black Eagles issued a "communiqué" in mid-February 2005. See fn. 27 above. Members of the unit are rumoured to have consolidated around smuggling interests since the war.

⁶² Confirmed to Crisis Group by numerous separate sources, in Pristina, Dukagjini, and the U.S.

⁶³ The LDK chief of Peja/Pec municipality, Ali Lajci, has a record of placing himself at the head of protest when emotions

are high. On 19 March 2004 he led a crowd to Belo Polje village to lay flowers for a Kosovo Albanian rioter shot dead on 17 March by an UNMIK police officer defending Serb villagers from mob attack.

⁶⁴ Crisis Group interviews, Peja/Pec, February 2005.

⁶⁵ Crisis Group interviews, Peja/Pec, 16 February 2005.

⁶⁶ A startling continuity of Dukagjini thought in planning for rebellion can be seen from comparing these plans with "the Program of the Albanian General Uprising of Spring 1919 in the Dukagjin Plateau", which contained instructions such as: "no insurgent must harm the local Slavs apart from those who put up armed resistance against the Albanian cause; no insurgent must burn houses or damage churches; ...the local Slavs and the market place must be guarded by trustworthy people..." Albanian Central State Archives, Fund 846, file 2, p.1, quoted in Nexhmedin Spahiu, "Serbian Tendencies for Partitioning of Kosova", Central European University, Budapest, 1999.

⁶⁷ Crisis Group interviews, Pristina, 14 March 2005, and Peja/Pec, 5 April 2005.

⁶⁸ Crisis Group interview with Veterans Association sources, Pristina, 15 February 2005.

had begun to make Kosovo Albanians in general realise that they could affect processes, KLA circles in Peja/Pec began to redirect their attention away from an exclusive focus on internationals as villains and onto how they might eventually replace their own corrupt LDK city government.⁶⁹ Dialogue was beginning between Peja radicals and international officials.⁷⁰

Nothing similar was happening in Decan, which remained angry about Haradinaj's fate and potentially explosive. Key Decan KLA figures were still uncertain whether they had done the right thing in taking the finger off the trigger.⁷¹ Decan's municipal institutions were barely functioning.⁷² Some KLA people gave a sense of hoping that UNMIK would make a false move so they would have an excuse to initiate violence. Tensions increased further when on 15 April Ramush Haradinaj's younger brother Enver and a friend were shot as they were driving home south of Peja/Pec. Enver died on the way to hospital. The simmering feud between the region's leading FARK and KLA families, set in motion by the "Dukagjini case", threatened to boil over.

During the 1998-1999 war, Dukagjini was the only Kosovo region where the LDK-associated FARK fielded significant forces parallel with the KLA. Since then it has been blighted by something approaching a low level civil war between the two. Just after NATO's arrival in Kosovo in summer 1999, several of Ramush Haradinaj's lieutenants captured, tortured, and murdered four close associates of the FARK commander, Tahir Zemaj. Among the captured FARK men were representatives of two powerful Dukagjini families, the Musajs and Muriqis, which have a reputation for criminality under the patronage of successive regimes.⁷³ One of the five captured FARK men, Vesel Muriqi, escaped. The evidence he gave to UNMIK brought about the "Dukagjini case" and the imprisonment of Daut Haradinaj, Idriz Balaj and three other KLA men.

In 1990, using the need for unity in the emergency circumstances of the Serbian takeover of the province as

his main appeal, ethnologist Anton Cetta and groups of volunteers mounted a successful campaign to stem inter-family blood feuds, a retrograde tradition that then held up to 17,000 Kosovo Albanian men under threat of murder. Much of the campaign's focus was on Dukagjini, where several hundred thousand people gathered at Verrat e Llukës, Decan, on 1 May 1990.⁷⁴ Starved of the fuel of fresh killings, the tradition seemed to have been largely tamed. The post-war re-emergence of blood feuds between the KLA and FARK families threaten to destabilise Dukagjini and to blow back into national politics. While Haradinaj's AAK is in coalition with Rugova's LDK, Rugova's attachment to Dukagjini FARK circles has been evident. Until the KPS took over Rugova's protection in the late evening of 20 April 2005, a daughter of the Muriqi family was his most prominent bodyguard. Rugova is still negotiating with the police with the aim of re-acquiring the close protection of those private bodyguards and relegating the KPS to a secondary role.⁷⁵

The feud was set in motion after the Musaj family accused the Haradinajs of responsibility for the disappearance of their son, Sinan Musaj -- one of the FARK five -- and demanded his bones back. One night in July 2000 Ramush Haradinaj, his brother Daut, and several comrades went to the Musaj family compound in the Decan village of Strelc and fought a gun battle with them.⁷⁶ Ramush sustained grenade injuries and was whisked away by the U.S. military, which operated on him and removed evidence from the scene to frustrate UNMIK police.⁷⁷ More attacks, woundings and killings between the two camps followed during subsequent years. Before his arrest as part of the KLA "Dukagjini group", a retaliatory car bomb attack in January 2002 hit the family of Idriz "Toger" Balaj, former commander of the Black Eagles, who has since been imprisoned for fifteen years as well as indicted by the ICTY together with Ramush Haradinaj.

On Tahir Zemaj's return to Kosovo in August 2002, he and the Muriqis survived a rocket-propelled grenade fired into a café where they were sitting. Zemaj was eventually murdered in January 2003. In April 2003 Ilir Selimaj, a former KLA man who testified against his

⁶⁹ In mid-2004 UNMIK municipal representative Anthony Thomson compiled and presented an extensive dossier to the Peja/Pec municipal assembly detailing malpractices in the city administration.

⁷⁰ Crisis Group interviews, Peja/Pec, 5-7 April 2005.

⁷¹ Crisis Group interviews, Decan, 7 April 2005.

⁷² Crisis Group visit and interviews, Decan, 7 April 2005.

⁷³ Businessmen, journalists and police sources in Peja/Pec have alleged to Crisis Group that members of these families have been involved in racketeering. A Pristina-based journalist who spent some of her childhood in the Musajs' village of Strelc in the late 1980s recalled that she and other children gave the Musaj house a wide berth, it being rumoured that the family dealt in narcotics. Crisis Group interview, April 2005.

⁷⁴ See "The Campaign to Reconcile Blood Feuds" in Howard Clark, *Civil Resistance in Kosovo* (London, Sterling, VA, 2000), pp. 60-64.

⁷⁵ Crisis Group interview with a police source, May 2005.

⁷⁶ Opposing accounts, from the Musajs and Haradinaj, are given respectively in the following online news articles from Zeri: <http://www.balkanpeace.org/hed/archive/july00/hed331.shtml>, and Reuters, <http://www.balkanpeace.org/hed/archive/july00/hed315.shtml>.

⁷⁷ See Nicholas Wood, "US 'covered up' for Kosovo ally", *The Observer*, 10 September 2000, available at <http://observer.guardian.co.uk/international/story/0,6903,366575,00.html>.

comrades in the Dukagjini case, was murdered together with one of his relatives. In September 2003 Vesel Muriqi's cousin, Ramiz Muriqi, survived a car bomb. In November 2003 two KPS officers, Isuf Haklaj and Sebahate Tolaj, who had been in Zemaj's FARK forces during the war, and who are understood to have been investigating the Zemaj murder, were shot dead on the road just south of Peja/Pec.

By the time Ramush Haradinaj became prime minister in December 2004, the violence appeared to have died down. He dismissed the Dukagjini feud as "artificial...the internationals created it and hyped it...it served their purposes".⁷⁸ But just weeks later, on 31 January 2005, Sadik Musaj was fatally shot in Peja/Pec. The suspect, still on the run, is a very distant Haradinaj relative but is also understood to have been a former partner of Musaj's in alleged racketeering. The apparent revenge killing of Enver Haradinaj followed on 15 April. The police record for solving murders in Dukagjini is poor, and KLA circles mistrust the Peja/Pec regional police for being predominantly allied with and beholden to the LDK and the FARK. If the investigation of Enver's murder does not yield results, UNMIK, FARK families, and the LDK could all be scapegoated. The ongoing KLA/FARK feud could also interact with and be exacerbated by the ICTY trial.⁷⁹ There is risk that the Peja/Pec KLA veterans circles that since March have increasingly focused on ways of dispensing with the city's LDK administration, may add a blood feud to their political logic. Post-war Kosovo lacks an Anton Cetta.

Haradinaj's authority still hangs over Dukagjini but its viability depends upon the possibility of his pre-trial release. If this does not happen and Dukagjini understands that he has gone away for a long time, the "security pyramid" in Dukagjini will be shaken. During the run-up to the indictment, UNMIK publicly toyed with the idea of releasing brother Daut early, as a form of compensation for Ramush and an alternate security chief. The temporary release of both for the April funeral of their brother had a calming effect and gave an extra lease of life to Ramush's authority. He used his funeral oration to emphasise that he did not want to see more killings and that his family's troubles should be set aside in the pursuit of Kosovo's wider aspirations.

The ICTY's decision on bail will be a security watershed in Dukagjini. Beyond that, the trial and the structure of

the indictment itself, which portrays the KLA in west Kosovo as "a joint criminal enterprise", with emphasis on the alleged misdeeds of the Black Eagles, will anger west Kosovo KLA circles. Although quiet at present, the newly minted ALA has not gone away and may choose to manifest itself again if bail is denied.

⁷⁸ Crisis Group interview, Pristina, 21 January 2005.

⁷⁹ The indictment, dated 24 February 2005, includes an allegation that Haradinaj and the KLA "did not tolerate the presence of...FARK" and "beat, humiliated and seriously injured" four FARK soldiers in July 1998. Available at <http://www.un.org/icty/indictment/english/har-ii050224e.htm>.

III. KOSOVO'S NEW POLITICAL CONFIGURATION

The October 2004 elections allowed two Kosovo Albanian parties to dispense with the previous unwieldy and broad multi-party government and form their own cohesive team. This coalition between the LDK and the AAK survived Haradinaj's resignation and was consolidated with the selection of Bajram Kosumi as prime minister. Post-war politics have been dominated by the contest between the oldest and largest party, Ibrahim Rugova's Democratic League of Kosovo (LDK) -- which led peaceful resistance to the Serbian regime through most of the 1990s -- and the political successor of the KLA, Hashim Thaci's Democratic Party of Kosovo (PDK). In setting up his AAK party in 2000, Haradinaj, the former KLA commander in west Kosovo, sought to bridge the political divide between the "party of war" and the "party of non-violence" and provide an alternative. The PDK regards the AAK/LDK alliance as a betrayal of their shared KLA heritage.

A. THE SHAPE OF KOSOVO ALBANIAN POLITICS

The AAK/LDK coalition is Kosovo's first experience of a government with a parliamentary opposition. Neither the parties nor the electorate are yet accustomed to it. Voter loyalties have been until now been rather firm and largely determined by patronage, clan and regional ties. Voters will not necessarily punish bad government performance. Neither the government nor the largest opposition party have clearly defined the boundaries and framework for their interaction and competition. It is not a foregone conclusion that these will be entirely peaceful. The PDK complains that it is unfairly blocked by arbitrary LDK control of the Assembly agenda. The PDK seems ambivalent at best about its chances of winning control of the government at the ballot box and stands on the brink of playing a wrecking role.

The international community was nervous about the emergence of electoral "winners and losers" at this stage. With a need to secure consensus and stability for a final status deal during the next year or so, some important international players lobbied instead to keep politics frozen a while longer within a broad, multiparty coalition government. In calling again for a "broadly representative, effective government" after Haradinaj's departure, EU foreign policy chief Solana was trying to square a currently impossible circle. It can be one or the other, not both. Under Haradinaj, the new coalition government functioned as a team, with cross-ministerial tasking and cooperation, answering to its prime minister,

although coordination and discipline are sliding again under the less naturally authoritative Kosumi. In the broad multiparty coalition government of Bajram Rexhepi that preceded it, ministries operated as separate, disconnected, even rival, islands of power and patronage, paying little heed to the prime minister. To get to a final status process, Kosovo has been challenged to pass a comprehensive review of standards implementation, due in the middle of the year. Reverting to the old way of doing business would have stymied the tangible advances made in standards implementation since December 2004.⁸⁰

In many respects the three largest Kosovo Albanian political parties strongly resemble each other. They function in a top-down hierarchy, each carrying a perhaps over-large party branch structure that, due to the closed list election system, is partially insulated from local electoral outcomes and is dependent upon Pristina leadership for patronage and representation on the party list. Each of the newer parties has put up structures to match the LDK, which started in the early 1990s as the Albanians' new one-party shadow state and remains the only really "national" Kosovo Albanian party. Both the PDK and AAK are virtually regional parties.

