

## Kosovo

The overall situation in Kosovo remained stable in the first half of 2011. This period was marked by progress in the dialogue between Serbia and Kosovo, sponsored by the European Union, particularly in the areas of civil registries, diplomas, and freedom

of movement. In July, however, ethnic tensions erupted in the north following a failed attempt by Kosovo institutions to take control of two northern boundary-crossing points. The incident, which was only resolved in December by an agreement between Kosovo and Serbia, highlights the risk of continued instability in the region. If the situation in northern Kosovo, which is currently outside the control of Kosovo's institutional domain, remains unsettled, the potential for ethnic flare-ups and regional volatility will remain.

### UN Interim Administration Mission 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 Farid Zarif (Afghanistan)
- Budget \$44.9 million (1 July 2011–30 June 2012)
- Strength as of 31 October 2011 Military Observers: 9  
Police: 8  
International Civilian Staff: 150  
National Civilian Staff: 215  
UN Volunteers: 26

*For detailed mission information see p. 269*

### Background

In 1998, Serbian president Slobodan Milosevic's attempts to bring Kosovo under direct Serbian rule ignited conflict between the Kosovo Liberation Army and Serbian armed forces. NATO responded with an intense four-month bombing campaign and the deployment of Kosovo Force (KFOR) to supervise the withdrawal of Serbian troops from Kosovo as laid out in Security Council Resolution 1244. This resolution also authorized the establishment of an interim civilian administration, the UN Interim Administration Mission in Kosovo (UNMIK). The OSCE Mission in Kosovo (OMIK) was established soon thereafter, tasked with addressing democracy, human rights, and rule of law issues.

With status negotiations reaching an impasse after nine years of international administration, Kosovo declared independence unilaterally in February 2008. Serbia's refusal to recognize the newly independent Kosovo created a complex political scenario for international actors. This was particularly true in the north, where Kosovo Serbs rejected Pristina's

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

- Authorization Date 4 February 2008 (EU Council Joint Action 2008/124/CFSP)
- Start Date February 2008
- Head of Mission Xavier Bout de Marnhac (France)
- Budget \$230 million (1 October 2010–30 September 2011)
- Strength as of 30 September 2011 Civilian Police: 1,044  
Civilian Staff: 541

authority, and in turn created a significant constituency who remain largely under Serbian control.

Soon after, UNMIK concluded its administrative role, transferring operational responsibility for law and order to the EU Rule of Law Mission in Kosovo (EULEX). EULEX was deployed under the legal framework of Resolution 1244 to support the rule of law, including police, justice, and customs. Serbia agreed to the reconfiguration of UNMIK and the deployment of EULEX in the so-called Six-Point Plan, which allowed EULEX to deploy to the north. Under the plan, EULEX, UNMIK, and OMIK are all to continue operating under Resolution 1244 and to remain “status neutral” regarding Kosovo. However, the plan failed to address the numerous obstacles and challenges these organizations have faced on the ground, particularly in the north, where EULEX has struggled to fully implement its mandate.

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## Key Developments

### *Political and Security Situation*

In September 2010 the EU and Serbia jointly drafted a UN resolution calling for an EU-mediated dialogue on technical issues to promote cooperation between Serbia and Kosovo, achieve progress on the path to EU accession, and, more generally, to improve the lives of the populace. An initial agreement was reached in early July 2011 on civil registries, school and university diplomas, and freedom of movement. Disagreements over customs stamps, however, resulted in the postponement of further negotiations.

Tensions quickly escalated in light of the customs stamp issue, and Pristina organized a unilateral boycott of Serbian goods on 22 July. The boycott was then followed three days later by a failed attempt on the part of Kosovo institutions to take control of two northern boundary-crossing points previously under the control of Serb members of the Kosovo Police and EULEX officers. These

developments were criticized by international actors and caused a strong outcry from Kosovo Serbs, who quickly organized roadblocks and engaged in open fire with Kosovo’s special police forces, resulting in the death of one Albanian police officer. On 26 July, KFOR troops took control of the two disputed border posts under an agreement with Pristina, but these forces encountered armed resistance and roadblocks manned by local Serbs. The crisis was ultimately averted by a KFOR-brokered deal negotiated with Pristina and Belgrade on 5 August. Under the terms of the agreement, both boundary-crossing points were designated as restricted military areas.

