

Violence in Kosovo Calls for a Fresh Look at the Mission's Priorities¹

Introduction

The violent events of 17-19 March 2004 that left 19 dead, over 900 injured, and drove over 3,000 people from their homes have shaken the international community's confidence in its ability to transform the troublesome province of Kosovo into a multi-ethnic, open and tolerant society. Even before the events of March, everyone in Kosovo was aware that a difficult year lay ahead following the victory of nationalist parties in the Serbian parliamentary elections in December 2003 and with Kosovo-wide elections scheduled for autumn 2004.

However, at least two positive developments gave grounds for cautious optimism. First, the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Provisional Institutions of Self-Government (PISG) had been close to completing the draft Standards Implementation Plan, a blueprint that would lay out what Kosovo's people and institutions would need to deliver in terms of good governance, the rule of law, and six other areas to allow for status negotiations to begin. What was more, with the setting of a first review date for mid-2005, the PISG had moved away from their previous attitude of confrontation with UNMIK's "standards before status" policy to one that stressed partnership and joint responsibility.

Second, at the start of March, direct dialogue with Belgrade was initiated at working group level. Two of the planned four working groups had met for the first time in Prishtinë/Pristina. Moreover, handover of responsibilities to the Provisional Institutions within the limits of UN Security Council Resolution 1244 had been largely completed at the turn of the year, even though doubts remained as to whether the Provisional Institutions possessed the capacity to administer these efficiently and fairly.

Generally, it was believed that a slow but gradual stabilization was underway. Real progress had been made in securing freedom of movement in many places, with the NATO-led Kosovo Force (KFOR) having removed all fixed checkpoints. Responsibility for securing the Mitrovicë/Mitrovica Bridge had been handed over to the local Kosovo Police Service (KPS). Return figures were increasing steadily as people were beginning to move back into previously ethnically mixed areas. Significant reductions in the interna-

¹ The author wishes to acknowledge extensive use of analytical material produced by the Mission's Office of Political Affairs. The article reflects the state of affairs as of April 2004 and does not necessarily reflect OSCE policy.

tional security presence of both KFOR and UNMIK Police had been carried out with further cuts foreseen for 2004.

Many of these steps towards normalization have now been reversed, and it seems that Kosovo has been set back several years in its development in a number of areas. The international community, while it has confirmed its committed to remain engaged, has been forced to reassess its programmes and the underlying assumptions on which they were built. The OSCE Mission in Kosovo (OMiK), too, is undergoing a careful review of its policies and programmes.

Outbreak and Causes of the Violence

Two unrelated events sparked the violence. First, on 15 March, a Kosovo Serb male was shot and wounded in a drive-by shooting incident on the main Prishtinë/Pristina to Skopje highway in a village just south of Prishtinë/Pristina. A few hundred Serbs from the area blocked this road and another connecting Prishtinë/Pristina and Gjilan/Gnjilane. Kosovo Albanian protesters would try to “lift” the roadblock the following day. Then, on 16 March, two Albanian boys aged nine and twelve drowned in the river Ibar. The exact circumstances of their deaths will probably never be known, but the Kosovo Albanian media immediately jumped to the conclusion that Serbs must have been behind the incident, forcing the boys into the water, although there was no evidence to support this theory.

These two events led to three days of rioting by crowds of Kosovo Albanians that began in the divided northern city of Mitrovicë/Mitrovica, near where the boys drowned, but rapidly spread to other areas in Kosovo. Serb residences and churches were targeted, and UN buildings were also attacked. On 18 March, there was a series of attacks against Serb targets, which had all the appearance of being a co-ordinated campaign. Over 3,000 Kosovo Serbs were evacuated to safe areas or moved to Serb-majority areas. Some Roma and Ashkali communities were also attacked. A few hundred Kosovo Albanians fled their villages in the Serb-dominated north of Kosovo.

After the arrival of KFOR reinforcements on 19 March, the level of violence subsided, though sporadic demonstrations and house burnings continued to occur. On 20 March, the situation was quiet. There were fears that the funerals of the drowned boys on 21 March would spark further protests, but, although they were heavily attended, they remained peaceful.

