Human Security as 'Ethnic Security' in Kosovo

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In Kosovo, the concept of human security is invoked in a three-fold manner. First of all, the international community has applied human security for the purpose of maintaining a fragile peace and stability in Kosovo. For the international community, maintaining the fragile peace meant tolerating the establishment and operationalization of Serbian parallel institutions. This leads to the second application of human security: the parallel institutions claim that their existence is necessary to provide human security for the Serbian community in Kosovo. Consequently, this undermines the capacity of Kosovo's public institutions to exercise legal authority in the north of Kosovo and in other territorial enclaves. Parallel to this, Kosovo's institutions have viewed the human security approach as a means to prove the institutional capacity of independent self-government to provide inclusive security, welfare, and integration policies for all people in Kosovo, with a special emphasis on ethnic minorities. Accordingly, human security is used by different actors in Kosovo to pursue different political agendas, which have not resulted in achieving the primary goal of furthering human welfare and fulfilment beyond mere physical security. To the contrary, the (ab)use of human security has created the conditions for fragile governance, protracted ethnic destabilization, and stagnating economic and human development.

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I.   Introduction

Even after ten years of international administration and two years since its independence from Serbia, Kosovo continues to face ethnic and socio-economic problems that have the potential to undermine the progress achieved and threaten the country's stability. In 1999 the international community intervened to halt the Serbian authorities' violence against Kosovar Albanians and began its decade-long administration of Kosovo, aiming to coordinate reconstruction, maintain law and order, protect human rights, and create democratic institutions. From 1999-2008, the international administration (UNMIK and its partners) coordinated the deployment of over 20,000 NATO troops, provided over three billion Euro in foreign aid, and undertook large projects in peace- and institution-building. Despite these investments many criticize the international administration for being ineffective in satisfying the real needs of the Kosovar population, constructing social trust across ethnic communities and in realizing economic recovery and psycho-social reconstruction. The international administration is also criticized for deepening ethnic fragmentation (consequently strengthening Serbian parallel institutions) asserting international primacy, thereby inhibiting local ownership and making bottom-up approaches to transition and normalization impossible. Instead of supporting the strengthening of the social contract and enhancing the participation of all communities in political decision-making, international actors have prioritised *"short-term security at the price of long-term sustainable peace and economic development".*[2]

This article explores the factors that have undermined the societal progress and the improvement of human conditions in Kosovo from a human security perspective. Although human security was implicit in the mandates of the international administration and local institutions, this article explores how human security has been instrumentalized as 'ethnic security' in post-conflict Kosovo. In particular, we argue that the international administration in Kosovo has undertaken activities related to human security primarily seen as conflict resolution and short-term stability; that the Kosovo institutions use it as a means to justify the self-governance capacities and act as the principle public services and human security provider; and that the Serbian parallel institutions invoke activities similar to human security that aim to legitimize their 'contested' presence in the enclaves across Kosovo. As a consequence of these multiple agencies and their implicit invocation of human security we argue that human security has not been an end in itself for these three agencies, but has functioned as a means to achieve different political agendas.

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[2]   Montanaro, Lucia, *The Kosovo Statebuilding Conundrum: Addressing Fragility in a Contested State,* FRIDE Working Paper 91, October 2009, at p. 19.

II.   A New Approach to Human Security

There is no consensual definition for the scope and the nature of human security. However, in a broad sense, it challenges the traditional view of security, which is focused on military capabilities and state security, and supports broadening the human development paradigm. At its core, human security involves *"a change of focus from a state-centred understanding of security that is, top-down and territorial, to an individual-based and therefore bottom-up and de-territorialized model".*[3] It reorients the conception of security by considering certain dimensions of the concept. 'Security for whom' focuses on individuals and peoples and has wider meaning for values and goals such as dignity, equity and solidarity.[4] 'Security from what' identifies the agency-based and structural causes of insecurity, such as economic threats, personal security threats, environmental threats, and political threats.[5] Finally, 'security by what means' empowers individuals to become 'agents', who can be actively engaged in defining potential security threats, and who can participate in efforts to mitigate them.[6] The 1994 *UNDP Human Development Report* (HDR) synthesized threats to human security into seven components: economic, food, health, environmental, personal, community and political security,[7] while human development focuses on *"flourishing or fulfilment of individuals in their homes and communities, and the expansion of valuable choices"*[8], *"[t]he objective of human security is to safeguard the vital core of all human lives from critical pervasive threats, without impeding long-term human fulfilment".*[9]

Parallel to this, a European conception of human security perceives human security as the security of individuals and communities – an interrelationship of 'freedom from fear' and 'freedom from want'.[10] A research group convened by the EU has elaborated several principles of new conflict management informed by

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[3]   Kostovicova, Denisa, *Legitimacy and International Administration: The Ahtisaari Settlement for Kosovo from a Human Security Perspective*, in: International Peacekeeping (Volume 15), 2008, pp. 631-647, at p. 632.

[4]   Tadjbakhsh, Shahrbanou and Anuradha M. Chenoy, *Human Security: Concepts and Implications*, Routledge, Oxford, 2007, at p. 13.

[5]   Tadjbakhsh, Shahrbanou and Anuradha M. Chenoy, *Human Security: Concepts and Implications*, at p. 14.

[6]   Tadjbakhsh, Shahrbanou and Anuradha, M. Chenoy, *Human Security: Concepts and Implications*, at p. 16.

[7]   UNDP, *Human Development Report: New Dimensions of Human Security*, Oxford University Press, Oxford, 1994.

[8]   Alkire, Sabina, *A Conceptual Framework for Human Security*, Centre for Research on Inequality, Human Security and Ethnicity, Working Paper No. 2, Oxford, 2003, at p. 5.