Each of the three parties strives to possess as much as possible of the fixed "cake" of government, which is still largely envisioned in the communist model.⁸¹ Just as the other parties have tried to match the LDK in their visible structures, the LDK has worked to claw back ground from the KLA successor parties in the sphere of shadowy security structures. From its low point in 1999, when it was pushed aside and the KLA's security structures were dominant,⁸² the LDK has used its electoral successes to build up gradually security elements that match, and are now possibly set to surpass, those of the former KLA.

Each party leadership dates from the war and pre-war period of the 1990s and is as yet unchallenged by lower ranks no matter what its performance over the last five years. UNMIK, and in particular its institution-building pillar run by the Organisation for Security and

⁸⁰ See Alex Anderson: "Consolidating democracy in Kosovo", *European Voice*, 24 March 2005.

⁸¹ An attitude that bubbles to the surface in a 23 March 2005 piece for the Institute for War and Peace Reporting (IWPR) by former PDK official Bekim Collaku. Arguing against the retention of the narrow LDK-AAK coalition, he bemoans: "the desire of the two coalition parties to grab most of the national 'cake' for themselves". See, "Kosovo leaders risk damaging EU hopes", available at www.iwpr.net.

⁸² See Crisis Group Europe Report N°88, *What Happened to the KLA?*, 3 March 2000, and Crisis Group Europe Report N°97, *Elections in Kosovo: Moving Toward Democracy?*, 7 July 2000.

Cooperation in Europe (OSCE), have not pressed the parties hard enough on developing internal democracy and transparent mechanisms and procedures. The weakness of UNMIK's approach has allowed the leadership elites to retain their monopoly. Kosovo's unresolved final status has also helped keep the parties' evolution on ice; none has developed a distinct policy profile. Challenged at a recent seminar to develop policies as the product his party must sell itself with, PDK grandee Xhavit Haliti replied: "You ask too much of us. We just produce MPs".⁸³

Kosovo Assembly members are little accountable to their constituents. Given Kosovo's tendency to fissure along regional and local lines, the rather artificial "delivery" of its population to central institutions in Pristina along the three party avenues may not be the worst outcome that could have been engineered. However, instead of nourishing and sustaining the organic growth of a shared national identity and security community, the parties have planted themselves like rival trees jostling for the light -- with leaves and branches as their public faces, their mutual exclusivity reinforced by separate large root structures of rival intelligence, underworld and criminal networks to feed and be fed by.

The closed list election system has reinforced the three hierarchical and hermetic party structures, helping lock into power the leaders who emerged from the war period and dulling the potential for evolution. An electoral system mixing single mandate constituencies and party lists, or at least with regional constituencies rather than treating Kosovo as a single block, would allow new energy to percolate into the Assembly.

The OSCE Pillar on institution-building and democratisation can call on many resources and because its forte is monitoring may survive beyond final status resolution.⁸⁴ However, it appears to lack a strategy for Kosovo's democratization in general, and in particular has been passive in its approach to optimising the electoral system -- taking the position that this is a decision for Kosovo to make itself.⁸⁵ On closer examination, one

finds that the OSCE has left the matter to the same political elites who have an entrenched interest in the existing closed list system. A strong campaign mounted by Kosovo NGOs in 2004 for a change in the electoral system attracted much sympathy from parts of the international presence in Kosovo and from the U.S. government but was brushed aside by the OSCE Pillar and the then SRS, Holkeri.⁸⁶

B. THE OCTOBER 2004 ELECTIONS

The October 2004 elections appeared to mark an advance in consolidating civil peace.⁸⁷ Rules that stipulated equal airtime for all parties flooded the airwaves with minnow no-hopers, single candidates, and small ethnic minority parties, curtailing the opportunities for substantive debate between the main contenders. The PDK's advertisements on TV and in newspapers appeared the most visually themed, slick and "modern". The LDK by contrast relied mainly on rallies to show off the potency of its support base, culminating with a large rally and concert in Pristina's sports stadium on the final day of campaigning.

Although new parties such as publisher Veton Surroi's ORA and breakaway LDK politician Edita Tahiri's ADK were vying for the niche of creative third force that had been the monopoly of Haradinaj's AAK in the 2001 election, and there was much PDK hope that it could cut further into the LDK's lead, the voting shifts from 2001 were remarkably small, with turnout almost identical. The PDK's slick campaign bounced off the electorate with little effect, advancing

Building Peace After Civil Conflict (Cambridge, 2004), and Jack Snyder, *From Voting to Violence: Democratization and Nationalist Conflict* (New York/London, 2000). Some Kosovo intellectuals voiced the need for such an approach in late 1999. See Crisis Group Europe Report N°83, *Starting from Scratch in Kosovo: The Honeymoon is Over*, 13 December 1999, pp. 9-12.

⁸⁶ The reasons advanced for sticking with closed lists were the simplicity of the system and its guarantee that at least 30 per cent of seats would be held by women, since the use of open lists in 2000 had resulted in many spoiled ballot papers and only 8.2 per cent women's representation among successful candidates, whereas women's representation was 28 per cent in subsequent closed list elections. OSCE staff additionally argue that if internal party democracy is guaranteed, any need for open election lists becomes redundant -- a questionable conclusion based on a questionable premise. Moreover, UNMIK has failed to take vigorous action to guarantee internal party democracy.

⁸⁷ The October 2000 municipal elections, the November 2001 general election and the October 2002 municipal elections were all marred by murders of LDK officials in their immediate aftermath. See Arben Qirezi, "Kosovo: Election marred by political killing", IWPR, 31 October 2002.

⁸³ Crisis Group interview with Lulzim Peci, Executive Director of the Kosovo KIPRED think-tank, Pristina, 18 January 2005.

⁸⁴ It is worth reflecting on the scale of the OSCE pillar's underachievement in relation to its budget. The Kosovo institution-building pillar accounts for 22-23 per cent of the OSCE's overall operating budget, and employs up to 300 expatriate staff and nearly 1,000 local staff.

⁸⁵ Arguably, this is an abdication of UNMIK's responsibility under UN Security Council Resolution 1244. Recent literature on democratisation in state-building contexts emphasises the need for intrusive outside intervention, and creation of a thick weave of enabling structures, to set democratic institutions on a sustainable and peaceful path. See Roland Paris, *At War's End:*

the party only three points to just under 29 per cent support. With over 45 per cent, the LDK stemmed new losses after having dropped to that level in 2001 from 58 per cent the previous year.⁸⁸

The AAK campaign appeared unfocused; the party finished second to the LDK even on its home turf of Decan, though modest gains outside the Dukagjini heartland helped keep its vote virtually static at 8.4 per cent. Tahiri's ADK flopped completely but Surroi's ORA garnered a respectable 6.2 per cent, doing well among urbanites in Pristina and Gjakova/Djakovica.

At the margins, a new Kosovo Albanian "Justice Party", modelled after its successful Islam-oriented near namesake in Turkey, garnered enough votes for a seat. Parties with an explicitly pan-Albanian agenda again attracted minimal support, the LPK gaining just one seat. The equally radical LKCK boycotted the election.

The Kosovo-Serb boycott effectively opened an additional dozen of the Assembly's 120 seats for the Albanian parties, easing the way for formation of the LDK-AAK coalition and leaving two of ten reserved Serb seats for Slavisa Petkovic's little-supported Civic Initiative Serbia, which eventually also joined the governing coalition. Belgrade's intransigence, therefore, helped the LDK overcome the high hurdle against a majority government that the setting aside of twenty seats for ethnic minorities would otherwise have represented. In some other European electoral systems, its 45 per cent support would have translated into a landslide victory.

C. THE NETWORK CONSOLIDATES CONTROL

Lacking any impetus for a different model, the LDK has in effect inherited the former Communist party's network and *modus operandi*. Even in the early 1990s, when it was a mass movement including writers, academics, and a sizeable bloc of former political prisoners, it never had democratic instincts.⁸⁹ Its newspapers have been far from

liberal.⁹⁰ The party's electoral support has held firm despite several waves of defections since the late 1990s and lack of internal reform. Habit, a valued continuity, a virtuous circle of electoral success, and the iconic immutability of its leader, Rugova, have all helped keep the LDK as the central, virtually immovable feature of the political landscape. With a war won for it by the KLA and NATO, and having ended up "on the right side of history", it is in the rare position of a party in the Eastern European Communist mould that lacks pressure to change, from within or without. It is the least accessible of the Kosovo Albanian parties for researchers and journalists and has shrugged off donors' offers of technical assistance.⁹¹

Despite emerging as the largest party at each of the last two general elections, the LDK has shied away from leading the executive, yielding the prime minister's office to the PDK in 2002, then the AAK in 2004. It prefers others to do the spadework, take the limelight, or play the fall-guy, while consolidating benefits for its own network. With Haradinaj gone, the balance of power within the government has shifted markedly in the LDK's favour even though the AAK's Kosumi is prime minister. His appointment of Rugova's cousin Naser as an adviser is telling.⁹² The LDK will also have

the current Kosovo Assembly demonstrates similar characteristics -- it meets in plenary session only at long intervals.

⁹⁰ *Rilindja* and then *Bujku* during the 1990s. Since the war the partly Switzerland-based daily *Bota Sot* has been the LDK's main cheerleader. During 2004 the LDK founded another daily, *Pavaresia*. These were the only two newspapers censured by the temporary media commissioner and subsequently fined for biased coverage during the 2004 election campaign. The following example of *Bota Sot*'s description of a rival party's activity belies the "moderate" image usually associated with the LDK: "ORA has already announced that it will be deeply faithful to the right of the Serb minority in realisation of their aspiration for 'partition' of Kosovo. Therefore, it was not surprising at all, the latest interview of [the] close friend of Veton Surroi, Vuk Draskovic, who, in this interview, openly makes public Serb plans for partition of Kosovo. This is the bastard method of bastards, of hyenas masked with the fur of modernity and progress, sophisticated with technology laboured in details with put-up precision of hour-hands of the pan-Slavic 'clock' (ORA), with 'saviours' reaction five minutes before midnight, attacking the poor victim on his last breath, with hope and insatiable lust 'to reach' the 'Great Bolshevik-Pan-Slavic Victory'". Bardhyl Ajeti, "The Tito-ist and pan-Slavic 'clock' [ORA]", 23 August 2004.

⁹¹ Giving marks out of ten for their respective openness to consultants and training opportunities, the head of one democratisation assistance organisation awarded the AAK ten, the PDK five and the LDK one. Crisis Group interview, Pristina, March 2005.

⁹² For many years, Naser Rugova was a senior protocol official in President Rugova's office. He is widely understood also to

⁸⁸ In the 2001 general election the LDK polled 45.7 per cent of the vote, the PDK 25.7 per cent, the Kosovo Serb Povratak Coalition 11.3 per cent and the AAK 7.8 per cent. In the 2004 general election the LDK polled 45.4 per cent, the PDK 28.85 per cent, the AAK 8.4 per cent and ORA 6.2 per cent.

⁸⁹ According to a recent analysis, "from its birth [the LDK] demonstrated stark authoritarian tendencies....Dissenting and even questioning voices were pushed to the side". See Paul Hockenos, *Homeland Calling: Exile Patriotism and the Balkan Wars* (Ithaca/London, 2003), p. 230. During the 1990s the LDK presidency never convened the parliament elected in Kosovo Albanian underground elections, preferring to retain the political monopoly and limit debate. The LDK's control of

little difficulty allowing the opposition to take a leading role on the final status question, an offer President Rugova is already reported to have made to Hashim Thaci in March 2005. If it goes wrong, the LDK will not have to take the blame.

The LDK's internal environment, however, has gradually become rougher. It is no longer a unified national movement. It has been intellectually hollowed out by defections and has fewer figures willing to maintain relations with other political parties -- a bridging role its late vice president, Fehmi Agani, used to play.⁹³ The LDK-affiliated newspaper *Bota Sot* mounts vitriolic campaigns against party dissidents, defectors and political foes. A victim of its attentions attested to the limits of party debate: "It will be very difficult for the LDK to change, because once you think differently...they treat you as an enemy".⁹⁴ Assassinations of LDK officials from 1999 to 2002 created fear among party members. Nearly all went unsolved but were generally attributed to the KLA and its successors.⁹⁵

Localised incidents seem to confirm the coarsening of the party's internal environment. A gathering in Pristina's Grand Hotel in July 2004 to agree on the list for the general election ended with two senior party figures physically beaten. A crowd of locally unknown men gathered in the vestibule of a hall where the LDK's Ferizaj/Urosevac branch was meeting on 19 February 2005 to pressure delegates to dismiss Deputy Mayor Faik Grainca from the branch presidency. He had defied

have been engaged in running an enterprise based in the Pristina suburb of Dragodan that advises companies on tendering for local and central government contracts. In a 24 May 2005 interview with *Express* newspaper he denied formal involvement with this enterprise. Off the record, businessmen bemoan having to make pilgrimages to Dragodan in order to secure opportunities to win government and municipal tenders. Naser Rugova is understood to be close to President Rugova's immediate circle of advisers, including his intelligence chief and national security adviser, Rame Maraj, and the president's son Uke Rugova.