As part of the Mission’s response to these events, a preliminary assessment of the underlying causes that led to the violence was made and communicated to the Permanent Council in Vienna. Reference was made to organized nationalism, the unresolved status issue and fear rooted in the past, the lack of employment and education for the young generation, the behaviour of the media, and the unpopularity of the international community.

The protests that were initially sparked by spontaneous reactions to the perceived injustices of the drowning and the roadblock rapidly took on an organized and co-ordinated character. It was the effectiveness of a small number of well-organized radicals in directing the mostly teenage rioters that allowed the protests to continue beyond 17 March. The protests furthermore revealed that the disaffected young generation, seeing little hope of educational or economic advancement, can easily be manipulated and motivated to commit violent acts.

Frustration at economic and political stagnation leaves many Kosovo Albanians feeling that their cherished goal of independence can only be achieved once the deadlock is broken. To some, the protests seemed to offer just that opportunity. The Serbs were the nearest target to hand.

The general feeling amongst Kosovo Albanians is that progress for Kosovo as a whole is being sacrificed to serve the interests of a privileged minority that has shown little willingness to integrate into Kosovo society and therefore remains a factor of instability and a threat to the interests of the majority population. Irritation with Belgrade's continued presence in Kosovo – the so-called parallel structures in the areas of health, culture, education, justice, and even security – and UNMIK's lack of resolve to dismantle them also runs strong among Kosovo Albanians, and many seem susceptible to the argument that this situation will only change once Kosovo Serbs are eliminated from the province. If that were to happen, so the argument goes, independence would become the natural option for the international community to pursue.

The United Nations thus became a secondary target during the violence not only because it sought to protect the Kosovo Serbs and, to a lesser degree, Kosovo Serb property but also because for many the time has come for UNMIK to leave Kosovo and to be replaced by a purely advisory international presence – or none at all. Dissatisfaction with the economic and political situation is now stronger than erstwhile feelings of gratitude to the international community.

Finally, the Albanian-language media, which has been highly critical of UNMIK for many months, stands accused of reporting the river drowning in a biased and highly unprofessional manner that, wittingly or unwittingly, contributed to the spread of violence.²

2 For an analysis of media behaviour during the March events, two reports warrant attention: the report of the OSCE Representative on Freedom of the Media on "The Role of the Media in the March 2004 Events in Kosovo", issued on 22 April, and the Temporary Media Commissioner's report on the performance of the three Kosovo-wide TV stations issued a day later. Both can be found online at www.osce.org.

Like the entire international presence in Kosovo, OMiK was completely caught out by the events of March. No one had expected a violent backlash of these proportions. At first, the Mission's priority was to protect its staff, especially those of Serb ethnicity. Some who found themselves cut off from their homes as the violence unfolded were given refuge in OMiK headquarters. Fortunately no OMiK staff member was seriously injured. Some OMiK Offices were temporarily evacuated; the Office in Mitrovicë/Mitrovica was closed for over a week. A number of Kosovo Serb staff resigned and decided to leave Kosovo in the aftermath, but a majority decided to stay. One or two vehicles were slightly damaged, but this stands no comparison with the more than 100 UN vehicles that went up in flames, not to speak of the damage done to UNMIK buildings and other facilities. The situation in Prizren, where the local OMiK office was not affected, even though it is located right next to the Regional UNMIK headquarters (which suffered considerable damage), illustrated clearly that OMiK itself was not targeted. OMiK, whose few executive functions concern the organization and administration of elections, is perceived as inoffensive and perhaps irrelevant to the struggle for independence. Nonetheless, this is no guarantee that OMiK will not be targeted if violence flares up again.

Once the security of staff was assured, the Mission began to assess what had happened. As the lead agency on human rights within UNMIK, the Mission began to gather facts on human rights violations and on how the authorities, and especially the security forces (KFOR, UNMIK Police, and KPS), reacted to the violence. Human rights teams were sent to sites for Internally Displaced Persons throughout Kosovo to conduct interviews with victims and witnesses. In addition, OMiK gathered all available information from the Mission's field offices to arrive at an assessment of the reaction to the events of March by central and local authorities, media, and civil society. The initial findings of this assessment together with a consideration of the root causes of the violence informed the subsequent discussion on what changes would have to be made to the Mission's policies and programme priorities.