[9]   Alkire, Sabina, *A Conceptual Framework for Human Security*, p. 2.

[10]   Kaldor, Mary, *Human Security: Reflections on Globalization and Intervention.* Polity Press, Cambridge, 2007, at p. 185.

human security. These principles include: (a*) the primacy of human rights* that distinguishes the human security approach from traditional state-based approaches; (b) *legitimate political authority,* which has enforcement capacity and can gain the trust of the population; (c*) multilateralism*, since the human security approach is global, it should be implemented through multilateral action; (d) *a bottom-up approach*, which considers communication, consultation and dialogue with the local people as essential tools for both development and security; (e) having a *regional focus*, as new wars have no clear boundaries.[11]

Nonetheless, as the thinking on human security grows, various critiques have questioned its meaning, scope and its political and moral implications. The main conceptual criticism concerns its lack of precision: as a concept, it is too broad to consider responses to threats, it lacks a concise research agenda, which is complicated by its inter-disciplinarity and inter-sectorality. Concerning the political implications of human security, Buzan is sceptic about its effect and sees it as *"a new tool for existing governing agencies to shape and control civil populations"* and argues that *"[h]uman security remains state-centric despite the supranational dimensions of the concept, allowing for a prominent role of the state as a necessary condition for individual security".*[12]

Moving from theory to practice, it is clear that human security is increasingly employed in post-conflict situations. From Bosnia and Herzegovina to Timor-Leste, Kosovo and Afghanistan, the comprehensive nature of these interventions, including democratic institution-building, civil society assistance, economic development, human rights promotion, reckoning with war crimes and so on, corresponds closely to key human security concerns.[13] Learning from these cases, the *Report of the Commission on Human Security (CHS)* called for a new framework and a funding strategy that rebuilds conflict-torn states and focuses on the protection and empowerment of people. Such a human security framework, according to CHS must *"emphasize the linkages among the many issues affecting people, such as ensuring people's safety through strengthening civilian police and demobilizing combatants; meeting immediate needs of displaced people; launching reconstruction and development; promoting reconciliation and coexistence; and*

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[11] See *A Human Security Doctrine for Europe*: The Barcelona Report of the Study Group on Europe's Security Capabilities, Barcelona, 2004; *A European Way of Security: The Madrid Report of the Human Security Study Group comprising a Proposal and Background Report,* Madrid, 8th November, 2007; and Kaldor, Mary, *Human Security: Reflections on Globalization and Intervention.*

[12] See Buzan, Barry, Ole Waever, and Jaap de Wilde, *Security: A New Framework for Analysis*, Boulder, Lynne Rienner, 1998, at p. 37.

[13] Kostovicova, Denisa, *Legitimacy and International Administration: The Ahtisaari Settlement for Kosovo from a Human Security Perspective*, at p. 633.

advancing effective governance".[14] Furthermore, CHS recognizes that in conflict situations it is necessary to go beyond peacekeeping and peace-building presence by *"setting up unified leadership for all actors close to the delivery point of human security."*[15]

However, the invocation of human security as a strategy to deal with many issues in underdeveloped societies, war-torn territories, and weak or fragile states poses several challenges. For instance, engaging different national and international agencies to provide human security can undermine the development of a single political structure being responsible for delivering services to its constituents and accountable through democratic mechanisms. On the other hand, assisting weak governments is considered a sustainable approach to deliver public security and welfare services, but risks the long-term goal of improving human rights and investment in people. Thus, a balanced approach of having functional and accountable public institutions that ensure equilibrium between public security for the public domain and at the same time investing in humans through prioritizing education, health, and social welfare would be an ultimate strategy to ensure overall societal stability and development. However idealistic this may sound, effective aid and political conditionality combined with on-ground assistance would serve as a mechanism to ensure gradual progress thereto.

III.   The (Ab)Use of Human Security in Kosovo

As a concept, human security has not been explicitly used to describe the mandate of international administration and international organizations; nor was it employed by the Kosovo government as an integrated and guiding strategy for development. However, if we deconstruct the goals of the international administration in Kosovo (including UNMIK, the donor community, and EULEX) we notice that their mandate and activities implicitly reflect the concept of human security. Canadian Foreign Minister Lloyd Axworthy called the NATO presence in Kosovo a new security vocation seeing the defence of human security as a global concern and the humanitarian imperative that galvanised NATO into action.[16] Similarly, the Kosovar government has established an institutional and legal environment to facilitate human security and design policies and funding dedicated to sectors that aim to provide human security. Meanwhile, the Serbian parallel institutions provide public services, health and education for the Serbian population in Kosovo, activities that are directly related to the human security agenda. In the following sections, we

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[14] Commission on Human Security, *Human Security Now*, New York, 2003, at p. 2.

[15] Commission on Human Security, *Human Security Now*, at p. 2.

[16] Axworthy, Lloyd, *NATO's new security vocation*, NATO Review (Number 4), 1999, pp. 8-11. Available online at: http://www.nato.int/docu/review/1999/9904-02.htm (All websites used in this article were last checked on 3 November 2010).

explore the main factors that have undermined human security in Kosovo. These are: the nature of the international presence in Kosovo; legacies of top-down approaches; the primacy of stability and ethnic security; the multiplicity of political authorities; the politics of institution-building; widespread corruption and finally the presence of Serbian parallel structures.

