

USAWC STRATEGY RESEARCH PROJECT

KOSOVO: THE PATH TO CIVIL AUTHORITY

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## ABSTRACT

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It has been five and half years since the end of the Kosovo War. The Serbian military and governmental withdrawal left a troubled province without civil authority. United Nations Security Council Resolution (UNSCR) 1244 established Kosovo as a UN protectorate under the United Nations Mission in Kosovo (UNMIK), protected by Kosovo Force (KFOR). UNMIK and KFOR have transferred the majority of governmental control to the democratically elected civil authorities, except for those associated with state sovereignty, including control over security, foreign relations, minority rights protection and energy, until the province's final status will be determined in mid 2005.

What have been the steps KFOR and UNMIK have taken from their initial entry into Kosovo and what steps still need to be completed for the final transfer of civil authority? Upon KFOR's initial entry what were the situation and conditions in Kosovo? What was the initial mission and assessment of the situation and what were assigned tasks? How were these tasks prioritized to support the objectives and goals? How did KFOR and UNMIK establish the conditions for transferring tasks to civil authorities that were initially under the purview of UNMIK and/or KFOR? As the situation improved, what was the assessment process and how did KFOR and UNMIK transfer tasks? What conditions allowed KFOR to reduce troop requirements? What tasks were dropped and/or added? What risks were accepted, which were not, and how were risks mitigated? These questions will be addressed in order to determine what lessons we have learned that can assist in future security and stabilization operations.



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## KOSOVO: THE PATH TO CIVIL AUTHORITY

Since 1999, NATO and the International Community's efforts in Kosovo have been an overall success. These efforts have taken Kosovo from a troubled province in a failed state to one that is preparing to accept transfer of authority from the United Nations to the locally elected civil authorities. The international community is on the eve of determining the most important issue of Kosovo's sovereignty, known as the "final status" of Kosovo. Many challenges had to be overcome along the road to transition but lessons learned can assist in future operations. Kosovo's example is a model of how international support and resources can turn a failed state into one ready to take its place in the international community. Regardless of the challenges along the way, these efforts are a model for future involvement in failed states.

In 1998, the Kosovo War began between Albanian guerrillas and Yugoslav/Serb forces. The cause of this conflict goes back hundreds of years, but the catalyst for the 1998 conflict was the Yugoslav regime of Slobodan Milosevic. In 1989, his policy of eliminating the autonomy of Kosovo province and subsequent Serbian human rights abuses against the Albanians within Kosovo provoked massive discontent. In 1991, the ethnic make-up of Kosovo was 87 percent Kosovo Albanian (Kosovar Albanians) and only 9.9 percent Kosovo Serbian (Kosovar Serb).<sup>1</sup> The Kosovar Albanians' response was to create a guerrilla army, which came to be known as the Kosovo Liberation Army (KLA). The KLA attacked Serbian police and Yugoslav army personnel causing a harsh crack down in 1998 on the KLA and Kosovar Albanians civilians by Serbian forces. NATO responded with a 79-day bombing campaign from March to June 1999 on the Yugoslav/Serb forces in Kosovo and Serbia. The campaign ended with the withdrawal of Yugoslav/Serb forces from Kosovo province under the Military Technical Agreement (MTA) of the United Nations Security Council Resolution (UNSCR) 1244 on 10 June 1999.

### **KFOR STEPS TO END STATE**

On 12 June, 1999, the Kosovo Force (KFOR) was deployed by NATO into Kosovo and made responsible for establishing and maintaining security within the province. KFOR troops came from 36 NATO and Non-NATO nations, and were organized into four multinational brigades. A single chain of command was established under the authority of Commander KFOR. KFOR has achieved its mission by executing the following steps:

1. Gain Legitimacy/Mandate through United Nations Security Council Resolution 1244 and MTA.

2. Separate belligerents to include Serbian/Yugoslav forces and the Kosovo Liberation Army (KLA) under the MTA.
3. Provide a safe and secure environment and establish the rule of law.
4. Provide emergency humanitarian assistance, support international and non-governmental organizations in their humanitarian assistance efforts to the people to Kosovo.
5. Support the UN's civilian administration, UN Mission in Kosovo (UNMIK), provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions, ensure conditions for a peaceful and normal life for all inhabitants of Kosovo.

### **UNSCR 1244 AND THE END STATE**

The first step for KFOR was to get an internationally recognized mandate and the legal authority to legitimize its mission. The United Nations Security Council acting under Chapter VII of the UN Charter adopted the UNSCR 1244 and MTA. On 12 June 1999, NATO entered Kosovo to establish and maintain a secure environment, including provision of public safety and order; to monitor, verify and when necessary, enforce compliance with the agreements that ended the conflict; and to assist the UN Mission in Kosovo (UNMIK).