On the recommendation of a Senior Management Retreat held on 26 March, five cross-departmental task forces were established. Over a period of two weeks, they reviewed issues identified as relevant to the underlying causes of the violence and to existing and future Mission policy:

- *Task Force 1 (Youth and Education)* was asked to establish why so many youths were prepared to go out onto the streets to attack their fellow citizens and explored what OMiK could do to help give these young people a better future and turn them away from violence and intolerance. The task force found that although OMiK had worked with young people in many programmes, these activities had not been part of a coherent strat-

egy towards youth, considered as the single biggest special-needs group in Kosovo society. The Mission is looking into the possibility of creating a new education unit or even a full-fledged department to place youth education in the mainstream of the Mission's thinking. A feasibility study for this purpose has already been commissioned. Emphasis is likely to be placed on civic education to promote tolerance among young people. In this endeavour, the Mission is counting on the support and advice of the OSCE Mission to Bosnia and Herzegovina in helping to define the structures and policies of the new unit or department.

- *Task Force 2 (Respect and Diversity)* looked into OMiK's considerable investment in inter-ethnic dialogue programmes and asked why these had shown so little effect. It was recommended that the Mission should not abandon its efforts to bring members of different communities together, but that ways would have to be found to pass the message of tolerance on to a greater number of people. More emphasis should be put on promoting tolerance and respect for diversity, whether ethnically defined or otherwise.
- *Task Force 3 (Media)* discussed why the media failed to live up to its responsibilities after several years of media development programmes. It recommended that the Mission, in co-operation with other donors, should try to make suitable professional-development opportunities available to journalists within Kosovo, while continuing to push for the establishment of self-regulatory mechanisms within the sector. OMiK should also step up its media monitoring to cover media outside Prishtinë/Pristina.
- *Task Force 4 (Fear of the Past)* noted that there was little OMiK could do to address the fundamental problem of Kosovo Albanians and Kosovo Serbs remaining committed to mutually exclusive ideas for the future of Kosovo (with Serbs wanting to retain Kosovo within the Serbian state and Albanians seeking security from oppression in a state they can call their own). However, it was suggested that the Mission, more so than UNMIK as a whole, has some potential to be seen as an honest broker and should use its good offices to build confidence between the communities.
- *Task Force 5 (PISG and Civil Society)* was tasked with establishing what OMiK should do to improve the performance of the PISG and civil society. Faced with the outbreak of violence, the PISG had seemed almost entirely irrelevant; they were powerless to stem the tide. Similarly, civil society actors, if they reacted at all, were initially more inclined to condone rather than condemn the violence. In light of this, OMiK will become more selective when it comes to choosing civil society implementing partners. The task force paid particular attention to the question of whether the balance between the Mission's capacity-building activities and its monitoring work would need to be adjusted as a result of the March events.

After the five task forces had finalized their deliberations, OMiK arrived at a number of preliminary conclusions regarding the future work of the Mission:

- OMiK will continue to monitor, build capacity and offer advice to the Provisional Institutions, the media, and civil society. Ways will have to be found to make sure that monitoring is not strengthened at the expense of capacity building. Indeed, monitoring should always feed back into capacity-building activities because it is only through these that the PISG's performance can improve.
- In implementing its mandate, OMiK will follow a model of partnership, committing itself to take into account local views at every step of the process.
- The Mission will further seek to establish contacts that extend beyond the institutions and the usual NGO partners to tap into society at large, including, for purposes of information-gathering, interlocutors, such as the UCK/KLA War Veterans Associations, that have not been solicited so often in the past. This will allow the Mission to arrive at a more accurate picture of society and help identify opportunities for confidence building.
- In recognition of the fact that the concept of multi-ethnicity enjoys rather less credibility in the aftermath of the events of March, the Mission plans to concentrate on activities which will foster an attitude of mutual respect throughout society. This is not to say that multi-ethnicity has been abandoned as an objective, but that the focus will be on more fundamental building blocks that will eventually lead towards this objective, namely confidence building and the promotion of tolerance.