⁹³ Agani was murdered by Serbian security forces when trying to escape to Macedonia in May 1999, during the NATO bombing.

⁹⁴ Crisis Group interview, May 2005.

⁹⁵ Among the murder victims were Istok/Burim LDK activist Shaban Manaj, killed in August 2000; Rugova's close adviser and campaign chief, Xhemal Mustafa, shot on his doorstep in November 2000; LDK mayor of Klina Ismet Raci, killed in April 2001; *Bota Sot* journalist Bekim Kastrati and a LDK bodyguard, shot in a car ambush in October 2001; Smajl Hajdaraj, just elected as a Kosovo Assembly member when shot in his Peja/Pec apartment building in January 2002; the LDK's leader in Suha Reka/Theranda, Uke Bytyci, and two bodyguards were shot dead while celebrating their municipal election victory in October 2002 by two local PDK members.

the former mayor and LDK branch president, Adem Salihaj, by standing for his job after Salihaj was made deputy prime minister in December 2004.

Security entrepreneurs appear to have grasped the opportunity for expanding their influence in the party. In July 2004 a previously unknown entity calling itself "Homeland Security", identifying with the FARK,⁹⁶ and claiming to exercise oversight of the LDK, issued communiqués threatening party "deserters" and their families with violent consequences if they tried to draw away any more members before the elections. These appeared after Tahiri and others defected to set up a rival party. After the executive committee (presidency) denied any connection with it, "Homeland Security" issued a second statement scornfully dismissing the views of such "rank and file members of the LDK" as irrelevant and uninformed: "We oversee the LDK's activity. They don't oversee ours....We enjoy the trust of President Rugova".⁹⁷ Neither Rugova nor his press spokesman commented. A senior LDK municipal official subsequently told Crisis Group: "Homeland Security is trying to make people inside the LDK obedient, and to promote its own people to power".⁹⁸

In conversation, several senior LDK officials from other municipalities mulled making public themselves whatever they said under Serbian police torture in the 1990s rather than to allow the alleged head of the LDK intelligence service to continue to hold it over their heads.⁹⁹ The LDK's intelligence service appears to have closely monitored the activities of several senior party officials in recent times.¹⁰⁰

The party's underdeveloped internal democracy and Rugova's mix of inactivity and authoritarianism render it vulnerable to a creeping internal takeover. Its formal structures risk becoming a hollow façade, masking control by unaccountable circles close to Rugova.¹⁰¹ The

⁹⁶ In its communiqué of 17 July 2004, it claimed to have made a public appearance at the funeral of Tahir Zemaj in early 2003, and that "since our appearance, there has not been a single political killing in Kosovo".

⁹⁷ See Zija Miftari, "'Sigurimi' demanton Kryesine e LDK-se, thote se e ka 'bekimin e presidentit' Rugova" ["Security" rebuffs the LDK presidency, says it has "the trust of president" Rugova], *Koha Ditore*, 18 July 2004.

⁹⁸ Crisis Group interview, May 2005.

⁹⁹ A conversation partly overheard, partly recounted by its participants to Crisis Group, spring 2005.

¹⁰⁰ Crisis Group interviews with LDK and police officials, May 2005. See also *Koha Ditore's* serialisation of files allegedly compiled by LDK intelligence and subsequently acquired and submitted to UNMIK by the PDK, 5-8 May 2005.

¹⁰¹ Speaking in 2000, LDK spokesman Milazim Krasniqi (who has since left the party) bemoaned that: "decisions in the LDK

LDK's statute does not stipulate secret balloting for party posts. Nominees for bodies such as the general committee tend to be determined by the leadership and are confirmed by acclamation, without open competition in party branches. The LDK appears to convene its general assembly only to satisfy UNMIK regulations. Its first after the war was in June 2002. While it held another in June 2004, just inside UNMIK's time limit, voting for key party posts was again by acclamation. Unless UNMIK presses harder, the formal retirement of President Rugova as party president it achieved in February 2005 will only accelerate the tendency for him and his favourites to concentrate power outside the party's formal governing structures.¹⁰²

While preserving his Sphinx-like persona and a strongly developed sense for inter-party positioning, Rugova has since the mid-1990s gradually adopted a rigid, remote and indolent "do-nothing" style. He rarely leaves his gated residence, which until 20-22 April 2005 was guarded by a bloated parallel security structure rather than the Kosovo police.¹⁰³ He increasingly relies upon a narrow circle of advisers, among whom the alleged LDK intelligence

are taken in a manner not based on any statute and are made by a group which likes to call itself 'Rugova's followers'". He said this had damaged the LDK and stressed the need to respect the party statute, for competent bodies to make decisions and for all acts to be transparent for members and the public. "Unfortunately, until now this hasn't happened in the LDK, and I don't see a willingness to change this....The consequences may not be visible now, but I am quite sure that if this goes on, it will be impossible to repair the damage". Zeri, "Is the LDK Dead or Alive?", 24 April 2000. See also UNMIK media monitoring, available at <http://www.unmikonline.org/press/mon/Imm260400.html>.

¹⁰² UNMIK saw Rugova's holding both posts as contravening the stipulation of the Constitutional Framework that "The President of Kosovo shall represent the unity of the people ... [and]... shall not hold any other office or employment". Although UNMIK made no objection during Rugova's first presidential term, in the run-up to the February 2005 UN Security Council session on Kosovo, the SRSG's office and the Pristina diplomatic corps insisted he stand down from the LDK leadership, threatening otherwise to void his election as president. Rugova's "resignation" from the party post has been less than convincing. He has continued to chair party meetings, and no plans for electing a new leader have been announced.

¹⁰³ Ten of these guards were authorised by UNMIK several years ago and have been paid by the government. Reportedly up to another fifteen have been financed by the LDK. After the grenade attack in March 2004, a further twenty guards were taken on, paid from some alternative source. The large UNMIK and KPS operation surrounding the president's residence that began during the late evening of 20 April 2005 disarmed and replaced with KPS units a large part of this guard corps. See Syzana Bytyci, "Presidenca mbrohet duke i bastisur" [The Presidency is defended through being raided], *Koha Ditore*, 23 April 2005.

chief Rame Maraj is prominent. Rugova's son Uke is widely said to have gained much parental licence for business dealings.¹⁰⁴ A senior LDK municipal official alleged that it is an open secret inside the LDK that all decisions come from Rame Maraj and Adem Salihaj. Another claimed that the LDK deputy prime minister and government ministers were chosen by "the illegal people" allegedly entrenched in Rugova's office, who "control the tenders".¹⁰⁵

Salihaj's nomination as deputy prime minister surprised outsiders but may indeed reflect a tightening grip over the party of the security, intelligence and business players around Rugova. The sweeping away of the entire previous slate of LDK ministers, with replacements mainly from the municipalities, was another surprise. The PDK has alleged that most of these ministers owe their positions to "Homeland Security" and so represent "installation of political and economic crime" at the heart of government. Melodrama aside, testimony from LDK municipal officials does indicate that -- with possible exceptions such as the local government minister, Lutfi Haziri -- the new ministers owe something to the extra-institutional advisers. Their appointments may mark a new advance into central government for an alleged kickback system of centralised parallel control and oversight of government tendering already perfected at municipal level. An LDK official claimed its intelligence service is taking over the party, from which platform it also endeavours to take over the government and secure its economic interests. Electoral success and the coalition with the AAK have given that intelligence service the confidence to dispense with the sharing of spoils with the PDK and its intelligence service that marked the broad multiparty coalition of 2002-2004.

D. THE ECLIPSE OF THE PARTY OF WAR?

The results of the October 2004 elections were a multiple shock for the PDK, the party set up as the political successor of the KLA. Its assumption that Kosovo's youthful demographics would help it make further inroads into the LDK's lead was disappointed. The Serb

¹⁰⁴ See "Gameboy", *Java magazine*, 21 April 2005, for an account of how Uke Rugova has allegedly become a key decision-maker at his father's court. Some local observers have remarked a similarity in Uke Rugova's use of parental presidential licence with that of the offspring of the presidents of Serbia and Croatia during the 1990s. This commonality perhaps reflects a shared Yugoslav political heritage among Serbia's SPS, Croatia's HDZ and Kosovo's LDK.

¹⁰⁵ Crisis Group interview, April 2005. A PDK official in the same municipality noted that at least in his municipality the PDK's dossier had wrongly identified specific local LDK officials as members of "Homeland Security".

boycott, a new decisiveness from the LDK and AAK, and UNMIK's refusal to shield it from the consequences of electoral defeat, all combined to keep the PDK out of the prime minister's office, upon which it felt it had a special claim, whatever the election results.

The party is Janus-faced. At its best, it can cater simultaneously to varied constituencies in its bid to displace the LDK as Kosovo's leading political force. At its worst, its political development is hobbled by the need to balance incompatible interests and directions. Party leader Hashim Thaci's drive to make anti-corruption a key political theme in early 2004 fell flat due to widespread public perception that PDK ministers themselves were "not angels". While Rugova, Haradinaj and Surroi tower over their respective parties, Thaci has had to share the limelight in the PDK, as only first among equals with grandees such as Jakup Krasniqi and Xhavit Haliti, and, for the election, with the then prime minister, Bajram Rexhepi. Thaci and Rexhepi were even portrayed wearing matching tracksuits in a video sequence of the pair running in the woods.¹⁰⁶

Krasniqi, the PDK general secretary and former KLA spokesman, enjoys a considerable party following. He has cultivated a combative public profile -- in government denouncing UNMIK policies in an open letter to Kofi Annan in 2003, and in opposition denouncing Deputy Prime Minister Salihaj and LDK ministers to UNMIK for suspected involvement in: "common crimes such as murders, threats and blackmail, economic crimes and other acts punishable by the laws in place". In the words of a diplomat, he turned the ministry of public services he used to head into "a Drenica employment scheme". Xhavit Haliti, the KLA's former quartermaster, who is alleged to be one of Kosovo's wealthiest men, prefers a backstage role as the party's grey eminence, making pronouncements of moderation and reasonableness, yet showing no energy to carry them out.

Thaci's cautious statesman-like stances on a range of issues over the last several years and his long-term preference for the PDK to develop as a social democratic party helped bring respected academic Enver Hoxhaj to the party in summer 2004 and raise a prospect of party reform. However, initiatives associated with this orientation so far tend to remain still-born. After several months in opposition, the PDK has yet to carry out its

declared intention to form a shadow cabinet.¹⁰⁷ Instead, its energies have focused upon a campaign of accusations that government members are involved in organised crime, terrorism, and murder, thus escalating political tension and security worries. The PDK seems all too easily diverted from the long-term necessity of building its own support base and credibility. Some close observers have expressed frustration that only a handful of senior figures do any consistent work at party headquarters, with others turning up only when the possibility of a return to the government coalition is in the air.¹⁰⁸

There is still a glaring deficit of attention to detail in the party's work. In cities where the LDKs majority might be vulnerable, such as Prizren and Ferizaj/Urosevac, there is no discernible PDK mobilisation. The party has failed to make any effort to increase its membership in Dukagjini out of an assumption that it could count on the AAK.¹⁰⁹ In opposition, it has foregone opportunities to build alliances with civil society, such as through a campaign to amend the broadcasting legislation before the Assembly, which the PDK fears will pave the way for government control of broadcasting. The party stopped short at engaging with the public, limiting itself to an appeal to UNMIK.¹¹⁰ In the stormy Assembly session of 22 April 2005, it was ORA deputies who took the lead in challenging the alleged doctoring by Assembly staff of the conclusions of the PDK-led ad hoc Assembly commission on rules and procedure.

There is plenty of political space for the PDK to take the lead on final status questions and win public approval. Instead it has been obstructionist, looking at final status-related issues mainly for their potential to embarrass the government or as levers with which to lobby for institutional arrangements that subvert the 2004 election results. On the whole, however, its tactics in opposition have been "dog in the manger", ranging from refusal to help the police make sense of its 30-page dossier of accusations against the LDK¹¹¹ to refusal to cooperate in the political forum proposed by the SRSG for reaching inter-party consensus on final status questions.