UNSCR 1244 established Kosovo as an UN protectorate, under the United Nations Mission in Kosovo (UNMIK), protected by soldiers of the Kosovo Force (KFOR). UNSCR 1244 decided the responsibilities of the international security presence to be deployed and to act in Kosovo. There responsibilities included:

1. Deterring renewed hostilities, maintaining and where necessary enforcing a ceasefire, ensuring the withdrawal and preventing the return into Kosovo of the Federal and Republic military, police and paramilitary forces.
2. Demilitarizing the Kosovo Liberation Army (KLA) and other armed Kosovo Albanian groups.
3. Ensuring public safety and order until the international civil presence can take responsibility for this task.
4. Supervising demining until the international civil presence can, as appropriate, take over responsibility for this task.

5. Supporting, as appropriate, and coordinating closely with the work of the international civil presence.
6. Conducting border-monitoring duties as required.
7. Ensuring the protection and freedom of movement of itself, the international civil presence, and other international organizations.

The failure to identify an end state, or as it has become known a “final status”, in UNSCR 1244 provided the belligerents with a political issue that has influenced their support or lack of support toward KFOR and UNMIK’s efforts. “The lack of clarity concerning Kosovo’s political status is thwarting the international community from making greater progress on a number of internal fronts. Many economic and legal issues could not be solved since there is a fear of ‘pre-judging final status’ and destabilizing the new authorities in Belgrade.”<sup>12</sup> Each side to the conflict had different ideas as to what the “final status” should be. Serbs viewed the “final status” as Kosovo being part of Serbia-Montenegro. UNSCR 1244 reaffirmed, “the commitment of all member states to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia.”<sup>13</sup> It also “confirmed that after withdrawal an agreed number of Yugoslav and Serb military and police personnel will be permitted to return to Kosovo.”<sup>14</sup> The Serbian side will never acknowledge the success of KFOR in providing a safe and secure environment and continues to argue that the Serbs living in Kosovo are in danger of violence from Kosovar Albanians and do not have freedom of movement within Kosovo. Serbian officials argue that only they can provide adequate security for Kosovar Serbs and should be allowed to re-enter Kosovo and maintain sovereignty. Kosovar Albanians argue that the Serbian security forces can never be trusted and Kosovo should be a free and independent state. “Kosovo Prime Minister Bajram Rexhepi said on April 19 (2004) that Kosovo will try to secede from Serbia in September 2005 unless the United Nations makes substantial progress on Kosovo’s future. . . . while he would rather follow the U.N. transition plan to independence, the international community has to prove its willingness to make progress.”<sup>15</sup> Both sides to the conflict have leveraged their political goals against the efforts of the international community and thereby have negatively affected each task KFOR has attempted.

#### **THE MILITARY TECHNICAL AGREEMENT (MTA)**

Before KFOR and the UN could begin their mission, Serb Forces had to withdraw from Kosovo. The Serbs agreed to withdraw under the provision of the Military Technical Agreement (MTA). The MTA “...work(ed) out the details for the withdrawal of Serbs and suspension of military activity; ... and international security presence with substantial NATO participation [to

be] deployed under unified command and control and authorized to establish a safe environment' and U.N. authority."<sup>6</sup> The official purpose of the MTA was to "establish a durable cessation of hostilities, under no circumstances shall any Forces of the FRY (Former Republic of Yugoslav) and the Republic of Serbia enter into, reenter, or remain within the territory of Kosovo or the Ground Safety Zone (GSZ) and the Air Safety Zone (ASZ)... without the prior express consent of the international security force (KFOR) commander. Local police will be allowed to remain in the GSZ."<sup>7</sup> The MTA devised conditions that allowed for a "smooth and synchronous occupation by KFOR as the Serbs withdrew."<sup>8</sup> This ensured there would be no hostile acts taken by the Serbs towards NATO forces and hence the necessary military response by NATO. It also stopped Serbian hostilities towards Kosovar Albanians inside Kosovo. On the other hand, it also created problems by leaving an absence of any internationally recognized civilian authority. This included an absence of any governance system, administration, police force and justice system.

The departure of Serb forces did provide for three key conditions that led to the success of KFOR's mission.

1. One of the two parties to the conflict was not in a position to continue the fighting.
2. It allowed KFOR's mission to focus on peacekeeping and not on peace enforcement.
3. It also set the conditions for the demilitarizing of the KLA.

The number of KFOR forces deployed to Kosovo was more than 35,000 including the contribution by the U.S. of 5500 soldiers. Subsequently, as the security situation allowed, the U.S. has reduced the troop commitment to around 2000 as UNMIK has achieved their part of their mandate. KFOR broke down the UNSCR 1244 tasks into five main areas:

1. Deterring renewed hostility and threats against Kosovo by Yugoslav and Serb forces.
2. Establishing a secure environment and ensuring public safety and order.
3. Demilitarizing the Kosovo Liberation Army (KLA).
4. Supporting the international humanitarian effort.
5. Coordinating with and supporting the international civil presence, the United Nations Mission in Kosovo (UNMIK).

