

## Kosovo

With the continued presence of four international peace operations—from the UN, NATO, the EU, and OSCE—the overall situation in Kosovo remained relatively peaceful in 2010. However, outstanding intercommunal tensions and a Kosovo political crisis threatened to undermine the fragile stability.

### Background

During 1998, following Serbian leader Slobodan Milosovic's move to bring the autonomous Kosovo territory under direct Serbian control, armed conflict erupted between the Kosovo Liberation Army (KLA) and the Serbian armed forces. The fighting, which killed and displaced thousands, prompted an intense reaction in the form of a four-month NATO bombing campaign. In June 1999, NATO deployed the Kosovo Force (KFOR) to supervise the withdrawal of Serbian troops from Kosovo as agreed upon in UN Security Council Resolution 1244. The resolution also established the UN Interim Administration Mission in Kosovo (UNMIK) as a temporary civilian administration. Kosovo has since been host to a number of peace operations.

After nearly nine years of international administration, Kosovo unilaterally declared its independence from Serbia in 2008, a move that complicated international support and policy for the region. Soon after, on 9 December 2008, UNMIK ended its administrative role and transferred operational responsibility for law and order to the EU Rule of Law Mission in Kosovo (EULEX). Operating under Resolution 1244, EULEX, UNMIK, the OSCE mission in Kosovo (OMIK), and KFOR are to remain “status neutral” regarding Kosovo. However, in practice

this has been difficult for all missions, EULEX in particular.

### Key Developments

#### *Political and Security Situation*

On 22 July 2010, the International Court of Justice (ICJ) ruled in an advisory opinion that Kosovo's declaration of independence did not violate international law, Security Council Resolution 1244, or the constitutional framework. Less than a week later, Serbia's parliament passed a resolution stating that it would never recognize an independent Kosovo, despite calling for peaceful negotiations on its status. The security situation remained relatively peaceful, in spite of the ICJ ruling.

However, the situation in northern Kosovo, where the majority Serbian population largely rejects the Kosovo administration, was tense. In May 2010, Serbian-organized local elections were held in northern Mitrovica. KFOR soldiers and the Kosovo police intervened to prevent clashes between some 1,000 Kosovo Serbs and nearly 2,000 Kosovo Albanians who had been caught in a standoff at the city's main bridge. On 2 July, around 1,500 Kosovo Serbs gathered to protest the opening of a civil-service center in an ethnically mixed area in northern Mitrovica. An explosion at the gathering injured twelve and killed one.

On 16 October 2010, Kosovo's coalition government collapsed after ministers of the Democratic League of Kosovo (LDK) resigned from the government. The Kosovo parliament passed a no-confidence vote on the government, prompting elections that had to be held within forty-five days. Parliamentary elections

were successfully held in December and in selected towns and cities in early January 2011.

### *Peace Operations*

Although at a reduced presence, UNMIK continued to exercise some rule-of-law responsibilities and maintained technical-level contacts with the Kosovo authorities. Enjoying widespread acceptance by all communities, UNMIK continued working toward addressing common priorities, including the issue of missing persons, a critical area that impacts reconciliation. Encouragingly, in 2010 there was an increase in returns from both inside and outside Kosovo, with considerably more than 1,000 displaced persons returning to their homes. UNMIK also facilitated communication between Serbia and nonrecognizing states, often playing the role of interlocutor.

Meanwhile, EULEX continued its rule-of-law support to Kosovo in three sectors: police, judiciary, and customs. EULEX combined monitoring, mentoring, and advising the Kosovo authorities with executive functions in high-risk areas. EULEX maintained formed police units ready to act as second responders; utilized judges, prosecutors, and investigators to handle war crimes, interethnic crimes, and terrorism; and assisted the Kosovo Customs Service.