On 2 September, Serbia recognized status-neutral stamps from Kosovo within the EU-sponsored dialogue, paving the way for the lifting of mutual trade embargoes and an easing of tensions. However, the agreement failed to address the disputed border posts, and efforts to deploy EULEX customs officers to the contested border gates, jointly with Kosovo police and customs officers in an observer capacity, were met with local resistance and new roadblocks. Teams of customs officers were deployed by helicopters amid protests by the Serbian government and Kosovo Serbs. Kosovo Serbs reinforced existing roadblocks and built additional ones to protest the presence of Kosovo officials at the border gates. Tensions continued and clashes erupted on 27 September, when protesters attempted to remove barbed wire laid by KFOR at one of the gates. The clash left nearly thirty Kosovo Serbs and nine KFOR soldiers injured. The Serbian government boycotted the EU-sponsored dialogue, scheduled for 28 September, and talks were not resumed until late November.

In October, KFOR attempted to disassemble the roadblocks, using tear gas to disperse protesters. Ethnic Serbs resisted NATO forces, arguing that they would be willing to allow KFOR troops access as long as they did not transport Kosovo authorities to the north. An agreement was reached in late October to partially remove the barricades to allow KFOR



### Box 3.4 HIV/AIDS and UN Peacekeeping

It has been eleven years since the UN Security Council passed the landmark Resolution 1308 (2000), recognizing the impact of HIV/AIDS on international peace and security. The resolution stressed that HIV/AIDS, if left unchecked, can pose great risks to global security and stability, and in the most severe instances can contribute to state breakdown. It also noted that violence and instability play a significant role in exacerbating the pandemic and spreading the disease. Resolution 1308 mandated the Secretary-General and the UN's Department of Peacekeeping Operations (DPKO) to take relevant steps to raise awareness and provide training to peacekeeping personnel on HIV prevention.

Since the adoption of Resolution 1308, over 186 reports of the Secretary-General to the Security Council have cited HIV/AIDS-related concerns. DPKO has sought to train its peacekeepers to raise awareness of the disease and has made it a priority to curb the transmission of HIV among peacekeepers and host communities. To do so, DPKO established pre-deployment training, induction training on arrival, and continuing education for peacekeepers. It has also integrated HIV prevention and awareness into its

peacekeeping missions, with HIV/AIDS units in larger missions and focal points in smaller peacekeeping and political missions.

In 2011 DPKO and the Joint UN Programme on HIV/AIDS (UNAIDS) released a report reviewing progress in implementing Resolution 1308. *On the Front Line* assesses progress since 2005, the last time a review of this type was conducted.<sup>1</sup> During this period, HIV induction training increased from 11 to 55 percent, an especially significant increase given an overall increase in the number of peacekeeping troops. Voluntary confidential counseling and testing (VCCT) services also increased significantly, with the number of personnel requesting these services increasing from 1,830 in 2005 to over 14,000 by the end of 2010. Moreover, the number of sites at which VCCT is available increased from two to thirteen over the same period. DPKO has also prioritized the training of HIV peer educators, with 1,500 trained in 2010. In addition, many current troop-contributing countries provide mandatory HIV testing policies for their uniformed personnel before or after deployment.

However, the report also notes that major challenges remain in effectively

implementing Resolution 1308, including low funding for HIV/AIDS programs and the need for a greater focus on prevention. Continued stigma around the disease may also discourage individuals from educating themselves and being tested. The report also acknowledges that the increase in induction training has been inconsistent across missions.

In June 2011 the Security Council met to discuss HIV/AIDS for only the second time, and unanimously adopted Resolution 1983. The resolution welcomed efforts by DPKO and other actors to strengthen HIV awareness and prevention and noted the important role of peace operations in providing a holistic response. Shortly thereafter, the UN General Assembly adopted a political declaration on HIV/AIDS that stressed the critical role of mission leadership in prevention, treatment, and care.

DPKO's efforts to integrate HIV prevention and awareness into peacekeeping operations have helped to mitigate the risks posed by the spread of the virus. However, the prevalence of HIV and AIDS worldwide still remains a concern to global stability and security, particularly in vulnerable postconflict environments.

*Note:* 1. The report is available at [http://www.unaids.org/en/media/unaids/contentassets/documents/document/2011/20110519\\_OnTheFrontLine.pdf](http://www.unaids.org/en/media/unaids/contentassets/documents/document/2011/20110519_OnTheFrontLine.pdf).

operation relating to fraud within the Kosovo police, which resulted in the arrest of six individuals, including Kosovo police officers. EULEX has also played an active role in monitoring, mentoring, and advising local customs officials, police officers, judges, prosecutors, and investigators.