## **DETECTING YUGOSLAV AND SERB FORCES**

After the withdrawal of the Serbian forces from Kosovo, KFOR's first mission was to verify the withdrawal, provide sufficient forces to deter the Serbs from reentering the province, and more importantly establish conditions to preclude the Serbs from providing any viable threats to

the people of Kosovo. The International Crisis Group stated, "As long as Milosevic remained in power, it was impossible to rule out the renewed use of military force in Kosovo by Belgrade, either through direct incursions or continual low-level guerrilla attacks aimed at creating a climate of instability."<sup>9</sup> KFOR's initial entry forces were organized so that, if required, they could enforce the MTA if Serbian forces did not meet the requirements of the MTA. The United States KFOR (USKFOR) deployed a mechanized brigade composed of two Bradley Infantry Fighting Vehicle battalions and one M1 Abrams tank battalion, along with AH-64 Attack helicopters and 155mm howitzers. This imposing force demonstrated to the Serbs that KFOR would enforce the international community's will if the Serbs made the decision not to abide by the UNSCR 1244 and MTA. Serbs clearly understood that the threat of crossing the ABL would be met with force.

To prevent any chance of a mistaken contact between KFOR and Yugoslav/Serbian forces, the MTA designated both air and ground safety zones (ASZ/GSZ) on the Serbian side of the ABL in order to provide a buffer between KFOR and Serb forces. "The Air Safety Zone (ASZ) was defined as a 25-kilometre zone that extended beyond the Kosovo province border into the rest of FRY territory. It included the airspace above that 25-kilometre zone. The Ground Safety Zone (GSZ) was a 5-kilometre zone that extended beyond the Kosovo province border into the rest of FRY territory. It included the terrain within that 5-kilometre zone."<sup>10</sup> The most dangerous threat by Serbian forces to the MTA occurred in late 2000 and 2001 and came in response to Albanian guerrilla activities along the ABL. The GSZ allowed Albanian guerrillas to operate without threat of Serb force interference, functioning as a safe haven for Albanian guerrillas to operate out of the reach of KFOR or Serbian forces. This safe haven "served as a staging area for guerrilla attacks against Serbian police in the Presevo valley region (Serbia)."<sup>11</sup> KFOR responded to this situation by increasing operations along the ABL. "In 2000 and 2001, U.S., Russian, and other KFOR peacekeepers detained scores of guerrillas and seized substantial quantities of weaponry in an attempt to stop ethnic Albanian guerrillas from moving men and supplies into the 3 mile-wide GSZ in southern Serbia. On March 8, 2001, NATO agreed to the gradual elimination of the GSZ in order to eliminate the safe haven. KFOR conducted a phased return of most of the GSZ to the Yugoslavian army and Serbian police forces."<sup>12</sup> These efforts by KFOR and Serb forces led to the defeat of the Albanian guerrillas.

With KFOR and Serb forces operating along the ABL, operating procedures had to be established. KFOR and Serbia agreed to Directions for Implementation of the Temporary Operating Procedures Agreement Astride the Kosovo Administrative Boundary (TOPA). The TOPA focused at the Brigade level command and outlined meetings; communications plans;

significant event reporting, and safety and actions on contact between KFOR and Serbian forces. Additionally, it coordinated efforts between KFOR and Serbian forces to stop Albanian guerrillas from operating near the ABL, prevented shooting incidents between the two sides, provided a forum to address violations of the ABL by either side and assisted in the efforts to maintain peace in the area.

The successful withdrawal of Yugoslav forces was key to stopping the fighting between the Serbian and KLA forces. The techniques and steps used by KFOR have been and continue to be a success. Both sides clearly understood that KFOR would use its military power to meet any use of military force and or violations of the MTA.

### **ESTABLISHING A SAFE AND SECURE ENVIRONMENT**

Before the UN could develop a civilian administration within Kosovo, a level of security had to be developed. The US Department of State stated, "Establishment of the rule of law is a critical step in the development of a stable, civilized society."<sup>13</sup> The MTA additionally authorized KFOR to "operate without hindrance within Kosovo and ... to take all necessary action to establish and maintain a secure environment for all citizens of Kosovo and otherwise carry out its mission."<sup>14</sup> These efforts have been difficult for KFOR and UNMIK to establish due to a lack of clarity about how to evaluate progress with agreed upon criteria and metrics to measure success.