In 2010, no serious incidents necessitated a robust EULEX response. On 1 March, EULEX, KFOR, and the Kosovo police began joint patrols in the north, up to the Montenegrin border, in an area that was previously under KFOR control. EULEX also continued to support the Kosovo Judicial Council and the reestablishment of a multiethnic court in northern Mitrovica. However, progress has been slow. The vetting and reappointment process is behind schedule and there is a supply shortage of qualified judges.

To combat crime and corruption, EULEX assisted in the arrest of organized crime leaders involved in narcotics and weapons trafficking and helped arrest and prosecute members of the KLA responsible for past atrocities. In efforts to stamp out corruption at the government level, EULEX successfully investigated and indicted

### **UN Interim Administration in Kosovo (UNMIK)**

Authorization and Start Date	10 June 1999 (UNSC Res. 1244) (Note: paragraph 19 of the resolution states that international civil and security presences are established for an initial period of twelve months, to continue thereafter unless the Security Council decides otherwise.)
SRSG	Lamberto Zannier (Italy)
Budget	\$47.9 million (1 July 2010–30 June 2011)
Strength as of 31 October 2010	Military Observers: 8 Police: 8 International Civilian Staff: 141 Local Civilian Staff: 235 UN Volunteers: 27

*For detailed mission information see p. 250*

### **EU Rule of Law Mission in Kosovo (EULEX)**

Authorization Date	4 February 2008
Start Date	February 2008
Head of Mission	Yves de Kermabon (France)
Budget	\$162 million (1 October 2009–30 September 2010)
Strength as of 30 September 2010	Civilian Police: 1,182 Civilian Staff: 512

several senior government officials, including members of the Ministry of Health, the Ministry of Transport and Telecommunications, and the governor of the Central Bank.

In October 2010, with KFOR strength at around 10,000, NATO Secretary-General Anders Fogh Rasmussen announced that NATO will progressively reduce its presence to 5,000 troops over the next few months. KFOR has meanwhile also stepped up efforts in the north through increased checkpoints and patrols on both sides of the Ibar River (a boundary separating the Albanian south and predominantly Serbian north).

OMIK, the OSCE's largest field mission, continued monitoring and supporting local institutions with a focus on human rights, democracy, and public safety. The mission has five regional offices and more than thirty field teams observing municipalities throughout the country.

### Conclusion

Serbia's EU application is still pending, and meanwhile it has received renewed pressure to cooperate with the International Criminal Tribunal for Yugoslavia (ICTY), including the capture of Ratko Mladic, the accused mastermind of the 1995 Srebrenica massacre. Kosovo's government crises and December elections also contribute to uncertainty about the future. Kosovo prime minister Hashim Thaci's Democratic Party of Kosovo (PDK) won the elections. It was the country's first parliamentary vote since declaring independence from Serbia. A government must be formed within ninety days.

It is unclear how these developments will impact potential talks between Serbia and Kosovo. In early 2010, Kosovo advocated for the EU and the United States to mediate a dialogue and the UN General Assembly embraced the EU's role as facilitator between the two sides. Both Serbia and Kosovo have been receptive to talks; however, key issues such as northern Kosovo's territorial integrity and potential

<b>OSCE Mission in Kosovo (OMIK)</b>	
Authorization Date	1 July 1999
Start Date	July 1999
Head of Mission	Ambassador Werner Almhofner (Austria)
Budget	\$33.1 million (1 October 2009–30 September 2010)
Strength as of 30 September 2010	Civilian Staff: 168

<b>NATO Kosovo Force (KFOR)</b>	
Authorization Date	10 June 1999
Start Date	June 1999
Head of Mission	Major-General Erhard Bühler (Germany)
Budget	\$40.7 million (1 October 2009–30 September 2010)
Strength as of 30 September 2010	Troops: 9,923

special status are contentious points for inclusion in direct negotiations.

Ultimately, as the Secretary-General has repeatedly said, long-term peace, stability, and development will come from reconciliation between the communities in Kosovo and the wider region.