A.   The Nature of the International Presence in Kosovo

The nature and open-ended mandate of the UN international administration of Kosovo created conditions that later undermined the functioning of Kosovo institutions, local sovereignty and social cohesion. The Special Representative of the Secretary-General (SRSG) was the head of UNMIK and the highest international civilian official in Kosovo. Indeed the SRSG enjoyed *"maximum civilian executive powers envisaged and vested in him by the Security Council in its resolution 1244 (1999), and will also be the final authority on their interpretation [...]"*.[17] UNMIK was structured around four pillars. The first two pillars, coordinated by UNMIK, dealt with public security issues and the judicial system, and managed domestic public administration and the international civilian presence. The third pillar was administrated by OSCE, which dealt with democratization through institution building, strengthening local police and municipal authorities, as well as promoting the rule of law and an independent media and active civil society. The forth pillar mandated the EU to undertake economic reconstruction and development, including privatisation, customs and property issues. With such a broadly-mandated international administration, UNMIK *"suffered from having too many masters"*.[18]

From 1999-2003, the international community delayed transferring power to local institutions, and did little to promote local ownership of reconstruction processes. This was partly due to Kosovo's unresolved political status and the fear that any transfer of power to Kosovo's local institutions would be seen by Serbs in Kosovo as threat. In an attempt to 'balance' these fears, SRSG Michael Steiner outlined a series of benchmarks in April 2002, which *"should be achieved before launching a discussion on status"*.[19] Following consultations with the PISG, UNMIK formulated these benchmarks as 'Standards for Kosovo' in December 2003 and unveiled a more complex and ambitious 'Kosovo Standards Implementation Plan' on 31 March 2004. These 'standards' incorporated critical areas such as *"rule of law, functioning democratic institutions, the economy, freedom of movement, the*

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[17] United Nation Secretary-General, 1999, UN Doc of 12 July of 1999. Available online at http://www.unmikonline.org/UNMIKONLINE2009/SRSG.htm.
[18] King, Iain, and Whit Mason, *Peace at any price: How the world failed Kosovo*, Hurst & Company, London, 2006, at p. 249.
[19] UN Doc. S/PV/4518. 24 April 2002, p. 3.

return of internally displaced persons and refugees and contributions to regional stability".[20]

While these issue areas correspond clearly to the fulfilment of the requirement of normative and democratic legitimacy, and overall stabilization of Kosovo, it is questionable whether these standards reflect 'conditional sovereignty' or represent a 'delaying strategy' to avoid addressing Kosovo's status in order to maintain the immediate necessity for 'negative' peace and stability on the ground. While these standards reflect human security concerns, many commentators argue that they were aimed at delaying discussion of Kosovo's future (final) political status. It was argued that this delay aimed to incorporate Serbs into Kosovo institutions and society, according to the international mandate. Nonetheless, the incremental transferral of competence to the locals made both Serbs and Albanians sceptical about their future prospects in Kosovo. Instead of creating and investing in domestic conditions, which would provide durable peace and human security in Kosovo, the policy of the international community in Kosovo was shaped by a pre-occupation with stability. Accordingly, Dominik Zaum argues *that "such a policy [...] makes the international presence a condition of stability, rather than an instrument to attain self-sustained peace."*[21]

Discussions on the determination of Kosovo's final status also illustrate a lack of local ownership. In 2005, the process of defining a future (final) status for Kosovo final status was initiated and the UN Security Council appointed Martti Ahtisaari as Special Envoy to mediate between Serbia and Kosovo. Negotiations ended without mutual agreement and Martti Ahtisaari proposed 'supervised independence' for Kosovo, with broad decentralization for the Serbian community and an EU 'monitoring' mission to supervise the plan's implementation and the rule of law and justice. However, the drafters of this proposal engaged only with donor-driven agents of civil society[22], which was not an adequate representation of the people who would be affected by the proposal. Only a Kosovar movement demanding self-determination travelled to areas which were to be decentralized and provided the local population with a platform for their concerns. According to Vetëvendosje, *"through decentralization, Serbia is intending to expand and define the borders of enclaves, create continuous territory through enclaves with the planned return of Serbs by the government of Serbia, take the high peaks of hills and*

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[20] Press Release 719, *Address to the Security Council by Michael Steiner*, Special Representative of the Secretary-General, UNMIK 24 April 2002. Available online at: www.unmikonline.org.
[21] Zaum, Dominik, *States of Conflict: A case study of state-building in Kosovo*, Institute for Public Policy Research, 2009, at p. 1.
[22] UNDP, *Civil Society and Human Development*, 2008, at p. 42.

mountains with undisputable strategic and military importance, and legitimize its parallel structures in Kosovo."[23]

After the failure of UNSC to approve the Ahtisaari plan, the 'people of Kosovo' issued the unilateral declaration of independence from Serbia on 17 February 2008. To date, Kosovo has been recognized by over 67 states and has also been accepted as full member of the IMF and the World Bank.[24] Expressing their anger at Kosovo's Declaration of Independence, local Serbs from Mitrovica (the northern part of Kosovo), in reaction to the Kosovo declaration of independence, destroyed two custom points in northern Kosovo. In December 2008, the EU Rule of Law Mission (EULEX) was deployed in Kosovo, the biggest EU civilian mission enacted under the (then) European Defense and Security Policy (EDSP). According to the Barcelona Report, human security missions should be led by a civilian[25] but this is not the case with the EULEX, which is led by a former Kosovo KFOR General, Yves de Kermabon. Although EULEX is tasked to monitor, mentor and assist Kosovo's own authorities, including police, justice and customs[26], Kosovo still faces problems regarding justice, the court system and corruption. EULEX, in cooperation with the Kosovar government, is working on a strategy to integrate Mitrovica, (which has been ruled by Serbian parallel institutions since 1999) into the Kosovo political system and make Kosovo law applicable in the area.

