

KOSOVO COUNTDOWN: A BLUEPRINT FOR TRANSITION

Europe Report N°188 – 6 December 2007

TABLE OF CONTENTS

EXECUTIVE SUMMARY AND RECOMMENDATIONS.....	i
I. INTRODUCTION	1
II. VAIN HOPE OF AGREEMENT	2
A. THE TROIKA TALKS	2
1. Method	2
2. Positions	3
B. OTHER IDEAS.....	4
C. COLLATERAL DAMAGE ON THE GROUND	6
1. Strains in Kosovo	6
2. Belgrade's manoeuvres	9
3. Growing regional agitation and instability	11
III. TRANSITION TO CONDITIONAL INDEPENDENCE	13
A. OPTIMAL STEPS	13
B. RE-EVALUATING 1244	14
C. ORCHESTRATING THE CHANGE.....	16
D. ECONOMIC CONSIDERATIONS	19
E. FILLING OUT A COMMON EU POSITION.....	21
F. KOSOVO'S STATUS, SERBIA'S FUTURE.....	22
APPENDICES	
A. MAP OF KOSOVO AND ENVIRONS	23
B. GLOSSARY	24
C. ABOUT THE INTERNATIONAL CRISIS GROUP	26
D. INTERNATIONAL CRISIS GROUP REPORTS AND BRIEFINGS ON EUROPE.....	27
E. INTERNATIONAL CRISIS GROUP BOARD OF TRUSTEES.....	29

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

Kosovo's transition to the status of conditional, or supervised, independence has been greatly complicated by Russia's firm support of Serbia's refusal to accept that it has lost its one-time province. Recognition of conditional independence has broad international, and certainly European Union (EU) and American, support. Under threat of Moscow's veto, the Security Council will not revoke its Resolution 1244 of 1999 that acknowledged Serbian sovereignty while setting up the UN Mission (UNMIK) to prepare Kosovo for self-government pending a political settlement on its future status. Nor will the Council be allowed to approve the plan for a conditionally independent Kosovo devised by the Secretary-General's special representative, Martti Ahtisaari, earlier this year and authorise the EU-led missions meant to implement that plan.

While the Troika of U.S., EU and Russian diplomats explored the bleak prospects for Kosovo-Serbia agreement over the past several months, Brussels and Washington have also been able to use the time to devise ways to support Kosovo's transition to conditional independence without needing the support of the Security Council. The EU now has a better sense of the need to maintain its unity and take primary responsibility for the crisis. But Kosovo and the wider Western Balkans have become less stable, and further delay would worsen matters: this is not a situation that can drift comfortably into "frozen conflict" status. Once the Contact Group reports the inevitable Troika failure to the UN Secretary-General on or about 10 December, the "Quint" – France, Germany, Italy, the UK and U.S. – should, despite Serbian and Russian opposition, promptly begin implementing a plan to orchestrate a peaceful transition culminating in Kosovo's conditional independence in May 2008.

The situation on the ground risks overtaking capitals. Belgrade and hardline local leaders have pulled Serbs further away from the Albanian majority in Kosovo, encouraging their boycott of the 17 November 2007 elections. Clashes involving Albanian armed groups have occurred in northern Macedonia and tensions, encouraged by Serbia and Russia, have increased in Bosnia. It will take perhaps into January for the winners of the Kosovo elections to form their new government, which will be

one prepared to work with Western supporters but not to accept another round of talks with Belgrade. It is apparent from the intensive efforts of the Troika, which provided the parties ample opportunity to explore every possible solution, that there is no chance for a negotiated agreement.

Accepting paralysis is not a viable option, however. It would lead to an uncoordinated, unsupervised, possibly violent independence process that could stimulate instability in Kosovo's neighbour countries. It would also seriously damage both the UN's prestige and the EU's development as a major political actor on the global stage.

Much now depends on the dynamics between the EU and UN Secretary-General Ban Ki-moon. The EU must say officially at the 14 December European Council of heads of state and government that it considers the negotiations between Serbia and Kosovo to be over, that the Ahtisaari plan is the best way forward and that it is ready to deploy field missions (a rule-of-law mission under its European Security and Defence Policy, ESDP, and an International Civilian Office, ICO). Following that, the Secretary-General needs to make clear that he welcomes the EU pledge to create the new missions to further implement 1244. Thereafter, in early 2008, the EU should take the necessary action to deploy both missions.

The Secretary-General and Brussels have a degree of mutual dependence in this process. Without a clear and unequivocal message from the European Council meeting, Ban is unlikely to feel able to make any statement welcoming the EU missions. He cannot be expected to act against Russian pressure without certainty that the EU itself will be resolute. And without his help in giving at least some semblance of UN cover, the EU will be less likely to overcome last reservations and vote on actual mission deployment.

The U.S., UK and France will have to work hard in New York – and be prepared to accept some damage in their relations with Moscow – to ensure that the clear majority of the Security Council will lend support to such a course. It would be prudent to move quickly to obtain statements from the current membership in December, since most of the five new members who will rotate on to the Council

in January 2008 will take a considerable time to familiarise themselves with the issues. The stage would then be set for the new Kosovo government in January to state its intention to declare independence on Ahtisaari plan terms in May, following a 120-day transition (also foreseen by Ahtisaari), and to invite the EU immediately to deploy the new missions, as well as NATO to keep its force (KFOR) there. The Quint and as many EU member states as possible would, following that statement of intention, pledge to recognise Kosovo's independence promptly after the declaration in May 2008, provided it acts during the 120-day transition in conformity with the Ahtisaari plan.

Much else remains to be done. NATO, UNMIK and Kosovo institutions must agree on a security plan to ensure a peaceful transition. Pristina is behind in developing the laws necessary to implement the Ahtisaari plan. Considerable planning and liaison is required within the EU, between the Quint and Pristina, and between advance elements of the missions and Kosovo authorities to ensure that all know the post-independence division of responsibilities. The elected government and its institutions, not the missions, must be UNMIK's primary successors, but those missions must be accepted to have the discretionary power to monitor and supervise as Ahtisaari envisaged even without a clear Security Council mandate. New joint commissions and procedures on the ground may be part of the formula.

Of course, even after a conditionally independent Kosovo is up and running, the international community will still need to help it and Serbia resolve their dispute in a manner that leads ultimately to the revocation of Resolution 1244, gains Kosovo UN membership and at last guarantees Western Balkan stability. In the immediate term, the EU will need to maintain consensus that the European Commission should help the new state get on its feet economically and travel the long road to EU membership. The West must keep pressures and incentives on Serbia to accept reality. That acceptance will take time. In the current political constellation in Belgrade, the prospect of EU membership is not alluring enough to produce a fundamental policy reversal. Nevertheless, if it is to retain its ability to resolve a latent conflict, the EU should not repeat its mistake with Cyprus and allow Serbia to join until it has squared relations with Pristina.

But the task of the moment is to make conditional independence operational, without further hesitation.

RECOMMENDATIONS

To the "Quint" (the U.S., the UK, France, Germany, Italy) and the European Union (EU) and its Member States:

1. In the case of the EU, issue a declaration at the European Council of heads of state and government on 14 December 2007:
 - (a) noting that the Troika's mandate has been exhausted, and the international community, in particular the EU, has explored with Belgrade and Pristina every reasonable status outcome for Kosovo in search of a mutually acceptable outcome;
 - (b) reaffirming that the Ahtisaari plan remains the best basis for the settlement of the Kosovo issue; and
 - (c) underlining that the EU is ready to rapidly assume, in consultation with other key international actors, a significant role in Kosovo in the implementation of the Ahtisaari plan, including by preparing itself to deploy a civilian European Security and Defence Policy (ESDP) rule-of-law mission and the International Civilian Office (ICO).
2. Further prepare in December-January Kosovo's transition to conditional independence by:
 - (a) in the case of the Quint, working up a detailed plan with Pristina authorities on the mechanism and schedule for declaring independence to include a transition period of 120 days;
 - (b) working urgently together and with other relevant stakeholders, including the UN Secretariat, to determine a structure and reporting lines for the ICO;
 - (c) further building the on-the-ground capacities of the ESDP rule-of-law mission and the ICO, via their respective planning teams;
 - (d) ensuring UNMIK Police have the resources and will to cope with security challenges anticipated when Kosovo begins the independence process and before the ESDP rule-of-law mission is deployed; and
 - (e) in the case of the U.S. and EU, appointing envoys to work intensively on the ground with Kosovo's newly elected leadership on outreach to Kosovo Serb communities, tailoring guarantees to specific local concerns and preparing for the creation of new Serb-majority municipalities pursuant to the Ahtisaari plan.

3. Following Kosovo's likely January statement of intent to declare independence in May 2008, and provided that statement includes a commitment to implementation of all relevant provisions of the Ahtisaari plan:

- (a) the EU General Affairs and External Relations Council (GAERC, foreign ministers) should take note of the statement of intent, authorise the European Commission and other EU bodies to enter into contractual relations with Kosovo's elected government, and adopt Joint Actions to deploy the EU Special Representative (EUSR), the ESDP rule-of-law mission and the ICO;
- (b) the members of the Quint and as many other EU member states as possible should pledge to recognise Kosovo's independence promptly after it is declared in May 2008, provided that the transition period preparations have been conducted in accordance with the Ahtisaari plan; and
- (c) the EU and the other participating states should promptly deploy the ESDP rule-of-law and ICO missions so that they are able to assume their full responsibilities when Kosovo's conditional independence enters into effect in May 2008.

To the UN Secretary-General:

4. State, when transmitting the Contact Group report on the Troika facilitation of Serbia-Kosovo negotiations to the Security Council in December 2007 or in a separate public manner at that time, that:
 - (a) the negotiations between Pristina and Belgrade have failed to reach agreement on Kosovo's future status;
 - (b) Special Envoy Ahtisaari's Report and Comprehensive Proposal (the Ahtisaari plan) continues to offer the best way forward to a sustainable solution on Kosovo's future status;
 - (c) the UN will continue to have a role on the ground in Kosovo with the help of other international organisations, as envisaged in Security Council Resolution 1244 and the Ahtisaari plan; and
 - (d) he welcomes the EU's willingness to take on the new responsibilities of a civilian ESDP rule-of-law mission and an ICO.

To Member States of the UN Security Council:

5. Support by individual statements in the Council the Ahtisaari plan as the best way forward to a sustainable

solution on Kosovo's future status and welcome the readiness of the EU and other participating states to deploy a civilian ESDP rule-of-law mission and an ICO.

To the Kosovo Political Leadership:

6. Form a new coalition government as quickly as possible after the 17 November elections and decide upon the bodies that will lead Kosovo through the independence process.
7. Intensify work on the package of state-forming legislation stipulated in the Ahtisaari plan and agree its details with the ICO planning team in order to be able to adopt it as a whole early in the four months following the statement of intent to declare independence.
8. Make a genuine effort, working with EU and U.S. envoys, to reach out to Kosovo's Serb communities, address their concerns (while explaining them to Kosovo Albanians) and offer an early start to creation of new Serb-majority municipalities at least in the larger enclaves of Gracanica and Ranilug.
9. In January 2008 invite deployment of the ESDP rule-of-law mission and the ICO and state the intention to declare independence in May 2008, upon completion of a 120-day transition process, while:
 - (a) making clear Kosovo's commitment to fully accept and implement the Ahtisaari plan;
 - (b) coordinating with the Quint and the EU on the text of the declaration, its timing and the steps to be taken during the transition period; and
 - (c) allowing time specifically for KFOR, UNMIK Police and the Kosovo Police Service to activate an agreed security plan.

To NATO and its Member States:

10. Ensure that all national components of KFOR can be relied upon to implement a security plan that will secure Kosovo's borders, including north of the Ibar River, and to support the transition to conditional independence and that reinforcements are available and ready for quick deployment if the need arises.

**Pristina/Belgrade/New York/Brussels,
6 December 2007**

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I. INTRODUCTION

The U.S. and EU bought time in the second half of 2007 to build consensus on what to do next about Kosovo. After the UN Security Council was unable to agree on a resolution backing conditional, or supervised, independence,¹ the six-nation Contact Group's "Troika" of diplomats started a new round of negotiations between Pristina and Belgrade. Now that these negotiations are set to conclude without a compromise status settlement on 10 December, the EU and its member states, the U.S. and the Kosovo authorities must work together to coordinate the independence process.² The Quint (France, Germany, Italy, the UK and U.S.) should continue to play a leading political role and develop a detailed plan of action jointly with Pristina. Between December 2007 and May 2008, the EU will need to take responsibility for deploying new international missions so that the international community manages that process rather than finds itself reacting to a unilateral declaration of independence.

The U.S. has made plain its backing for Kosovo's independence, and all but four of the 27 EU member states³ seem to be at varying stages of readiness to recognise an independence declaration on the basis of the Ahtisaari plan.⁴ Consensus is growing within the EU in favour of

deploying a rule-of-law mission under the European Security and Defence Policy (ESDP), even though members reluctant to support independence may abstain when it is voted on in the Council. There is less certainty on deployment of the more political International Civilian Office (ICO), which is being developed by the EU but would have broader international membership.

While Western capitals edge closer to a plan, uncertainty grows on the ground. This report analyses why a decision to support Kosovo's transition to conditional independence should not be delayed any longer and how it can be achieved and implemented even without new Security Council authorisation.

¹ This report treats the terms "conditional independence" and "supervised independence" as interchangeable.

² The Contact Group, which informally manages Kosovo policy, is composed of France, Germany, Italy, Russia, the UK and the U.S. For background on the failure of the Security Council process and the decisions taken as a result, see Crisis Group Europe Report N°185, *Breaking the Kosovo Stalemate: Europe's Responsibility*, 21 August 2007.

³ EU member states considered unlikely to recognise Kosovo in early 2008 are Cyprus, Greece, Romania and Slovakia.

⁴ See Crisis Group Europe Report N°182, *Kosovo: No Good Alternatives to the Ahtisaari Plan*, 14 May 2007, for background on the plan formulated by the UN Secretary-General's Special Envoy for the Kosovo future status process, former President of Finland and Chairman of the Board of the International Crisis Group Martti Ahtisaari. The Ahtisaari plan was presented in two documents: the 60-page "Comprehensive Proposal for the Kosovo Status Settlement", which dealt with the territory's mode of governance, protection mechanisms for minorities and international oversight; and the four-page "Report of the Special Envoy of the Secretary-General on Kosovo's Future Status",

which recommended that "Kosovo's status should be independence supervised by the international community". For the texts, see www.unosek.org/unosek/en/statusproposal.html.

II. VAIN HOPE OF AGREEMENT

The U.S., UK and France called off their attempts to get a new Security Council resolution to implement the Ahtisaari plan for Kosovo's conditional independence on 20 July 2007 in the face of Russia's threat to veto. Since August, mediators from the U.S., Russia and the EU – known as the Troika – have been facilitating Belgrade-Pristina talks,⁵ which French President Nicolas Sarkozy first proposed at the June G8 Summit. UN Secretary-General Ban Ki-moon expects to receive a report by 10 December. Sarkozy's main aim was to buy time for the EU to come together on the necessity of dispatching missions to supervise an independent Kosovo. The time was not and could not be used to create consensus within the Security Council, where nothing has changed since July.

While the Troika talks have made possible extensive discussions between Belgrade and Pristina on status options, they have revealed no prospect for mutual agreement. Kosovo is too volatile for it to be frozen in its present status any longer, and Belgrade and Pristina are too far apart for a "velvet" divorce or a confederal solution to be realistic.

A. THE TROIKA TALKS

The EU signed up to Ahtisaari's "Comprehensive Proposal" for Kosovo's internal governance in February 2007 but has been more hesitant to explicitly endorse his recommendation for Kosovo's supervised independence.⁶ Nevertheless, the EU has increased its involvement in the status determination process throughout the year, reiterating most recently "the necessity of rapidly finding a solution to the Kosovo status issue".⁷ Its representative, German diplomat Wolfgang Ischinger, claimed that during the Troika process, "for the first time in the history of the Kosovo conflict, the EU has become an actor in its own right and even the one with

the most responsibility".⁸ He emerged as the Troika's key member, staking out a stance somewhere between the U.S. pro- and Russian anti-independence poles, and constructively and responsibly ensuring that every conceivable solution to be advanced, however implausible, was meticulously tested.