¹⁰⁶ A survey of (women's) voting behaviour published by the Kosovar Gender Studies Centre on 23 May 2005 indicated that while roughly 60 per cent of LDK and AAK votes are attributable to the appeal of their party leaders, only around 40 per cent of the PDK vote is attributable to Thaci. See "How Do Women in Kosova Vote?", available at www.kgscenter.org.

¹⁰⁷ See Artan Mustafa, "As hija e qeverise ne hije" [Not even a shadow of a shadow government], *Express*, 19 April 2005.

¹⁰⁸ Conversations with Crisis Group, 2004 and 2005.

¹⁰⁹ Many PDK and AAK officials continue to enjoy close relations, and AAK officials are a frequent sight in the PDK headquarters.

¹¹⁰ See Thaci's letter to SRSG Jessen-Petersen, printed in *Kosova Sot*, 28 January 2005.

¹¹¹ Police sources told Crisis Group that party leader Thaci refused to meet with them on the subject. Police went to PDK headquarters seeking information and access to witnesses (the "concerned citizens" who, according to the PDK, provided the information that went into the dossier) and were rebuffed.

Such tactics may reflect a basic fear in the PDK that it will never muster sufficient support to win an election and so needs to "upset the table" and appeal to the international community to bring it back into government. Given the need for the Kosovo Albanians to agree on a platform for the territory's final status, the reflex of several key diplomatic missions in Pristina in recent months has been to restore the broad multiparty coalition government, with the PDK at its heart. This comes perilously close to suggesting democracy is not the only game in town in Kosovo. Cynics have consequently seen a PDK-led coalition government as a potentially more pliable partner for the international community's designs, since it would owe its mandate primarily to the diplomats, not Kosovo's electorate. PDK resentment toward UNMIK began to build after it declined to force a new broad coalition government after Haradinaj's departure, despite the visit of the EU's Solana on 15 March 2005 for this announced purpose.¹¹² Continuing this approach, the PDK has seen the SRSG's proposed political forum -- offered as a complement to, not a replacement for, elected government institutions -- as a means to get governmental influence through the back door and has insisted it will only join a "decision-making", not an "advisory" body.

The PDK suffers from a basic lack of recognition that it lost the 2004 election and has lost every election since the war. One party insider acknowledged that most of his colleagues "disagree and get angry" when this is broached, and insist upon the party's 3 per cent advance in support compared with 2001 as evidence of success. This failure to accept the quantitative aspect of democracy mirrors the LDK's insensitivity to the qualitative aspects.

The PDK failed to utilise the 2002-2004 period of broad coalition government and its dominance of the prime minister's office to modernise and expand out of its regional Drenica and central Kosovo strongholds into a truly national party. Its leaders are still marked by their background in conspiratorial, underground activity, a characteristic evident in their preference to use their dossier of alleged LDK misdeeds as a tool of insinuation rather than offer it to the public or the Assembly. A fresh political profile to take it beyond the position of being "the party of war" is slow in coming. While its LDK opponents have very fresh memories of suffering political violence from the KLA camp, and intimidation of journalists was commonplace in 1999 and 2000, the PDK put such things behind it during the broad coalition government of 2002-2004. Nevertheless, these advances are not necessarily secured. The rougher end of its

support base is prone to disruptive actions that would alienate the urban voters attracted to the milder party face of recent years. If left too long in opposition, the PDK is vulnerable to implosion.

The party has wedded itself to the Drenica region, from which Thaci and Krasniqi come. The LPK exiles' link-up with Drenica's older *kacak* tradition of armed resistance produced the beginnings of the KLA and the celebrated last stand and death of Adem Jashari and dozens of his extended family members at Prekaz village in March 1998, which has given rise to a national cult over which the PDK has exercised semi-ownership.¹¹³ However, while the PDK has benefited from its attempted monopolisation of the armed liberation struggle and from Drenica's wartime suffering, this backward region alone cannot provide the intellectual or economic resources needed to govern Kosovo over the long term. Drenica is in no state to support the national ambitions of the PDK's grandees -- it is as if they have entered a steeplechase riding a hack. Yet it is with Drenica constituencies -- some outside the official party structures -- that the PDK leadership has to be most actively engaged. Thaci makes frequent trips to the region. Former Drenica KLA commander Sami Lushtaku is a prominent influence. The PDK's failure to add a critical mass of support in important urban regions has ultimately left it vulnerable to being bypassed as politics begins to settle down after the trauma of the war years.

The foothold achieved by Surroi's ORA party at the October 2004 elections and its contrasting style of opposition in the Assembly -- more typically parliamentary than the PDK, including more attention to detail on the government's work -- may block opportunities for the larger party to expand its urban support. The PDK controls no city or big town. Many urban dwellers still associate it with the KLA entrance from the countryside immediately after the war and subsequent looting, racketeering, commandeering of apartments, and take-over of enterprises and institutions. Although the PDK is now a strong minority presence in many towns, it risks finding itself trapped on the wrong side of an urban-rural divide that in Kosovo Albanian society remains extensive, despite the large post-war internal migration.¹¹⁴

¹¹² Crisis Group interviews with PDK officials, January and March 2005. See also Mufail Limani "Pse duhet to shkoje Jessen-Petersen?" [Why Jessen-Petersen should leave], *Express*, 26 March 2005.

¹¹³ As Paul Hockenos puts it, "This strategy resembled the plans of diaspora revolutionaries before them...: first infiltrate the occupied homeland, hook up with the domestic resistance, and deliver arms. Then spark a revolt. The local insurgency will catch like a brush fire, igniting a wider popular uprising that will return the exiles to power". *Homeland Calling*, op. cit., p. 246.

¹¹⁴ See Crisis Group Report, *Collapse in Kosovo*, op. cit., pp. 32-33. Several decades ago the towns were Turkish-speaking

Through the coalition with the AAK, Rugova's LDK has achieved a strategic goal of splitting the KLA, its long-term opponent in successive guises for control of Kosovo's hearts and minds. With the LDK above the fray as the only real national party, the two main KLA regions of Dukagjini and Drenica are now played off against each other. Some within the PDK accuse the AAK of "treachery", for entering an "unprincipled" and "dirty" coalition.

This raises the question of what the KLA was. To what extent was it the property of the LPK circle which began organising from abroad in 1993, dominated the rather remote KLA "general headquarters", and controlled the "Homeland Calling" fighting fund into which the Kosovo Albanian diaspora paid millions of dollars in 1998 and 1999? The radical LPK intended the KLA to overthrow both the Serbian regime and the more moderate LDK. But in the field the KLA developed multiple faces, with local and regional commanders and village militias operating independently of the "general headquarters" and each other. Even the FARK forces assembled by the LDK's prime minister-in-exile, Bujar Bukoshi, wore KLA insignia in the latter stages of the war. Anybody who wanted to could declare themselves KLA. For many people, the KLA was simply a tool for liberation, to be retired after the war. While many veterans, invalids and families of fallen KLA have supported the PDK, they increasingly regard themselves and their three respective associations "emerged from war", rather than the party's politicians, as the primary stakeholders in the liberation army and "war values".

The result is that the PDK is now challenged as never before over ownership of the war myth. It has used its dominance of Drenica to exclude the LDK from war commemorations and to consolidate the cult of Adem Jashari. Nexhat Daci is the sole LDK figure who has managed to gain a place at such ceremonies. No LDK representatives spoke at the 28 November 2004 unveiling of Jashari's statue in Skenderaj, and Rugova was reduced to awarding him a posthumous medal from a distance. The LDK has tried to compensate by adopting, borrowing, or stealing dead war heroes for itself. In 2003, the party branch in Decan appropriated a reburial ceremony for the Gervalla brothers -- radical activists whom Yugoslav agents assassinated in Germany in the early 1980s.¹¹⁵

and the surrounding countryside Albanian-speaking. Families that consider themselves "true" town dwellers have older generations who still speak Ottoman Turkish. See Crisis Group Europe Report N°58, *Unifying the Kosovo Factions: The Way Forward*, 12 March 1999, pp. 4-5, for a description of the urban-rural polarisation between the LDK and the KLA during the war.

¹¹⁵ Family sources.

The party erected a statue to FARK fighter Agim Ramadani in Gjilan/Gnjilane on 9 April 2005.¹¹⁶ On 10 May the LDK municipal authority of Prizren staged a commemoration for the late KLA commander "Drini" in the National Theatre.¹¹⁷

The LDK's coalition with Haradinaj has allowed it to position itself as the ally and defender of the most charismatic living KLA field commander.¹¹⁸ While the PDK has presented critical crowd reaction to Haradinaj during recent commemorative KLA events in Drenica and Pristina as "the verdict of the people" on his "unprincipled" alliance with the LDK,¹¹⁹ Haradinaj himself saw the PDK's hand in it.¹²⁰ Haradinaj's decision to join with the LDK at this stage both reflected the PDK's slipping hold on the KLA legacy and served to accelerate it.¹²¹ The associations "emerged from war" have increasingly detached themselves from political parties, becoming a centre of orientation themselves.¹²² In a significant series of January 2005 newspaper interviews, KPC deputy commander and former KLA supreme commander "Sultan", Sylejman Selimi, poured cold water on any party's claims to monopoly ownership of the KLA and criticized them all for trying to privatise fallen war heroes.¹²³

¹¹⁶ Ironically, Ramadani was a member of the small radical LKCK party, not the LDK.

¹¹⁷ AKA Ekrem Rexha, Drini was murdered by fellow KLA on 8 May 2000.

¹¹⁸ For this reason *Epoka e Re* has repeatedly tried to claim that the LDK has stabbed Haradinaj in the back -- that testimony of LDK witnesses plays a crucial part in the ICTY indictment.

¹¹⁹ Crisis Group interview with Hashim Thaci, Pristina, 7 March 2005.

¹²⁰ Crisis Group interview, Pristina, 21 January 2005.

¹²¹ After going into coalition with the LDK, Haradinaj worked on shoring up his relations with important KLA families such as the Jasharis, Pajazitis and Ramadanis. Crisis Group interviews with Ramush Haradinaj, 21 January 2005, and Veterans Association sources, Pristina, 15 February 2005.

¹²² In the words of Veterans Association leaders, they "have a hammer in their hand" for all party political leaders, to ensure they deliver on Kosovo's final status. Should autumn 2005 not bring movement on Kosovo's final status, the veterans indicate an intention to mount a campaign starting with civil disobedience -- burning their UNMIK-issued documents in the streets, then proceeding to burn PISG-issued documents. Detachment from explicit loyalty to the PDK was consciously accelerated after the LDK-AAK coalition was announced, in a bid to create unity and solidarity across the veterans movement should Haradinaj be indicted, and contain the reaction of the Decan veterans. Crisis Group interview with Veterans Association sources, Pristina, 15 February 2005.

¹²³ See Shkelzen Gashi's interviews in *Kosova Sot*, 5-11 January 2005, and further comment and reactions over the following fortnight.

One strand of the LDK-PDK schism can be traced back to the 1960s and 1970s, when Tito's Yugoslavia began emancipating Kosovo's Albanians after decades of Serb domination and tight security police control. Many Albanians accepted the new opportunities. Yet some, especially in Pristina's new university, still considered rebellion and secession the only worthwhile goals. The 1981 riots were a watershed, marking a sharp divergence between Kosovo Albanian society's "official" and "underground" streams. Throughout the next decade, Albanian-dominated police, prosecutors and courts arrested, tried and imprisoned thousands of young activists, many of whom were driven by a romantic and deluded attachment to Enver Hoxha's Albania. Some of them fled abroad, where the LPK was a product of their exile -- set up in 1982 with some help from the Albanian secret service.

Within Kosovo in 1990, under pressure of Milosevic's crack-down and annulment of autonomy, the official and underground streams re-united inside the new LDK.¹²⁴ Communist party cadres provided the organisational backbone,¹²⁵ while significant numbers of former political prisoners also joined. LDK branches sprouted throughout the diaspora, immediately surpassing the tiny LPK, viewed by some at the time as a "lunatic fringe".¹²⁶

However, the fissure between the two political streams reappeared in early 1998, as the former political prisoners left the LDK en bloc, and the KLA took off, sparking further LDK defections, and providing the LPK with political and financial leverage. At the Rambouillet diplomatic conference, the cracks between the rival Kosovo Albanian blocs were barely painted over. After the war was over and NATO arrived in Kosovo in summer 1999, the KLA formed a provisional central government, displaced the LDK in all municipalities and appointed directors to most important economic enterprises.¹²⁷ Its "prime minister", Hashim Thaci, then formed the PDK to contest the first municipal elections in 2000.