As seen here, one of the major challenges for international administrations in post-conflict situations is finding a balance between goals that incorporate both immediate social needs and long-term political goals. While the latter includes ensuring physical security, promoting economic reconstruction and building political institutions to transfer powers to local institutions, immediate social needs include returning people to their homes, providing them with adequate living conditions, health and social welfare services. As demonstrated by Kosovo, international administrations often try to cover all these sectors at the same time. As a result of trying to prioritize the issues of ethnic relations and ensuring immediate results to maintain peace and stability, international administrations often neglect economic development, employment generation and rural development. While many other international and local NGO's try to bridge this gap, a lack of operational coordination and overlapping activities often result in ignoring essential areas including, water, energy and infrastructural development. Thus, one of the generic

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[23] Levizja Vetevendosje, *Serbia's Plan for Kosova*, Prishtina, 2006. Available online at: http://www.vetevendosje.org.

[24] Kosovo became a member of the World Bank and the International Monetary Fund in July 2009.

[25] *A Human Security Doctrine for Europe*: The Barcelona Report of the Study Group on Europe's Security Capabilities, at p. 17.

[26] Tamminen, Tanja, *Human Security in Post-status Kosovo: A Shared Responsibility*, CMC Finland Civilian Crisis Management Centre (Volume 1, 2008), at p. 17.

problems of international administrations is seeing human security through the lens of physical security at *"ignoring the role that equitable economic development can play towards peace."*[27]

B.   Legacies of Top-down Approaches

The 'legitimacy dynamics' of the international administration in Kosovo have evolved over time. In the first years after the war UNMIK enjoyed public support and cooperation for delivering its mandate for societal reconstruction. However, as time passed and the promised progress was not achieved, the Kosovars' supportive perception of UNMIK began to change. According to UNDP polls, over 60% of Kosovars were satisfied with UNMIK work in 2002, while by 2009 support has decreased to approximately 10%, and people no longer consider UNMIK as a responsible authority in Kosovo.[28] The sustainable transformation of Kosovar society cannot be achieved without a meaningful bottom-up process, which would incorporate people's concerns into political agendas. The efforts to divide tasks among different actors, including UN agencies, OSCE, EU, and NATO proved unsuccessful. Instead, they employed *"a top-down policy in nearly all dimensions of the civilizing process and its related human rights functions, which led to an alienation of democratically elected representatives of the Kosovo people from state responsibilities."*[29] Thus, this top-down approach of institution-building ultimately led to a 'top-down local democracy' which did not answer to people's concrete needs. A bottom-up approach, as described in the *Barcelona Report,* means that *"involving marginal groups and civil society actors, is not only a matter of moral but effectiveness as well."*[30] It seems that this recommendation was not considered by UNMIK administration in Kosovo.

Nonetheless, to avoid citizen dependency and to promote domestic participatory processes, the key guiding principles of development policy should have been partnership, local ownership and participation. As Kaldor advocates, *"people who live in zones of insecurity are the best source of intelligence. Thus communication, consultation and dialogue are essential tools for both development and security, not simply to win hearts and minds but in order to gain knowledge and understanding."*[31] In particular, the exclusion of sensitive groups, such as former

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[27] Montanaro, Lucia, *The Kosovo Statebuilding Conundrum: Addressing Fragility in a Contested State,* at p. 14.

[28] UNDP, *Early Warning Report 24*, Prishtina, Kosovo, 25 November 2009. Available online at: http://www.ks.undp.org/repository/docs/FF_24_English.pdf.

[29] Dulic, Dragana, *Peace Building and Human Security: Kosovo Case*, in HUMSEC Journal (Issue 3), 2007, pp. 1-16, at pp. 8-9.

[30] *A Human Security Doctrine for Europe*: The Barcelona Report of the Study Group on Europe's Security Capabilities, at p. 17.

[31] Kaldor, Mary, *Human Security: Reflections on Globalization and Intervention,* at p. 189.

combatants encouraged them to engage in spoiling behaviour, which threatened to undermine progress. Similarly, as experienced in many post-conflict settings, the exclusion of groups with special needs can lead to unintended consequences, where *"spoilers oppose the peaceful settlement for whatever reason, from within or (usually) outside the peace process, and who use violence or other means to disrupt the process in pursuit of their aims."*[32] Excluded groups can easily use *"the peace process as a means of gaining recognition and legitimacy, gaining time, gaining material benefit, or avoiding sanctions."*[33]

Nevertheless, using the terminology of the Madrid Report on a *European Way of Security*, the successful implementation of human security in Kosovo is undermined for a number of reasons, including a lack of a coherent bottom-up approach; no consultation with civil society in legislation and policy-making; insufficient attempts at institutionalising consultation mechanisms to redirect ownership to Kosovars; failure to engage minorities directly (e.g. Kosovo Serbs); and continued existence of low standards of accountability, capacity, corruption leading to local mistrust.[34] The rise of NGOs in Kosovo has also been accompanied by the fear that civil society organizations are not driven by authentic and deep-rooted needs, but embark on projects to meet the requirements of their foreign donors.[35] Although NGOs are associated with the promotion of human rights, inter-ethnic dialogue and democratization, their intentions and good-will are questioned as they prioritize their activities based on the requests of the donors (top-down approach) rather than the needs of community. Instead of pursuing a bottom-up approach to address people's needs, civil society has been criticized for attending to donor agendas and self-interested motivation. Consequently, the public continues to have a low level of acceptance of NGO work, largely because of misconceptions about their role and function.[36] This also raises concerns regarding the validity of the proclaimed values of civil society to address societal problems. It also raises suspicion that civil society uses human security as a 'trendy' label to attract funding from the donor community. For example, major donors such as USAID and UNDP have prioritised activities related to human security such as security, justice, economic, social protection, environment, gender, youth, corruption, conflict mitigation, and human capacity development, and make funding conditional upon