Upon KFOR's arrival in Kosovo, it assumed the responsibility for law enforcement to include policing and detention. KFOR's initial efforts were "focused on putting soldiers and Marines in the towns and the villages throughout the area, establishing a strong presence in order to provide a calming effect, to provide a venue for those folks who are either scared, have problems, and are not sure of what their situation is."<sup>15</sup> Besides the normal law enforcement activities the revenge acts against Kosovar Serbs and their surrogates were becoming a major problem. "The inability to prevent Albanian revenge attacks against Serbs and minorities, which began as soon as Albanian refugees returned to Kosovo hard on the heels of entering KFOR troops, has been the most serious internal security failure of the international mission in Kosovo."<sup>16</sup> KFOR focused on preventing revenge killings by protecting Serb enclaves and providing security along roadways in the way of checkpoints and escorts to ensure Serb and other minorities freedom of movement. KFOR, however, was able to provide enough security to allow the creation and transfer of the law enforcement primacy to UNMIK-Police (UNMIK-P).

Once UNMIK-P was organized and employed, it took over responsibility for law and order from KFOR. "UNMIK Civilian Police (CIVPOL) established a policing structure, complete with

regional stations, investigation units, special operations and border police. Police have gained full policing primacy in all areas. In the first phase of the operations, when UNMIK police capacity was low, KFOR had policing primacy throughout Kosovo.<sup>17</sup> Initially, KFOR conducted joint patrols with UNMIK-P to increase its legitimacy and bolster respect from the local populace. Once that was gained, KFOR transferred the law enforcement function to UNMIK-P. UNMIK civilian police carried out normal police duties and had all the executive law enforcement authorities of a normal civilian police force. UNMIK-P consisted of "3,100 international police personnel.... These officers ... have arrest authority and most ...carry(ied) side arms."<sup>18</sup> Additionally, UNMIK developed special police units (SPU) made up of international units from countries like Ukraine. Their mission was to carry out public order functions, such as crowd control and area security. They also provided support for UNMIK civilian police and protected UNMIK installations. The United Nations border police ensured compliance with immigration laws and other border regulations. While UNMIK-P has law enforcement primacy, KFOR still maintain the hammer to ensure the maintenance of a safe and secure environment.

The overall goal for KFOR and UNMIK was the development a viable and legitimate Kosovo Police Service (KPS). UNMIK provided training to local police candidates through a police academy. Candidates received classroom instruction at the UNMIK police academy, then were teamed up with an UNMIK police officer, and underwent on-the-job training, advising and monitoring. Once selected, KPS officers were vetted, properly trained, and once in sufficient strength, UNMIK begin the transfer of primary responsibilities for law and order and border policing functions to the KPS. UNMIK continued to provide training, advising, and monitoring functions, while UNMIK SPU provided its own unique skills.

A major issue for KFOR and UNMIK-P was how to determine when the goal of a safe and secure environment had been met. Without a definition or a designated end state, each party in the conflict, as well as members of the international community, subjectivity defined safe and secure to meet their own political objectives and agenda. It became clear that what was needed was a clear definition with established criteria and metrics for establishing an end state. Once the revenge killings played out, security drastically improved as evidenced by the UNMIK-P major crime statistics for 2002:

<u>Major Offenses</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>
Murder	245	136	68
Att. Murder	275	225	144
Kidnapping	190	165	106
Att. Kidnapping	108	91	64
Rape/Att. Rape	115	133	114
Grev. Assault	226	288	463
Robbery	490	440	365
Arson	523	218	477
Looting	22	6	6
Total	2194	1695	1807

TABLE 1: UNMIK-P CRIME STATISTICS <sup>19</sup>

Additionally, UNMIK-P statistics demonstrated approximately the same ratios for the population as a whole. The Serbian argument was that Albanians were picking out Serbs for violence, and UNMIK and KFOR was not providing adequate security. This argument is not backed up by the UNMIK-P statistics.

2002 Murder victims by ethnicity: 60 Albanians, 6 Serbians, 2 Other ethnicities.

2002 Murder arrests by ethnicity: 43 Albanians, 2 Serbians, 2 Other ethnicities <sup>20</sup>

<b>Population</b>	
Total Population	1 900 000 est.
<b>Ethnic groups</b>	
Kosovo Albanians	88%
Kosovo Serbs	7%
Other ethnic groups	5%

TABLE 2: KOSOVO POPULATION <sup>21</sup>

Besides decreasing violence and crime rates, there have been other indicators that show that KFOR and UNMIK have been operating successfully. The security situation has allowed for three successful elections and the peaceful seating of elected officials. Food is abundantly available in the markets. Additionally, UNMIK has transferred many of the 25 governance competencies, to include the policing function, to local authorities. By any reasonable measure,

these achievements demonstrate a safe and secure environment. However, politically the Kosovar Serbs will not be satisfied until Serbian forces can reenter Kosovo, they continue to complain that every crime against a Kosovar Serb is evidence of a lack of security and undermine the KFOR and UNMIK effort. Without a defined end state and a clear definition of success, the political argument continues and the chance of renewed violence between Serbs and Albanians remains great.