In the absence of agreement between the parties, the Ahtisaari plan would have imposed a solution on Serbia and Kosovo, as has been done elsewhere in the Western Balkans since the Yugoslav wars of the 1990s. But after the Security Council was unable to authorise it, the EU hesitated. The Troika process gave the parties a last chance to agree among themselves rather than face an imposed solution and also gave Brussels time to prepare for its new responsibility. The facilitators promised to leave "no stone unturned" in the search for a compromise agreement, which even if only partial could have shifted some responsibility from Western capitals to Belgrade and Pristina.

1. Method

Ischinger's aim was to obtain agreement from Belgrade and Pristina on the rule-of-law and ICO mission deployments, as well as a package of cooperation mechanisms to benefit the Serb communities and normalise relations, which would emphasise links with rather than subordination to Serbia. "Good neighbourly relations can be between two sovereign states, but also in other ways. There are many examples", he said.⁹ A diplomat close to the process said the question was "What kind of roof can we build upon areas of [Pristina's and Belgrade's] common interest?"¹⁰

In New York in late September, Contact Group ministers "underlined that any future status settlement should focus on developing the special nature of the relations between the two sides, especially in their historical, economic, cultural and human dimensions".¹¹ Rather like Ahtisaari, the Troika tried to avoid status issues, focusing instead on Kosovo-Serbia cooperation mechanisms and the EU's planned oversight missions. Ischinger explained: "I would say that we will try to reach a status solution which will provide for an internationally-supervised status for Kosovo.

⁵ Respectively retired U.S. diplomat Frank Wisner, the Balkans department chief in Russia's foreign ministry, Aleksandr Botsan-Kharchenko, and Germany's ambassador to the UK, Wolfgang Ischinger.

⁶ The EU's General Affairs and External Relations Council (GAERC, foreign ministers) of 12 February 2007 "expressed its full support". The EU has not given similar explicit backing to Ahtisaari's "Report", recommending supervised independence. When both documents were submitted to the Security Council on 26 March, the EU Presidency's statement "strongly support[ed]" the Comprehensive Proposal and made no mention of the Report.

⁷ GAERC, Western Balkans, Council Conclusions, 19-20 November 2007.

⁸ Patrick Moore, "Kosovo: Is EU Set to Recognise Independence?", Radio Free Europe/Radio Liberty, 26 October 2007.

⁹ Syndicated interview. See Augustin Palokaj, "Ischinger: Negociatat nuk jane teater" ["Ischinger: The negotiations are not theatre"], *Koha Ditore*, 9 October 2007.

¹⁰ Crisis Group interview, 3 October 2007.

¹¹ "New York Declaration", attached to the "Statement: Troika Meeting with Belgrade and Pristina New York", S265/07, 28 September 2007.

I would leave open independence. I would rather talk about a strong supervised status".¹²

The Troika set a brisk pace of meetings with Belgrade and Pristina and created an agenda that skirted its own national differences over Kosovo. Chronologically it:

- adopted the role of an honest broker, asking the parties for new proposals, challenging them to "think outside the box" and move from their "standard" positions;
- proposed a fourteen-point document outlining parameters of a future relationship between Pristina and Belgrade and invited the parties to build upon it; and
- offered, under Ischinger's leadership, to translate the fourteen points into an association agreement, modelled upon the 1972 Basic Treaty between the two German states, for submission to Ban Ki-moon by 10 December.

The 1972 treaty, a cornerstone of the Ostpolitik that brought Willy Brandt the Nobel Peace Prize and ushered in the détente era, committed West and East Germany to normalised relations and opened the way for both to become UN members the following year without the Bonn government acknowledging that the communist state was foreign to it or that separation was permanent. A key element was East Germany's acceptance, without response, of a "letter...on German unity" from the West German government, including the statement that "this Treaty does not conflict with the political aim of the Federal Republic of Germany to work for a state of peace in Europe in which the German nation will regain its unity through free self-determination".¹³

The Troika's fourteen principles, meant to "open a path to a solution", sketched out a formalised regime of special relations between Kosovo and Serbia in which "Belgrade will not govern", nor "reestablish a physical presence in Kosovo", but in which the parties are to "establish common bodies to implement cooperation"; Belgrade will "not interfere in Pristina's relationship with international financial institutions", nor hinder its EU Stabilisation and Association Process; and Kosovo is to

be "fully integrated into regional structures, particularly those involving economic cooperation".¹⁴

2. Positions

During the Troika negotiations, Belgrade insisted on discussing a status compromise based on substantial autonomy for Kosovo, while Pristina, considering independence to be non-negotiable, sought to address post-status relations. Troika negotiators suggested an "Ahtisaari-plus" solution: a loose association or union between Kosovo and Serbia, which would complement the internal governance plan described in Ahtisaari's lengthy "Comprehensive Proposal". While talks in September and early October were cordial, and the negotiators portrayed them as promising, by November the mood had soured as it became evident there was little scope for compromise.

In New York on 28 September, Pristina presented a complete draft treaty of friendship, cooperation and mutual respect to govern future relations between the independent states of Kosovo and Serbia.¹⁵ It envisaged a Kosovo-Serbia Permanent Cooperation Council, as well as other cooperative bodies to deal with issues of mutual concern, including returns, missing persons, organised crime and achieving EU and NATO membership.¹⁶ Distracted by elections and with little trust in the negotiation process, however, Pristina's negotiators barely reacted to the fourteen-point Troika document, which the Kosovo media called an "Ahtisaari-minus" proposal, fudging political independence in exchange for a highly "interdependent" relationship with Serbia and access to international financial institutions.¹⁷

Belgrade produced not a full proposal but a "powerpoint" presentation, which it called a "minimum integration" variant in which Kosovo would enjoy "95 per cent" jurisdiction over its own affairs. In response to the Troika's fourteen principles, Serbia's negotiators offered a fourteen-point counter-proposal in Vienna on 22 October. It stipulated that Kosovo's status should be in line with

¹² Anne Penketh, "Independence for Kosovo is off the agenda, envoy reveals", *The Independent*, 18 September 2007.

¹³ An English translation of the text of the Basic Treaty, 21 December 1972, is online at: http://germanhistorydocs.ghi-dc.org/sub_document.cfm?document_id=172; see also Ernst R. Zivier, *Der Rechtsstatus des Landes Berlin* ["The legal status of the Land Berlin"] (Berlin, 1977); and M.E. Sarotte, *Dealing with the Devil, East Germany, Détente and Ostpolitik 1969-1973* (North Carolina, 2001).

¹⁴ For the text of the Troika's original fourteen points, see www.birm.eu.com/en/108/15/5350/.

¹⁵ Available at www.president-ksgov.net

¹⁶ The Cooperation Council would have a permanent secretariat, convene regular high-level meetings, invite third-party mediation and oversee the expansion of other forms of cooperation.

¹⁷ See Augustin Palokaj, "Kosova para rrezikut te mashtrimeve te reja nderkombetare" ["Kosovo faces a risk of new international deceptions"], *Koha Ditore*, 8 October 2007; Baton Haxhiu, "Fundi i iluzionit" ["The End of Illusion"], *Express*, 22 October 2007; *Kosova Sot*, "Kompromiset dhe Tradhëtia Kombetare" ["Compromises and National Treason"], 22 October 2007; and Artan Mustafa, "Strategut ne Vjenë" ["To the strategist in Vienna"], *Express*, 23 October 2007.

Belgrade's interpretation of Resolution 1244 (adopted by the UN Security Council at the end of the 1999 war), as a guarantee of Serbian sovereignty, and be approved by the Security Council, which would also then mandate a continuation of the international civilian and military presence.¹⁸

At the 5 November Troika meeting, Premier Vojislav Kostunica suggested a "Hong Kong model" (one state, two systems) in which Kosovo would have direct ties with international financial institutions, while Serbia would retain powers only over borders, defence (though in effect these would be delegated to the international presences) and foreign affairs. Such loose integration would, he argued, avoid any reciprocal obligation for Kosovo Albanian participation in Serbia's government. Kostunica said this was a major concession based on a functioning, real-world example (although, unlike Kosovo, one within a context of shared ethnicity), which would allow Kosovo Albanians and Serbs to live "parallel lives", with the latter running their own affairs and having direct ties with Belgrade. At the 20 November meeting the Serbian delegation additionally proposed an analogy to the autonomy of the Swede-inhabited Aland Islands under Finnish sovereignty.¹⁹

The Ischinger association-of-states model, Kostunica said, was unacceptable. Nevertheless, with the backing of some European capitals, Ischinger wanted to present that model formally to the parties to consider at their 20 November meeting. Russia blocked this, so a less ambitious "status neutral" proposal was put forward under which Belgrade and Pristina would agree on mechanisms for normalising their relations prior to and regardless of the ultimate status decision.²⁰ Distracted by elections, Pristina dismissed any status that did not include independence, while Kostunica rejected it as a cover: "independence by another name".²¹

¹⁸ Earlier, Serbia's negotiators explained that they wanted an international agreement on Kosovo's status first, delineation of Kosovo's governmental competencies between Pristina and Belgrade second, a reckoning of property, debt and economic issues third, stipulation of Kosovo's relations with international financial organizations and regional forums fourth and, lastly, precision of international missions to implement the settlement under UN authority. "Belgrade Proposes Five Topics for Start of New York Talks", *VIP Bulletin*, 19 September 2007. On UN Resolution 1244 as a guarantee of continued Serbian sovereignty see discussion below in section III, B.

¹⁹ The Serbian government's comparative analysis of Hong Kong, the Aland Islands, and its own proposal for Kosovo is available at: www.srbija.sr.gov.yu/vesti/vest.php?id=40933.

²⁰ "Troika to propose 'neutral status' for Kosovo", B92, 14 November 2007; and Crisis Group interview, EU diplomat close to the Troika process, 19 November 2007.

²¹ See Faik Hoti's interview with President Sejdiu, "Zgjidhjet neutrale për statusin janë të papranueshme" ["neutral solutions for

The last Troika-led meeting, in the Austrian spa of Baden from 26 to 28 November, was equally unable to break new ground.

While the talks have shown Pristina's readiness for an independent Kosovo to develop a full range of relations with Serbia, Belgrade will not agree to normalisation without knowing what Kosovo's status is to be. If Kosovo declares independence, Serbia threatens to close the border, boycott the new state, oppose its inclusion in all international organisations and consider other "unimaginable consequences".²²

The difficulty of reconciling U.S., Russian and European positions are likely to preclude the Contact Group from making a clear recommendation to the Secretary-General. The U.S. and the EU members of the Contact Group (the Quint) will seek language in the report, however, that they will consider gives them justification to assert that the prospects for a negotiated settlement have been exhausted.

There has been some support in the EU and U.S. for convening a Rambouillet-style conference²³ after expiry of the Troika mandate, with a format that would enable the majority of Western participants to decree Kosovo's status over the objections of Moscow and Belgrade. Neither Russia nor Serbia is likely to agree to such an exercise, however. Pristina is also wary, lest red lines it has defended in two years of talks be put at risk, and would rather declare its independence.

B. OTHER IDEAS

Confederal solutions that might cushion the effect of separation for Serbia were proposed from a number of unofficial sources, as well as by the Troika. In September, the ex-president of the International Criminal Tribunal for the Former Yugoslavia (ICTY), Antonio Cassese, proposed that a binding Security Council resolution grant Kosovo most trappings of statehood, including the right to seek admission to the UN, but reserve foreign policy, defence, borders and treatment of the Serb minority for a confederal body of delegates from Kosovo, Serbia and the EU (the latter with the deciding vote in the event of a deadlock).²⁴

status are unacceptable"], *Zeri*, 15 November 2007; and Kostunica quoted in, "Neutrality, another term for independence", B92, 18 November 2007.

²² Comments attributed to Premier Kostunica in "Lithuanian Foreign Minister Visits Belgrade", *Beta*, 28 August 2007.

²³ The 1999 conference at Rambouillet, outside Paris, sought to negotiate a Kosovo settlement and head off the war that broke out shortly thereafter. Its draft accords were rejected by President Milosevic of the then Yugoslav government and Russia.

²⁴ "A confederation for Kosovo", *The Guardian*, 28 September 2007.

A Berlin think-tank suggested that Serbia and Kosovo share a foreign ministry and create a coordination council for defence matters.²⁵

A variation with several advocates envisaged a confederation similar to the compromise the EU brokered for the transitional Serbia-Montenegro State Union.²⁶ However, that formula, which would tie both units to a common state and a range of shared institutions for a three-year period (after which Kosovo would be entitled to hold a referendum on independence), is too little for Pristina and too much for Belgrade. Unlike Serbia and Montenegro, Serbia and Kosovo no longer have any common institutions; they would have to be created by unwilling partners. While the U.S. and EU members of the Contact Group might welcome a “union of independent states” which would facilitate the recognition of independent Kosovo, an EU diplomat said realistically, “we cannot put the construction of a castle on the foundations of a caravan”.²⁷

Russian officials briefly expressed quiet interest in the State Union model, which would prevent recognition in the short term.²⁸ However, President Vladimir Putin stated in mid-September: “If Kosovo Albanians unilaterally proclaim independence at the end of the year, what happens next will depend exclusively on the reaction of the Western states. Cultural and economic support could be acceptable but political recognition is something completely different”.²⁹

Some in the EU find a “Taiwan” solution of the sort Putin seemed to be hinting at appealing, though most accept the former UN envoy Kai Eide’s 2005 assessment that the status quo is unsustainable.³⁰ In October 2007, a Brussels

think-tank proposed that Kosovo be offered “special status as part of the EU” and “to withdraw the matter from the UN’s legal-procedural conventions regarding international recognition, and to place it instead into the framework of European integration, where it is no longer subject to Russian or Chinese control”.³¹ The U.S. State Department quickly denied a newspaper story later that month that it was considering a freeze on Kosovo’s status until 2020, in exchange for which Pristina would be compensated with an improbable €7 billion of aid annually.³²

Ischinger appeared to entertain partition as a possibility during his initial trip to the region in August, and at the end of the month, Dutch Foreign Minister Maxime Verhagen suggested it was acceptable if agreed by both sides and endorsed by the Security Council.³³ Three days later Foreign Minister Sergey Lavrov said Russia would accept whatever the two sides could negotiate, including partition,³⁴ and for a time the concept dominated the media, though neither Serbia nor Kosovo raised it with the Troika. European diplomats, including Ischinger, recognised there was no realistic chance Pristina and Belgrade would agree to partition and brought it up only to leave “no stone unturned” but the effect was to hollow out, possibly dangerously, the longstanding Contact Group injunction against it. Nevertheless a Serbian envoy dispatched unofficially to some European capitals to sound out the notion obtained little traction,³⁵ and EU foreign ministers again rejected the concept on 7 September.³⁶

²⁵ Franz-Lothar Altmann and Dusan Reljic, “Weiss, Schwarz, Grün: drei Szenarien für Kosovo nach dem 10. Dezember 2007” [“White, Black, Green: Three Scenarios for Kosovo after 10 December 2007”], Stiftung Wissenschaft und Politik, 8 September 2007.

²⁶ Such ideas prompted media speculation in Belgrade and Pristina from the summer onward and negative reactions in both. See, for example, “Savez protiv Razuma” [“Federation against Reason”], *Vecernje Novosti*, 31 July 2007; “Plani i ri: Konfederata Serbi-Kosove?” [“New plan: Confederation, Serbia-Kosovo?”], *Koha Ditore*, 1 August 2007; and “Edhe Konfederata propozim” [“Confederation also a proposal”], *Koha Ditore*, 15 September 2007.

²⁷ Crisis Group interview, Brussels, 2 October 2007.

²⁸ Crisis Group interviews, diplomat and journalist, October 2007.