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[32] Newman, Edward and Oliver Richmond (eds.), *Challenges to Peacebuilding: Managing Spoilers During Conflict Resolution,* United Nations University Press, Tokyo, 2006, at p. 4.
[33] Newman, Edward and Oliver Richmond (eds.), *Challenges to Peacebuilding: Managing Spoilers During Conflict Resolution,* at p. 4.
[34] *A European Way of Security: The Madrid Report of the Human Security Study Group comprising a Proposal and Background Report,* at p. 21.
[35] UNDP, *Civil Society and Human Development*, 2008, at p. 40.
[36] UNDP, *Civil Society and Human Development*, 2008, at p. 42.

these priority areas.[37] In this context, one can argue that the top-down approach to institution-building in Kosovo lacked local legitimacy and was mainly constructed from above by international administration. According to this interpretation, the international community used civil society as a mechanism to address and reach the public through their policies, undermining its role as a place for people to raise their concerns and problems with the international administration of Kosovo.

C.   Between Stability and Ethnic Security

One of the main problems concerning the international administration of Kosovo and other war-torn territories is the focus on achieving some kind of 'stability' and ethnic security, rather than approaching all citizens equally. At first glance, the argument made by Doyle and Sambanis that *"the deeper the hostility, the more the destruction of local capacities, the more one needs international assistance to succeed in establishing a stable peace"*[38], seems true, at least in theory. But in practice, the international community perceives stability and stable peace as involving a number of aspects, including the absence of ethnic confrontation; humanitarian aid; conflict resolution; and economic redevelopment. Together, these are the preconditions of regional stability. However, instead of creating a society of *"fair and just governance that would be able to satisfy human needs regardless of communal or identity cleavages, and promote communal harmony and social stability"*[39], the transition period in Kosovo has involved accommodating elites, who 'represent' ethnic interests and ignore the needs of the whole community. Consequently, perceiving stability through the lens of ethnic relations, rather than focusing on the needs of individuals, led to controversy about the consolidation of development and governance, which questions to what extent this consolidation brought ethnic elites personal and communal leverage. Nonetheless, if this approach was intended as conflict prevention and management, then it ultimately failed to address the people's needs and created a fragile ethnic environment.

Kosovo still has one of the least developed economies in Europe: according to a World Bank estimate, approximately 45 percent of the population live in poverty and 15 percent live in extreme poverty[40]. The recent global financial crisis

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[37] See USAID Kosovo Special Initiatives and Cross Cutting Programs at http://www.usaid.gov/kosovo/eng/program_other.html and the UNDP's Priorities at http://www.ks.undp.org/?cid=2,160.

[38] Doyle, Michael W. and Nicholas Sambanis, *Making War and Building Peace*, Princeton University Press, New Jersey, 2006, at p. 4.

[39] Azar, Edward E., *The Management of Protracted Social Conflict: Theory and Case,* Dartmouth Publishing Company, London, 1990, at p. 11.

[40] World Bank, *Country Brief 2009*, Prishtina, Kosovo, 2009, Available online at: http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/ECAEXT/KOSOVOEXTN/

also affected Kosovo, albeit indirectly. Foreign investment and the foreign presence declined, reduced Diaspora remittance is taking effect, and many small businesses have closed.[41] Certainly this situation threatens stability and further deepens poverty. The 2006 *Internal Security Sector Review Report in Kosovo* (ISSR) warns that the *"threat of internal division in Kosovo remains present and may increase if economic and unemployment issues are not comprehensively addressed."*[42] The same report goes further by arguing that the *"infrastructure problems, such as the inadequate provision of electric power, undermine economic growth and have the capacity to spark public protest."*[43] Although the international community has largely focused on the issue of inter-ethnic violence, the ISSR found that *"for the people of Kosovo high unemployment, a lack of economic development and widespread poverty have created an atmosphere of insecurity."*[44] Furthermore, despite extensive international aid for reconstruction, Kosovo's economy was unable to recover in a situation where potential private investors did not know whether they were investing in a province of Serbia or a future independent Kosovo'.[45] Arguably, *"[e]conomic instability has exacerbated problems such as ethnic violence, corruption, increased crime rates and contributed to a growth in mistrust of Kosovo's key institutions of government, both international and indigenous"*.[46] This certainly poses threats to the principles of human security of putting people first and treating them equally, a threat reflected in the different concerns of the two groups. While most Kosovo-Serbs see the potential aggravation of ethnic relations as the main threat to stability, for Kosovo-Albanians, unemployment and poverty are the greatest threats to stability.[47]

D.   Human Insecurity Due to Multiple Political Authorities

In order to maintain a stable situation, the international community allowed the establishment of more than one political authority. Rather than focusing equally on the needs of individuals, the international community approached peacekeeping, development assistance and governance issues from an ethnic perspective. This strategy failed to create conditions to facilitate the consolidation of a single and legitimate political authority in Kosovo, which would facilitate human security. On

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[41] Nimani-Musa, Nora, *The effect of Global Financial Crisis in Kosovo*, Kosovo Institute for Journalism and Communication, Prishtina. Available online at: http://www.kijacnews.net/vnews/display.v/ART/2009/03/04/49ad68f6b6466.

[42] UNDP, *Kosovo Internal Security Sector Review*, 2006, p. XIV.

[43] UNDP, *Kosovo Internal Security Sector Review*, 2006, p. XIV.