#### **DEMILITARIZING THE KOSOVO LIBERATION ARMY (KLA)/UCK**

The first step towards demilitarizing the KLA was to encourage voluntary demilitarization. On June 21, KLA Commander-in-Chief Hashim Thaqi signed an Undertaking to Demilitarize, as required by UN Security Council Resolution 1244. The Undertaking called for a ceasefire by the KLA, disengagement from zones of conflict, and subsequent demilitarization. Its specific requirements included:

1. KLA established secure weapons storage sites. After 90 days, KFOR was to assume control of these sites.
2. Within 90 days, all automatic small arms weapons will be stored in the registered weapons storage sites.
3. The retention of any non-automatic long barreled weapons had to be approved by KFOR Commander (COMKFOR).
4. Clear their minefields and booby traps, vacate their fighting positions and transfer to assembly areas.
5. All KLA personnel, who are not of local origin, whether or not they are legally within Kosovo, including individual advisors, freedom fighters, trainers, volunteers, and personnel from neighboring and other States, shall be withdrawn from Kosovo.
6. Within 90 days, all KLA forces will have completed the processes for their demilitarization and are to cease wearing either military uniforms or insignia of the KLA. Thereafter, their possession by KLA personnel will be prohibited and such weapons will be subject to confiscation.
7. Within 90 days, the Chief of General Staff UCK shall confirm compliance with the above restrictions in writing to COMKFOR. <sup>22</sup>

The KLA's second step was to adhere to the Undertaking to Demilitarize agreement. By late May 1999, the US Government estimated that the KLA's strength was between 17,000 to 20,000 in both Kosovo and Albania, with perhaps as many as 15,000 in Kosovo. The KLA's organization and techniques for employment made adherence difficult. The KLA did not operate in a unified military organization subordinated to a political party or civil authority, but rather functioned as a guerrilla movement consisting of lightly armed fighters operating in compartmentalized cells as small as three to five men.<sup>23</sup>

Overall, the KLA kept its commitment to the international community to demilitarize and cease to exist as an organized force. "Weapons storage sites have been (were) established and many weapons have been (were) surrendered well ahead of schedule."<sup>24</sup> However, due to its organization and lack of command and control over their forces, the KLA's compliance with the Undertaking to Demilitarize was difficult. Some elements refused to acknowledge the agreement, or claimed they did not know about the agreement. "Non-affiliated small groups have continued to organize and transited from Kosovo and conducted operations in both Yugoslavia's Presovo Valley and Macedonia's Northern provinces."<sup>25</sup> Those that refused to follow the agreement were forcibly disarmed by KFOR, while those groups that did not know about the agreement were educated. Any attempt by former KLA members to conduct operations was in violation of the demilitarization agreement and hindered KFOR's efforts to maintain a safe and secure environment.

The last step in demilitarization was to give former KLA members a purpose after the war. This was especially important due to the high unemployment rate. Most of the members in the KLA believed themselves to be patriots and that their service in the KLA was noble and a patriotic duty. Some members entered the KPS but others entered the Kosovo Protection Corps (KPC). The KPC was created as a means to facilitate the return to civilian life for some former KLA fighters. The KPC gave purpose to the former KLA fighters and took advantage of their sense of public service. The KPC was a fully vetted and multi-ethnic civil emergency service agency under overall UNMIK authority. KFOR maintained day-to-day operational direction. UNMIK had recruited over 4,600 Kosovars (many former KLA members) for the Kosovo Protection Corps, whose primary focus was emergency and humanitarian relief. Its maximum strength is 5,000.<sup>26</sup> The KPC earned some credibility for its efforts after Kosovo's earthquake in October 2002. It provided emergency services and demonstrated its real value to the community. Additionally, it conducted numerous civil action projects such as building bridges, clearing roads from landslides, picking up trash and building fire stations throughout Kosovo, to include many Serbian areas. Many Serbs and some in KFOR and UNMIK see the

KPC as a future Albanian military organization and in violation of the MTA. These detractors have moved to limit KPC development and training by attempting to have the KPC disbanded.

### **SUPPORTING THE INTERNATIONAL HUMANITARIAN EFFORT**

The international community humanitarian aid organizations composed of non-governmental organizations (NGOs), had already been in Kosovo prior to NATO's bombing campaign but withdrew when bombing began. When they returned, the humanitarian effort fell back on a well-established framework. The office of the U.N. High Commissioner for Refugees was the lead humanitarian organization, coordinating the return of the U.N. family of agencies and about 30 non-governmental aid groups.

