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*für meine Mama und meinen Papa - immer, alles.*

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## **ABBREVIATIONS**

ACLED	Armed Conflict Location and Event Data Project
AMISOM	African Union in Somalia
CEC	Central Election Commission
COREPER	Committee of Permanent Representatives
COWEB	Working Party on the Western Balkans Region
CSDP	Common Security and Defence Policy
DG	Directorate General
DG NEAR	Directorate-General for Neighbourhood and Enlargement Negotiations
DSEE	Delegation for South-East Europe
EC	European Commission
ECOFIN	Economic and Financial Affairs Council
EEAS	European External Action service
EP	European Parliament
EU	European Union
EULEX	European Union Rule of Law Mission in Kosovo
EUPT	European Union Planning Team for Kosovo
EUSR	EU Special Representative
FAC	Foreign Affairs Council
GNI	Gross National Income
GPI	Global Peace index
HR/VP	High Representative / Vice President
IBL	Institutionalisation before liberalisation
ICJ	International Court of Justice
IMF	International Monetary Fund
KLA	Kosovo Liberation Army
LDK	Lidhja Demokratike e Kosovës
MEPs	Member of European Parliament
MMA	Mentor, Monitor and Advice
NATO	North Atlantic Treaty Organisation
NGO	Non-governmental Organisation

OSCE	Organisation for Security and Co-operation in Europe
PDK	Partia Demokratike e Kosovës
PRIO	Scandinavian Peace Research Institute Oslo
SAA	Stabilisation and Association Agreement
SAPC	Stabilisation and Association Parliamentary Committee
SEDE	Committee on Security and Defence
SIPRI	Stockholm International Peace Research Institute
UCDP	Uppsala Conflict Data Program
UN	United Nation
UNMIK	United Nation Mission in Kosovo
UNSC	United Nation Security Council

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# 1. Introduction

“The Balkans were and are a complicated region. Unresolved conflicts remain. “

“The EU must accordingly play a main part here, to bring about not only an armistice but real peace.”

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(taken from : Presentation Speech by Thorbjørn Jagland, Chairman of the Norwegian Nobel Committee, Oslo December 2012.)

Kosovo, as the continent's youngest states has a special role within Europe and for the European Union (EU). The EU has committed deeply to a long-term engagement and post-conflict reconstruction in the territory. Since the violent conflict of 1999 the EU has invested vast amount of resources to fund post-conflict reconstruction and economic development in Kosovo. In line with the EU's overall peacebuilding objective, Kosovo has been subject of various EU efforts aimed at providing peace and stability in the country.

Kosovo represents the EU's largest field operation in post-conflict reconstruction and civilian crisis management and it is part of the EU's Enlargement strategy. Furthermore, the EU influences the post-conflict setting via mediation and dialogue promotion and in so attempts to facilitate relations between Kosovo and Serbia. The EU is actively intervening in the relations between Serbia and Kosovo and in the state-building of the newly independent country. In so the EU attempts to support peace and stability within the region.

Nonetheless, eight years after Kosovo's' declaration of independence the country is still particularly challenged in its development. Kosovo suffers from a wide array of structural, economic and societal difficulties; amongst the very prominent ones are economic stagnation, the high rate of corruption and other forms of organized crime, and the deeply rooted inter-ethnic conflict. The negative influence these difficulties have on the quality of life in today's Kosovo became evident at the beginning of 2015 when thousands of Kosovars left their home and in the attempt to emigrate of the country. Whereas in 2008 people in Kosovo celebrated their independence and national manifestation on the former Serbian territory, in 2015 thousands of people want to leave it. This makes one question on the reasons, and wonder why the optimism waned? From the perspective of a Political Science student interested in the European Union, topics such as conflict



resolution, peace-building, post-conflict risks, state-hood and the ability of the European Union in all that, open up.

### **1.1.1. Aim of the Thesis and Research Questions**

The following paper is an attempt to grasp one aspect of this issue and investigate on the EU's engagement, its approaches and instruments as a conflict resolution actor in Kosovo. This paper set out with the aim to contribute to a better understanding of how the EU engages with countries emerging from conflict, it shall add to the literature on the EU as a peace operating actor and in addition help to understand the quality and prospects of the EU's efforts.