Two things upset the script. The downtrodden and cowed LDK routed the PDK at the first municipal elections, winning 58 per cent of the vote. Even during

the height of the war, the LDK had always had more popular support than the KLA's proposed provisional government,¹²⁸ and it is probable that voters punished the PDK for the KLA's post-war arrogance. It was at that time that former Dukagjini KLA commander Haradinaj opted to set up his own party rather than join the PDK.

If the LDK-AAK governing coalition develops and consolidates over the present electoral term (though late 2007), the PDK fears it will be locked out of power long enough for its party structure to erode -- starved of resources and patronage by lack of access to government funds and jobs, even in the public institutions where it acquired varying degrees of influence after the war, such as the University of Pristina¹²⁹ and the public broadcaster, RTK.¹³⁰ The political struggle now is not so much ideological or a continuation of the societal schism of the 1980s, but a contest for backstage control of resources. The PDK's approach is to hold on to what it has against LDK encroachment.

E. TRANSCENDING OR DEEPENING WARTIME DIVISIONS?

One of Haradinaj's professed intentions in setting up the AAK in 2000 was to bridge the divide in Kosovo Albanian society represented at war's end by the KLA and the LDK. In the immediate post-war period, tensions were so high that the Kosovo Albanians were saved from the full consequences of the deep rift only by the international presence.¹³¹ As the prospect of some form of independence came closer, those tensions resurfaced in April 2005, casting doubt on the majority community's ability to sustain a stable political system.

From the PDK point of view, the AAK's expressed aspiration to "break down the artificial divide in Kosovo society between the so-called patriots and the

¹²⁴ Crisis Group interview with then LDK vice president and leader of its bloc of former political prisoners, Hydajet Hyseni, Pristina, 29 December 1997.

¹²⁵ The LDK "did not spring out of nowhere", its late vice president, Fehmi Agani, acknowledged. Crisis Group interview, Peja/Pec, 24 December 1997.

¹²⁶ See Tim Judah, *Kosovo: War and Revenge* (New Haven/London, 2000) for a fuller account of the schism in Kosovo Albanian society and the LDK and LPK's leapfrogging of one another in attracting diaspora support.

¹²⁷ See Crisis Group Report, *What Happened to the KLA?*, op. cit., and Crisis Group Report, *Elections in Kosovo*, op. cit.

¹²⁸ The U.S. state department conducted opinion polls in refugee camps during the NATO bombing campaign which showed Rugova ahead.

¹²⁹ The LDK-controlled ministry of education filed a legal challenge in the supreme court to the late 2004 election of former PDK politician Arsim Bajrami as Rector. On 1 March 2005, the court rejected the challenge, after which the ministry began to explore the use of budgetary levers to control the university.

¹³⁰ The government's array of draft broadcasting legislation would, if passed in its present form, ease the way for it to make management changes at RTK.

¹³¹ See Migjen Kelmendi, "Kosova: the Albanian Divide", *Bosnia Report*, December 2002-July 2003, available at <http://www.bosnia.org.uk/bosrep/>.

so-called traitors"¹³² has handed victory to the arch-enemy, the LDK. While one senior AAK politician lauds the current governing coalition for having united former KLA and LDK ministers in a cohesive team,¹³³ the PDK would argue that this is not a genuine reconciliation between the "non-violence" and "war" camps, but that such a reconciliation was gradually taking hold through cohabitation in the Rexhepi broad coalition government.¹³⁴

Although regarded as from the KLA bloc and initially mistaken by the PDK as a "sister party", the AAK followed a separate course from early on, indicated, for example, by inclusion in its upper ranks of Mahmut Bakalli, chief of the Kosovo provincial Communist party in the 1970s. A coalition with the LDK was considered after the November 2001 election but Haradinaj judged it premature. His decision to form his own party rather than to join the PDK and subordinate himself and Dukagjini to Thaci and his team had roots both in his old independence as the KLA's Dukagjini commander and dissatisfaction with the paucity of Dukagjini representation first in the KLA "general headquarters" and then in Thaci's provisional government. Though the AAK was originally established as an umbrella for smaller parties, the more radical and doctrinaire -- LPK, LKCK and UNIKOMB -- peeled away by 2002 as they quarrelled with Haradinaj over his lack of ideological baggage. This left the Alliance of Citizens of Kosovo (AQK) and the Parliamentary Party of Kosovo (PPK, originally founded by Veton Surroi in the early 1990s, subsequently led by Bajram Kosumi) as the remaining building blocks of the AAK, which converted from a coalition to a party in its own right at its June 2002 convention.

Haradinaj's energy and authority held his party together and compensated for its lack of internal cohesion. Of the main Kosovo political parties, it has been the most rigorous about internal democracy. While much of its support derived from Haradinaj's Dukagjini KLA constituency, half of its leading politicians, including Prime Minister Kosumi, are from other parts of Kosovo or were not in the KLA. There is no natural successor to Haradinaj, and the party branches, already weakened as their branch secretaries joined the government, have

been demoralized by Haradinaj's departure. Haradinaj's assumption of the prime minister's chair attracted intellectuals into the party's orbit. But its preoccupation with government and neglect of its grassroots have left it at risk of coming to resemble an LDK satellite now that Haradinaj is missing.

While the LDK-AAK coalition has given rise to teamwork and shared interests in government, away from the capital it has not convincingly pacified AAK-LDK relations in Dukagjini. Announcement of the coalition did help reduce the high tensions between the two parties in Decan and Peja/Pec but the murders of Sadik Musaj on 31 January 2005 and then Enver Haradinaj on 15 April pose a grave risk of re-escalating their dispute along the lines of a traditional inter-family blood feud. The PDK and Drenica-affiliated newspaper *Epoka e Re* has poured fuel on the fire with claims that LDK members from west Kosovo are preparing to testify against Haradinaj at The Hague.

The coalition has also sown the seeds of new conflict between the KLA regions of Dukagjini and Drenica. In late 2004, adverse reactions to Haradinaj's agreement with Rugova from the PDK's grassroots and *Epoka e Re* reached dangerous levels,¹³⁵ as accusations of betrayal abounded. Dukagjini KLA veterans and their excitable younger siblings were outraged with *Epoka e Re*'s treatment of their former commander, and the editor of the Dukagjini KLA "war values" newspaper *Fokusi* resisted strong pressure to engage in a war of words with Drenica. Haradinaj himself stoically endured the catcalls he received in Drenica at the November 2004 unveiling of the Adem Jashari statue.¹³⁶ But when he was again

¹³² Crisis Group interview with a politician of the governing coalition, Pristina, March 2005.

¹³³ Crisis Group interview with Naim Maloku, Pristina, 31 March 2005.

¹³⁴ Under the Rexhepi government, the Kosovo Assembly did agree a landmark resolution acknowledging that both those who engaged in peaceful resistance and those who were in the armed struggle contributed to Kosovo's liberation. "Resolution on the Liberation War of the People of Kosovo for Freedom and Independence", 15 May 2003. See Jehona Gjurgjeala, "UN Misses the Point", IWPR, 20 May 2003.

¹³⁵ The newspaper graphically denigrated Haradinaj by photo-montaging him into Rugova's scarf and red sweater; next day it pictured the two leaders' joint appearance at a Kosovo bank's anniversary event in a heart-shaped photograph, as the first ritual of a "new couple".

¹³⁶ *Epoka e Re*'s commentary was insulting and threatening: "[Ramush Haradinaj] looked desperate in Skenderaj. He was in a corner, far from men, looked glum, concerned, and got insulted and occasionally whistled at. Thanks to Thaci's bodyguards, who were watching his back, an exemplary gesture of the Albanians, the Drenica people, who were betrayed by Ramush, remained dignified. Few could have thought a few weeks ago that Haradinaj's presence in Drenica might be considered a provocation for the people of Drenica and a worry for the security bodies". "Ramushi, sikur turp ndjente ne Drenice" [Ramush definitely felt shame in Drenica], 29 November 2004. *Epoka e Re* adopted a similarly menacing tone several days earlier, reporting police security measures taken outside the AAK's headquarters on the day of the Pristina protest demonstration for PDK ICTY indictee Fatmir Limaj. The newspaper asked, "so the AAK needs protecting against its own comrades?", "Haradinajt,

booed by a Drenica-dominated crowd at the rain-sodden KLA commemoration event in Pristina's sports stadium on 5 March, his patience deserted him, and from the microphone shouted, "shut up you commanders of Billace, or..."¹³⁷

This surface froth reflected a more practical battle of interests opened up by the change of government. The PDK's loss of ministries to the LDK and AAK has cost Drenica jobs and government business,¹³⁸ while the AAK's takeover of the prime minister's office and two ministries correspondingly benefited Dukagjini, a serious matter for a system that is largely about patronage and scarce jobs. With rumours of celebrations in the PDK headquarters at Haradinaj's indictment, some of west Kosovo's KLA suspect ill-wishers in Drenica and the PDK of seeking to prolong his enforced absence.

As soon as Haradinaj was out of the scene, the PDK felt free to open hostilities with its dossier of accusations against LDK ministers, leading to rapid destabilisation in April 2005. The purported "Homeland Security" organisation appeared to respond with death threats against four politicians. A week later the KPS offered three of them close protection; a bomb destroyed ORA party headquarters; and the police mounted their late night operation to replace President Rugova's parallel security service. In May the police raided the offices of the alleged LDK intelligence service, removing computers and files. Haradinaj's successor, Bajram Kosumi, has found it difficult to come up with a new bridging strategy.¹³⁹

tash edhe dosja 'Strellci'?" [The Haradinajs, now a Strellci case too?], 24 November 2004.

¹³⁷ "...I'll fuck your mothers" was the half-whispered continuation of the prime ministerial message broadcast around the stadium, live on TV, and widely reported and discussed in the following day's newspapers. His reference to the wartime refugee quagmire just beyond the Macedonia border was to point up the contrast between his own record of fighting inside Kosovo throughout the war, and that of some of the PDK leaders, who were outside Kosovo in spring 1999. Haradinaj had laughed off the Skenderaj catcalls of 28 November when interviewed by Crisis Group on 21 January, insisting that he was now well-received in Drenica, and had visited the Jashari family during the previous day's Bajram (Eid) festivities.

¹³⁸ This has been felt most painfully in the ministry of public services, where for several months LDK minister Melihate Termkolli has struggled to assert herself against an almost entirely PDK-loyal staff, yet now appears to have strengthened her position sufficiently to fire people, cut off ministry money to contractors favoured by the previous PDK minister -- such as by scrapping the Clirimi company's lucrative contract to renovate the high rise "house of the press" building in central Pristina -- and begin awarding tenders to newly favoured companies.

¹³⁹ Crisis Group interview, 21 April 2005.

On 23 March 2005, the PDK General Secretary Jakup Krasniqi gave UNMIK a dossier, which portrays Deputy Prime Minister Salihaj, most of the LDK's ministers, and many of its members in municipalities as members of the "Homeland Security" organisation. Among other lurid accusations, it links Salihaj to the November 2004 car bomb destruction of the Ben Af department store in Ferizaj/Urosevac, where until the next month he was the LDK mayor. It implies that "Homeland Security" authored the 15 March bomb attack on President Rugova's motorcade, presumably to elicit sympathy for him at a moment when he was under strong international pressure to bring the PDK back into government.¹⁴⁰ The PDK is demanding creation of an Assembly commission to investigate the various claims.

In May, the PDK has so far turned down SRSJ Jessen-Petersen's request that it join other parties in a new political forum for consideration of strategic final status-related issues and has given UNMIK a new 488-page compilation of agent reports stretching back several years, allegedly purloined from the files of the LDK intelligence service. Newspapers have published some of its dubious assertions about a range of public figures.¹⁴¹

The PDK has embarked on this semi-public onslaught against the LDK's security and intelligence sub-structure while appearing to lack the imagination or capacity to dispose of its own similar structures and thereby elevate Kosovo politics to a higher level. Denying the patently obvious role of its own intelligence service (SHIK) in constructing the dossier, it maintains the ludicrous fiction that it is simply information brought to it by "concerned citizens". Krasniqi has called his exposures an opportunity for a public cleaning of Kosovo's dirty linen.¹⁴² During a TV debate in May, he appeared briefly to acknowledge SHIK's role but insisted that it does the job of "a national intelligence service ...will concern

¹⁴⁰ The chain of purported evidence advanced in the PDK dossier was that in July 2003 "Homeland Security" transported a consignment of explosives, remote detonation equipment and other weaponry from Ferizaj to a village near Pristina, then in October 2003 twenty operatives from around Kosovo were trained in a house near President Rugova's Pristina residence in using remote control explosive devices. See Dukagjin Gorani and Berat Buzhala, "A eshte kjo e vertete?" [Is this true?], *Express*, 5 April 2005.