By the end of the Kosovo War "more than 440,000 Kosovars had found refuge in Albania, over 240,000 were in Macedonia, and about 70,000 were in Montenegro; another 80,000 refugees had been transported from Macedonia to other countries. Refugee agencies then faced the huge task not only of repatriating the refugees but of caring for an estimated 500,000 to 600,000 ethnic Albanians who had remained in the war-devastated region."<sup>27</sup> After the initial humanitarian aid efforts in the refugee's camps outside Kosovo, their efforts turned to the return of refugees and Internally Displaced Persons (IDPs).

Early in the KFOR mission, on 24 June 1999, NATO Secretary General Javier Solana, described the goal, mission, and request to the refugees concerning NATO and the return of refugees. "NATO forces and international humanitarian organizations will begin the organized return to Kosovo of all refugees who were forced out of their homes. Together they will provide transportation, they will provide food and water, they will establish transit stations en route and they will ensure the security of all convoys. I know that many refugees have already returned and others are returning as we speak here. But, I urge those remaining to stay where they are until we can guarantee a safe return. A little patience will have its reward in a safer and organized return home."<sup>28</sup> These efforts by KFOR focused on stopping ethnic violence and ensuring Freedom of Movement as well as assisting the return of refugees and IDPs.

Initially the majority of refugees were Kosovar Albanians returning to their homes. Their needs fell into three categories; food, water, and shelter. For those returning, the international community's major objective was to ensure that the returnees did not go without shelter caused by the destruction of their homes by Serb forces. The first Task Force Falcon commander, BG Craddock, described the situation, "the significant thing when they arrive(d) is (was) there was no home, when it's either been burned or it's been looted, and there's nothing there."<sup>29</sup> Housing repair kits were provide by groups like by USAID, UNHCR, and ECHO (the European

Commission Humanitarian Organization) and delivered to villages throughout Kosovo. Stoves were distributed by UNHCR, USAID, and other non-governmental organizations (NGOs) while ECHO and CARE provided firewood. These efforts allowed approximately 450,000 people to be housed in warm, dry rooms in both rural and urban areas. KFOR provided food at stations along routes used by the returning refugees, but once refugees returned home the need for food was not as great as was originally thought. "There crops starting(ed) to come in. You see (saw) in the markets a lot of the produce..."<sup>30</sup> KFOR focused aid efforts on identifying individual Kosovars and or communities that needed assistance. KFOR provided them with emergency food and water and reported the individuals to UNHCR who in turn provided them long term aid. International humanitarian organizations were well positioned to provide aid early in the return process because they had developed a system and infrastructure prior to their evacuation before the NATO Air War. Once the international community was able to get the refugees out of the refugee camps in Albania and Macedonia the humanitarian situation drastically improved.

The humanitarian effort for the return of refugees and IDPs went through many stages. The greatest factor that affected all returns was the conditions that caused the returnees to leave. Serb forces murdered and destroyed homes of Kosovar Albanians during the war causing mass departures from Kosovo. The first task was therefore to assist the return of Kosovar Albanians. The second stage was to assist the Kosovar Serbs whom had left their homes when Serb forces withdrew or fled from revenge killings carried out by Kosovar Albanians after KFOR's arrival. These Kosovar Serbs either moved to Serbian enclaves within Kosovo or crossed the ABL into Serbia. The return of Kosovar Serbs was made more difficult due to the chances of revenge killings. KFOR and UNHCR quickly realized that if forced returns were conducted, KFOR would have to provide security 24 hours and 7 days a week to ensure the safety of the returnees. This level of security was unsustainable. KFOR and UNMIK developed a return process that allowed for safe return with minimum security. KFOR was responsible for conducting a security assessment of a specific area. If conditions were favorable, local officials, to include political and KPS, were given the responsibility of ensuring the safety of the returnees. UNCHR then scheduled a "go and see" visit. A "go and see" visit was a well-controlled and temporary visit by the refugees. These visits gave the refugees the opportunity to safely survey their homes. During the "go and see" visit KFOR and UNMIK-P would update the security assessment and brief the UNCHR and local leaders concerning any problems. Local leaders were given the responsibility for correcting any problems. Once the problems had been addressed the actual return could take place and usually without incident. These returns were conducted in non-contested areas first and using their success, a model

was devised and used as a guide to begin returning to contested areas. The system worked well when executed in a deliberate manner, placing the ultimately responsible for the safe return of refugees on local leaders.

#### **COORDINATING WITH AND SUPPORTING UNMIK**

UNSCR 1244 defines UNMIK's mission as providing an interim civil administration for Kosovo, and establishing and overseeing the development of provisional democratic self-governing institutions that could assume responsibility. UNMIK's responsibilities include: the performance of basic civil administrative functions; support of humanitarian and reconstruction efforts; assure the safe return of refugees and displaced persons; maintain law and order; organize and oversee the development of provisional self-governing institutions; transfer authority to local institutions; facilitate a political process to determine Kosovo's future status; and oversee transfer of authority from the provisional institutions to those established under a political settlement.<sup>31</sup>

In order to execute these responsibilities UNMIK developed an operational framework to synchronize the efforts of international organizations and non-governmental organizations (NGOs). They established the so-called Four Pillars:

Pillar I: Police and Justice, under the direct leadership of the United Nations.