[44] UNDP, *Kosovo Internal Security Sector Review*, 2006, p. XIII.

[45] Tanja Tamminen, *Human Security in Post-status Kosovo: A Shared Responsibility*, at p. 10.

[46] UNDP, *Kosovo Internal Security Sector Review*, 2006, p. XIII.

[47] UNDP, *Early Warning Report 24*.

the contrary, this strategy contributed to 'human insecurity' resulting from multiple political agencies. In principle, we agree that *"human security depends on the existence of legitimate institutions that gain the trust of the population and have some enforcement capacity."*[48] As illustrated in Kosovo, the failure to create a single and legitimate authority and the toleration of the establishment of Serbian parallel institutions had the unintended consequence of 'authority diffusion', which, in turn, led to unclear allocation of authority and multiple centres of governance in Kosovo, which are overlapping, conflicting and unnecessary.

Indeed, Kaldor argued that *"legitimate political authority does not necessarily need to mean a state; it could consist of local government or regional or international political arrangements like protectorates or transitional administrations."*[49] However, the flaws of the political authority in Kosovo made it virtually impossible to increase the level of human security. Concerning the sources of legitimacy, UNMIK and the international community justified their extensive authority to run post-conflict reconstruction, by invoking the need to consolidate of political and economic institutions and to create conditions and a political space for a lasting peace. On the other hand, Kosovo institutions believed that they were the legitimate political authority, elected through democratic elections and responsible for the state-building process. Meanwhile, the Serbian parallel institutions claimed to be the legitimate political representatives of the Serbian population in Kosovo, due to what they considered a failure of the international community and Albanian population of Kosovo to protect Serbs after the war in Kosovo.

The main problem is that these three 'legitimate political authorities' in Kosovo pursued three different political agendas. Such ambiguous priorities and actors produced limited results for addressing the socio-economical needs of people in Kosovo. While the international community aimed to implement UNSC Resolution 1244 (1999) and to maintain a stable situation on the ground through its overwhelming civil, police, and military presence, the democratically-elected institutions of Kosovo aimed at state-building by creating conditions for the declaration of independence and statehood. On the other hand, the Serbian parallel institutions operating in the north of Kosovo and other enclaves within Kosovo provide a wide range of services, from providing public services, education and health, to issuing documents, in order to undermine the new political space created in Kosovo. As such, parallel structures constitute a major challenge and require more consideration, as discussed in the next section.

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[48] Kaldor, Mary, *Human Security: Reflections on Globalization and Intervention,* at p. 187.
[49] Kaldor, Mary, *Human Security: Reflections on Globalization and Intervention,* at p. 187.

E.   Human (In)Security: Parallel Structures in Kosovo

As a consequence of the 1999 conflict, most Serbs living in urban areas left Kosovo, while those who were scattered in rural areas remained. After the NATO-led troops and UNMIK administration were deployed in Kosovo, *"200.000 ethnic Serbs fled the province […] due to fear, intimidations, and direct physical violence."*[50] Immediately after the war, Serbs established parallel structures in Kosovo, which relied heavily on the support and guidance of the Belgrade authorities. These parallel structures were created with the aim of undermining the UN administration of Kosovo and later the Albanian self-governing local institutions.

These parallel structures arguably aim to create a situation that increases Serbs' distrust towards Kosovo institutions. Ultimately, they create the conditions for resettlement or another division of Kosovo along ethnic lines. It seems that these structures were developed to give Belgrade the ability to impose control over local Serbs, to manipulate and destabilize processes in Kosovo, and ultimately to hold bargaining incentives for Serbia's own national political and economic interests. Despite the fact that these parallel structures are ill-organized, they continue to operate and pose a direct threat to the functioning of Kosovo's institutions within areas populated by Serbs, and to the overall territorial integrity and internal security of Kosovo. Serbia continues to strengthen this network of parallel structures, which provide administrative, education and health services for the 120,000 Serbs in Kosovo. The Belgrade government continued to hold election within Serb areas of Kosovo and considers their parallel structures as legitimate representation. Indeed, these parallel institutions constitute a significant obstacle to the representation and participation of Serbs in Kosovo's institutions.

As noted by the European Centre for Minority Issues, *"most Kosovo Serbs boycotted the elections of 17 November, 2007, and instead voted in the Serbian elections of 11 May, 2008, electing their representatives to the so called* Assembly of the Community of Municipalities of the Autonomous Province of Kosovo and Metohija*"*[51] and new mayors of Kosovo Serb parallel municipalities. Members of the Serbian community often make use of parallel administrations, which were elected in the 11 May 2008 parallel elections, organised by Serbia and declared illegal by the UN.[52] There is an *"extensive network of parallel, Serbian language schools run by the Serbian government in Kosovo, which further hinders integration*

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[50] International Crisis Group, *Kosovo Ethnic Dilemma: The Need for a Civic Contract*, ICG Balkans Report N°143, 28 May 2003, at p. 8. Available online at: http://www.crisisgroup.org.

[51] European Centre for Minority Issues (ECMI), *Minority Issues*, ECMI, Office in Kosovo 2009. Available online at: http://www.ecmi-map.com/map/index.php?option= com_content&view=category&layout=blog&id=30&Itemid=58&lang=en.

[52] ECMI, *Minority Issues*.

of Serb pupils into Kosovo educational structures."[53] Moreover, *"doctors and other health personnel working for the parallel health institutions, in addition to salaries received by Kosovo government, also receive salaries from the Serbian government."*[54] In addition, during 2008 and 2009 most Serbian members of the Kosovo Police boycotted their jobs and returned to work only after Belgrade ordered them to do so. Significantly, these interferences show the tendencies of Serbia to exercise control over the Kosovo Serbs and to play an important role in domestic politics.