At the same time as the task forces were pondering the future orientation of the Mission, the departments began reviewing their programmes. At the time of writing, this process was still in its very early stages, and the following can therefore only offer a preliminary indication of possible changes. The new priorities, once determined, will spell the end for some projects that appear less central to the Mission's mandate under the new circumstances. In some cases, projects based on multi-ethnicity have simply become unfeasible and will be put on ice or abandoned. Project money freed up in this way should benefit other projects – both old and new – that remain to be defined.

Democratization is likely to be the department most affected by the review. It includes what is left of OMiK's former Media Department that was closed in 2002. The department's Media Development Team should be strengthened after the events of March revealed an appalling lack of media professionalism. Democratization is also the department that has so far run the vast majority of OMiK youth activities – mostly to promote multi-ethnicity. The creation in 2005 of an education unit or possibly even a separate educa-

tion department to enhance and consolidate these tasks is currently under discussion.

Although the international community is still working out political and strategic responses to March's violence, it is already apparent that, as part of UNMIK, OMiK will need to pay greater attention to issues such as decentralization and parallel structures. Prior to the events of March, the Democratization Department was involved in fostering debate through round table discussions on decentralization. In 2003, the *Human Rights/Rule of Law* Department issued a comprehensive and widely discussed human rights report on parallel structures. OMiK possesses the capacity to make a significant contribution to the discussion and possible implementation of any future agreement on these two important issues.

In 2004, the Mission had expected to make progress in its transition from classical human rights monitoring to an advisory and capacity building role. However, following the violence, it was decided to postpone extending a pilot project that had seen human rights experts placed in eight municipalities for advice and capacity-building purposes to the remaining 22 municipalities. The roll-out is now likely to be delayed until 2005, because monitoring will have to remain the immediate priority for now. A report outlining the human rights challenges that have arisen from the violence is currently in preparation and includes recommendations in the areas of property, non-discrimination, law enforcement, and the judiciary.

The *Elections* Department continues to prepare for the Kosovo-wide 2004 elections after Special Representative of the UN Secretary-General (SRSG) Harri Holkeri confirmed the 23 October elections date. The fallout from the events of March will add to the complexity of electoral activities. The handover of operational responsibilities to the newly established and locally-run Central Election Commission Secretariat (CECS) is scheduled to go ahead, the assumption being that the CECS will conduct election preparations in an unbiased and inclusive way. Certain sensitive aspects of the election operation will in any case be retained by OMiK, including the registration of political parties, the Voters' List, the operation of the central Count and Results Centre and the By-Mail Programme for eligible voters outside Kosovo. A majority of the more than 3,000 newly displaced persons will probably not have returned to the place where they are registered, and alternative measures such as conditional voting or re-registration will have to be put in place to give these people the opportunity to vote. In the aftermath of March's violence, participation of the Kosovo Serb community in the 2004 elections seems even more uncertain than in previous election cycles. The international community will need to encourage both the Kosovo Serbs and Belgrade to support the electoral process. The planning of security measures on election day will need to rely less on KPS than originally planned and more on UNMIK Police and KFOR, as serious attempts to disrupt the electoral process cannot be excluded.

Police training was naturally called into question at first given the serious criticism under which the response to the March events on the part of KPS and UNMIK Police came. It is clear that the KPS is not yet sufficiently well equipped and trained to handle huge crowds and violent protestors. Even though the basic concept of OMiK police training remains sound, there will need to be changes – or rather additions – to the training curriculum. Thought should also be given to enhancing inter-ethnic awareness and community policing as well as strengthening the crowd control component. In light of the events of March, the final number of police recruits to be trained might be revised upward. This is a matter that UNMIK's Pillar I (Police and Justice) and OMiK will have to determine jointly.³

The review has also considered aspects of management (strategic planning, information sharing and reporting, and project development and implementation, to name but a few). Independently of the re-evaluation of programmes, a frank assessment of these issues should also serve to improve the functioning of the Mission as an organization. The Mission's review is underway and some initial conclusions have been reached regarding OMiK's work within its own mandate. However, this assessment will now have to be brought into the discussion that has begun to take place within UNMIK as a whole. Ultimately, an agreement on the conclusions and lessons learned will have to be reached across the four pillars. Much depends also on the general policy direction the International Community (UN and Contact Group) intends to pursue.