²⁹ “Putin: Kosovo status quo better than unacceptable solution”, B92, 17 September 2007.

³⁰ Taiwan (the Republic of China) has extensive ties with many states but the great majority maintain something other than traditional diplomatic relations with it and accept the position of Beijing (the People’s Republic of China) that the island is part of China. An official of Russia’s presidential administration was

reported to say in early November 2007 that the Kremlin “is interested in the option of declaring Kosovo a UN mandate territory for a long period”. See Pyotr Iskenderov, “Косово заморозят или превратят в ГДР” [“Kosovo to be frozen or turned into the GDR”], *Vremya Novostei*, 2 November 2007.

³¹ Michael Emerson, “Kosovo merits ‘special status as part of the EU’”, Centre for European Policy Studies (CEPS), policy brief no.143, October 2007, at www.ceps.eu.

³² Berat Buzhala and Krenar Gashi, “U.S. Ponders Freezing Kosovo’s Status Until 2020”, *Balkan Insight*, BIRN, 29 October 2007, at www.birn.eu.com/en/110/10/5411/.

³³ Matt Robinson, “Powers say partition may be an option for Kosovo”, Reuters, 12 August 2007; and “Dutch FM: Kosovo partition acceptable”, B92, 28 August 2007.

³⁴ Conor Sweeney, “Kosovo split possible if both sides agree – Russia”, Reuters, 31 August 2007.

³⁵ Crisis Group interview, Western diplomat, Belgrade, September 2007.

³⁶ “EU against Kosovo partition, unilateral moves”, B92, 7 September 2007.

Partition: A Bad Idea. The most common variant of partition would divide Kosovo at the Ibar River, giving Serbia the territory to the north, where roughly 40 per cent of Kosovo Serbs live. Crisis Group has warned that partition would lead to pressure on the 60 per cent of Serbs living in enclaves south of the Ibar to leave their homes, while the precedent would risk opening several borders in the Western Balkans to revision along crude ethnic lines.

If Kosovo were partitioned, its majority Albanians might find renewed attraction in a pan-Albanian appeal to ethnic kin in Serbia and Macedonia. The Albanians of south Serbia's Presevo Valley have demanded unification with Kosovo if Serbia regains the land north of the Ibar. Macedonia's Albanians, who conducted an insurgency in 2000-2001, could again question their state arrangement and envisage Tetovo as Kosovo's southern capital. Pan-Albanianism might become attractive again in Montenegro and Albania. Redrawing borders along ethnic lines would not necessarily be a solely Albanian preoccupation. Premier Kostunica of Serbia hints periodically at union with Bosnia's Republika Srpska (RS). Statements by RS Premier Milorad Dodik over the past year about a possible referendum on leaving Bosnia have raised the political temperature. There is potential for "Greater Serbia" and "Greater Albania" ideologies to feed each other if nourished by Kosovo's partition.

See Crisis Group Europe Report N°185, *Breaking the Kosovo Stalemate: Europe's Responsibility*, 21 August 2007.

C. COLLATERAL DAMAGE ON THE GROUND

The Troika process and discussions on confederal models had their utility but they have to some extent crowded out other vital processes: an EU official said that in order not to undermine the Troika's work, "we cannot breathe about" planning the practicalities of operating with an independent Kosovo.³⁷ Further time for the Troika process or any other negotiation would undermine Kosovo's confidence in the international community. The longer status uncertainty lasts, the more agitated the region surrounding Kosovo becomes and a sense of a developing security crisis grows.

1. Strains in Kosovo

Pristina's relatively relaxed engagement with the Troika is due to President George W. Bush's pledge in Tirana on 10 June 2007 that the U.S. would recognise Kosovo's independence, followed by Secretary of State Condoleezza Rice's September reassertion and the implicit support of

France and the UK.³⁸ The mood has become a little more flexible about the sequencing of moves in support of the Ahtisaari plan, probably now tolerating deployment of the rule-of-law and ICO missions before independence. Demonstrations have petered out.³⁹ There have been no attacks on the internationals.

The election period was calm and the campaign lively, with candidates and media giving more attention than ever before to social issues and less to status⁴⁰ but the turnout was a disappointing 42 per cent.⁴¹ The electorate rewarded Hashim Thaci's Democratic Party of Kosovo (PDK) for its modern approach with 34.3 per cent of the vote and punished the previously dominant Democratic League of Kosovo (LDK), which traded on the image of its late leader, Ibrahim Rugova, and presented no new ideas, by halving its support to 22.6 per cent.⁴²

³⁸ See "Rice urges Europe to Back Kosovo Independence", Reuters, 25 September 2007. The British and French foreign ministers reiterated that "if no agreement is possible, Ahtisaari's proposals will in our view remain the best way forward", Bernard Kouchner and David Miliband, "Kosovo: Europe's Challenge", *The Guardian*, 6 September 2007.

³⁹ A student demonstration organised in Pristina through the radical LPK network for 10 October 2007 gathered barely 1,000. A veteran of radical groups commented: "People are settled. Most of them have a job. Now...very small cells each drive their own agenda, and it is hard to get them to act together", Crisis Group interview, 9 October 2007.

⁴⁰ This was partly because long-delayed mayoral and municipal assembly elections were held concurrently with the assembly elections. Their issues dominated the campaign and attracted the liveliest TV debates. However, candidates competed with unrealistic promises on social and infrastructure investment, thereby making "an investment in future riots", according to a commentator. Though only two of the 250 mayoral candidates in the 30 municipalities were women, a televised debate between leading female candidates on the last evening of the campaign instead of a debate of party leaders (after Sejdiu and Thaci declined to take part) was a highlight. See "Women running for parliament", BIRN, 15 November 2007, available at: <http://kosovo.bim.eu.com/en/1/31/6231/>.

⁴¹ See the 18 November 2007 preliminary statement of the Council of Europe observer mission at www.coe.int/t/dc/files/events/2007_kosovo/prelim_statement_en.asp. As counting continued, abuses came to light, resulting in a decision to annul rather than rerun the vote in 31 polling stations. Over 3,000 identical-looking postal votes sent from Kazakhstan (where many Kosovo Albanians work for the Mabetex construction company owned by Alliance for a New Kosovo (AKR) leader Behgjet Pacolli) were also discounted.

⁴² Other results were 12.3 per cent for Behgjet Pacolli's AKR, 10 per cent for Nexhat Daci's Democratic League of Dardania (LDD), 9.6 per cent for Ramush Haradinaj's Alliance for the Future of Kosovo (AAK), and 4.1 per cent for Veton Surroi's ORA ("Clock" or "Hour"), which fell short of the 5 per cent threshold for inclusion in parliament. Ten seats are reserved for

³⁷ Crisis Group interview, late September 2007.

Nevertheless, unease is growing again. A 4 October news report that the U.S. had asked Croatia to accommodate refugees in the event of an exodus from Kosovo was unsettling.⁴³ Although any refugees would likely be Serbs, many Kosovo Albanians foresee a post-10 December crisis that will make them flee.⁴⁴ More are renewing or acquiring travel documents than in 2006.⁴⁵ Social stress increases with the price of bread (doubled in recent months), some businesses have exploited and fanned fears of a Serbian blockade to increase prices of basic foodstuffs and encourage bulk-buying,⁴⁶ and domestic violence is increasing.⁴⁷ After years of leaving them fallow, more Albanians are preparing small plots for cultivation; some indicate they will plant before (as they imagine) they are displaced from Kosovo, so that they can return to harvest the crop in summer 2008, as they did in 1999. A slow motion version is spreading of the hysteria that made Albanians imagine at the time of the March 2004 riots that they were under Serbian attack.

There is little effective leadership. UNMIK is in effect winding down and hollowing out.⁴⁸ It has lost momentum, and its top management is reported to be under investigation by the UN Office for Internal Oversight Services (OIOS) for possible abuse of office.⁴⁹ Even before the election

campaign diverted all energies, Pristina's provisional government and political elite showed scant appetite for concrete steps to prepare for independence. They are doing little outreach work, whether to the general public, Serbs or the so far calm radical armed groups in Dukagjini and Drenica.⁵⁰ Tensions within the Kosovo Police Service (KPS) are connected to suspected involvement of some elements in a 24 September Pristina explosion that killed two and injured ten.⁵¹ The embryos of the EU's planned ICO and rule-of-law missions are on the ground but await authorisation to build up to full size. Moreover, ESDP planners, UNMIK and Kosovo's provisional government institutions (PISG) have not properly discussed which powers the rule-of-law mission will have.⁵²

In the interim Kosovo's territorial unity is fraying. In Serb areas Belgrade enforced a boycott of the November elections and is strengthening its parallel structures. The former step consolidates Serb non-participation in Pristina governance and will create crises in Serb-majority municipalities, which UNMIK will struggle to address.⁵³ Albanians are poised to take over two such municipalities south of the Ibar (Strpce and Novo Brdo), while three sets of entrenched authorities north of the Ibar will defy efforts

Serb parties and ten for other minority parties in the 120-seat parliament.

⁴³ "U.S. asks Croatia to take any Kosovo refugees-paper", Reuters, 4 October 2007.

⁴⁴ Crisis Group interviews, Pristina, Gjilan/Gnjilane and Vitia/Vitina municipalities, October and November 2007. One Pristina interviewee planned to send his children to Istanbul.

⁴⁵ Jeton Musliu "Pasaporte nga Frika?" ["Passport from fright?"], *Express*, 28 October 2007.

⁴⁶ Crisis Group interviews local businessmen, Pristina, 31 October 2007 and business associations, Pristina, 2 November 2007.

⁴⁷ Crisis Group interview, Richard Monk, UNMIK police commissioner, Pristina, 4 December 2007.

⁴⁸ Although UNMIK is not downsizing its police, exhausted or broken equipment is often not replaced. Recently the U.S. diplomatic liaison office made a contribution to equip UNMIK Police's counter-terrorism unit with vehicles. Crisis Group interview, international official, Pristina, 20 November 2007.

⁴⁹ The principal deputy special representative of the secretary-general (SRSG), Steven Schook, announced at a 26 September 2007 press conference that he was under investigation. A month later a newspaper reported that the OIOS investigators entered the offices and removed the computer hard disks of SRSG Rucker, Schook and mission Legal Adviser Borg-Olivier for scrutiny. See Jeton Musliu, "U konfiskohen hard-disqet" ["Hard disks are confiscated"], *Express*, 31 October 2007. In a subsequent letter to the newspaper, Borg-Olivier criticised it for insinuations but did not dispute that an investigation was underway. At a 7 November press conference, Rucker did not deny that he was under OIOS investigation. The OIOS chief, Inga-Britt Ahlenius, was Kosovo's auditor general until taking her present post in July 2005. One of the first OIOS reports

published under her leadership involved an investigation into irregularities in the management of Pristina airport; UNMIK rejected its findings.

⁵⁰ A security official complained that Pristina leadership was leaving it to the internationals to talk to and calm the radicals, Crisis Group interview, Pristina, October 2007.

⁵¹ Suspicions initially fell upon the Ferizaj/Urosevac KPS special unit, whose equipment was confiscated for several weeks. In early November Pristina regional KPS commander Destan Thaci was transferred from his post. According to an October 2007 United Nations Development Programme (UNDP) opinion poll, the KPS remained, together with KFOR (both with 77 per cent approval), the most trusted institution (only 29 per cent gave UNMIK approval and 28 per cent the PISG), and believed to be the least corrupt (11.4 per cent saw the KPS as corrupt), see www.kosovo.undp.org/repository/docs/Fast_Facts-18_Eng.pdf. UNMIK's current police commissioner Richard Monk has concentrated effort on further development of the KPS, strengthening its human resources department, adding a policy analysis directorate to advise the executive board of top KPS officers he has instituted, and reversing a top-heavy command structure agreed by his predecessor in February.

⁵² An international official claimed that there is a lot of "fog" in ESDP planners' language, and the transition joint working group on rule-of-law matters has failed to dispel it, Crisis Group interview, Pristina, 30 November 2007.

⁵³ Serbia's Premier Kostunica and the Serb National Council also instigated a boycott of the October 2004 elections. On that occasion President Tadic called upon Serbs to vote and Oliver Ivanovic's Serb List for Kosovo and Metohija stood for offices. On this occasion Tadic united with Kostunica, Ivanovic stayed out, and intimidation and threats of dismissal from Serbian state jobs enforced Serb non-participation.

to remove them (UNMIK will delay any action until after it certifies the vote count).⁵⁴

Pristina is cutting Serb-majority municipalities' budgets, though Ahtisaari's proposal requires increases,⁵⁵ has reduced the annual budget for refugee returns and quietly counts on more emigration from the Serb enclaves at independence to make some of the new municipalities unnecessary. Albanian political parties benefited from the Serb boycott, which in tighter contests than 2004 preserved some of their seats.⁵⁶

Albanian extremists – currently banished to the fringes of society – are trying to take advantage of the months of drift and may become more prominent if government coalition talks bog down amid status uncertainty. That could allow radically inclined student groups, assembly deputies who failed to be re-elected and others more room to press demands for an immediate declaration of independence. Small Islamic extremist groups “are waiting for a crisis. Serbs and monasteries will be their first targets”.⁵⁷

On 3 October RTK public television broadcast a forest interview with a group of masked, armed, black-uniformed

men claiming to be the Albanian National Army (ANA or AKSh), presumably near Podujevo in north east Kosovo.⁵⁸ The spokesman said they had mobilised to counter the threat of a new Serbian invasion.⁵⁹ While Kosovo's leaders condemned the stunt, television discussion programs gave airtime to the ANA's political representative Gafurr Adili.⁶⁰ PDK Undersecretary Rustem (“Remi”) Mustafa called the ANA an understandable reaction to UN and NATO hesitancy to build up the Kosovo Protection Corps' military capacity.⁶¹ New footage of the ANA “in a mountainous area of northern Kosovo” was broadcast on 13 November.⁶² Villagers near the border with Serbia's Presevo Valley reported similar black-uniformed armed men patrolling at night, especially over the weekend of 17-18 November.⁶³

Kosovo Serbs are frightened by the ANA's reappearance; some avoid the north eastern Merdare highway to Serbia because it passes through “dangerous” territory;⁶⁴ even Serb communities in distant south west Kosovo have voiced fears.⁶⁵ The Serbian “Tsar Lazar Guard” – a group of war veterans and volunteers UNMIK banned in June 2007 – proclaimed it would enter the territory on 14

⁵⁴ SRSR Rucker certified the vote on 5 December, then re-appointed the current municipal assembly members and mayors of the three northern municipal authorities for six months and appointed, also for six months, hybrid authorities in Strpce and Novo Brdo, mixing newly-elected and sitting councillors in proportion with each municipality's ethnic composition. In Strpce he appointed a Serb mayor. In half-Albanian, half-Serb Novo Brdo, he appointed the newly-elected Albanian mayor, while retaining a Serb majority in the municipal assembly. At least two sitting Serb mayors (in Zubin Potok and Novo Brdo) immediately announced that they did not recognise the UNMIK chief's decision.

⁵⁵ Although Kosovo's budget grows yearly, resources have gone to the expansion of the central government and to capital investment projects. Pristina has also been cutting budgets in Kosovo Albanian-majority municipalities but those municipalities making the most effort to collect their own revenues have been rewarded; this has left Serb-majority municipalities behind. Pristina keeps reducing Strpce's budget. In 2004 it was €1,386,000, in 2006 €1,210,000, in 2007 €984,000. An Albanian councillor complained central authorities ignore his Serb-majority municipality and never give it capital project grants (a large percentage of local government spending), Crisis Group interview, Pristina, 26 October 2007. Nevertheless, active lobbying in Pristina by the Novo Brdo Serb-majority municipality has prevented its budget from shrinking. The PISG's ministry of local government and administration is devising a reform of municipal government finance, which it claims is in conformity with the Ahtisaari's plan's requirement, Crisis Group interview, minister and Deputy Prime Minister Lutfi Haziri, Pristina, 5 December 2007.

⁵⁶ Crisis Group interviews, politicians, Pristina, October 2007.