¹⁴¹ For example, LDK intelligence allegedly regarded its own Assembly speaker, Nexhat Daci, as too independent and therefore a threat, so muckraking claims that he was formerly a drug addict and a serial rapist of his students made their way into the dossier and from there into the newspapers, unaccompanied by a shred of evidence.

¹⁴² See his article, "Belated fear of the truth", published by both *Koha Ditore* and *Epoka e Re*, 17 May 2005.

itself with ... citizens' security" and only happens to be run by the PDK.¹⁴³

The PDK is now bidding to displace the LDK as Kosovo's political victim-in-chief. Accentuating the role of victim before the international community has been a standard Kosovo Albanian strategy throughout the 1990s and beyond, and the main parties have adopted this approach. Murders of its officials allowed the LDK to monopolise the victim role in the immediate post-war years. These tailed off during the years of the broad coalition (2002-2004) but PDK quarters complained that the LDK had again unfairly laid claim to victimhood in early February 2004 when a newspaper aired UNMIK police fears of an assassination plot against three party officials.¹⁴⁴ In this contest, attacks or even threats are the prized currency. The LDK gained further advantage from the bomb attack on the Rugova motorcade, but when a communiqué appeared purportedly from "Homeland Security" and threatening that, "we have bullets to defend [LDK deputy Prime Minister] Adem Salihaj with", the PDK organised a news conference to protest the threat.

This struggle begins to resemble a hall of mirrors, with impersonation as one of its hallmarks. Krasniqi has even suggested that most of the murders of LDK officials during 1999-2002 were the work of its own people so that the party could benefit from the opprobrium that stuck to the KLA and PDK.¹⁴⁵ Was the "Homeland Security" communiqué of April 2005, with its apparent death threats against Krasniqi, Surroi, Bujar Bukoshi, and the LDK's own Faik Grainca, really its own work, or a mock-up designed to discredit the LDK?¹⁴⁶ Just as the bomb attack against the Rugova motorcade has given rise to suspicion that it came from Rugova's own people so as to discredit political opponents, a police source speculated that the explosion at the premises of Surroi's ORA party could have been the work of PDK supporters impersonating "Homeland Security".¹⁴⁷ This all has the potential to spiral into further unpredictable and deadly violence.

Sources close to Prime Minister Kosumi gloomily stated, "you can't build bridges between groups of criminals on

each side".¹⁴⁸ Just when Kosovo society needs unity with which to address its final status and development needs, it is being dragged backwards by warring parties wrapped up in conspiracy. Senior government sources acknowledge that, "there are too many intelligence groups operating in Kosovo. It is a cancer".¹⁴⁹

Some very concerned Kosovo insiders look to UNMIK and the diplomatic community to break up the party intelligence services while their stewardship of Kosovo under UN Security Council Resolution 1244 still holds. A senior LDK municipal official said, "If, after all this publicity, the internationals leave these party intelligence services untouched, it will be awful for Kosovo...there will be no future, no use of a ministry of the interior, and the life of our citizens will not differ overmuch from the Milosevic era".¹⁵⁰ From within the police there is similar concern that, "the KPS cannot dismantle the two party intelligence services. Only the internationals can do that...If the ministry of the interior is set up in these circumstances, whichever party gets it will be able to dismiss KPS personnel it does not want, and there will only be security for one side of Kosovo society."¹⁵¹ An international prosecutor estimates that at least 50 per cent of KPS officers pass information to a party intelligence service.¹⁵² Several Crisis Group interlocutors remarked on the growing sway of the LDK's structure, which allegedly offers significant supplements to police pay as well as free cars.

UNMIK seems little inclined to act. Its police command appears willing to dig only so far into the world of party intelligence structures. UNMIK even maintains a public façade of ignorance as to their existence, saying with a mixture of condescension, insouciance and evasion that, "we trust those who have been making allegations regarding existence of so-called intelligence services illegally operating in Kosovo are acting in a serious manner, and therefore UNMIK takes seriously any such allegations".¹⁵³ The most it is prepared to contemplate is to ask Thaci and Rugova privately to disband their services voluntarily.¹⁵⁴ But little will come of such an approach. Vested interests are too deeply entrenched -- and neither side would be sure that the other would not renege.

¹⁴³ The relevant part of the debate can be found on the IWPR website, available at http://www.iwpr.net/index.pl?localbalkans/kos/events/balkans_it_kos_tvdebatesecurity_050505_eng.html.

¹⁴⁴ Zeri, 7 February 2004.

¹⁴⁵ Crisis Group interview, Pristina, 1 April 2005.

¹⁴⁶ The targets, intemperate language and tone of the purported "Homeland Security" communiqué bear resemblance to those of the *Bota Sot* columnist Bardhyl Ajeti, particularly in his articles of early April 2005.

¹⁴⁷ Crisis Group interview, April 2005.

¹⁴⁸ Crisis Group interview, Pristina, 21 April 2005.

¹⁴⁹ Crisis Group interview, Pristina, 21 April 2005.

¹⁵⁰ Crisis Group interview, May 2005.

¹⁵¹ Crisis Group interview, May 2005.

¹⁵² Crisis Group interview, March 2005.

¹⁵³ UNMIK's spokesman, weekly press briefing, Pristina, 11 May 2005.

¹⁵⁴ Crisis Group interview with a member of the SRSG's office, May 2005.

A former close associate of Thaci tartly commented that the PDK would have done better to commission a 500-page dossier on developing the agricultural sector rather than pay for the 500 pages of dim-witted intelligence it served up to UNMIK.¹⁵⁵ Indeed, development and state-building should become the terrain of political competition. Yet, the two main parties are arguably unable to right themselves through their own efforts alone. They can make a start -- the surprisingly calm and constructive Assembly debate on decentralisation on 19-20 May 2005 showed that competition within a broad consensus is possible. But if politics is to escape the pull of the underworld, UNMIK must also act vigorously against the economic temptations driving the respective party underworlds, such as by insisting on improved auditing and control mechanisms for use of government resources, tendering, privatisation, public enterprises and importing, and by attacking the persistence of lucrative smuggling routes and networks.

Other than the way in which it helped shape a peaceful response to Haradinaj's ICTY indictment, civil society has mostly remained fragmented and passive as tension has grown between the PDK and LDK. It should do more to shape the environment in which the parties operate, including by developing ideas for institution-building and final status. Donors should establish contact with Kosovo's most vigorous grassroots organisations, the KLA associations "emerged from war", which regard the international community with distrust, and should provide longer term funding to nurture civic activism.¹⁵⁶

IV. KOSOVO'S POLITICAL SYSTEM AND FINAL STATUS

A. STALLING AT THE LAST HURDLE

Just as the international community seems at last ready to begin addressing final status, Kosovo's Albanians risk finding themselves consigned to the select handful of peoples judged "never to have missed an opportunity to miss an opportunity". History will not judge the province's current generation of politicians kindly if they allow their mutual enmity to cripple status negotiation and state-building requirements.

While the break-up of the broad multiparty coalition has led to better-performing government, able to deliver on standards, the price in political and security fallout has been high. It is a fair question how far Kosovo's Albanians have advanced from the critique of a careful observer a century ago:

The river of evolution had left them stranded: waifs of a day when men had not yet learnt to form a nation....They could not unite for the benefit of the tribe except when attacked from without, nor could they see that it was desirable. One's own blood came first.¹⁵⁷

Doris Pack, German Member of the European Parliament and long-time advocate of conditional independence for Kosovo, was recently moved to condemn the upsurge in LDK-PDK infighting as "catastrophic...continuing to hold Kosovo's political development hostage...I cannot comprehend what world these people are living in".¹⁵⁸

Throughout recent weeks the editor of the newspaper *Zeri* has tirelessly and forlornly attempted to keep the need for a mechanism to produce consensus on final status at the top of the news agenda.¹⁵⁹ Although all party leaders agreed with SRSG Jessen-Petersen at the beginning of April 2005 that they would work together to build such a mechanism, just three weeks later Prime Minister Kosumi was forced to acknowledge that the project had been shelved: "It's difficult to build consensus in this atmosphere....Now is not the moment".¹⁶⁰ A war of dossiers, death threats, bomb attacks, and intrigue surrounding party security structures have eclipsed it.

¹⁵⁵ See Behlul Beqaj's article, "Hashim Thaci ka bere nje seri deshtimesh si lider" [Hashim Thaci has made a series of failures as a leader], *Java*, 19 May 2005.

¹⁵⁶ See Besnik Pula, "A Changing Society, A Changing Civil Society: Kosovo's NGO Sector After the War", Kosovar Institute for Policy Research and Development (KIPRED), July 2004, for more in-depth recommendations, available at www.kipredinstitute.org.

¹⁵⁷ Durham, *High Albania*, op. cit., pp. 205-206.

¹⁵⁸ Anton Berishaj, "Katastrofe", *Express*, 14 May 2005.

¹⁵⁹ Editor Blerim Shala has been floated as a possible head of Kosovo's final status body.

¹⁶⁰ Crisis Group interview, Pristina, 21 April 2005.

After years of deferring the question, the international community is now running ahead of Kosovo's politicians in shaping a status outcome. In April, the Contact Group of states that have assumed responsibility for guiding Kosovo issues and the EU agreed on guidelines that rule out partition or union with another state.¹⁶¹ Having already stipulated Kosovo will not return to its 1999 status, this cumulative framing of a status solution appears to point toward some form of independence. An April European Commission position paper that raised the possibility of the EU eventually entering into contractual relations -- even a Stabilisation and Association Agreement -- with Kosovo also suggests new openness to independence.¹⁶² The Serbian government has produced two significant recalibrations of its Kosovo stance in as many months.¹⁶³ The non-governmental Independent International Commission on the Balkans has issued a plan for four-phase evolution of independence. U.S. Under Secretary of State Nicholas Burns has made public the Contact Group's position on modalities of the final status process.

Beyond a common insistence on independence, however, Kosovo's own polity has not even started to formulate positions; no vision or aspect of its future configuration as a state has been advanced, debated, or agreed among the main political actors. They have presented no position papers to the Contact Group, which meets in Pristina every six weeks. The constitution, flag, electoral system, status of minorities, and terms by which the Serb-dominated North is to be integrated all remain non-topics.

As final status determination comes nearer, the LDK-PDK battle lines are forming around the following arguments. The governing coalition protests the PDK campaign of exposure and the resulting rise in tension damage Kosovo's image at a crucial point and frighten its citizens away from contemplating life without a controlling international presence.¹⁶⁴ The PDK and other opposition voices counter that the LDK-dominated coalition is using partnership with UNMIK and the call for patriotic unity to consolidate its corrupt grip upon Kosovo. The PDK is suggesting the LDK is manipulating momentum for independence to create a mafia state.

Each of these lines of accusation has a tinge of plausibility. The governing coalition would probably prefer a weak

residual international presence to come out of the status determination, reflecting the unilateralist bent of both its parties. As the party with the biggest stake in both central and local government, the LDK in particular has a vested interest in the emasculation of outside monitoring.¹⁶⁵ UNMIK's late rush to help the government to pass the standards exam, transfer administrative powers, and complete privatisation leaves it vulnerable to charges of brushing dirt under the carpet, to the benefit of the ruling parties. The PDK's manoeuvres probably do reflect its discomfort at the prospect of LDK-AAK governance in an independent Kosovo and a preference to see the LDK's grip diluted as far as possible by a continuing international presence.

The choices the PDK is now making on a week-to-week basis indicate a basic preference for exploding rather than deepening Kosovo's institutional life at this time. Either it has mistakenly convinced itself that Kosovo has sufficient time ahead of it for politics as usual before the final status reckoning begins, or it finds LDK dominance such an anathema that it would prefer Kosovo not to proceed to final status until it has found some way to emasculate that dominance. In a May interview Jakup Krasniqi went so far as to say that because of the malfunctioning Kosovo Assembly, the Standard on Functioning Democratic Institutions could not be deemed fulfilled -- a sceptical assessment hitherto more likely to have come from Serbian politicians or Russian diplomats.¹⁶⁶

However, the LDK has appeared incapable of smoothing its own path. Although tasked by the Constitutional Framework to: "represent the unity of the people and guarantee...democratic functioning", President Rugova only met opposition leaders after EU foreign policy chief Solana's intervention in March 2005. Otherwise, his isolation and inactivity have contributed to the inertia preventing formation of a final status consensus. While Rugova has handicapped consensus-building by absence, the LDK's Assembly president, Nexhat Daci, has done the same with an overbearing presence. He has limited both the frequency of sessions and the opposition's ability to table issues for debate. His picking and choosing

¹⁶¹ This was almost precisely in line with the recommendations in Crisis Group Report, *Toward Final Status*, op. cit.