Pillar II: Civil Administration, under the direct leadership of the United Nations.

Pillar III: Democratization and Institution Building, led by the Organization of Security and Co-operation in Europe (OSCE).

Pillar IV: Reconstruction and Economic Development, led by the European Union (EU).

KFOR focused efforts to support UNMIK by providing, establishing and maintaining a safe and secure environment, and when possible, facilitating the UNMIK mission. Upon arrival KFOR discovered that the Yugoslav civilian leadership had departed along with Yugoslav forces. With this absence of any official civil leadership, KFOR initially took over the process of administration at the local level and quickly turned over responsibility as soon as UNMIK was functioning. KFOR and UNMIK followed eight major steps:

1. Identify the unofficial community leaders and appoint them to government positions in order to assist UNMIK.
2. Establish UNMIK as the civil authority and begin the development of the government institutions that will provide for essential services.

3. Organize and establish a government infrastructure.
4. Educate appointed local officials and the public on the duties, responsibilities and bureaucracy of a democratic system.
5. Organize and conduct free and fair elections under the supervision of the OSCE.
6. Based on the election results, peacefully seat elected officials. In some areas, this meant a transfer of power from the unelected officials used during the pre-elections government to the newly elected official. Additionally, OSCE conducted educational programs for the newly elected officials allowing them to execute their duties in an efficient and internationally recognized manner.
7. Once the Kosovo elected officials demonstrated their ability to perform their duties, local municipal UNMIK administrators transferred authority to local municipal presidents.
8. The final step was the announcement of the UN's Standard Implementation Plan leading to Final Status.

Having met all the objectives, the last step for the international community is to determine Kosovo's future status. The United Nations' Special Representative of the Secretary General (SRSG) to Kosovo has begun the process of determining Kosovo's final status by articulating the policy of "standards before status". He has identified eight key areas Kosovo needs to complete before the future status can be determined. These eight areas are "functioning of democratic institutions, the rule of law, freedom of movement, the return of refugees and IDPs, economy, property rights, dialogue with Belgrade, and the Kosovo Protection Corps."<sup>32</sup> UNMIK has transferred all but those powers associated with state sovereignty to Kosovo's elected officials. The U.S. has stated "the issue of Kosovo's final status will be addressed in mid-2005."<sup>33</sup> UN Under-Secretary General for Peacekeeping Operations, Jean-Marie Guehenio, has said, "Further advancement towards the process leading to a determination of Kosovo's future status will depend on the positive outcome of the comprehensive review."<sup>34</sup> This decision may ultimately determine if the region erupts back into war or peace is maintained.

## **CONCLUSION**

To date, KFOR's peacekeeping operations in Kosovo have been successful, but the future of Kosovo's "final status" remains unclear. The failure of the international community to determine Kosovo's end state/final status has allowed the extremists on both sides of the conflict to erode the successes of KFOR, UNMIK and the honest citizens of Kosovo. Without the clearly defined end state and realistic and measurable criteria to measure progress toward

achieving a safe and secure environment, extremists have been able to impede KFOR's implementation of UNSCR 1244. In the future, the international community and US leaders must clearly articulate the desired end state with realistic and measurable criteria for success prior to employing military forces. The standards by which success is measured must be objective. The articulation of an end state greatly assists the efforts for all involved and keeps the belligerents honest. Additionally, when U.S. participation is involved, the end state and standards should support US values such as democracy, freedom, liberty and the protection of minority rights.

The KFOR efforts show that the foundation for successful peacekeeping or peace enforcement operations is the establishment of a safe and secure environment. This is achieved by first separating the belligerents, demilitarizing paramilitary/guerrilla forces in the area of operations and then establishing the rule of law. Military forces employed for peace operations are deployed into a war environment under the conditions of peace. The military force must be capable to enforce, if required, the international community's will upon the belligerents. Once a safe and secure environment is achieved, all other tasks can be accomplished. Both sides are attempting to force their will on the other along the way; they have killed and committed horrific crimes against one another. The ability to forgive the past is difficult and a desire for revenge will always affect the political environment. Their behavior is like that of two schoolchildren in a school playground fight trying to get the last punch in before the teacher can break up the fight. When organizing, enforcing the mandate, and setting standards for success the conditions causing peacekeeping and/or peace enforcement operations should be conducted based on the environment of war. When Kosovo's final status is determined the probability of renewed violence by extremists in order to achieve their goal, will again affect the region. KFOR and the international community will be challenged to meet this resistance and maintain a safe and secure environment due to troop reductions and the potential lack of will on the part of the international community.