⁵⁷ Crisis Group interview, PISG Minister of Internal Affairs Blerim Kuqi, Pristina, 4 December 2007. He added that the KPS should pay more attention to guarding Serb cultural heritage sites.

⁵⁸ For background on the ANA (AKSh) see most recently Crisis Group Europe Reports, *Kosovo: No Good Alternatives to the Ahtisaari Plan*, op. cit., pp. 11, 27; N°177, *Kosovo Status: Delay is Risky*, 10 November 2006, p. 22; N°163, *Kosovo after Haradinaj*, 26 May 2005, p. 7; N°155, *Collapse in Kosovo*, 22 April 2004, p. 8; and for expanded analysis N°153, *Pan-Albanianism: How Big a Threat to Balkan Stability?*, 25 February 2004, pp. 7-10.

⁵⁹ RTK 7:30pm news, 3 October 2007.

⁶⁰ Rubicon, KTV, 11 October 2007; and “Top Story”, Top Channel, Albania, 4 October 2007. Following his criticism of the ANA, and of RTK for giving a platform to “people with bags on their heads”, Albania's former Prime Minister Pandeli Majko received numerous threats, and many participants in Albanian internet forums accused him of treachery.

⁶¹ “Ne mbrojtje te Kosoves” [“Defending Kosovo”], RTK debate, 8 October 2007. See Crisis Group Europe Report N°174, *An Army for Kosovo?*, 28 July 2006, for background on the Kosovo Protection Corps.

⁶² Taken by Associated Press TV; see also Elida Ramadani, “Ethnic Albanian paramilitary group patrol northern Kosovo in defiance of int'l authorities”, Associated Press, 13 November 2007.

⁶³ Crisis Group interviews, Gjilan/Gnjilane, Mucibaba and neighbouring villages, 25 November 2007.

⁶⁴ Noted by Tanjug journalist Andrija Igic, in the “Jeta ne Kosove” [“Life in Kosovo”], RTK debate show, 12 October 2007.

⁶⁵ Information from the Kosovo mission of the Organisation for Security and Cooperation in Europe (OSCE), 10 October 2007. On 25 November 2007 in the Podujevo area, a Molotov cocktail was thrown at a bus travelling from Prizren to Belgrade (40 Albanians and three Serbs were on board); this bus line was twice attacked earlier in 2007 with rocket-propelled grenades. There have been no casualties to date. “Belgrade-bound bus attacked in Kosovo”, B92, 25 November 2007.

October, warned UNMIK and KFOR not to interfere and threatened war if Kosovo declared independence. UNMIK Police, KFOR's show of force and Serbia's interdiction of group members on its side of the northern administrative boundary ensured nothing happened.⁶⁶ The ANA's mid-October threat to take over the Serb-inhabited north west of Kosovo if the international presence failed to assume firm control by early November was not credible⁶⁷ but the hotbed of ANA activity is around Podujevo in the north east, across the boundary from a Serbian army base; the risk of a provoked skirmish there is real.⁶⁸ Kosovo Albanian and Serb media play up the pronouncements of each other's extremists, adding to the tension.⁶⁹

2. Belgrade's manoeuvres

Belgrade's efforts to increase costs to the international community on the ground in Kosovo range from sabre-rattling to defiance of UNMIK. Dusan Prorokovic, state secretary in the Kosovo and Metohija ministry, who is from Kostunica's Democratic Party of Serbia (DSS), retreated under EU, NATO and U.S. criticism after suggesting in early September that a Kosovo UDI would invalidate the June 1999 Kumanovo military technical agreement with NATO: "Without Kumanovo, our army...can cross the boundary and go everywhere in Kosovo without any legal problems".⁷⁰ High officials subsequently offered assurance Serbia would not intervene militarily,⁷¹ and control of the defence ministry by the

Democratic Party (DS)⁷² seems to argue for this. KFOR officials say there is no threat from the Serbian army to Kosovo.⁷³ Yet, Belgrade officials and hardline Serb National Council (SNC) protégés in north Mitrovica warn of violence at any independence moves;⁷⁴ Serbian Security Information Agency (BIA) chief Rade Bulatovic's 1 November report to the Serbian parliament implied the same.⁷⁵

Belgrade has tightened its grip on Kosovo Serb education and healthcare workers in the past months. The Kosovo and Metohija ministry openly said that those earning their salaries from the Serbian budget could not work in Pristina's PISG or participate in election-related activities,⁷⁶ essentially forcing them to boycott the November polls.⁷⁷ The five existing Serb-controlled municipal authorities already serve as cover for Serbia's parallel government structures. After the elections, Belgrade loyalists envisage creating temporary councils to replace some or all the present ones. Strpce Serbs may try to create de facto new municipal

countermeasures to political and legal means on 4 December at a conference in Brussels. The same day, however, Belgrade television showed Premier Kostunica's adviser, Aleksandar Simic, arguing that "state interests are defended by war as well" and Bishop Artemije of the Serbian Orthodox Church (who presides at the Gracanica monastery in central Kosovo) asking for a pre-emptive "temporary mobilisation for a period of three days.... We would not be declaring war on anybody, we would only be showing that we are there to be reckoned with". On 5 December the DS responded in a statement: "At a time when Serbia has pledged itself as a factor of peace and stability in the negotiating process, Simic, in his role as...adviser, comes out with these menacing, dangerous comments that jeopardise Serbia's position before the Security Council, sending the message that warmongering was being conducted in Serbia". VIP Daily News Report, 5 December 2007; and "PM's adviser: Legal means include war", B92, 5 December 2007.

⁷² Personified in Minister of Defence Dragan Sutanovac and Army Chief of Staff Lt. Gen. Zdravko Ponos. Although not a member of the DS, Ponos is seen as "Tadic's man" from his own days as defence minister. He is very unpopular with the DSS. On several occasions after the 2007 parliamentary elections and before the coalition in Belgrade was formed, the press mentioned him as the one man the DSS wanted to remove before forming a coalition with the DS.

⁷³ Crisis Group interview, Pristina, 20 November 2007.

⁷⁴ The SNC claimed in mid-November that Albanian armed groups were preparing a major attack on the north, Milan Ivanovic and Nebojsa Jovic, press conference, north Mitrovica, 13 November 2007.

⁷⁵ A. Roknic "Rade Bulatovic: Nezavisnost Kosova vodi u oruzani sukob" ["The independence of Kosovo will cause armed conflict"], *Danas*, 2 November 2007.

⁷⁶ "Prorokovic – Rucker izvree cinjenice" ["Prorokovic – Rucker is twisting the facts"], B92, 13 November 2007.

⁷⁷ Probably the biggest reason even those Serbs who submitted lists failed to vote was fear family members would lose lucrative jobs in Serbian institutions.

⁶⁶ On 28 November 2007 Serb police arrested the Guard of Tsar Lazar's leader Hadzi Andrej Milic, after banning its gathering near Sveti Nikola monastery in the southern Serbian town of Kursumlija. Security studies professor Milan Mijalkovski characterised the self-proclaimed paramilitary body as "30 drunks", Crisis Group interview, Belgrade, 28 November 2007.

⁶⁷ See "ANA Preti Severu Kosova" ["ANA threatens northern Kosovo"], Tanjug, 16 October 2007.

⁶⁸ The Associated Press reported in "Ethnic Paramilitary Corps", op. cit., an ANA claim that it "patrolled all northern Kosovo towns bordering Serbia to prevent any Serb incursion into the area".

⁶⁹ The ANA, however, has a small hard core of experienced clandestine fighters and access to sophisticated weapons, so could cause mischief.

⁷⁰ Quoted in Nicholas Wood, "Serbia threatens to use force if West recognises Kosovo", *International Herald Tribune*, 5 September 2007. EU Enlargement Commissioner Rehn in effect conditioned the visit of Serbian Premier Kostunica to Brussels, scheduled for 12 September, upon satisfactory clarification of the Prorokovic statement.

⁷¹ I. Vuskovic, "Sutanovac – Vojska Nece Intervenirati na Kosovu" ["Sutanovac – The Army Won't Intervene in Kosovo"], *Danas*, 22 October 2007; I. Marinkovic "ANA i Sutanovac Plase Kosovske Srbe" ["AKSh and Sutanovac Scare Kosovo Serbs"], *Press*, 17 October 2007; and "Nezavisnost Kosova Neprihvatljiva" ["Kosovo Independence Unacceptable"], B92, *Beta*, 23 November 2007. Deputy Prime Minister Djelic (of the DS) repeated Serbia's assurance that it will restrict its

boundaries to exclude unwanted Albanian villages and demand that the Albanian municipal officials elected on 17 November withdraw to those villages.⁷⁸

Slobodan Samardzic, the minister for Kosovo and Metohija, said the election boycott would have no effect on the municipalities in which Serbs are the majority,⁷⁹ and Serbs in those areas would stay in power “through the formation of parallel institutions”.⁸⁰ As the announcement of official results approaches, there is pressure on UNMIK to decide what to do with Serb-majority municipalities.⁸¹ Belgrade is playing a waiting game,⁸² and the Serbs in Kosovo are following suit, saying they “are prepared to endure a bit of hardship until the local Serbian elections”,⁸³ and “if we can have parallel systems in education and health, why can’t we have parallel municipalities?...We are waiting for the Serbian election in February/March 2008”.⁸⁴

Belgrade is also continuing to divide Kosovo’s infrastructure.⁸⁵ In October several new transmitters of the Serbian state 064 mobile network appeared around

Pristina and Peja/Pec, creating difficulties for Kosovo’s legally licenced operators.⁸⁶ Serbia Telekom constructed a prominent new regional headquarters by the main bridge in Mitrovica. Pristina’s recent controversial step to register cars only of those who have paid-up electricity bills is grudgingly accepted by most Albanians (and has improved the payment rate) but many enclave Serbs, with Belgrade’s backing, have resumed using Serbian licence plates.⁸⁷

Belgrade officials have warned that they will fight a Kosovo declaration of independence with embargoes and boycotts,⁸⁸ possibly to include cutting electricity supplies to Kosovo and its international phone links, and preventing Kosovo Albanians from travelling through Serbia.⁸⁹ As so often with Belgrade’s Kosovo policy, the enclave Serbs would be among those hurt worst if electricity is cut or if a rumoured plan to shut Kosovo Serb schools in December comes to pass.⁹⁰

⁷⁸ Crisis Group interviews, Strpce, October 2007; see also Nazim Haliti, “Serbet e Shterpces me flamur te ri dhe me kerkese per dislokim e zyrtareve shqiptare” [“The Serbs of Strpce have a new flag and demand the removal of Albanian offices”], *Koha Ditore*, 16 November 2007.

⁷⁹ I. Vuskovic, “Samar Pregovarackom Timu” [“A Slap in the Face for the Negotiating Team”], *Danas*, 20 November 2007.

⁸⁰ This approach has led not only to further frustration in the international community but also to an outcry from Kosovo Serb leaders such as Rada Trajkovic, “Kosovo Serb leader: Boycott was catastrophe”, B92, 19 November 2007.

⁸¹ See footnote 54 for details of the decision made by SRSR Rucker on 5 December and initial reactions to it from sitting Kosovo Serb mayors.

⁸² There has been some dissent on policy. The G17+, a coalition partner, tried to break the boycott with municipal election candidate lists in the north of Kosovo, leading to a 16 November incendiary attack on the Zvecan home of G17+ Serbian parliament member Stojanka Petkovic, for which she blamed fellow Serbs. (Some argue that the attack was prompted by her son’s work in the UNMIK customs special investigation unit.)

⁸³ Crisis Group interview, Strpce, 25 October 2007.

⁸⁴ Crisis Group interview, Ranilug, 19 November 2007.

⁸⁵ Having been advised not to crack down on parallel structures during the “sensitive” status definition process, UNMIK has watched Belgrade take advantage of its passivity as the status process enters its third year, Crisis Group interview, UNMIK official, Pristina, 17 October 2007. In prior years, north of the Ibar UNMIK allowed, and in the major enclaves south of the Ibar Russian and Ukrainian KFOR contingents assisted, Serbian officials to disconnect telephone connections from Pristina’s network and reconnect them to Belgrade’s. In July 2007 Kosovo’s public PTK telecommunications provider eliminated the long distance 99 381 prefix hitherto required for its subscribers to phone these Serb areas of Kosovo and re-introduced “virtual” local numbers. Crisis Group interview, PTK core network director Shkelzen Cakaj, Pristina, 29 November 2007.

⁸⁶ Arbana Xharra, “Peja rrezikon te mbetet pa antenna te ‘Vales’” [“Peja risks losing ‘Vala’ antennas”], *Koha Ditore*, 19 October 2007. During 2005 and 2006 UNMIK restrained Kosovo authorities from dismantling unlicensed Serbian mobile telephone masts but “UNMIK is not causing problems anymore but the Kosovo authorities [officials of the telecommunications regulatory authority, TRA, the ministry of the environment and spatial planning and municipal authorities, especially Peja/Pec and Pristina] are taking bribes from the Serbian 064 Kosovo agents to be allowed to install pillars and antennas”, Crisis Group interview, Driton Halili, director of VALA mobile phone operator, 13 November 2007.

⁸⁷ Observation by Pristina’s KPS central station commander, regional security meeting, 2 October 2007.

⁸⁸ Serbia’s leaders have not made specific threats on the record, so far confining themselves to generalised warnings such as Foreign Minister Jeremic’s: “It would be difficult to expect...an uninterrupted flow of goods and services” between Serbia and Kosovo, Vladimir Radomirovic, “Jednostrana nezavisnost uvod u blokadu Kosmeta” [“Unilateral independence will lead to a blockade of Kosovo and Metohija”], *Politika*, 24 October 2007. In late November 2007 each Serbian government ministry was asked to prepare an action plan for dealing with a Pristina UDI.

⁸⁹ This was foreseen in an article by former U.S. ambassador to Belgrade William Montgomery, “Red Lines, Ultimatums, Threats and Promises”, *Danas* and B92, 17 and 18 November 2007. A Russian newspaper claimed that Belgrade prepared a plan including energy and trade blockades as early as September, see Pyotr Iskenderov, “Разговор окончен” [“The discussion is over”], *Vremya Novostei*, 29 November 2007. Media in Kosovo began debating possible trade and electricity blockades in late October. See Fatmir Aliu and Arbana Xharra “Nderkombetaret me kunderplane ne rast te bllokades ekonomike nga Serbia” [“Internationals have plans to counter a possible economic blockade by Serbia”], *Koha Ditore*, 1 November 2007. A European diplomat in Belgrade confirmed that Serbian officials are threatening all these steps, Crisis Group interview, Pristina, 29 November 2007.

⁹⁰ Because Belgrade has encouraged Kosovo Serbs not to pay their bills to Kosovo’s electricity provider, KEK, the enclaves

In Serbia itself Kostunica is threatening to hold presidential elections hostage to a decision on Kosovo,⁹¹ saying that a vote cannot be conducted while the country faces a major crisis (the loss of territory), and he has received at least tacit support on this from the Radicals.⁹² Tadic had hoped for elections before 10 December; Kostunica wants them after in the hope this would weaken Tadic. A post-independence election, however, could conceivably strengthen the Serbian Radical Party.⁹³

3. Growing regional agitation and instability

Delay on status resolution is being felt beyond Serbia and Kosovo. Since the mid-1990s, the U.S. and EU have sought to build a multi-ethnic polity in Kosovo while simultaneously suppressing any attempts to create a greater Serbia (still a temptation for official Belgrade) or greater Albania (for now, a cause reduced to a constituency of fringe extremists). But those agendas are re-emerging, the former in Bosnia, the latter in Macedonia. Russia is both backing and driving Serbia's hardline positions and trying to reassert influence in the region, which it had previously abandoned to the EU and NATO. Kosovo Albanian politicians hope that the April 2008 NATO summit will extend membership to Albania and Macedonia and worry that if it does not, the region will be vulnerable to further instability and Russian inroads.⁹⁴

Belgrade has stirred the pot in Bosnia and Herzegovina, where tensions have risen to the point that its unity and the Dayton Peace Accords are threatened. Bosnia's Serbs, with backing from Moscow and Belgrade, have used High Representative Miroslav Lajcak's 19 October 2007 imposition of amendments to the Law on the Council of Ministers to create a political crisis. Although the measures,

already are suffering deep cuts under that entity's scheme which distributes power shortages in accordance with each micro-district's payment record, privileging regular (zone A) payers and penalising (zone C) defaulters. Any further shortages occasioned by a Serbian electricity blockade would fall most heavily on the C zones.