¹⁶² "A European Future for Kosovo", Brussels, 20 April 2005, COM (2005) 156.

¹⁶³ See Crisis Group Europe Briefing N°39, *Serbia: Spinning its Wheels*, 23 May 2005.

¹⁶⁴ Crisis Group interview with Prime Minister Bajram Kosumi, 21 April 2005.

¹⁶⁵ For example, auditing conducted during 2001-2002 in the 27 municipalities south of the Mitrovica divide by the firm of Deloitte and Touche found that the accounts in all but three (Mitrovica, Obilic, and Kacanik) were so poor that it was impossible to give an opinion on them. The LDK controls eighteen of the 27 municipalities, including all the most populous ones. Municipal audits for 2003-2004 are still delayed by the (LDK-controlled) Ministry of Finance and Economy's reluctance to issue the tender.

¹⁶⁶ Arlinda Desku and Bul Salihu, "Kuvend pa vend" [liberally translated: "When there is no Rome, how do you do as the Romans do?"], *Express*, 11 May 2005.

between rules to interpret and apply at any given moment, caustic manner and habit of switching off the microphone to limit opposition leaders' interventions have all contributed to increasingly frequent opposition walkouts and a sense that the Assembly is a roadblock to national debate rather than its forum. That the Assembly can do better was demonstrated by the long-delayed debate on decentralisation on 19 and 20 May. However, that debate and Daci's more moderate -- though confusing -- behaviour during it were only made possible by the SRSG's intervention. They may not be sustainable improvements.

In late March consensus briefly appeared to be emerging for a final status commission with a strong or even leading role for the opposition, most likely linked to the Assembly. Crisis Group had proposed such a body, with a professional secretariat and capacity to bring in international experts to help prepare for final status negotiations.¹⁶⁷ The PDK insisted the Assembly was the only institution that could harbour such a commission. However, recent weeks have raised doubt as to whether it is sufficiently functional. With no real movement from Kosovo's political establishment to form such a commission, UNMIK and the U.S. diplomatic liaison office in Pristina have begun separate attempts to broker a party consensus much as they brokered a new government after the November 2001 elections. The SRSG's proposal for a Political Forum which he would chair is in part a recognition of the failure of Kosovo's democratic institutions to produce this themselves. The PDK has attempted to exploit his proposal by insisting that it should take over important powers from the elected institutions.

It is clear that the SRSG and the diplomats will have to push and pull Kosovo's politicians into timely formulation of final status negotiation positions. The proposed Political Forum is now the most feasible home for this work. UNMIK and the diplomatic offices should offer resources for a standing secretariat and pro-actively seek inter-party consensus for its key positions to be taken by capable, non-partisan technocrats drawn from civil society. Crucially, it must ultimately connect back to the Assembly, which should debate and vote on its position papers.

The government has already hired a number of international consultants: a diplomatic adviser for the Office of the Prime Minister,¹⁶⁸ a public relations

company for the President,¹⁶⁹ and international lawyers for both.¹⁷⁰ Under Haradinaj, the government's approach was coordinated from a single authoritative address. Prime Minister Kosumi has not been able to duplicate that authority, and between him and President Rugova, Kosovo's voice on status-related issues is losing its confidence and direction. The Political Forum should coordinate these disparate experts.

In the meantime the clock is ticking, and Serbia is regaining lost political ground. Having been criticised for refusing to meet Kosovo leaders during his February 2005 tour, President Tadic two months later invited President Rugova to talk. Rugova's robotic refusal limited the Kosumi government's room for manoeuvre, and gave Belgrade a political windfall. Tadic solicited European Commission backing for his invitation, resulting in another embarrassing Rugova rejection, which Kosumi was forced to support. With Rugova having said he would only meet the Serbian leader at "an international gathering", UNMIK stepped in, announcing in late April that it was working on creating such an opportunity. By mid-May, Rugova had come round to the principle of a meeting, signalling he would talk with Tadic at a possible conference for Balkan heads of government, EU and Contact Group representatives in Geneva in June. Tadic is now manoeuvring to meet inside the formal boundaries of Serbia-Montenegro. Serbian Prime Minister Kostunica is proposing to meet Kosumi against the backdrop of the burned Serbian churches of Prizren. Kosumi says he will meet Kostunica in Kosovo but at a venue he chooses.¹⁷¹

The Kosovo Albanians risk appearing unprepared at the final status negotiating table. If there is no prior broader consensus, the parties would keep their negotiators pinned to a maximalist stance with no fall-back position. If this happens, Kosovo would be outmanoeuvred by likely Serbian proposals for compromise. Such a performance would reduce the degree of independence the international community would be willing to grant, because the inability of Kosovo's political system to handle more at this stage would be so thoroughly exposed.

¹⁶⁷ See Crisis Group Report, *Toward Final Status*, op. cit., p. 10.

¹⁶⁸ UNMIK's former standards coordinator Carne Ross, www.independentdiplomat.com.

¹⁶⁹ Albany Associates, a company run by UNMIK's former press chief, Simon Haselock, www.albanyassociates.com.

¹⁷⁰ Professor Paul Williams and others of the Public International Law and Policy Group, www.publicinternationallaw.org.

¹⁷¹ See Crisis Group Briefing, *Serbia: Spinning its Wheels*, op. cit. Kosumi said he would put Serbia's refusal to return Kosovo its cadastral archives at the top of the meeting's agenda.

B. THE STANDARDS PRIZE AND THE DECENTRALISATION CURSE

During his 100 days in office, Haradinaj picked up UNMIK's Kosovo Standards Implementation Plan¹⁷² and ran with it. He got the government working -- something it had not really done before. His personal commitment -- putting in long hours and demanding the same of his team, making the rounds of every department of every ministry, bullying and demanding results -- resulted in "a massive and fundamental change" in government performance that filtered into the standards working groups by early 2005.¹⁷³ From initial shock at the appointment of a leader from the wilder end of the political spectrum, a man with a history of violence and seen as something of a "redneck", deputy UNMIK chief Larry Rossin was soon acknowledging "pleasant surprise".¹⁷⁴ In January 2005 SRSJ Jessen-Petersen confessed that every day of work with the new prime minister was a pleasure, and his indictment would be a colossal loss.¹⁷⁵ After initial embarrassment at Haradinaj's unexpected ascension, much of Kosovo Albanian society began to take some pride in its prime minister.

The Haradinaj government did not merely follow the script of the standards agenda. It took ownership. Haradinaj upstaged the previous government in dealing with Serbs and Serbia. Squeamishness and second-guessing possible hostile public reaction were gone. Haradinaj confidently gave interviews to Belgrade media, expressing readiness to meet with Serbia's politicians or even the Bridge-watchers of Northern Mitrovica. He began publicly challenging his own Kosovo Albanian society to mature and broached the question of mutual forgiveness between Serbs and Albanians -- for which the PDK threatened impeachment. By early 2005, government and society were no longer so passive or so inclined to blame all ills on UNMIK.

The new Serb Minister for Returns and Communities also had an impact. Political maverick Slavisa Petkovic, a displaced Kosovo Serb from Ferizaj/Urosevac, had entered a list of candidates in the October 2004 Assembly elections without waiting for Belgrade's permission. Holding two Assembly mandates thanks to the system of reserved ethnic minority seats, he leapfrogged ahead

of the more "official" Serb List for Kosovo and Metohija that was still waiting for Belgrade's authorisation and in late January 2005 received the new ministry as his reward. Flouting the PISG's hiring guidelines, he quickly built up a staff of some 270 from personal contacts. An unorthodox strategy of kick-starting Serb returns by bringing them to Kosovo as ministry staff seemed to emerge, though some appeared less than competent for their jobs.¹⁷⁶ By April 2005 Petkovic and LDK local government minister Lutfi Haziri were making joint forays into Montenegro and Macedonia to convince displaced Serbs to return to Kosovo, then pressuring the PDK-controlled municipality of Kacanik to work for return of Serb families.

The Haradinaj government's success in taking on standards has created a new political dynamic. The PDK regards standards as having been "captured" by the LDK through the sub-contracted efforts of its AAK stooge but there appears to be considerable uncertainty within the party as to what to do about it. On the one hand, it has carped rather unconvincingly from the sidelines that Kosovo now has "the weakest government in Europe", that its achievements on standards implementation are no improvement on those of the previous PDK-led broad coalition, and that large-scale embezzlement of budgetary funds began only with the new government. On the other hand, it has cautiously explored outflanking the government and standards from a nationalist position.¹⁷⁷

But while standards buoy up the government and leave the opposition PDK floundering, its other international community-mandated obligation to begin decentralisation of powers to new pilot municipalities is a millstone that offers the opposition opportunities for attack. Unrealistically regarding decentralisation as an all-purpose balm to prepare the way for multi-ethnic co-existence in the future Kosovo, the Contact Group has stipulated that the government proceed with pilot projects before summer 2005 as a precursor to status talks. The insistence on decentralisation as part of Kosovo's entry ticket to final status talks, rather than reserving it as part of the final status determination itself, fuels Albanian insecurities about the integrity of Kosovo's territory and provides more stuff for discord between government and opposition parties.¹⁷⁸

Reflecting diminished authority, strategic sense and confidence since Haradinaj's departure, the government

¹⁷² Available at http://www.unmikonline.org/pub/misc/ksip_eng.pdf.

¹⁷³ Crisis Group interview with Ruairi O'Connell, an official of the UK's Pristina liaison office who has monitored all the standards working groups since their inception in early 2004, Pristina, 7 April 2005.

¹⁷⁴ Comments made in an interview to *Koha Ditore*, published 5 January 2005.

¹⁷⁵ Crisis Group interview, 11 January 2005.

¹⁷⁶ With discussion of the future of the city's Roma underway, a new ministry official in Mitrovica, for instance, did not know who Roma were.

¹⁷⁷ Crisis Group interview, Pristina, mid-March 2005.

¹⁷⁸ See Crisis Group Report, *Toward Final Status*, op. cit., p. 5, for a discussion of the decentralisation debate at the beginning of 2005.

has dragged its feet on decentralisation since March, attracting the criticism of the Contact Group on 13 April. Under Kosumi, the larger purpose to which Haradinaj intended to harness the decentralisation pilot projects has been somewhat lost. The government now seems to want to find the simplest way possible to fulfil the letter of the international community's demand, like a painting by numbers exercise. The opposition has exploited this, demanding an Assembly debate, then walking out in protest at the manoeuvres of Daci to keep it off the plenary agenda. When the subject finally did reach the Assembly on 19-20 May, the discomfort of all parties with the pilot project approach demanded by the Contact Group was obvious.

The Haradinaj team's original activist ambition in including the key Serb enclave of Gracanica in its list of decentralisation pilot projects was to reconnect it to Kosovo's institutions, as a showcase for the eventual political re-integration of the Serb-dominated north.¹⁷⁹ The government did not forge contacts with potential Serb counterparts in Gracanica, who stayed loyal to the Belgrade-ordained boycott of the UNMIK-PISG process. However, Serb National Council politicians there expressed a preference in principle for new municipal boundaries to take in both additional Serb and some Albanian villages, which would provide a more natural administrative unit and a degree of multi-ethnicity.¹⁸⁰ Some months later, with the opposition protesting the danger of any start to decentralisation without a law to regulate it and the illegality of municipal border changes without Assembly agreement, Kosumi was looking to the quickest and simplest option of decentralising Gracanica without incorporating any Albanian villages. Any fresh thinking about the North seemed absent.¹⁸¹

Without willing Serb counterparts, and with decentralisation about to become a subject of final status negotiation, it seems perverse for the international community to continue to hold the government's feet to the fire over pilot projects -- a program with no constituency apart from its backers in distant capitals. The Assembly debate of 19 and 20 May showed that there is potential and appetite in Kosovo for constructive debate on how decentralisation can be used to reconstruct the territory for sustainable democratic administration. Furthering that debate should be the Standard the international community requires of Kosovo.