Standards and Dialogue

After the events of March, the international community, while acknowledging a serious setback for a multi-ethnic Kosovo, confirmed that the Standards process would continue. The PISG also insisted that the process should not be abandoned and expressed their continued commitment. Previously, over a period of almost two years, the PISG had shown very little enthusiasm for either the Standards or the benchmarks that had preceded them.

It will be recalled that UNMIK devised eight benchmarks as a quantifiable means of measuring Kosovo's progress in developing a democratic society when the PISG government took office in May 2002.⁴ UNMIK presented the benchmarks as an attempt to offer the PISG and the general public guidance on what was required of them if they were to help build an open and tol-

3 UNMIK has four components or "pillars": Police and Justice, Civil Administration (both UN), Institution Building (OMiK), and the EU-led Economic Reconstruction and Development component.

4 For more details, cf. Bernhard Knoll/Kara Johnston Molina, *A Rocky Path: Kosovo's Transition to Provisional Self-Government*, in: Institute for Peace Research and Security Policy at the University of Hamburg (ed.), *OSCE Yearbook 2002*, Baden-Baden 2003, pp. 131-149, here especially pp. 147-148.

erant society. As UNMIK undertook to raise the public profile of the benchmarks through billboards and an explanatory film, the slogan “standards before status” emerged and became a favourite way of responding to constant Kosovo Albanian demands for independence.

With every quarterly report to the UN Security Council that indicated continued shortcomings on implementing the benchmarks, the reaction of the PISG became more hostile. They increasingly felt that “standards before status” was a policy deliberately chosen to keep the status issue off the table. They argued that the PISG should not be held accountable for a lack of progress in areas controlled by UNMIK. Instead, Kosovo Albanians strongly endorsed the view that the determination of Kosovo’s status was a precondition for reaching the Standards, thus turning “standards before status” on its head.

UNMIK’s public relations campaign on the benchmarks also failed to win over the public at large, who felt patronized and were critical of the fact that the benchmarks had been worked out behind closed doors by UNMIK officials and imposed without any prior consultation with the Kosovars themselves. When the then SRSG, Michael Steiner, left Kosovo in summer 2003, senior UNMIK officials realized that the benchmarks would have to be more precisely defined if they were to become meaningful to ordinary Kosovars and accepted by the PISG as the framework for progress towards resolving Kosovo’s final status. Upon his arrival, Harri Holkeri, the new SRSG, emphasized the need for UNMIK and the Provisional Institutions to work towards implementing the Standards in partnership, but it was the visit of US Undersecretary of State Marc Grossman in November 2003 and his setting of a concrete date for Standards review in mid-2005 on behalf of the Contact Group that secured a more positive attitude towards the Standards.

The “Standards for Kosovo” document launched by SRSG Holkeri and Prime Minister Bajram Rexhepi on 10 December 2003 resulted from the efforts of five joint UNMIK-PISG working groups. The Standards concern: functioning democratic institutions; rule of law; freedom of movement; returns and the rights of communities; economy; property rights and cultural heritage; dialogue; and the Kosovo Protection Corps (KPC).

On the same day, work commenced to define a comprehensive implementation plan for the Standards. The five joint UNMIK-PISG working groups resumed their activity and began to draft action plans for the eight Standards. OMIK participated in four of them, co-chairing the first group, which covered three of the eight Standards (functioning democratic institutions, property rights and cultural heritage, and the Kosovo Protection Corps), with UNMIK Pillar II (Civil Administration). A final draft was expected to be released in mid-March. However, preparations were interrupted by the eruption of violence.

Finally, on 31 March SRSG Holkeri and Prime Minister Rexhepi jointly launched the Standards implementation plan. In his speech, the Special Representative noted that the plan was a living document that could be revised

whenever the circumstances warranted. In particular, two of the Standards – returns and the rights of communities, and freedom of movement – would have to be reviewed in light of the March events. Prime Minister Rexhepi reiterated that the government was committed to the Standards and stressed the importance of the review date that remains set for mid-2005. The Plan calls for constructive engagement from Belgrade in “a process designed to protect and promote the interests of all communities in Kosovo”. Kosovo Serbs had refused to participate in the elaboration of the plan but provided comments on one of the final draft versions.