⁹¹ Serbia's constitution clearly states that the elections have to be held before the end of the year.

⁹² "Sporan datum izbora, a ne ustavni zakon" ["The date of the election is disputable, but not the constitution"], *Politika*, 1 November 2007.

⁹³ Belgrade has previously used election timing successfully to forestall international action over Kosovo, most notably in late 2006 and early 2007, when the international community delayed presentation of Ahtisaari's proposals to allow Serbia to hold a constitutional referendum and parliamentary elections. The concern was that Ahtisaari's proposals would increase support for the Radicals. See Crisis Group Europe Briefings N°46, *Serbia's New Government: Turning from Europe*, 31 May 2007; and N°44, *Serbia's New Constitution: Democracy Going Backwards*, 8 November 2006.

⁹⁴ Crisis Group interviews, Pristina, October-November 2007.

designed to prevent ethnic groups from blocking government work by boycotts, had nothing to do with the accords, Republika Srpska (RS) Premier Dodik claimed they violated Dayton principles; the RS threatened to withdraw from central government institutions unless they were rescinded. Council of Ministers President Nikola Spiric resigned, and Dodik announced opposition also to the Office of the High Representative (OHR) and its use of Bonn powers.⁹⁵ Belgrade and Moscow supported Dodik. Russian Ambassador Konstantin Shuvalov claimed Moscow was not consulted by Lajcak; Deputy Foreign Minister Titov called for the OHR's closure; and Foreign Minister Lavrov called Lajcak's imposition "illegal".⁹⁶

Belgrade went further; Kostunica for the first time publicly linked Resolution 1244 with the Dayton Accords, implicitly threatening Bosnia's territorial integrity in the process by claiming that Lajcak's measures "had the goal of destroying [Resolution] 1244 and the Dayton Accords, that is, [the goal of] unilateral independence of Kosovo and the abolition of Republika Srpska",⁹⁷ and elevating RS's status to a national priority on a par with Kosovo.⁹⁸ In a joint demarche, France, Germany, Italy, the UK and U.S. protested this escalation of tensions in Bosnia, Belgrade reacted defiantly, and the crisis could escalate in December, when Lajcak is expected to impose new measures affecting the state parliament's rules of procedure.

In successive declarations, the latest on 29 September, ethnic Albanian politicians in Serbia's Presevo Valley have linked the valley's future to Kosovo's status, insisting on uniting

⁹⁵ The Bonn Peace Implementation Council (PIC) summit gave the High Representative the power to directly impose legislation, thus awarding international officials both executive and legislative control over the formally independent state. The OHR was mandated to enact "interim measures" against the wishes of elected state, entity, cantonal and municipal elected bodies, with its decrees to remain in place until formally assented to by the relevant level of government. The "Bonn powers" also enable the High Representative to dismiss elected representatives and government officials held to be obstructing the OHR's task of implementing the Dayton Accords. Bonn PIC declaration, 10 December 1997, Article XI.2. See for background Crisis Group Europe Report N°180, *Ensuring Bosnia's Future: A New International Engagement Strategy*, 15 February 2007.

⁹⁶ P. Klincov, "Lavrov: Lajcakove mere nezakonite" ["Lavrov: Lajcak's Measures Illegal"], *Nezavisne Novine*, 15 November 2007; "Rusija za ukidanje OHR-a" ["Russia wants to scrap OHR"], *Nezavisne Novine*, 22 October 2007; and "Suvalov: stavovi Rusije nisu ni uzeti u obzir" ["Suvalov: Russia's stance not taken into account"], *Nezavisne Novine*, 23 October 2007.

⁹⁷ "Prepirka Kostunica-Lajcak o RS" ["Kostunica and Lajcak quarrel about RS"], B92, 25 October 2007.

⁹⁸ Boro Maric "Srbija podrzava Srpsku" ["Serbia supports the Republic of Srpska"], *Politika*, 26 October 2007.

their territory with Kosovo should the latter be partitioned.⁹⁹ Serbia has augmented its security presence there, heightening local Albanians' insecurity.¹⁰⁰ Albania itself is not problematic, though around the time of Prorokovic's comment, its leadership quietly called on the army to heighten readiness for the post-10 December period.¹⁰¹ In mid-September Defence Minister Fatmir Mediu stressed to a Kosovo newspaper that Albania is a factor for regional stability and would do nothing without NATO's blessing¹⁰² but some in Tirana are calling for a "more aggressive" stance on Kosovo's independence.¹⁰³ Several political parties and civil society organisations organised a rally for that cause in the centre of Tirana on 15 November. Nevertheless, Albania will be careful to limit its involvement.

Macedonia is more exposed. The Kosovo status issue is used as a pawn in the fierce rivalry between the country's ethnic Albanian parties. The opposition (and largest Albanian party) Democratic Union for Integration (BDI) was embarrassed in early 2007 by the involvement of its presidency member, parliamentarian and veterans leader, Fazli Veliu, in bussing supporters across the border to demonstrations in Pristina by the radical group Vetevendosje. On 19 October the junior government coalition partner, PDSH, organised a demonstration of several thousand in Tetovo, calling for "independence for Kosovo [and] Macedonia in NATO".¹⁰⁴ On 26 October, Ali Ahmeti, the BDI leader, cautioned that Macedonia could find itself in a situation similar to the separatist crisis of 2001 unless it resolved the problems facing ethnic Albanians.¹⁰⁵

The security environment in mountainous northern Macedonia, bordering Kosovo, is of particular concern.

The Albanian armed groups, which enjoy free rein in what is a no-go area for government security forces, are a mix of former National Liberation Army guerrillas from the 2000-2001 insurgency, pan-Albanianists who claim to be part of the ANA/AKSh, Islamists, smugglers and bandits. Some are from Kosovo, including several who escaped from its Dubrava prison in mid-August 2007 (one of those, Xhavid Morina, aka Commander "Drenica", was shot dead in an exchange between rival gangs on 1 November).

Serbia's Tadic, visiting the Medveda military base near Kosovo on 9 October, reiterated a complaint that Kosovo Albanian guerrillas were gathering in northern Macedonia "for attacks on southern Serbian municipalities".¹⁰⁶ By late October there were daily reports of vehicle checkpoints and firefights with police and with each other. On 7 November Macedonian police mounted a major operation in villages north of Tetovo against a band led by Lirim Jakupi, a Dubrava escapee. Six Albanian fighters were killed, thirteen arrested, large quantities of weapons – including handheld anti-aircraft missile launchers, numerous mortars and anti-tank recoil-less rifles – were seized, several cars crushed, and two houses and a mosque damaged.

After Morina's death, the PDSH charged the BDI's Ahmeti with involvement.¹⁰⁷ In the wake of the 7 November police operation, BDI spokesperson Ermira Mehmedi accused the PDSH's senior government coalition partner, the ethnic Macedonian VMRO-DPNE, of attacking the Albanian population.¹⁰⁸ After initial uncertainty, Albanian sentiment in the region has become sympathetic to the dead fighters, despite their criminal records and large captured arsenal. Since 7 November, Albanian fighters have been observed around the borders of the Presevo Valley.¹⁰⁹

⁹⁹ See Crisis Group Europe Report N°186, *Serbia: Maintaining Peace in the Presevo Valley*, 16 October 2007.

¹⁰⁰ See "Halimi: Militarizimi i Lugines po i getoizon shqiptaret" ["Halimi: Militarisation of the valley is ghettoising Albanians"], *Koha Ditore*, FoNet, 27 November 2007.

¹⁰¹ Crisis Group interviews, diplomat, October 2007 and Tirana-based analyst, November 2007. See also Drilon Zogaj and Naim Sadiku, "Shqiperia alarmohet" ["Albania on guard"], *Lajm*, 11 September 2007.

¹⁰² Valmir Klaici and Naim Sadiku, "Te bashkuar kunder kercenimit Serb" ["United against the Serb threat"], *Lajm*, 14 September 2007.

¹⁰³ "Moisiu per politiken shqiptare dhe Kosoven", BBC Albanian Service, 14 October 2007.

¹⁰⁴ This was done in coordination with Kosovo authorities: party leader Menduh Thaci visited Kosovo to discuss his plans with President Sejdiu and Prime Minister Ceku the day before.

¹⁰⁵ "Does Macedonia face 2001-style crisis?", *RFE/RL Newsline*, vol. 11, no. 200, 29 October 2007. Inter-ethnic tensions and doubts about further implementation of the Ohrid process have been exacerbated by a recent constitutional court decision restricting the flying of the Albanian flag on municipal buildings; two ethnic Albanian judges resigned in protest at the decision.

¹⁰⁶ "Tadic u poseti Administrativnoj liniji" [Tadic tours administrative boundary], B92, 9 October 2007. He first voiced concern about Albanian guerrillas in northern Macedonia in meetings at the UN General Assembly, telling the BBC he had briefed Russian Foreign Minister Lavrov, see "Daily News Report", *VIP*, 28 September 2007. In a strange episode in early November, KFOR rejected a Serbian army claim that it had tipped off the NATO force that "a paramilitary group was planning to stage a fake [Serbian Army] attack on Kosovo" in the vicinity of Presevo, Bujanovac and the Macedonian border, resulting in KFOR confiscating some Yugoslav army uniforms.

¹⁰⁷ Menduh Thaci, "Partia e Ali Ahmetit ka vrases profesionist" [Ali Ahmeti's party has professional murderers], *Zeri*, 3 November 2007. Yet, an analyst in Skopje noted that the Agim Krasniqi group thought responsible for Morina's death has links with the PDSH, Crisis Group interview, Skopje, 19 November 2007.

¹⁰⁸ Telephone interview, KTV evening news, 7 November 2007. VMRO-DPNE is the Internal Macedonian Revolutionary Organisation-Democratic Party for Macedonian National Unity.

¹⁰⁹ Crisis Group interviews, Pograxha, Bilinca and Mucibaba villages, 25 November 2007. Some from these border villages recounted seeing and talking with a group of ten to twenty men in

III. TRANSITION TO CONDITIONAL INDEPENDENCE

It is evident that the Troika process will not find a compromise solution for Kosovo that Pristina and Belgrade can accept. Consequently, the EU and U.S. must prepare for Kosovo's conditional independence. Further delay would increase the entity's fragmentation and regional instability and do nothing to strengthen EU unity or help build consensus in the Security Council. If the delicate transition is to be carried out without risk of serious violence, its supporters need to move quickly after 10 December and coordinate closely.

A. OPTIMAL STEPS

EU unity is as solid now as it is likely to get; the pro-Ahtisaari plan majority on the Security Council may wither from January 2008 with the rotation of five non-permanent members; Kosovo's new government would have difficulty justifying to its electorate going along with a postponement of independence beyond the first quarter of 2008 and could then face challenges from irregular armed groups. Hesitation in Brussels and New York could drive Pristina to UDI, quite possibly slipping away from its commitment to the Ahtisaari plan and international supervision in the process.

The optimal scenario is for agreement by the Quint and Pristina on May 2008 as the target for independence on the basis of the Ahtisaari plan, at which point the U.S., the UK, France, Germany, Italy and others would recognise the new state. Setting the target that far into the new year is justified by the need for a four-month (120-day) transition (a concept envisaged by Ahtisaari) in which the new international presences would deploy to Kosovo and prepare to take over most responsibilities from UNMIK. The EU and NATO appear increasingly prepared to provide those presences, and the UN Secretariat seems ready to welcome the EU if it acts resolutely. The timeline would be as follows.

In December 2007

- ❑ On or about 10 December the Contact Group submits a factual report on the Troika process to UN Secretary-General Ban Ki-moon.
- ❑ The European Council (heads of EU states and governments) at its 14 December summit or the

black uniforms, armed with AK47s. The villagers were anxious and insecure about what will happen in coming months, feared incursions from Serbian security forces and favoured the illegal armed presence.

EU General Affairs and External Relations Council (GAERC, foreign ministers) concludes that further Belgrade-Pristina negotiations would serve no constructive purpose; the Troika process, therefore, is ended; and the EU is ready to assume responsibilities in Kosovo based on the Ahtisaari plan.

- ❑ Ban Ki-moon transmits the Troika report to the Security Council and affirms – preferably in a formal communication, alternatively in a public statement – that the Troika negotiations having been unable to produce an agreement between the parties, the Ahtisaari plan continues to offer the right elements for a fair and sustainable solution of Kosovo's status and is the best way forward; and he welcomes the EU's willingness to take on new responsibilities with rule-of-law and ICO missions to assist in the implementation of Resolution 1244.
- ❑ The Security Council convenes before the end of December, and a majority, including its EU member states, express support for the Ahtisaari plan and for the deployment of the rule-of-law and ICO missions planned by the EU and other participating states.
- ❑ Kosovo completes formation of a new government and identifies the institutions to lead the independence process.

In January 2008

- ❑ Kosovo authorities make a formal statement of intention to declare independence in May 2008, explicitly confirming their complete acceptance of the Ahtisaari plan, and invite the EU and other participants to deploy the rule-of-law and ICO missions.
- ❑ The Contact Group – or, if Russia is unwilling to participate, the Quint – the EU and the UN Secretariat consult on and determine the exact configuration and chain of command of the ICO, form its International Steering Group (ISG) and reach agreement on such responsibilities as UNMIK may retain once the new missions are operative.
- ❑ Kosovo's leadership, working with EU and U.S. envoys, undertakes intensive outreach to the Serb areas, promising early action to create the Gracanica and Ranilug municipalities and engaging with communities not included in the projected Ahtisaari municipalities.
- ❑ The NATO mission (KFOR), UNMIK Police and the Kosovo Police Service (KPS) prepare and execute a security plan to prevent violence north

of the Ibar River and to protect Serb and Albanian enclaves south and north of it respectively.

The four-month transition period (January- May 2008)

- ❑ the EU GAERC adopts language “noting” Kosovo’s statement of intent; authorising EU bodies such as the Commission to establish contractual relations with its government; agreeing to contribute to an ICO; and adopting Joint Actions to deploy a rule-of-law mission pursuant to the European Security and Defence Policy (ESDP) and an EU Special Representative (EUSR) to be double hatted as head of the ICO.
- ❑ The ICO is operational from the outset; the EUSR formally assumes his role at the end of the period.
- ❑ The rule-of-law mission builds up on the ground so as to take over from UNMIK, together with Kosovo’s indigenous law enforcement structures, at the end of the period.
- ❑ Kosovo’s assembly passes the entire package of state-forming legislation mandated in the Ahtisaari proposal, to take effect from May 2008, and works with the ICO on creating new Serb-majority municipalities as per the Ahtisaari plan.
- ❑ The NATO Council approves KFOR’s redefinition as the International Military Presence, authorising it to create and prepare an indigenous Kosovo Security Force.

May 2008

- ❑ Kosovo formally declares independence, again making clear its commitment to the provisions of the Ahtisaari plan.
- ❑ The Quint, EU members and others recognise the new state.

B. RE-EVALUATING 1244

As there is little or no chance for passage of a successor Security Council resolution, 1244 will remain in force. This presents some tricky issues that can be dealt with satisfactorily but only if the Quint, the EU, NATO and Secretary-General Ban Ki-Moon demonstrate political resolve to treat that resolution as at least not inconsistent with the deployment of the new international missions and act accordingly. Nor, as explained further below, should any state feel inhibited by the continual existence of 1244 from in due course recognising Kosovo’s independence.