In this paper the EU's role in conflict resolution shall be described and analysed in the context of Kosovo. It shall offer a closer look into the process and help to understand the EU's impact, the approaches taken and instruments applied.

The main research questions that I seek to answer in this thesis are:

- ***How can Kosovo's current conflict situation be understood and assessed?***
- ***What is the role of the EU in the conflict resolution process in Kosovo?***
- ***Which approaches and instruments does the EU make use of in Kosovo?***

The theoretical part of the thesis shall in a further step help to refine the research questions. It is hereby expected that the theoretical background will allow me to formulate expectations on the likely effect of certain measures and approaches applied.

### **1.1.2. Methodology and Thesis Design**

The paper is based on primary and secondary sources, including explorative expert interviews, statements, speeches, reports, resolutions and official agreements. I have conducted a literature review in the following fields: peace and conflict studies, further on post-conflict risks and looked into literature on external peace interventions. To get a more comprehensive understanding of

peace operation concepts, I also made use of literature critical on the common approaches.

The essence of my literature review results in the theoretical outline as described in Chapter 2. In this part, peace and conflict are depicted as conditions in society in which the elements of Attitude, Behaviour and Contradiction are in favourable constellation. In this section the idea of peace as ranging on a dimension between positive and negative is introduced. This perspective is widely influential in peace and conflict research. It further provides the grounds for assessment in the Global Peace Reports, which measure the annual rate of positive (PPI) or negative (GPI) peace per country. I want to make use of this dichotomy in my paper and anchor my assessment on the current condition in Kosovo between these two dimensions.

The attendance of conflict transformation seminars, especially the Summer School provided by Dr. Johan Galtung has had a major impact on the theoretical understanding of the topic.

The paper is divided in four sections. In the first chapter a general overview on international conflict resolution is given. It provides an understanding of third party interventions and outlines the main concepts within the conflict resolution field. In the second chapter I want to introduce influential notions in contemporary international conflict resolution. This shall provide a theoretical understanding of the topic and make up the ground of assessment on the EU's notions and its approach on conflict resolution in Kosovo. The empirical part of the paper starts with chapter three, with an examination on Kosovo's current conditions. The chapter will provide an outlining of the conflict history and an overview on Kosovo's geographic and demographic characteristics. This is followed by an analysis on Kosovo's current political system and economic situation. In the fourth chapter the EU will be examined as a peace operating actor. The chapter includes sections on the EU's competencies and displays the institutional setting in this specific policy field. Further included are elaborations on the EU's policy mechanisms and instruments in conflict resolution. Chapter five shall in a later step show the EU as a peace operating actor in Kosovo. It will give an understanding of the EU's institutions involved in the territory and further display the instruments and approaches applied in Kosovo. In a final step I want to

summarize the findings of the previous sections and so attempt to answer the main research interest.

## 2. International Conflict Resolution - an Introduction

*"It is now some 122 years since Kant wrote the Essay, Zum ewigen Frieden. Many things have happened since then, although the Peace to which he looked forward with a doubtful hope has not been among them. But many things have happened which the great critical philosophers would have seen with interest"*  
(Veblen, 1945:vii).

Conflict has throughout history been a universal feature of humanity. It roots within differentiation and change in a society, between states and regions. Conflict becomes overt through the formation of conflicting parties, disputed over issues that themselves vary over time and region and are itself over dispute. Conflict is constituted of a complex interplay of attitudes and behaviour among parties that have, or perceive to have mutually incompatible interests and goals. (cf. Ramsbotham et al. 2011:7ff).

### 2.1 The evolution of international conflict resolution

The field of conflict resolution emerged out of the necessity to understand this phenomenon, to investigate on the causes of conflicts and discover methods to resolve and transform this destructive human behaviour. Conflict resolution implies outside actors to get involved, as intervention in a conflict necessarily includes to take part in it. To "*become parties in an extended conflict*" (ibid.:8). It is the purpose of this section to provide an understanding of the emergence of

international conflict resolution and show how the field has evolved politically and academically. At this stage it is worth mentioning that the academic field of peace and conflict studies has developed quite distinctly from the actual political practice of conflict resolution and third party intervention.