The plan details actions to be undertaken for the fulfilment of the eight Standards, names the responsible implementing and supporting actors, and defines timelines for implementation. Although it is Kosovo and its institutions that are required to make progress on the Standards, UNMIK has an essential supporting role to play in the implementation process, either through the provision of resources, capacity building, and advice, or through the impact the exercise of executive power in the reserved areas may have on the Standards.

OMiK is recognized as a supporting actor in a wide range of activities and has thus taken on important responsibilities in several areas pertaining to its mandate. The possibility that OMiK will become the key institution in Kosovo for monitoring the Standards from as early as 2005 cannot be excluded, although this remains speculation at present. This could happen as part of a restructuring of UNMIK that would see the UN role diminish further in line with a further transfer of competencies to the PISG. While the OSCE is likely to maintain a significant presence in Kosovo for several years to come, and the EU is likely to take on a greater share of responsibilities, as the example of Bosnia and Herzegovina shows, the UN will in all likelihood further downsize its presence in Kosovo to redirect its resources to other parts of the globe. The monitoring functions currently performed by Pillar II could be assumed by OMiK with relative ease, even though the current field network of eight offices covering the 30 municipalities would have to be strengthened. As stated before, the above scenario remains speculation, and an entirely different restructuring plan might prevail. Meanwhile, the mechanisms for monitoring and reporting on the Standards here and now, that is in April 2004, still have to be worked out in detail.

UNMIK also remains committed to the dialogue between Prishtinë/Pristina and Belgrade on practical issues within the scope of Standard 7 (Dialogue). The dialogue officially began at a meeting held in Vienna in October 2003. Again, but for different reasons, the PISG found it extremely difficult to commit to this process. Divisions between and within the parties run deep, and, after the Kosovo Assembly failed to even discuss the issue, it was unsurprising that the prime minister decided not to attend for fear of sparking a government crisis. In the end, no representative of the PISG went to the Vienna meeting, but the attendance of the president and the assembly president

(both Democratic League, LDK) allowed the formal process to begin. Four working groups (on energy, transport, missing persons, and the return of displaced persons) were scheduled to meet in March and April. The two inaugural meetings that did take place in Prishtinë/Pristina in early March 2004 had been low-key but encouraging and, despite the violence of the same month, UNMIK now wants to see the process resumed as soon as possible.

Alongside NATO and the EU, the OSCE assumed the role of guarantor to the process and remains committed to dialogue activities. In support of the Belgrade-Prishtinë/Pristina dialogue process, OMiK had organized a symposium on negotiation techniques in October 2003, which was attended by PISG ministers and senior ministry officials. Apart from supporting the official dialogue, the Mission remains determined to pursue other OMiK-sponsored dialogue initiatives. Through its Civic Dialogue Initiative, which brings together Belgrade- and Kosovo-based NGOs, the encouragement of inter-parliamentary links, and meetings of journalists and editors, OMiK has been very active in this field. The Mission is also going ahead with plans for a round table for various organizations promoting dialogue at official and less official levels.

Conclusion

The events of March 2004 have been a setback not only for Kosovo, its institutions, and society at large, but also for UNMIK and the entire international presence. OMiK is undertaking a thorough review of all its activities to make sure that its programmes respond to the needs of Kosovo's citizens. In doing so, OMiK has sought, first, to analyse the underlying causes of the violence, and second, to consider how OMiK policy and programming should change to address these wherever possible. More emphasis on youth, on dialogue, and on tolerance building are the fruits of this review. In the light of these discussions, a third step, currently underway, will make concrete decisions on which projects will have to be cancelled, which projects may remain, and what new projects might need to be undertaken. OMiK remains committed to a model of partnership with the PISG and the people of Kosovo and will continue to work towards an open and democratic society. Within the wider political context, OMiK, as part of UNMIK and the wider international presence in Kosovo, remains committed to the Standards process and the Prishtinë/Pristina-Belgrade dialogue. OMiK will have a role to play in both these processes. In 2005, a restructuring of UNMIK can be expected. Whether as an integral part of the successor arrangement or as an institution in its own right, OMiK will continue to serve the people of Kosovo in the years to come.