Resolution 1244 has both authorised and restricted development of Kosovo self-government. It reiterates Yugoslav (now Serbian) sovereignty over Kosovo for the

interim period pending determination of final status and mandates “substantial autonomy and meaningful self-administration”, stipulating that “negotiations between the parties for a settlement should not delay or disrupt the establishment of democratic self-governing institutions”. In practice, UNMIK and the special representative of the UN Secretary-General (SRSG) have operated a protectorate, while overseeing development of provisional democratic self-governing institutions (the PISG). Resolution 1244 also mandates UNMIK to oversee transfer of authority from those provisional institutions (not itself) to institutions established under a political settlement.¹¹⁰ Notwithstanding the build-up of Kosovo’s provisional government – from ten ministries in early 2002 to today’s fifteen (lacking foreign affairs and defence) – however, the prevailing interpretation of 1244 has stopped the transfer of core powers without a political settlement.¹¹¹

Serbia and Russia can be expected to take a hard line on EU efforts to become the core replacement institution of UNMIK, since they are aware that the intent is to ease Kosovo’s way to an independence they strongly oppose. Russia will not allow 1244 to be revoked, and both capitals threaten repercussions for EU member states which recognise Kosovo, though they have not clearly said what these would be.¹¹²

Planners for the rule-of-law mission have made several encouraging visits to Belgrade in 2007 but officials preparing the ICO only joined these at mid-year and met a more difficult reception. Foreign Minister Vuk Jeremic stated on 29 October, and Kostunica confirmed on 9 November that Serbia will only accept EU missions in Kosovo with a new Security Council resolution.¹¹³ Russia’s Troika representative, Botsan-Kharchenko, likewise claimed on 30 November that EU missions would be illegal without one.¹¹⁴ At the 30 November Ministerial Council of the Organisation for Security and Cooperation

¹¹⁰ For more on Resolution 1244, see Crisis Group Report, *Breaking the Kosovo Stalemate*, op. cit., p. 1 and fn. 7; also, Crisis Group Europe Reports N°108, *After Milosevic: A Practical Agenda for Lasting Balkans Peace*, 2 April 2007; N°124, *A Kosovo Roadmap (I): Addressing Final Status*, 1 March 2002; and N°161, *Kosovo: Toward Final Status*, 24 January 2005.

¹¹¹ UNMIK retained a core of reserved powers in the still operative “Kosovo Constitutional Framework” it issued in 2001.

¹¹² Crisis Group interview, Russian diplomat, Brussels, November 2007.

¹¹³ See Zeljka Jevtic, “EU moze doci na Kosovo samo novom rezolucijom” [“Only a new Resolution can bring the EU to Kosovo”], *Blic*, 29 October 2007; “Misija EU tek posle dogovora Beograda i Pristine” [“EU Mission only after Belgrade-Pristina agreement”], *Blic*, Tanjug, 9 November 2007.

¹¹⁴ “Harchenko: Bez mandata UN misija EU ilegalno na Kosovu” [“Without a UN mandate an EU mission is illegal in Kosovo”], *Blic*, Tanjug, 30 November 2007.

in Europe (OSCE), Serbia opposed a statement on continuation in 2008 of the Kosovo OSCE mission, which is currently the democratisation and institution-building pillar of UNMIK. The EU is counting on the several hundred OSCE mission staff to do much of the ICO's post-independence field monitoring. Russia and Serbia could kill the mission when the OSCE Permanent Council meets in late December or keep it on a short rein by agreeing only to a renewable three-month extension.

The EU also faces difficulties with respect to Resolution 1244 in its own ranks. Any perceived lack of legal clarity creates a potential problem in Germany, for example, where the opposition Green Party might bring a constitutional court action against the federal government if it deploys personnel in a rule-of-law mission that is not based on the authority of a Security Council resolution. Ireland might have a similar problem with its KFOR deployment. Some nervousness has also been expressed by Swedish officials on the issue of legal authority.

The growing recognition that stability in the Western Balkans requires the EU and NATO to play significant roles in a post-UDI Kosovo is consequently now driving an effort to develop an interpretation of 1244 which will be widely accepted as offering a basis for NATO to continue, the EU to undertake new responsibilities,¹¹⁵ and a skeleton UNMIK to continue to handle certain specific functions.¹¹⁶

Crisis Group believes that 1244 can indeed be read in this manner, and as a licence for a more dynamic process, in which once the Kosovo government is stood up, it is allowed to govern essentially independently, even in the

absence of a final political settlement. The Secretary-General's 28 September 2007 quarterly report on Kosovo broke new ground, stating that "UNMIK has largely achieved what is achievable under [R]esolution 1244", and further prolongation of the status process "puts at risk the achievements of the United Nations in Kosovo since June 1999". It added that "in the light of the new phase of negotiations" and "in line with longstanding policy on the transfer of responsibilities and in accordance with Resolution 1244", UNMIK is contracting into a monitoring and mentoring role with respect to the provisional institutions, while continuing to protect minority rights and exercising executive authority in some areas.¹¹⁷ Implicitly, in other words, Ban was preparing the rationale for UNMIK's replacement.

Resolution 1244 "authorises the Secretary-General, with the assistance of relevant international organisations, to establish an international civil presence in Kosovo".¹¹⁸ Until now, this has been UNMIK. In view of the changed circumstances alluded to by the Secretary-General in his 28 September report, however, it would be perfectly appropriate to conclude that the authorisation covers deployment of the new EU-led missions to assist or even replace UNMIK in carrying through the process of preparing Kosovo for self-government.¹¹⁹

With Russia likely to resist such an interpretation of 1244, EU and NATO officials are contemplating what one official described as "concurrent, composite foundations for mission mandates and powers".¹²⁰ EU mission mandates would be based both on an invitation from Pristina, associated with its statement of intention to declare independence, and a parallel indication that the UN Secretary-General welcomes the EU's intention to deploy missions to work with UNMIK in order to continue 1244 implementation.

¹¹⁵ See Augustin Palokaj, "1244-shi nuk e pengon pavaresine" ["1244 does not prevent independence"], Koha Ditore, 1 December 2007. The Brussels-based correspondent cited several EU diplomats' reference to a legal opinion submitted to the Quint and EU partners by the UK.

¹¹⁶ For example, UNMIK might need to continue servicing and even issuing travel documents since a new Kosovo passport might not be accepted by all the countries that currently recognise the UNMIK travel document. Serbia does not currently recognise the UNMIK travel document (making exception only for official visitors and by prior arrangement) and insists that Kosovo citizens use the expensive Serbian passport, which it sells to Albanians through offices in the enclaves. Serbia could decide to invalidate the 300,000 or more passports currently held by Kosovo Albanians if it introduces biometric passports as planned in 2008, and may face difficulty in securing EU visa liberalisation if it continues to sell passports to many persons it cannot vouch for. Since Belgrade will not recognise the passport of an independent Kosovo, it might settle upon the UNMIK travel document as the means for Kosovo Albanians to travel in Serbia post-independence. Serbia has disrupted regional forums when PISG rather than UNMIK officials attempt to represent Kosovo. UNMIK may, therefore, need to continue an intermediary role.

¹¹⁷ "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo", UNSC S/2007/582, 28 September 2007, at www.un.org/Docs/sc/sgrep07.htm.

¹¹⁸ "[I]n order to provide an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, and which will provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo", Resolution 1244, UNSC S/RES/1244, 10 June 1999, para. 10.

¹¹⁹ The threat by Serbia, encouraged by Russia, discussed above to veto continuation of UNMIK's OSCE democratisation and institution-building pillar strengthens the case for UNMIK's reinforcement by the EU.

¹²⁰ Crisis Group interview, international official, Pristina, 25 September 2007.

Ban Ki-moon is central to this strategy. He has broad authority under Resolution 1244 to manage UNMIK but he is obliged to consult, when appointing a special representative, with the Security Council, where each of the five permanent members (the P-5) can veto. While Russia could thus block an appointment it considered unsuitable or any attempt to revoke 1244, it does not have authority to block a reinterpretation by the Secretary-General unless it can rally the votes to pass a resolution of instruction. When he transmits the Contact Group report on the Troika process after 10 December, or in a subsequent public statement, Ban needs to reiterate support for the Ahtisaari plan and assert that deployment of the planned EU missions is required to facilitate further implementation of 1244.

Ban would be highly unlikely to take the risk of offending Russia by such a disregard for its wishes, however, without very strong backing from other P-5 members, a strong majority of the entire Council and the EU as a body.¹²¹ In particular, the EU would need to show that it was prepared to take up its new responsibilities vigorously and provide him political cover with Moscow. A complicating factor is that the Council will have five new members from January 2008: Libya, Vietnam, Burkina Faso, Costa Rica and Croatia. Since all but Croatia have little knowledge or experience of the Kosovo issue, their positions are uncertain. It would thus be preferable to seek positive statements on the new international missions in December 2007, while the current Council is in session.

Some have suggested that the Secretary-General should cite security risks to justify standing UNMIK down and inviting the EU in. This would imply, wrongly, that the mission has been a failure and would damage the UN's prestige and consequently its ability to deal with other crisis situations. If Ban does summon the political will to act, the emphasis should be on what UNMIK has accomplished, the degree to which, consistent with a dynamic interpretation of 1244, Kosovo has achieved the capability of substantially governing itself even without a political settlement – a message of mission complete (or nearly so), rather than mission impossible.

All this would not end legal, political and practical difficulties. Moscow could make difficulties with efforts actually to withdraw UNMIK or to allow it to wither away. Russia and Serbia would retain options for retaliating against an independent Kosovo and those who recognised it, and no doubt will claim that it is against international law for any state to recognise Kosovo so long as Security Council Resolution 1244 stands, since it acknowledges the sovereignty of the Federal Republic of Yugoslavia

(to which Serbia has succeeded after Montenegro's secession in 2006).

But there is no reason why any state should feel inhibited by the continued existence of Resolution 1244 from recognising Kosovo's independence. Resolution 1244 does not, in its terms, guarantee Serbia's continued sovereignty until such time as the Security Council explicitly recognises this as vested in another entity. It provides rather simply for a "political process" to "determine Kosovo's future status". No doubt it was envisaged originally that the political process in question would be a negotiation of some kind producing a result ultimately endorsed by the Security Council. That has not, however, proved possible. The political process that does now look like determining Kosovo's status in international law is its likely recognition by a large number of states. That recognition may not be sufficient in itself to give Kosovo some of the other attributes that normally flow from statehood, in particular a UN seat (which depends on UN Security Council endorsement and thus is subject to a veto by a P-5 state), but it is effective as a matter of international law to accomplish Kosovo's independence.

None of the issues relating to the proper interpretation and application of Resolution 1244 are easy or uncontroversial. "You have to have a degree of schizophrenia to live with the solution we now see coming", an EU official admitted.¹²² That is a cheaper price to pay, however, than what would come due if the international community tried to ignore the requirement for decisive action.

C. ORCHESTRATING THE CHANGE

A smooth transition to Kosovo's conditional independence requires a range of actors to make the right moves at the right time and in a coordinated fashion. The Quint has to prepare the path for the EU but both will depend critically on the UN Secretary-General and Pristina authorities for support.

EU High Representative Javier Solana said recently that EU missions "will be ready to be deployed from the moment the [UN] Secretary-General decides it is time to move from UNMIK to another type of mission".¹²³ However, the UN Secretariat will not take steps to dismantle UNMIK, or to invite the EU to support the UN mission, until it receives a more unequivocal signal of EU intentions than has yet been provided.¹²⁴ Only when that is given is there a prospect that the Secretary-General will make some form

¹²¹ Crisis Group interview, UN staff, New York, November 2007.

¹²² Crisis Group interview, EU official, Brussels, 2 October 2007.

¹²³ "EU must be ready to replace UN in Kosovo in December: Solana", Agence France-Presse, 3 October 2007.

¹²⁴ Crisis Group interview, UN official, 4 October 2007.

of request that would in turn give the EU the foundation in Resolution 1244 that its more hesitant member states need.

Once they have a clear indication that Ban Ki-moon welcomes their role and a Pristina invitation, EU member states will need to take collective decisions in Council to deploy the ICO and ESDP rule-of-law missions and authorise continuing European Commission assistance to Kosovo pursuant to its membership aspirations. All this can be done, to the extent necessary, with reference to Resolution 1244 but the sceptics such as Greece, Cyprus, Romania and Slovakia will need to content themselves with expressing any remaining unease through the device of constructive abstention (pursuant to Article 23 of the Treaty on European Union) rather than veto.

A substantial EU majority, at least 20 of the 27 member states and including the EU Quint members, must be prepared to recognise Kosovo quickly after it declares independence. Recognitions need not be simultaneous but should be coordinated within a tight time frame so as to mobilise a critical mass of EU support and minimise instability on the ground. Missions can be deployed before a critical mass even of recognition pledges is secured but they are ultimately unlikely to succeed in implementing their tasks if there is the kind of fundamental division within the EU that failure to get a substantial majority of states to recognise would represent.

Planning for the ICO, projected as a multinational body with the EU at its core, should be stepped up. Pristina needs its advice and support to meet the expectations the Ahtisaari plan sets for the 120-day transition period. An EU ICO planning team (ICO-PT) (supplemented in recent months with U.S. and Swiss personnel) has been active in Kosovo for over a year, currently 50-strong and expanding to 80 by early February, but hesitancy is still apparent in Brussels. The ICO fits more awkwardly with conservative interpretations of Resolution 1244 than the rule-of-law mission because it would have a political mandate to oversee Kosovo's supervised independence. If a significant number of EU states do not recognise Kosovo, it may be difficult for an EU-led institution to support Kosovo's first independent steps effectively, including setting up functional state institutions and integrating Serb areas, particularly the north. Contingency planning, therefore, might consider alternative administrative arrangements, such as an ICO run by the Quint states. But a prompt EU decision to follow through on its planning and deploy the ICO (with U.S., Swiss and possibly Canadian support) is preferable and attainable.¹²⁵

NATO accepts KFOR can remain in an independent Kosovo under Resolution 1244 but it began only in October to consider what to do if national contingents are withdrawn by governments which do not recognise the new state. KFOR, UNMIK Police, KPS and Pristina are not yet agreed on a security plan.¹²⁶ KFOR sees UNMIK Police's vital role as being ready to take over police stations north of the Ibar, which Serb KPS personnel are expected to desert. KFOR is expected to secure roads, bridges and Albanian enclaves in the north and the boundary with Serbia.¹²⁷ KFOR and the KPS doubt that UNMIK Police will be sufficiently committed in the north, while KFOR will not be drawn into the police work of making arrests. South of the Ibar KFOR wants to direct the KPS in the work of protecting the Serb enclaves but UNMIK Police has formal command over it¹²⁸ and wants operational primacy until and unless it decides deteriorated security obliges a handover to KFOR.¹²⁹ There is need to make certain that EU member states do not weaken UNMIK Police in the crucial first days and weeks of transition after Pristina's statement of intent by holding back personnel for the rule-of-law mission, and that gaps in its ranks do not arise should countries unwilling to accept Kosovo's independence withdraw their contingents.

To ensure that Kosovo's newly elected government cooperates so that the independence exercise is coordinated rather than unilateral and is based upon the Ahtisaari plan, the Quint should intensify communication with it.¹³⁰ Thaci,

hill on Pristina's outskirts. In his address Lehne stressed the ICO-PT's EU identity, insisted "we are here to stay" and even proposed affixing the EU's distinctive circle of yellow stars to the façade.

¹²⁶ Neither UNMIK Police nor KFOR have involved the PISG in such discussions.

¹²⁷ See Aleksandar Vasovic and Krenar Gashi "NATO, UN to Get Tough in Kosovo", *Balkan Insight*, BIRN, 19 November 2007, for an account of likely KFOR and UNMIK security planning for northern Kosovo.

¹²⁸ Crisis Group interviews, KFOR, UNMIK and KPS officials, Pristina, October-November 2007.

¹²⁹ Crisis Group interview, senior UNMIK Police official, Pristina, 4 December 2007. He stressed that it would be damaging for Kosovo's future if KFOR swept the police aside, and that UNMIK should be able to decide both when to call KFOR in to deal with violence when to resume primacy. KFOR's different view may be a factor of a complex, multinational chain of command which makes it more comfortable with fixed arrangements than flexible adjustments, even though a KFOR takeover north of the Ibar would appear to lend plausibility to Kostunica's recent accusations that an independent Kosovo would be a NATO client state.