However, we argue that the Government of Serbia did not support the Serbian parallel structures to maintain human security. On the contrary, the Government of Serbia has used the parallel structures to demonstrate its presence and desire to cement the partition of Kosovo. In 2008, Serbia has maintained the parallel system with €1,332,463, out of which 81% were directed to northern Kosovo, as the biggest Serbian enclave in Kosovo. [55] Estimations indicate that €2.9 million was invested in 2009.[56] The Serbian government repeatedly states that it does not support the Serb participation in Kosovo's local elections in November 2009. The State Secretary in the Ministry for Kosovo in the Serbian Government, Oliver Ivanovic, confirmed the decision that Serbia does not support the elections in Kosovo is an order. Ivanovic further reaffirmed Serbia's parallel structures in Kosovo saying that *"Serbia now has its local self-governing institutions in Kosovo, and how effective they are we can talk all the day long, but Serbia will not give up these institutions."*[57] This illustrates Belgrade's interference and its continued tendency to threaten local Serbs to participate in Kosovo's political life. As OSCE notes, in order to address the key factors that have determined the continuation of parallel structures, UNMIK and Kosovo institutions must meet the demands of the local Serbs, such as economic development, freedom of movement, supervised returnee, security and gain their confidence and reduce the capacity of the parallel system, increase the Kosovo government structures services and, ultimately, dismantle the Serbian parallel structures.[58]

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[53] ECMI, *Minority Issues.*

[54] ECMI, *Minority Issues*.

[55] Kosovar Institute for Policy Research and Development (KIPRED), *Kosovo at Cross-road: Decentralization and the Creation of New Municipalities*, Policy Brief Series, Policy Brief #14, Prishtina, July 2009, at p. 5.

[56] KIPRED, *Kosovo at Cross-road: Decentralization and the Creation of New Municipalities*, at p. 5.

[57] BBC Albanian, *Serbët 'duhet të votojnë'*, Prishtina, Kosovo, 2009. Available online at: http://www.bbc.co.uk/albanian/news/2009/10/091026_kos_elex_debate_serbs.shtml.

[58] OSCE, Mission in Kosovo, Department of Human Rights, Decentralization and Communities, *Parallel Structures in Kosovo 2006-2007*, at p. 10.

F.   Political Battle Between 'Us' and 'Them'

Political parties are still organized along ethnic lines in Kosovo. The Kosovo Albanian parties, who populate most institutions in Kosovo, were not pro-active in appealing for protection of Kosovo Serbs. On the other hand, the predominant political leadership in Kosovo was not using productive language with regards to integrating Serbs in Kosovo. Since 2000, when voter turnout reached 79 % in the municipal elections, Kosovo political leaders believed it was not in their interest to play their power game outside the realm of ethnicity. National elections were held in November 2001, and Kosovo Serbs participated in the political system and their political coalition *Povratak* (Return) won 11 % of the votes. LDK (Democratic League of Kosovo) and PDK (Democratic League of Kosovo) created a broad coalition, and international community welcomed and applauded the participation of Serbs.

Simon Chesterman argues that frequent elections in Kosovo were held in order to maintain the status quo and fragile stability. [59] He cites an OSCE representative who said that *"[e]lections will buy us three years of stability"*. [60] Accordingly, elections were portrayed as non-violent political activity and were intended to create a moderate leadership, include Serbs 'in the system' and highlight the absence of alternatives.[61] However, the OSCE projection was not accurate. Serbs boycotted the 2002 and 2007 elections and a moderate political leadership did not emerge. From 2002 onward, the pattern of zero sum game among Kosovo Albanian and Kosovo Serb political leadership has prevailed as a model for politics. Constructing a political battle of 'Us' against 'Them' was the easiest way to gain political legitimacy. Albanian leadership and Serbian leadership failed to address and solve the fundamental problems of their respective community, and attributed the 'causes' of the problem to 'others'.

Simonsen argues that it is in the self-interest of political leaders to present themselves as defenders of their ethnic groups.[62] By doing so, ethnic leaders increase their political strength and fuel the ethnicization of the conflict, as reflected in the voting behaviour in Kosovo: *"Serbs will vote for Serb parties and Albanians for Albanian parties in Kosovo."*[63] Although Serbs and other minorities are

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[59] Chesterman, Simon, *Kosovo in Limbo: State-Building and 'Substantial Autonomy'*, International Peace Academy, at p. 6.
[60] Chesterman, Simon, *Kosovo in Limbo: State-Building and 'Substantial Autonomy'*, at p. 6.
[61] Chesterman, Simon, *Kosovo in Limbo: State-Building and 'Substantial Autonomy'*, at p. 6.
[62] Simonsen, Sven Gunnar, *Addressing Ethnic Divisions in Post-Conflict Institution-Building: Lessons from Recent Cases,* in: Security Dialog (Volume 36, Number 3), 2005, pp. 297–318, at p. 300.
[63] Simonsen, Sven Gunnar, *Addressing Ethnic Divisions in Post-Conflict Institution-Building: Lessons from Recent Cases,* at p. 300.

guaranteed representation in Kosovo institutions, as long as voting behaviour is conducted along ethnic lines, the *"quotas are not enough to realize UNMIK's ambition of rooting 'multi-ethnicity' in Kosovo."*[64] Perhaps time is running out, as Kosovars are increasingly disappointed with their political leadership, and their public participation is rapidly decreasing. Voter turnout has decreased from 79 % from the 2000 elections to 49.52 % in the election of 2004 and 39.4 % in the 2007 elections. The international community in Kosovo should work to remove the 'zero sum game' mentality of Kosovo's elite politicians, and to undermine their position as the real 'defenders' of their respective ethnic groups. To do so, it will be necessary to promote inter-communal elite cooperation and to empower the human security in Kosovo as centred on individuals, not ethnicity.