Since his appointment in October 2010, EULEX head Xavier Bout de Marnhac has focused on expanding the mission's footprint in northern Kosovo by increasing contacts

with local authorities and revamping efforts to combat criminal institutions in the area with support from KFOR. This strategy produced a major EULEX special forces operation, launched in February 2011, that resulted in the arrest of several individuals associated with smuggling and other criminal activities.<sup>3</sup> EULEX has also continued to support the reenactment of the multiethnic courthouse in Mitrovica, but has pushed to resolve the issue within the framework of the EU-sponsored

dialogue.<sup>4</sup> Kosovo continues to criticize EULEX for its failure to fully implement its mandate in the north.

EULEX's response to the flare-ups in northern Kosovo involved coordinating activities with KFOR to maintain security, reinforcing its presence with special forces in the two disputed boundary areas, and increasing EULEX police patrols in the north. EULEX also supported the restoration of full customs controls throughout the territory. EULEX prosecutors also launched a criminal investigation into the July death of the Albanian police officer mentioned earlier and other criminal incidents. These investigations triggered a EULEX police action on 30 August in which several suspects were indicted.

On 5 August, only a few days after the start of the border crisis, an e-mail communication by the EULEX deputy head was made public, indicating a plan to begin downsizing EULEX by October. However, no formal statements have been made at this juncture and the specifics remain uncertain.

KFOR has been steadily reducing its footprint. By mid-2011, the force had been curtailed to just over 6,000 soldiers, versus a high of 10,000 in 2010. KFOR has also initiated plans to devolve responsibilities to local authorities. In March 2011 it withdrew from the border between Kosovo and Macedonia, transferring its control to the Kosovo police. More recently, KFOR turned over control of the border with Montenegro in September. However, the administrative line with Serbia will remain under KFOR control. Plans to further downsize KFOR to 2,000 troops were announced in May 2011; however, the border crisis has delayed preparations.<sup>5</sup>

KFOR adopted a prominent leadership role during the crisis, including extensive mediation and consultation activities in an effort to maintain security and ensure freedom of movement. Further reinforcements from Germany and Austria totaling 700 troops arrived in early August to replace soldiers on the ground. After the customs stamp agreement was signed in September, NATO peacekeepers

remained stationed at the two disputed border gates to prevent potential violence. Outgoing KFOR commander Erhard Buehler warned that the situation in northern Kosovo remains KFOR's most significant operational challenge on the ground.

OMIK has remained engaged in supporting institutional development and democracy building, promoting human and community rights, and providing substantial assistance in the improvement of security and public safety, especially in combating organized crime and supporting community policing. The mission has also taken on a reinforced monitoring role in the context of UNMIK's downsizing.

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## Conclusion

The resumption of the EU-sponsored dialogue in November is a positive development for Serbia-Kosovo relations; however, further international engagement may be needed to address the underlying conflict in the north. Despite the EU's postponement of a decision on its candidacy until 2012, Serbia's EU bid remains a powerful incentive, especially following the arrest of war crimes suspect Ratko Mladic and in the context of the 2012 elections. This also comes at a time when the EU is beginning a significant institutional overhaul of its presence in the Balkans, where the EU Special Representative is no longer "double hatted" with the International Civilian Office. This process has been delayed, however, largely as a result of EU divisions concerning the status of Kosovo and the stalemate in the north.

Belgrade has expressed a willingness to discuss northern Kosovo as part of the EU-sponsored dialogue, but Pristina has expressed opposition and favors an approach that unilaterally extends its presence in the north. Should the status quo remain, the potential for ethnic tensions and instability will likely disrupt plans for the continued downsizing of KFOR as part of a larger international withdrawal.

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## Notes

1. UN News Centre, “UN Urges Kosovo and Serbia to Show Restraint and Avoid Unilateral Actions,” 15 September 2011, <http://www.un.org/apps/news/story.asp?NewsID=39572&Cr=kosovo&Cr1=>.
2. EULEX Kosovo, “EULEX Carries Out Arrest Near Zubin Potok Related to Organised Crime,” 17 May 2011, <http://www.eulex-kosovo.eu/en/pressreleases/0125.php>.
3. “EULEX Arrests Three in Northern Kosovo,” *Balkan Insight*, 15 February 2011, <http://www.balkaninsight.com/en/article/eulex-arrests-three-in-northern-kosovo>. See also EULEX, “EULEX Carries Out Arrest Near Zubin Potok Related to Organised Crime,” press release 17 May 2011, <http://www.eulex-kosovo.eu/en/pressreleases/0139.php>.
4. See UNMIK press summary of 14 April 2011 at <http://www.unmikonline.org/Pages/MediaMonitoring.aspx>.
5. See J. Benitez, “NATO Puts Off Planned Troop Reduction in Kosovo Because of Upsurge in Violence,” *Associated Press*, 30 August 2011.