¹³⁰ President Sejdiu told the visiting Irish foreign minister, Dermot Ahern, that after 10 December 2007, Kosovo will make a "CDI" (Coordinated Declaration of Independence) rather than a "UDI", television news broadcast, 9 November 2007. U.S.

¹²⁵ On 29 November the EU Council Secretariat's director general for External and Politico-Military Affairs Stefan Lehne and President Sejdiu formally opened the ICO-PT's new headquarters in a blue glass façaded building prominent on a

who is likely to become prime minister, and Sejdiu, who will probably remain president, say they will work with the Quint. Indeed, Thaci's PDK is already seeking such contact, envisages joint drafting of a process roadmap with key capitals and would like fully-authorised ICO officials to begin work with it as soon as the new government is ready.¹³¹

Which domestic bodies will drive Kosovo's independence effort is yet to be determined; Thaci and Sejdiu cannot do it alone.¹³² The Unity Team of Kosovo politicians, which has done much of Pristina's planning to date, is now a lame duck, since it includes officials who are leaving office (the prime minister and assembly president) and the leader of a party which did not reach the 5 per cent electoral threshold for inclusion in the new parliament (ORA's Vetron Surroi) but not the leaders of three other parties that did: Isufi, acting head of the Alliance for the Future of Kosovo (AAK); Pacolli of the Alliance for a New Kosovo's (AKR); and Daci of the Democratic League of Dardania (LDD). The Kosovo Assembly will become a more important forum for reaching consensus on status steps but its new composition of five Albanian party blocs (there were four after the 2004 elections) will make this harder. Coalition negotiations may be difficult and delay government formation until January (PDK and LDK rank and file are split on whether the other is an acceptable partner).¹³³

and EU diplomats have increasingly used the "CDF" terminology in recent weeks.

¹³¹ Crisis Group interviews, Pristina, 24 November 2007. Collaboration between ICO-PT, U.S. and PISG officials on preparing the Ahtisaari legislation was dynamic until the Security Council process broke down in July 2007. From Pristina's point of view, the U.S. and EU officials then: "realised they had been working without clear procedures", because "they needed to buy time". In recent months the ICO-PT "has been confusing and sometimes anaemic... talking to us more about the procedures than the laws". Crisis Group interview, senior member of the PISG government, Pristina, 5 December 2007.

¹³² Not least because many see them as beholden to the U.S. diplomatic liaison office in Pristina.

¹³³ Mayoral run-off elections in 24 of Kosovo's 30 municipalities scheduled for 8 December 2007 present a first hurdle. The PDK could win up to nineteen, yet many members are threatening to boycott their own candidates if the party leadership seeks a coalition with the LDK. There are similar pressures within the LDK, which may extend to its senior ranks. Both leaderships are avoiding any public coalition overtures. Nevertheless, with the U.S. diplomatic liaison office signalling its distaste for a government coalition that includes Daci's LDD or Pacolli's AKR, parliamentary mathematics almost oblige the PDK and LDK to be at the core of the future governing coalition. The LDK will try to leverage this limitation on the PDK's choice to gain a bigger share of posts. The PDK has already made pre-emptive counter-moves by nurturing public debate over whether the LDK's Sejdiu can validly remain president until 2009, given his party's poor election showing, and by striking a coalition

Kosovo should declare independence in a way appropriate both to the conditional nature of that independence and to a managed transition during which EU missions step up and UNMIK steps down. It should announce the beginning of a process in January 2008 which leads to independence on the basis of the Ahtisaari plan after 120 days – in May 2008. That statement of intent should include an invitation with immediate effect to the international presences stipulated in the plan and a schedule for adopting the entire package of Ahtisaari laws before May. This action should in turn stimulate the U.S. and the EU and NATO and their member states both to build up and consolidate the intended presences on the ground and to pledge recognition in May (on condition Pristina abides by the Ahtisaari plan during the 120-day transition). The process would avoid a sudden UDI and immediate security crisis and give countries where recognition may ignite controversy a breathing space after deployment of the new missions to prepare public opinion.

Pristina is still unprepared for independence.¹³⁴ After an energetic few months in early 2005 under then Prime Minister Ramush Haradinaj, its government has gradually lost direction and cohesion, corruption has grown and the public has become alienated.¹³⁵ The incoming prime minister needs to reverse these trends and appoint technically competent ministers and senior civil servants if his administration is to be equal to the challenges. First indications are not promising; PDK-affiliated agents are already pressuring management of the profitable public telecommunications monopoly PTK to give them control of big tenders.¹³⁶ Thaci has yet to focus on planning independence moves.¹³⁷

agreement with the AKR for the mayoral run-off elections. PDK leader Thaci has ruled out Haradinaj's AAK as a coalition partner: rivalry between these two Kosovo Liberation Army successor parties has in recent years eclipsed the older deep rivalry between the PDK and LDK. Any governing coalition is likely to include the ten non-Serb minority assembly members and possibly some Serb parties. The PDK and LDK rank and file might each prefer additional parties to be in the coalition, to dilute their distaste for the other. The broader the coalition, the less coherent it is likely to be, though it may be in a better position to secure consensus on status steps.

¹³⁴ Many Kosovo politicians, including Prime Minister Ceku, regretted independence was not declared immediately after President Bush's positive statements in Tirana on 10 June 2007, which would have avoided the Troika exercise. They did not worry that they had no strategy ready for the days to follow. Crisis Group interviews, Pristina, September-October 2007.

¹³⁵ As demonstrated by the low election turnout and the October 2007 opinion poll by UNDP, which gave the PISG only 28 per cent approval.

¹³⁶ Crisis Group interview, witness, Pristina, 30 November 2007. To date most of PTK's monopoly profits have been placed in Kosovo banks, keeping them liquid. From December

The new state's framework is also not ready. The outgoing government and cross-party working groups accomplished much less than they could have in the eight months since formalisation of the Ahtisaari plan. The constitution is not finished, and only five of the twenty draft laws Ahtisaari mandated have been sent to the assembly. Though international officials say "70 per cent of the legislative work is done",¹³⁸ the drafting quality is so uneven that some of it may need to be started again from scratch.¹³⁹ At the least, assembly rules dictate that bills must be reintroduced when the new legislature is convened.¹⁴⁰ Adoption of the Ahtisaari legal package at a single time in early 2008 is thus problematic. Pristina-based internationals suspect this is in part deliberate, so that Kosovo Albanians can take what they like from the Ahtisaari plan, delaying and watering down the rest.¹⁴¹

The UN, EU and Quint alike are not paying enough attention to Kosovo Serb areas, where, as noted, Belgrade is strengthening parallel structures, and hardline leaders in north Mitrovica are consolidating their influence over the enclaves south of the Ibar. Pristina is doing almost no outreach; many Albanians would not mind if more Serbs left at independence. Kosovo's further fragmentation – with enclave Serbs destabilised and more firmly controlled by Belgrade and north Mitrovica, de facto partition and

population exchanges – looks increasingly likely unless Pristina and its international friends do more quickly. For a start, the EU and U.S. should send senior envoys to work with Pristina on outreach to Serb areas.

While Serbia is unlikely to introduce regular troops north of the Ibar in reaction to independence,¹⁴² the leadership there can be expected to break all ties to Pristina and require Serbs to quit the KPS and customs service. KFOR and UNMIK Police need to secure the area, which will in the best case remain a grey zone, but for this to happen and to avoid violence in the enclaves, KFOR and the international police must show strong will and be backed by capitals. A weakening of resolve, if too many non-recognition countries withdraw KFOR contingents or others re-introduce caveats on their use would encourage local or Belgrade mischief.¹⁴³ Examples might be the DSS-controlled interior ministry and intelligence service allowing paramilitaries to cross into north Kosovo and activating personnel already there in plainclothes monitoring roles.

Pristina needs to do much more to prepare its public for what to expect in the north (open defiance) and from Belgrade (a range of actions including border closure), so that a spiral of violence is avoided and a strong consensus is created on the need for calm and to protect Serb enclaves. Small, extremist Kosovo Albanian groups around Mitrovica, each with its own agenda, could prove more dangerous than Serb provocations.¹⁴⁴

D. ECONOMIC CONSIDERATIONS

Concerns that independence is economically unsustainable or that Kosovo is fundamentally dependent upon Serbia are misplaced.¹⁴⁵ A vision for economic development has

the second licenced mobile phone operator will start operations and present stiff competition. PTK's well-regarded managing director, Etrur Rustemaj, has announced his resignation. An insider said, "the political parties are eating PTK". To date three powerful groups have vied for control of the cash cow: one associated with Ramush Haradinaj's AAK, a "Llapi" group associated with President Sejdiu's son, and the PDK-affiliated K-SHIK intelligence service. The latter is poised to increase its influence. Crisis Group interviews, Pristina, October-November 2007.

¹³⁷ Crisis Group interview, Hashim Thaci, Pristina, 29 November 2007.

¹³⁸ Crisis Group interview, Pristina, 29 November 2007.

¹³⁹ An international official collaborating with the legislative working groups commented on the lack of local capacity for such legal drafting: "I was really shocked; they haven't a clue", Crisis Group interview, Pristina, 25 September 2007. Senior PDK politician Jakup Krasniqi, touted by some as the next president of the assembly, said, "we have proven that we have no capacity to draft the legislation". He regretted that the government had paid much money to incompetent local "experts", noted that assembly committees were likewise insufficiently professional to improve the five drafts so far considered and said that the new government must hire foreign experts to redo most of the work. Crisis Group interview, Pristina, 26 November 2007.

¹⁴⁰ Interview, Skender Durmishi, spokesperson of the Assembly president, KTV news, 10 November 2007. A competition announced earlier in the year has not yet produced agreement on a flag.

¹⁴¹ Crisis Group interviews, Pristina, September and October 2007.

¹⁴² The DS-controlled Serbian army is semi-immobilised by a reform program.

¹⁴³ The Strpce municipality has shown how international community resolution matters. When it appeared in the second half of May 2007 that the Security Council would approve the Ahtisaari plan, there was "a drastic change" in Serb councillors, who became open and cooperative with Albanian counterparts, willing to discuss the future. As attention shifted to the Troika talks, they distanced themselves again. Crisis Group interview, Albanian councillor, Pristina, 26 October 2007.

¹⁴⁴ For example, summer 2007 wildfires detonated a stock of mortar-shells hidden upon a hill overlooking a vulnerable enclave of Serb homes in Suvi Do/Suhodol on Mitrovica's western edge.

¹⁴⁵ Serbian, Russian and other media have in recent weeks exaggerated Kosovo's trade dependency upon Serbia. *The Guardian*, relying on data from Serbia's foreign minister, Jeremic, stated in successive opinion and editorial articles (20 November and 1 December 2007), that Kosovo is 70 per cent reliant on Serbia. *Vremya Novostei* sourced its claim (29 November) that two thirds of the goods sold in Kosovo come from Serbia to a Belgrade business magnate. In reality Macedonia

been lacking, its 3 per cent annual growth is less than that of neighbours,¹⁴⁶ and unemployment is 35 to 40 per cent¹⁴⁷ but the budget is stable, growing and sourced from own revenues. The once feeble export sector is expanding, from €5 million in 2003, to €100 million in 2007 and €250 million projected for 2008, equal to roughly 20 per cent of imports.¹⁴⁸ There is still dependence, though it is falling, on the international community, which through its presences and aid accounts for at least 10 per cent of GDP, but remittances and investment from the Kosovo Albanian diaspora are probably more important.¹⁴⁹ Serbia channels money only to Kosovo Serbs and contributes nothing to Kosovo's overall development, while maintaining a claim on property it annexed during the Milosevic years and offering no compensation for the destruction of that period.

Serbia is likely to seal its border with Kosovo and attempt other punitive measures in reaction to independence moves. This could cause short-term hardship but would not cripple the economy. Kosovo sends very little to Serbia, while Serbian goods, mostly foodstuffs, construction materials and fertilizer, were 15.5 per cent of Kosovo's total 2006 imports.¹⁵⁰ Much of this trade is illegal, benefiting businesses dealing in the grey zone of Serb-inhabited north Kosovo and controlled by the Belgrade-backed hardliners of north Mitrovica. Belgrade thus is unlikely to close the northern crossings hermetically,¹⁵¹ though it will be stricter

has become a more important importer, and Serbia's current share of Kosovo's imports is 15 to 18 per cent.

¹⁴⁶ Serbia's is roughly 6 per cent. Economist Vladimir Gligorov of the Wiener Institut für Internationale Wirtschaftsvergleiche argues that if unencumbered by its present political restrictions, Kosovo's growth rate could be 7-10 per cent. See Martin Kugler "Ein Desaster für den Kosovo" ["A disaster for Kosovo"], *Die Presse*, 18 October 2007. While noting that current growth trends offer no prospect for lifting living standards, the World Bank argues, using a comparison with Albania's experience, that Kosovo could reduce poverty by nearly 40 per cent over five years by sustaining a 5 per cent growth rate. See "Kosovo Poverty Assessment", vol. 1, October 2007, at www.worldbank.org/kosovo.

¹⁴⁷ Ibid.

¹⁴⁸ Crisis Group interview, Safet Gerxhaliu, Kosovo Chamber of Commerce, Pristina, 26 November 2007. Kosovo's annual imports are roughly €1.3 billion. Foreign investment in several privatised plants such as the Ferro-nickel processor in Drenas/Glogovac and the metal foundry Llamkos in Vushtrri/Vucitrn is spearheading the revival. Manufacturing in construction materials and food processing is also picking up.

¹⁴⁹ One in five Kosovo Albanians (mostly in rural areas) receives remittances from relatives abroad. Any post-independence tightening of labour migration into the EU would induce more poverty than a Serbian trade embargo, World Bank, op. cit.

¹⁵⁰ The Kosovo ministry of trade and industry and the statistics office, at www.mti-ks.org/?cid=1,30.

¹⁵¹ UNMIK's economic pillar chief and former head of customs,

at the border with the Presevo Valley, which could raise tensions. A trade embargo would slow growth in Kosovo but cause it only to look elsewhere for the lost goods, relying on easy entry from Macedonia and Montenegro. At the same time, it would also hurt Serbia, depriving its depressed south of opportunities to benefit from an eventual upswing in Kosovo's economy.¹⁵²

Serbia could also cut Kosovo's fixed-line telephone access to the outside world (but not mobile networks or the internet)¹⁵³ and limit its electricity imports, though it relies on Kosovo to transmit the electricity it sells to Greece.¹⁵⁴ A water plant near Zubin Potok and an electricity sub-station north of Mitrovica provide Belgrade loyalists north of the Ibar opportunities to sabotage Kosovo's electricity network and industrial water supply if these are not protected by international security forces.¹⁵⁵ Infrastructure difficulties would hasten Kosovo's and Albania's current

Paul Acda, quipped that a Serbian embargo would be welcome since it could reduce smuggling over Kosovo's northern boundary. Zekirja Shabani "Embargoja e Serbise do ta zvogeloje kontrabanden ne kufi" [a Serbian embargo will reduce contraband on the border], *Koha Ditore*, 12 September 2007.

¹⁵² See Martin Kugler "Ein Desaster für den Kosovo", op. cit.; and "Kosovo-Abspaltung: Serbien profitiert" ["Kosovo secession: Serbia benefits"], *Die Presse*, 21 November 2007.

¹⁵³ Kosovo's fixed lines still use Serbia's international entry code. Kosovo's PTK has negotiated separate contracts with five European countries to which call traffic is greatest, and calls to and from them are routed through Albania. Kosovo's mobile operator, PTK's "VALA", uses Monaco's entry code. A second operator, due to begin in December 2007, will also use a non-Serbian connection. Internet is accessed through an optical fibre cable to Macedonia.