### **2.1.1. The academic evolution of peace and conflict studies**

The evolution of the conflict study field can be distinguished into mainly four stages. Firstly with the upcoming ideology of pacifism and the horrific experiences of the 1<sup>st</sup> World War, investigations began on the necessity of peace and the causes of war. In the years between 1918 and 1945 writings and analysis laid out the prime foundations for what later would become known as the field of peace and conflict study (cf. Marijan 2015; Ramsbotham et al. 2011:48ff)

Professional academic inquiry on conflict resolution began in the so-called “foundational period” in the 1950s and 1960s. In this period a variety of academic institutions and professional journals have investigated in conflict development and researched on mechanisms to resolve them. Of academic interest became investigations on war prevention, most notably here Elise M. Boulding, problem-solving methods at international level investigated by John Burton and the dimensions of peace, violence and conflict by Johan Galtung. We can see that the field has, from the very beginning, been international and widespread. That it has not been limited to a certain school of thought or to a specific academic location (cf. Ramsbotham et al 2011:149f).

The foundational period was followed by the third generation on conflict studies which emerged between 1965 and 1985 and at this time could already draw on a “*reasonably sound institutional base*” (Ramsbotham et al. 2011:49) in the context of the Cold War period, the discipline defined its specific subject and research interest with avoidance of nuclear war (cf. *ibid.*).

The fourth generation emerged at a time when the Cold War came to an end. The field became increasingly sophisticated and inquired on responses to the new post- Cold War order. Since then professional methodologies for conflict analysis and interpretation have been developed. Rich databases emerged providing

information on conflicts worldwide, such as the Uppsala Conflict Data Program (UCDP)<sup>1</sup> and the Armed Conflict Location and Event Data Project (ACLED)<sup>2</sup>.

Also numerous academic institutions were established to investigate on a variety of possibilities on conflict causes, solutions and practical implications for actors to intervene in societal conflicts (cf. *ibid.* 35-62). Among these are the famous Scandinavian Peace Research Institute Oslo (PRIO) and the Stockholm International Peace Research Institute (SIPRI).

Within the academic inquiry on peace and conflict some of the approaches applied in contemporary international conflict resolution emerged. These will be displayed in the theoretical part of the paper. What has to be taken account of is that the field of conflict resolution in practical terms developed distinctly, which will be shown in the following section.

### **2.1.2. The political evolution of international conflict resolution**

As it is political actions that manifest on the ground and provide the social realities in conflicts as much as post-conflict territories, I will provide here a short overview on how international third party intervention has evolved.

The evolution of conflict resolution and third party intervention has largely been shaped by the effort of elite-diplomats in arranging peace agreements between the political and/or military elite of the respective conflict parties (cf. Bercovitch 2009; Marijan 2015). For the longest time external efforts in peace-making were limited to the facilitation of negotiations and brokering of agreements. Involved in these peace interventions were acknowledged elites such as the military, respective state leaders and diplomats (Marijan 2015). These efforts were characterised through the establishment of a certain balance of power. These were negotiated without public participation merely between the state authorities and subsequently presented to the concerned populations. The division of

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<sup>1</sup> data collection project on armed conflict, available at: <http://ucdp.uu.se/>

<sup>2</sup> interactive map on conflict analysis and crisis mapping available at: <http://www.acleddata.com/>

territory, power and the inherent political objectives were subject of negotiations between the elites of the conflicting parties (cfr Telhami, 1992)<sup>3</sup>

When conflict resolution is largely the responsibility of diplomatic elites, it becomes characterised by mutual agreement of former conflicting actors on how to newly define their relations after war. These agreements had largely the purpose to regulate power-distribution between the conflicting parties so to avoid recurrence of conflict, via satisfying the interests of elites and their respective spheres of influence. In this respect, diplomats were key-figures in regulating conflicts and post-conflict relations, this elitist approach therefore made peace between the elite-actors that were involved in violent conflicts, and brought peace by regulating their future relations via contracts (Bercovitch 2009:14f).