G.   *Corrupting Human Security*

The 2009 Freedom House Report for Kosovo acknowledges the stability of national democratic governance, which continues to improve the functioning of institutions, and election processes are considered 'free and fair' by observers. Despite the acknowledged progress, Freedom House places Kosovo under the category of 'partially free country', pointing out further challenges in addressing widespread corruption, strengthening institutions, establishing an integrated Kosovo, and laying the foundation for Kosovo's economic development. The Office of the Auditor General has shown unnecessary annual losses up to 1.5 million Euros in each ministry. The 2008 EU Commission progress report identifies corruption as a widespread problem in Kosovo and devotes an entire section to Anti-Corruption policy. The EU Commission progress report identifies three reasons for the persistence of wide-spread corruption in Kosovo: insufficient legislation; implementing measures and, weakness of the judicial system.[65] Parallel to this, the EU progress report points out that *"[t]he legal framework needs to be further improved to remedy differences in the definition of corruption between the current anti-corruption law and the provisional penal code."*[66] Furthermore, the Kosovo Anti-Corruption Agency in its report of 2008 submitted 53 cases to the prosecution and explained that the suspected institutions of corruption in Kosovo are government, public enterprises, courts and local government.[67]

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[64] Simonsen, Sven Gunnar, *Addressing Ethnic Divisions in Post-Conflict Institution-Building: Lessons from Recent Cases,* at p. 312.

[65] Commission of the European Communities (2008), Kosovo (under 1244 UNSCR 1244/99) 2008 Progress Report accompanying the communication from the Commission to the European Parliament and the Council: *Enlargement Strategy and Main Challenges 2008-2009,* {COM(2008)674}, Brussels, 05.11.2008, at p. 16.

[66] Commission of the European Communities (2008), Kosovo (under 1244 UNSCR 1244/99) 2008 Progress Report, at p. 16.

[67] Kosovo Anti-Corruption Agency, *No Corruption*, Prishtine, June 2009, at p. 27.

In this respect, Kaufman identified an interesting correlation between civil freedoms and corruption.[68] He concludes that countries with low levels of freedom have high levels of corruption, while countries with high levels of civil freedoms possess low levels of corruption. Based on this, Kosovo remains a country with widely limited freedoms and very widespread corruption. Indeed, Kosovo's political leadership has failed to be transparent with regards to financing their political campaigns, and declaring their own assets. Widespread corruption hindered the establishment of legitimate institution and the cultivation of a mature political leadership, which responds to people's needs, especially the need for public accountability.

IV.   Conclusion

Kosovo illustrates how the political dimensions of human security can be undermined, misused and misapplied in post-conflict situations, due to the interests of different authorities. These authorities (whether international, national or illegal) can invoke human security for different purposes, including maintaining stability, managing ethnic relations, and building statehood institutions and practices. This analysis of Kosovo illustrates how human security can be used as ethnic security. The international community applied political strategies informed by human security for the purpose of maintaining fragile peace and stability in Kosovo. Consequently, this approach tolerated the establishment and operationalization of Serbian parallel institutions, which continue to undermine the capacity of Kosovo's public institutions to exercise legal authority in northern Kosovo. Moreover, the Kosovar institutions have viewed the human security approach as a means to prove the institutional capacity of independent self-government to provide inclusive security, welfare, and integration policies for all people in Kosovo, with a special emphasis on ethnic minorities. However, as long as there are two parallel political and social systems, Kosovo cannot establish an integrated, cohesive and multiethnic society.

As Kosovo illustrates the limits of multiple political authorities and 'uncoordinated multilateralism', we propose that some of the principles invoked in the Human Security Doctrine for Europe need to be reformed and applied correctly. For instance, these principles suggest that transitional international administration can serve as 'legitimate political authority'. However it is important that the international governance of post-conflict territories is short, focused and effective, otherwise 'protractedness' and 'extensiveness' risks undermining local governance with potential implications for long term peace and stability, for contributing to a deficit in democratic governance, and for weakening local sovereignty. Furthermore, multilateralism seems to be problematic as different organizations pursue different agendas. Perhaps it is important to revise this principle and promote a more narrow

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[68] World Bank, *Empowerment and Poverty Reduction: A Sourcebook*, 1 May 2002, at p. 3.

coordination of aid assistance and avoid unnecessary multiplicity of projects through establishing sector-based coordination agencies and involve from the beginning local authorities as well.

The article argued that a protracted and extensive international administration endangers the consolidation and recognition of a single legitimate political authority, which should play an important role in post-conflict normalization. Alongside weak social and economic conditions and fragile ethnic relations, the extensive mandate of multiple international agencies, minimal local ownership of decision-making, the existence of illegal and parallel structures, ultimately undermines (and abuses) the primary goal of achieving human security and sustainable peace in post-conflict situations. Therefore, dismantling Serbian parallel structures is necessary to allow the rule of law to prevail in Kosovo. A coordinated effort of Albanian political leadership, Serbian political representatives in Kosovo institutions, and the new international presence should employ a functioning human security framework for Northern Kosovo, to provide communities access to an integrated system of public services, education, health, social welfare, development assistance, and local self-governance. In order to make human security a reality in Kosovo there should be sufficient political will and commitment from all parties engaged to put people first and treat them equally despite their ethnic, religious or linguistic background.