Although Kosovo represented a difficult mission, the efforts were effective, allowing many people to live their lives without the threat of violence. KFOR has been the catalyst for all peacekeeping efforts in Kosovo due to its professionalism, understanding of its role, the care demonstrated for the citizens of Kosovo and resource brought to the mission. As the catalyst, KFOR coordinated its efforts with UNMIK and NGOs. More importantly, it held local authorities accountable for the success of all efforts. By learning from mistakes and keeping the principles of peace operations front and center, future peace operations will be successful. The principles of objective, unity of effort, security, restraint, perseverance, and legitimacy will continue to be

the foundation of the success of future operations. Even though mistakes or shortfalls in planning and political realities will always affect the efficiency of the effort, dedicated individuals and organizations following these principles will achieve the successful conclusion of any peace operation.

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<sup>3</sup> United Nations, *UN Security Council Resolution 1244*, 4001th meeting, 10 June 1999; available from </www.un.org>; Internet; accessed 21 September 2004.

<sup>4</sup> *Ibid.*, 2.

<sup>5</sup> *Ibid.*

<sup>6</sup> Wesley K. Clark, *Waging Modern War: Bosnia, Kosovo, and the Future of Combat* (New York: Public Affairs, 2001), 345.

<sup>7</sup> Kosovo Force Official Web Site, "Military Technical Agreement," available from </www.nato.int/kfor/kfor/documents/mta.htm >; Internet; accessed 15 December 2004.

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<sup>9</sup> International Crisis Group, *After Milosevic: A Practical Agenda For Lasting Balkans Peace* (Brussels: International Crisis Group, 2001), 85.

<sup>10</sup> Kosovo Force Official Web Site.

<sup>11</sup> Steven J. Woehrel and Julie Kim, *CRS Report for Congress: Kosovo and U.S. Policy*, Congressional Research Service, updated 4 December 2001; available from <http://www.fas.org/man/crs/RL31053.pdf>; Internet; assessed 16 January 2005, 11-12.

<sup>12</sup> *Ibid.*

<sup>13</sup> U.S. Department of State, "Peacekeeping in Kosovo: UNMIK (United Nations Interim Administration Mission in Kosovo)," fact sheet released by the Bureau of International Organization Affairs, 23 August 2000; available from <http://www.state.gov/www/issues/fs-peacekp\_kosovo\_000823.html>; Internet; assessed 16 January 2005.

<sup>14</sup> Kosovo Force Official Web Site.

<sup>15</sup> Kenneth H. Bacon and John Craddock, "DoD News Briefing," 23 June 1999; available from <http://www.defenselink.mil/transcripts/1999/t06231999\_t0623asd.html>; Internet; accessed 21 January 2005.

<sup>16</sup> International Crisis Group, *After Milosevic: A Practical Agenda For Lasting Balkans Peace*.

<sup>17</sup> International Crisis Group, *A Kosovo Roadmap (II): Internal Benchmarks*, 14.

<sup>18</sup> U.S. Department of State, "Kosovo Police and Justice Programs," fact Sheet released by Office of the Special Advisor to the President and the Secretary of State for Kosovo and Dayton Implementation, 26 July 1999; available from <[http://www.state.gov/www/regions/eur/kosovo/fs\\_990726\\_justice.html](http://www.state.gov/www/regions/eur/kosovo/fs_990726_justice.html) >; Internet; accessed 5 January 2005.

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<sup>21</sup> Statistical Office of Kosovo, "2003-2004 Survey," available from <<http://www.sok-kosovo.org>>; Internet; assessed 17 January 17 2005.

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<sup>23</sup> John Pike, "Kosovo Liberation Army [KLA]," updated 24 May 1999; available from <<http://www.fas.org/irp/world/para/kla.htm> >; Internet; assessed 15 December 2005.

<sup>24</sup> Woehrel.

<sup>25</sup> Bacon.

<sup>26</sup> Woehrel.

<sup>27</sup> The History Channel, "Kosovo, 2005," available from <[http://www.historychannel.com/perl/print\\_book.pl?ID=214054](http://www.historychannel.com/perl/print_book.pl?ID=214054)>; Internet; assessed 18 January 2005.

<sup>28</sup> Javier Solana, Wesley Clark and Mike Jackson, "KFOR Press Conference," 24 June 1999; available from <<http://www.usembassy.it/file9906/alia/99062413.htm>>; assessed 21 January 2005.

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<sup>30</sup> Ibid.

<sup>31</sup> United Nations; *United Nations Security Council Resolution 1244*.

<sup>32</sup> United Nations Mission in Kosovo (UNMIK), "UN Transfer Final Government Responsibilities to Kosovo Institutions," News Coverage Archives, 30 December 2003; available from <<http://www.unmikonline.org/archives/news12...03full.htm>>; Internet; accessed 21 September 2004.

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