¹⁵⁴ Most fuel is imported from Macedonia. Kosovo suffers chronically from electricity shortages, particularly in winter. Both during winter cold snaps and when some or all of its aging lignite-powered electricity stations break down, the KEK electricity utility buys electricity, much of it either from or routed through Serbia. (Lesser connections are available from Montenegro, Macedonia and Albania. The latter link is to be upgraded in 2008, enabling swaps – Albania's hydroelectric stations can produce a surplus in winter, while Kosovo sometimes generates excess capacity in summer.) Nevertheless, Serbia's and Kosovo's electricity supplies are interdependent, built in Yugoslav times as a single grid. Switching off supplies to Kosovo could destabilise Serbia's own electricity system, as well as break supply contracts with Greece. Serbia's EDF electricity utility, whose director is close to Premier Kostunica, would be reluctant to ruin markets. The political fall-out for Serbia would be considerable in a Balkans region facing tight supplies, since Bulgaria was obliged to close two old nuclear power stations when it joined the EU at the beginning of 2007.

¹⁵⁵ The water plant provides drinking water to a large area and also water for the cooling of the lignite power stations at Obilic, near Pristina. The Valac sub-station ensures electricity for roughly 200,000 consumers in west Kosovo, including its major town, Peja/Pec.

efforts to upgrade their transport, electricity and telecommunications links.¹⁵⁶ With travel between Serbia and Kosovo barred, the several hundred thousand Kosovo Albanian migrants who visit Kosovo annually would have to take alternative routes, as most already do.¹⁵⁷

E. FILLING OUT A COMMON EU POSITION

The EU has made considerable progress on some of the big issues during the months of the Troika exercise. Its often fractious member states have come to recognise that above all – for the sake of the EU's own future as a major political player on the global stage as well as Kosovo's good – they need to hold together and take responsibility for the crisis, neither of which was so certain in early summer.¹⁵⁸ "They want the missions much more than they don't want independence", assessed a UN official.¹⁵⁹ While they are increasingly united and committed to the deployment of EU missions, however, they have made much less progress in deciding, as they quickly must, what they want regarding Kosovo's status and its path to EU integration.

Some member states, including those more reluctant to recognise an independent Kosovo, would prefer to approve Joint Actions to deploy at least the rule-of-law (ESDP) mission and the EUSR before Pristina formally states its independence intention, so as to separate their work more clearly from the status issue.¹⁶⁰ The most engaged EU Quint member states (the UK and France) and others prefer, however, to take these decisions formally immediately after that statement of intent, which they consider is the moment when they will have maximum leverage, including within the EU, to secure the greatest clarity on status and on Brussels' relations with the new state. Otherwise, they fear, too many member states may continue to avoid

addressing the important question of how the EU will relate to Kosovo.

Policy is much firmer with respect to the rule-of-law mission than its ICO counterpart. It is widely accepted that Kosovo is a testing ground that is likely to determine the evolution of the European Security and Defence Policy (ESDP) and so that mission must be made to work.¹⁶¹ Planning teams have been on the ground for over a year, and deployment has acquired a momentum of its own. EU foreign ministers on 7 September were able only to declare intent to have a viable united position by 10 December but meetings since have shown that its components are coming together. A participant in the Brussels Political and Security Committee's 2 October planning session was already able to say, "we did a good job... We are in good shape".¹⁶² After Greek and Cypriot concerns were resolved, force generation and procurement were initiated well ahead of a Joint Action decision.¹⁶³ Nevertheless, it will take up to eight months to recruit and deploy the 2,000 personnel envisaged.¹⁶⁴

Preparations for the ICO mission have also been going smoothly but the ESDP's bigger budget and organisational challenges have been crowding out discussion of the smaller and more political mission.¹⁶⁵ The ICO is intended to implement the Ahtisaari proposal, in particular those aspects which are to make Kosovo's independence conditional, subject to international supervision on such sensitive matters as treatment of minorities. Kosovo's new constitution and the package of state-forming legislation are to be adopted in consultation with the ICO, which is to retain powers to ensure implementation of obligations, including, as necessary, by correcting or annulling inappropriate laws and sanctioning or removing recalcitrant officials. ICO duties are to include integrating Serb areas and communities into a functioning Kosovo state on the terms stipulated by Ahtisaari.¹⁶⁶

It is difficult to see how the ICO mission can effectively exercise such responsibilities unless it has strong political backing from the EU (and the U.S.). Before the EU can provide that backing, it will need to develop its concept

¹⁵⁶ A highway is projected to link Albania and Kosovo, through the "Cursed Mountains", from 2010. Work is already underway in Albania. Kosovo has provisionally budgeted to begin its work in 2008.

¹⁵⁷ If relations were stable, most of this traffic could pass through Serbia. In 2006 over 65,000 vehicles entered Kosovo from Serbia through the Merdare and Bujanovac crossings. During 2007 this traffic was reduced by 20-30 per cent, while entries from Montenegro doubled to over 40,000 vehicles, and traffic also increased from Albania. Flights through Pristina's airport (which must bypass Serbian airspace) increased 12 per cent during 2007, and new routes and capacity are opening up. Crisis Group interviews, the Association of Insurance Companies, KPS Border Police and travel agencies, Pristina, 19-30 November 2007.

¹⁵⁸ Crisis Group interview, senior EU diplomat, Brussels, November 2007.

¹⁵⁹ Crisis Group interview, Pristina, 18 September 2007.

¹⁶⁰ Crisis Group interview, member-state diplomat, Brussels, November 2007.

¹⁶¹ Crisis Group interviews, member-state diplomats, Brussels, 1-3 October 2007.

¹⁶² Ibid.

¹⁶³ A member-state ambassador observed that the Political and Security Committee (PSC) agreed to "break the procedural rules a little bit" to move procurement forward.

¹⁶⁴ Equipment for some 200 personnel is to be taken over from the EU's 2005-2006 monitoring mission in Indonesia (Aceh).

¹⁶⁵ For example, the 19 November 2007 GAERC conclusions spoke only of ESDP mission preparations, omitting reference to the ICO.

¹⁶⁶ For more on the ICO, see Crisis Group Report, *No Good Alternatives to the Ahtisaari Plan*, op. cit., pp. 18-19.

of relations with Kosovo and refine how the ICO is to operate. Recognition of independence in the first half of 2008 is only the first and most immediate element of that process.

There is a risk that EU member states' proper concern to get the mission into Kosovo to ensure stability in the next few months is diverting their attention from follow-on questions, which need to be thought through by the time the ICO mission is on the ground. Deployment, in the words of one official, has become "the totem of EU unity", crowding out thinking about implementing the Ahtisaari plan and Kosovo's future prospects, "a substitute for policy", as another put it, on Kosovo's status.¹⁶⁷

In addition to deciding whether there will be sufficient unanimity on relations with Kosovo and plans for its future ties in Brussels to enable the EU to direct the ICO mission with appropriate resolve, understandings are required on delicate matters related to its operation. The key question is how close it will be possible to hew to the Ahtisaari plan in the absence of explicit Security Council approval of that plan. Ahtisaari's careful balance between an internationally supervised entity and an independent state will be harder to maintain without a Security Council resolution, not only because some EU states may hesitate to support the kinds of interventions that may prove necessary but also because Pristina may be less inclined to accept the derogations that make its independence in fact less than complete.

Since the ICO is intended to be an EU-led but not an EU institution, the chain of command needs to be worked out between Brussels, Washington and other major supporters of Kosovo. The key element will be the International Steering Group (ISG) Ahtisaari envisaged. The Ahtisaari plan leaves it to the ICO to devise benchmarks for evaluating the performance of independent Kosovo's institutions, with the conclusions to be presented to the ISG. In the absence of clear Security Council authority, consideration might usefully be given to making this structure and its operation a shared responsibility with Kosovo authorities. EU and U.S. diplomatic representatives in Kosovo and the government might execute the function in a joint commission, which would annually recommend adjustments to ICO (and perhaps also ESDP) powers, for endorsement by Kosovo's parliament. Such a procedure would facilitate the new state's acceptance of conditionality and could be used to develop a schedule of gradual withdrawal of international powers and ultimately of the missions themselves.

F. KOSOVO'S STATUS, SERBIA'S FUTURE

A substantial consensus on the status issue is also important to Kosovo so that it can interact effectively with especially the EU and international financial institutions to develop a sustainable economy. The European Commission needs clarity and unanimity in the views of EU member states to be able to use its usual instruments, for example, acknowledgement at a minimum that Kosovo is a legal entity with which it and other EU institutions can sign agreements. The Commission is working with the World Bank on organising a post-independence donors conference. Ambiguity about status might hamper disbursement of up to €300 million of projected EU funding for the next three years as well as Commission plans to second member state civil servants to Kosovo ministries, in particular the struggling education sector.¹⁶⁸

To attain full international standing, however, Kosovo ultimately needs Serbian (and Russian) acquiescence to its independence that would allow the Security Council to revoke Resolution 1244 and open the door to its membership in the full range of UN institutions. The most obvious leverage for securing Belgrade's acquiescence is to make it a condition of Serbia's EU membership. In present Serbian politics and for some further time, EU membership is not likely to be seen as sufficiently valuable but a different view may develop. Italy has suggested Belgrade be given EU candidacy status as compensation for the loss of Kosovo, while Slovenia, which holds the EU presidency in the first half of 2008, argues Serbia should simply be accepted when it meets the technical standards.¹⁶⁹ Either course would leave Kosovo in indefinite semi-isolation, a potential risk for the Western Balkans. The EU should not repeat the mistake it made with Cyprus, which it committed to admit to membership regardless of whether a serious political dispute was first settled, thus crippling its ability to resolve that conflict.

**Pristina/Belgrade/New York/Brussels,
6 December 2007**

¹⁶⁸ Crisis Group interview, EU official, Brussels, 2 October 2007.

¹⁶⁹ Ian Simpson, "Italy proposes EU inducements to Serbia over Kosovo", Reuters, 10 September 2007; "Rupel: Same EU rules for Serbia, Croatia", B92, 12 October 2007, and Crisis Group interview, Slovenian diplomats, Brussels, 2 October 2007. See also the report on Serbia of the chairman of the European Parliament Committee of Foreign Affairs, the Slovenian MEP Jelko Kacin, at www.europarl.europa.eu.

¹⁶⁷ Crisis Group interviews, EU officials, 25 September 2007.

APPENDIX A

MAP OF KOSOVO AND ENVIRONS



APPENDIX B

GLOSSARY

(UNSCR)1244	UN Security Council Resolution 1244, 10 June 1999
AAK	Alliance for the Future of Kosovo, Kosovo Albanian political party led by former KLA commander and PISG Prime Minister Ramush Haradinaj.
ABC	KEK's scheme for distributing electricity cuts among better and worse bill-paying districts.
AK47	Kalashnikov assault rifle
AKR	Alliance for a New Kosovo, new Kosovo Albanian political party created by construction magnate Behgjet Pacolli.
ANA/AKSh	Albanian National Army (Armata Kombetare Shqiptare), illegal armed formation with a pan-Albanianist ideology.
BDI	Democratic Union for Integration (Bashkim Demokratik per Integrim), Macedonian Albanian political party led by former NLA leader Ali Ahmeti.
BIA	Serbia's Security Information Agency (Bezbednosno-Informativna Agencija)
BIRN	Balkan Investigative Reporting Network
CDI	Coordinated declaration of independence
CEPS	Centre for European Policy Studies
CFSP	EU Common Foreign and Security Policy
Contact Group	A six-nation group guiding Balkans policy: France, Germany, Italy, Russia, the UK and U.S.
DS	Democratic Party, led by Serbia's President Boris Tadic.
DSS	Democratic Party of Serbia, led by Prime Minister Kostunica.
ESDP	European Security and Defence Policy
EUSR	European Union Special Representative
G17+	Group of Seventeen Plus, Serbian political party led by Mladan Dinkic.
GAERC	General Affairs External Relations Council, a regular meeting of EU foreign ministers.
GDP	Gross domestic product
GDR	German Democratic Republic, the former East Germany
Ibar	River in north Kosovo dividing the town of Mitrovica
ICO	International Civilian Office
ICO-PT	International Civilian Office-Planning Team
ICTY	International Criminal Tribunal for the former Yugoslavia
IFIs	International Financial Institutions
IMF	International Monetary Fund
IMP	International Military Presence
ISG	International Steering Group
KEK	Kosovo Energy Corporation, the publicly owned electricity utility.
KFOR	(NATO's) Kosovo Force
KLA	Kosovo Liberation Army
KPS	Kosovo Police Service
K-SHIK	Unofficial Kosovo Albanian intelligence agency, associated with the PDK

KTV	Koha television, private Kosovo channel owned by Veton Surroi
LDD	Democratic League of Dardania, a Kosovo Albanian party formed by Nexhat Daci in a 2007 breakaway from the LDK.
LDK	Democratic League of Kosovo, Kosovo Albanian party led by President Ibrahim Rugova until his death in 2006, now by President Fatmir Sejdiu.
LKCK	National Movement for Liberation of Kosovo, a fringe Kosovo Albanian party advocating unification of Albanian lands.
LPK	People's Movement of Kosovo, a fringe Kosovo Albanian party advocating union with Albania.
NATO	North Atlantic Treaty Organization
NLA	National Liberation Army, Macedonian Albanian insurgent force of 2000-2001.
ORA	"The Hour", a party formed by Kosovo publisher Veton Surroi.
OHR	Office of the High Representative, Bosnia
OSCE	Organization for Security and Cooperation in Europe
OIOS	UN Office for Internal Oversight Services
P-5	The five permanent veto-wielding members of the UNSC: China, France, Russia, UK and U.S.
PDK	Democratic Party of Kosovo, Kosovo Albanian political party led by former KLA commander and provisional "prime minister" Hashim Thaci.
PDSH	Albanian Democratic Party of Albanians (Partia Demokratike Shqiptare), Macedonian Albanian political party led by Menduh Thaci.
PIC	The Bonn Peace Implementation Council, a steering group of countries and international organisations which promotes the peace process and decides the powers of the OHR in Bosnia.
PISG	Kosovo's Provisional Institutions of Self- Government
PTK	Post and Telecom of Kosovo
Quint	The Contact Group minus Russia
RS	Bosnia's Republika Srpska
RTK	Kosovo's public television channel
SRSG	Special Representative of the UN Secretary-General
SNC	Serb National Council, a Kosovo Serb political group led by Dr Marko Jaksic, closely associated with Serbia's DSS.
TRA	The Kosovo PISG Telecommunication Regulatory Agency
Troika	Three diplomats (from the U.S., Germany and Russia) detailed by the Contact Group to facilitate talks between Pristina and Belgrade on Kosovo's future status.
UNDP	United Nations Development Programme
UNMIK	UN Interim Administration Mission in Kosovo
UNOSEK	Vienna-based UN body established under the leadership of Special Envoy Martti Ahtisaari to run the Kosovo future status process.
UNSCR	UN Security Council Resolution
UNSG	UN Secretary-General
UDI	Unilateral Declaration of Independence
VALA	"Wave", Kosovo's first licensed mobile phone operator, owned by PTK.
VMRO-DPNE	Internal Macedonian Revolutionary Organisation-Democratic Party for Macedonian National Unity

APPENDIX C

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 145 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.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by the former European Commissioner for External Relations Christopher Patten and former U.S. Ambassador Thomas Pickering. Its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

Crisis Group's international headquarters are in Brussels, with advocacy offices in Washington DC (where it is based as a legal entity), New York, London and Moscow. The organisation currently operates twelve regional offices (in Amman, Bishkek, Bogotá, Cairo, Dakar, Islamabad, Istanbul, Jakarta, Nairobi, Pristina, Seoul and Tbilisi) and has local field representation in sixteen additional locations (Abuja, Baku, Beirut, Belgrade, Colombo, Damascus, Dili, Dushanbe, Jerusalem, Kabul, Kampala, Kathmandu, Kinshasa, Port-au-Prince, Pretoria and Yerevan). Crisis Group currently covers some 60 areas of actual or potential conflict across four continents. In Africa, this includes Burundi, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia,

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