V. CONCLUSION: RECALIBRATION FOR STATE-BUILDING

In preparing Kosovo's institutions of self-government to pass the standards tests, UNMIK has not convincingly upped its degree of commitment to Kosovo from that displayed during its five-year holding operation. As a cautious organisation with an ambiguous mandate that stopped short of the robust development, institution-building, and state-building agenda that Kosovo arguably requires, UNMIK has hitherto lacked the political will, support, legitimacy and indeed capacity to prosecute such an agenda full-heartedly. Compromises, turning a blind eye, and tokenism have been integral parts of its approach. A senior international official in Kosovo acknowledges:

"The international community is not creating trust at the moment. Trust is at the core of any functioning state".¹⁸²

UNMIK is now devoting most of its energy to producing a sufficiently convincing façade of standards implementation to allow Kosovo to pass the test that will open the final status process. That façade does in many respects include genuine progress and solid work, but the production of UNMIK's technical assessment for the present quarter can be considered, not unfairly, as the erection of a house of cards, the main task of which is not to get blown over before summer. If the technical assessment document portrays an over-rosy picture, this reflects UNMIK's attempt to negotiate its way around an inadequate framework and semi-arbitrary barrier handed down by the Contact Group for the opening of the final status process. Rather than orienting on state-building, UNMIK is mainly working toward its own escape strategy.

If UNMIK had a more robust state-building mandate to work with, it might have more social and political leeway to make the necessary intrusive interventions in Kosovo's institutions to set them on a more reliable path to democratic sustainability. As it is, the increasing pace of government competency transfer to the PISG is in many aspects a transferring of unresolved problems that will haunt Kosovo and stunt its capacity to succeed as a state. Corruption is being "transferred" intact -- in municipal authorities, courts, and government contracting. Transfer of policing to local control is being prepared even though the KPS is not yet capable of standing up to organised crime or the party intelligence structures. UNMIK's credibility gap on rule of law is being transferred intact. Broadly speaking, UNMIK is divesting its holding

¹⁷⁹ Crisis Group interviews with adviser Ardian Gjini and Prime Minister Ramush Haradinaj, Pristina, January 2005.

¹⁸⁰ Crisis Group interviews with Randjel Nojkic and Rada Trajkovic, Gracanica, February 2005.

¹⁸¹ Crisis Group interview with Prime Minister Bajram Kosumi, Pristina, 21 April 2005.

¹⁸² Crisis Group interview, Pristina, 12 April 2005.

operation to the PISG, rather than taking the decisive measures required to lay a solid foundation for Kosovo to govern itself.

The "telescoping" effect of standards before status and the coming standards judgment is generating much rushed and flimsy planning and legislation that is likely to be jettisoned quickly. The flawed framework has led to an assumption on the PISG side -- which UNMIK has not dispelled -- that the international community's leverage will last only through the Comprehensive Review of standards and no longer. As a PISG official confided, "people are thinking like they did in the 1990s, when they were waiting for the Serbs to leave. Now they say: 'Let UNMIK draft whatever it wants. We'll change it completely after they leave'" ¹⁸³.

Party intelligence structures and internal party democracy must be more robustly addressed. The terms, forms and terrain of Kosovo's political debate must be matured. The level of cooperation between the LDK and PDK is too low to enable stable development. The forms of their political rivalry appear to mimic the continuing factional dualism of the Democratic and Socialist parties that have held back neighbouring Albania's development. The immaturity of neighbouring Macedonia's political system through the first decade of its independence provides another point of reference, as hopefully does its noticeable maturation over the last few years.

Nevertheless, the international community would be most unwise to resort to a containment policy for Kosovo. The demand for some form of independence and for Kosovo to escape its limbo status under UN provisional authority is so high that postponement would risk violent breakdown. The explosive potential of Kosovo's western municipalities, the militancy of its many war veterans, and a loss of hope among its mostly unemployed youth would likely drive a rebellious response to any significant postponement of the emerging final status timetable and risk the loss of the international community's substantial investment. Ultimately, the only viable route to developing Kosovo's rudimentary society is by rooting it in a state framework to which it consents. ¹⁸⁴

UNMIK should be prepared to wield its stick to ensure proper functioning of the Assembly. Democratic practices are failing to take root there, and a would-be nation is unable to have a civilised political conversation with itself. The dysfunction, bitter inter-party relations, abuse of rules, and blocking actions that have become its

hallmarks under the chairmanship of the LDK's Nexhat Daci must not be allowed to consolidate.

From strange decisions on the Assembly's renovation ¹⁸⁵ and the appointment of its head of administration ¹⁸⁶ through limiting plenary sessions to barely one per month, arbitrary blocking of the opposition from full participation in debates, and questionable vote and quorum counts, Daci has made a considerable mark. Following particularly stormy sessions on 21 and 22 April, from which ORA and the PDK walked out, ORA leader Veton Surroi characterised him as "a virus in parliament" and PDK caucus leader Jakup Krasniqi proposed street demonstrations to protest Daci's style of chairmanship. Daci responded by proposing to expel some opposition members and repeating an earlier demand to SRSG Jessen-Petersen that international monitoring of Assembly sessions be terminated as no longer necessary.

After several months of inaction, UNMIK reacted this time. On 27 April Jessen-Petersen addressed a letter to Daci, criticising his management of the recent sessions, failure to take the interests of "parliamentary groups other than those represented in the government" into account, and limiting of plenary sessions as actions amounting to "harm [to] the institutional credibility of the Assembly". It is important that UNMIK follow-up in a sustained and authoritative way. OSCE monitoring of the Assembly should be reinforced, the political attention of to the SRSG's office sustained, and the SRSG should not flinch from using his dismissal powers to bring the Assembly leadership into line with its duties.

The lack of vision among Kosovo's parties and the short term focus on the looming final status decision leaves many questions open as to what Kosovo will become once that decision is taken. There is much potential, it hardly needs to be said, for instability. The fiscal outlook is bleak, with little domestic production; the revenue base is dependent on excise and customs duties on imports, which in turn are dependent on the declining support of donors and diaspora remittances. Generating enough economic growth within Kosovo to counter the inevitable decline in the fiscal base will be challenging, as will

¹⁸³ Crisis Group interview, Pristina, 16 May 2005.

¹⁸⁴ See Crisis Group Report, *Toward Final Status*, op. cit., pp. 25-26.

¹⁸⁵ In 2003 the renovation contract was awarded to a company whose tender was €800,000 more expensive than two others. See "Mabetex mohon zerat se tenderin ne parlament e ka fituar me mbeshtetje politike" [Mabetex denies assertions that it won the tender in the parliament with political support], *Zeri*, 8 January 2004.

¹⁸⁶ A member of the Assembly Presidency described to Crisis Group a litany of irregularities in the appointment of Isuf Demaj.

generating enough new jobs to absorb Kosovo's high and still growing youth unemployment.

While the LDK's dominance appears complete in many respects, it will totally fail to generate an open, efficient economy able to absorb the young people who enter the labour market every year, for whom legal routes of labour migration to Western Europe have largely been closed since 1999. Although the LDK gave a rhetorical nod in its latest election campaign to "jobs for the young", it remains in essence a network for shoring up of the interests of the middle-aged and well-connected in an overwhelmingly young society. It is a party oriented to the creation of monopolies, not of competition.

UNMIK and the international community have to begin applying a more determined and focused policy of carrots and sticks in order to drive Kosovo politics into more constructive channels. Since "functioning democratic institutions" is one of the standards at the heart of UNMIK's policy, it should urgently adopt a more proactive approach to securing them. It has the power to dismiss recalcitrant officials, and together with KFOR it has sufficient knowledge, capacity and mandate to curtail the political party intelligence structures, but it has been too squeamish. The rival political party intelligence structures have been tolerated, and even used as a resource.¹⁸⁷ Too often, UNMIK has filtered out and stopped politically sensitive criminal investigations and indictments.¹⁸⁸ In contrast to the frequent use of his powers by the High Representative in Bosnia-Herzegovina, no Kosovo SRSG has dismissed a single Kosovo official for blocking the functioning of democracy.

An invigorated democracy-building strategy should include technical assistance to the opposition and more UNMIK intervention to ensure that the crucial mechanism of the Assembly functions properly. The LDK and AAK's control of the government means they benefit from the lion's share of the international community's capacity building assistance and policy advice. Particularly given Kosovo's difficult education environment and enclave status over the last fifteen years and the consequent lack of qualified specialists, the opposition -- especially the PDK -- risks remaining short of the resources and access to knowledge networks that would enable it to challenge government adequately

across the full range of its policies. If not redressed, this will have knock-on effects for the quality of both government policy and political competition.

A credible opposition party able to expose and offer an alternative to crony politics could capture and channel pent-up social energy into systemic renewal and democratisation. Failing the availability of such a political option and once UNMIK is no longer around to bear the brunt of all complaints, an outcome similar to the peaceful "colour" revolutions of Georgia and Ukraine is less likely than a social breakdown that follows the precedents of the 1981 and 2004 riots but could well be less containable. It is up to the opposition parties to see and grasp the opportunity to shape themselves as parties of social renewal, but the international community must do more to create the environment in which a healthier Kosovo politics can become possible.

Pristina/Brussels, 26 May 2005

¹⁸⁷ See the UNMIK police memo reproduced by *Express* on 15 April 2005, which reveals routine information-sharing with one of the party intelligence structures. A competent source told Crisis Group that the rival party intelligence structures have had various taskings from KFOR -- the LDK's intelligence service more so than SHIK since it is viewed as more professional.

¹⁸⁸ Crisis Group interviews with competent sources, 2003-2005.

APPENDIX A

MAP OF KOSOVO

Kosova / Kosovo

Produced by
ICG



The boundaries and names displayed on this map do not imply official recognition by the United Nations

Source: NIMA, WEU

APPENDIX B

GLOSSARY OF ABBREVIATIONS

AAK	Alliance for the Future of Kosovo, the political party of Ramush Haradinaj.
ADK	Kosovo Democratic Alternative, a party founded by breakaway LDK politician Edita Tahiri in 2004.
AKSH/ANA	Albanian National Army, a phantom guerrilla organisation, active in Kosovo and Macedonia in 2003.
ALA	Albanian Liberation Army, a phantom guerrilla organisation that announced itself in Kosovo in early 2005.
AQK	Alliance of Citizens of Kosovo, a political party now dissolved into the AAK.
CIVPOL	United Nations police.
COMKFOR	Commander of KFOR, currently General Yves de Kermabon of France.
EU	European Union.
FARK	Armed Forces of the Republic of Kosovo, LDK-affiliated forces that fought alongside or rivalled the KLA in 1998-1999.
HDZ	Croatian Democratic Union, Croatia's governing party, headed in the 1990s by Franjo Tudjman.
ICTY	International Criminal Tribunal for the former Yugoslavia.
IHPSO	Institute for Researching Public Opinion and Strategies, a Kosovo NGO headed by Rame Maraj, widely understood to act as an intelligence service for the LDK.
KFOR	The NATO-dominated Kosovo Force.
KIPRED	Kosovar Institute for Policy Research and Development, a Kosovo NGO and think tank.
KLA	Kosovo Liberation Army.
KPC	Kosovo Protection Corps, the civil protection successor structure of the KLA.
KPS	Kosovo Police Service.
KTa	Kosovo Trust Agency, an arm of the EU Pillar of UNMIK, charged with managing or privatising economic assets in Kosovo.
LDK	Democratic League of Kosovo, the largest political party in Kosovo, informally led by President Ibrahim Rugova.
LKCK	National Movement for the Liberation of Kosovo, a small radical party.
LPK	Popular Movement of Kosovo, the radical Kosovo Albanian exile organisation instrumental in founding the KLA, now a small, radical successor party led by Emrush Xhemajli.
NATO	North Atlantic Treaty Organisation.
NGO	Non-governmental organisation.
NLA	National Liberation Army, the ethnic Albanian force that mounted an insurgency in Macedonia in 2001, ended by the Ohrid Agreement.
ORA	"Hour" or "Clock", a Kosovo political movement headed by Veton Surroi.
OSCE	Organisation for Security and Cooperation in Europe.
PDK	Democratic Party of Kosovo, the main political successor of the KLA and largest opposition party, led by Hashim Thaci.
PISG	Provisional Institutions of Self-Government.
PPK	Parliamentary Party of Kosovo, founded in the 1990s, since dissolved into the AAK.

RTK	Radio-Television Kosovo, the public broadcasting service.
SHIK	Kosovo Intelligence Service, operates on behalf of the PDK party.
SPS	Socialist Party of Serbia, the former Communist Party, headed in the 1990s by Slobodan Milosevic.
SRSG	Special Representative of the Secretary General of the United Nations, currently Soren Jessen- Petersen of Denmark.
UCPMB	Liberation Army of Presevo, Bujanoc and Medvegje, an ethnic Albanian guerrilla force that mounted an insurgency in southern Serbia's Presevo Valley, 2000-2001.
UNDP	United Nations Development Program.
UNIKOMB	A small Kosovo Albanian political party that advocates unification of Albanian lands.
UNMIK	United Nations Interim Administrative Mission in Kosovo.

APPENDIX C

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with over 100 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made available simultaneously on the website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

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