We can here come to the conclusion that distinct to the pacifist approach the academic field initially took, peace in the political sphere has been understood as a result of a contract and successful conflict resolution as a lasting and implemented commitment to that contract.

As we will see in the following, the elitist-approach approach encapsulates only a very narrow definition of peace, limiting also the peace operation to the establishment of contractual relationship between conflicting actors. Elite-approaches are guided by the principle of non-interference in internal affairs. Holistic concepts on state-reformation after war are not part of this approach and hence not included in the contractual conflict intervention process.

Elite-agreements constitute an intergovernmental approach to conflict resolution. With the emergence of international organisations, such as the League of Nations and later the United Nations, a new political understanding of peace and conflict resolution emerged. The international community was called upon not only to negotiate peace-agreements but to foster sustainable and long-term peaceful conditions in conflict-affected areas (Marijan 2015). The beginning of a more interventionist approach towards peace operations was manifested in the UN Charta of 1945. This Charta established the legal basis for actively intervening in

sovereign states conflicts via military forces under the provision that the specific conflict endangers international peace and security (UN Charta/ Art. 37).

Taking into account that the UN's agreement on common peace operations is conditioned by its members and their inherent strategic interests, peace operations and their specific form and mandates are shaped in the context of international relations (Paris 2004:13). Especially the period of the Cold War had a long-lasting and immense impact on the international community's stance towards peace-operations (ibid). The mandates the UN peace forces were given during this time were limited to a small number of operations and encompassed solely imminent violence-disrupting tasks such as monitoring cease-fire agreements and ensuring the disarmament of groups. These peace operations were largely guided by the principle of non-interference in domestic political affairs (ibid.).

New approaches towards third party intervention in conflict resolution arose when the tensions between East and West flattened (Ramsbotham et al. 2011:48f; Chetail 2009:22f; Paris 2004:13f). The issuance of the *UN's Agenda for Peace* is generally referred to as the defining moment in the transformation of the UN's peace operations. The document was published in 1992 by former Secretary General Boutros Boutros-Ghali and it is widely influential in contemporary international conflict resolution. *The Agenda for Peace* lays out the main concepts of conflict resolution in line with the UN Charta and plays a key role in outlining the UN's role in international peace operations and defining the approaches to be applied.

The document also refers explicitly to the hindering effect the Cold War era had on international conflict resolution. "*The United Nations was rendered powerless to deal with many of these crises because of the vetoes - 279 of them - cast in the Security Council, which were a vivid expression of the divisions of that period.*" (UN Agenda for Peace 1992).

During this time the UN's mandates of peace operations were widened and their defining elements were no longer non-interference in state-affairs but rather an all-encompassing state transformation approach. Meaning the creation of conditions, structures and institutions believed to foster peaceful conditions in

conflict affected territories (cf. Ramsbotham et al. 2011:48f; Chetail 2009:22f; Paris 2004:13f).

Since the 1990s we have witnessed an increase in the number of peace operations worldwide as much as an increase in the tasks and missions these international peace operations encompass. The former traditional principles of non-interference in domestic affairs and the limited role of UN peace forces have been replaced by the newly embraced concept of peace-building (Paris, 2004:13ff).

Furthermore, peace operations started to become a common international effort, conducted in cooperation with other international and regional organisations. The UN cooperates with organisations such as NATO, the OSCE, the EU and financial institutions such as the World Bank and the IMF. These organisations have been actively involved in peace operations since the 90s and share competencies and tasks within the field of post-conflict peace building (Paris 2004:22ff).

We see from this that the approach towards conflict resolution has undergone severe changes over time, both in academic and political terms. The previous focus on agreements and contractual relations was later complemented with the military component of ensuring these and further adapted to create peace via establishing institutions and in so forming stable conditions in the conflict territory.

We can hereby derive an understanding of conflict resolution as a normative, context-related and dynamic concept, shaped continuously by a variety of factors from international power structures, strategic choices, normative understandings of peace and the academic contribution to the field. Decision-makers, practitioners and organisations have over time been informed by numerous, and changing notions on terms such as peace, conflict and conflict-resolution. This in turn leads to a variety of differing ideas on how to best conduct international interventions aiming for conflict resolution and ultimately for the establishment of lasting, sustainable peace in the respective conflict territory.



## **2.2. Concepts in international conflict resolution**

Academic concepts guiding conflict resolution are neither universally defined nor clearly distinguished. This also becomes evident through the literature review.

The following chapter shall therefore not function as a general lexicon to conflict resolution, but rather support clarification on how terms are to be understood within this paper.

The section below provides an understanding of post-war interventionist concepts including the famous approaches of peacemaking, peacekeeping and peacebuilding. Conflict resolution is henceforth to be understood as interventions aimed at creating peaceful conditions including measures of all these approaches. Peacekeeping, Peacemaking and Peacebuilding are to be understood as elements of conflict resolution.

A first attempt to uniformly define approaches to international interventions aimed at conflict resolution was made by the already mentioned *Agenda for Peace* by former Secretary General Boutros Boutros-Ghali in 1992. The document was named “An Agenda for Peace: Preventive Diplomacy, Peace-making and Peace-keeping”, which already includes a list of peace operating measures applied by the UN. In the report, international conflict management is categorized in preventive diplomacy, peace-making, peacekeeping and peacebuilding. Whereas preventive diplomacy, as a measure, is believed to resolve disputes before the conflict manifests itself in violent terms. Peace-making and peacekeeping however, are concepts designed to contain the conflict once violence has stopped. Whereas peacebuilding is believed to enforce structures in a post-conflict setting that prevents the recurrence of conflict (Chetail 2009:2).

### **2.2.1. Peacekeeping**

Peacekeeping becomes necessary when the prevention of violent conflict has failed and direct armed violence has become the manifestation of the conflict. Peacekeeping is intended to end the immediate violence and hostilities and to ensure that it is not re-occurring. Under the prospect of supporting peace

processes and protecting civilians peacekeeping missions involve a variety of tasks. These tasks range from disarmament of conflicting parties, monitoring peace agreements, patrolling to secure and supervision of border arrangements. It becomes obvious at this stage that peacekeeping is largely related to military intervention in a conflict territory. Peacekeeping can be carried out in a consensual environment, in which the conflict parties have agreed on a military presence of an interventionist force, or without the call for intervention of the conflicting parties. Whereas the first is essentially a more political operation, the second lies heavier on the military component (Crocker et al. 2006:296). International peacekeeping has largely been based on the principles of:

- consent of the conflict parties
- political neutrality / impartiality
- non-use of force except for self-defence

It is noteworthy that consensual peacekeeping missions are not aimed at replacing or defeating a specific conflict party. The principle of impartiality is crucial in peacekeeping operations, as it is impartiality that promotes the consent given on the mission (cf. Ramsbotham et al. 2011:149).

In the literature it is distinguished between first and second generations of international peacekeeping missions. This distinction refers to peacekeeping before and after the Cold War period (cf. Ramsbotham et al. 2011; Chetail 2009). The main differences are here to be seen in the numbers of operations, their budgets and contributors. Another distinction is the neutral and impartial role of peacekeeping forces which has changed in second generation peace keeping. It is stated that this neutral role has undergone change as a response to the failures in securing peace in Somalia and even more so in the wake of the Srebrenica massacre (cfr. Ramsbotham et al. 2011:150ff).

Peacekeeping operations, their aim and elements also differ according to the organisation carrying out the mission. Peacekeeping is largely associated with the UN, currently conducting 16 peacekeeping operations and deploying international military personnel in Africa, Europe, Haiti, the Middle East and Asia (UN "Peacekeeping", 2016).

There is a critical stance towards other organisations carrying out military operations with the aim of peacekeeping. Regional organisations, such as the African Union in Somalia (AMISOM) and also military alliances such as the NATO intervening in Afghanistan or Libya are subject to international and academic critique for their interventions. The interventions carried out by organisations of this nature are seen more controversially. We can find critique and disputes over their aim, intentions and utility (cf. Bellamy 2010).

To sum up, peacekeeping is to be understood as the military component of conflict resolution, with the aim of ending immediate violence in a conflict, protecting civilians and provide security and stability via military deployment. Peacekeeping missions can be carried out in consent with the conflicting parties, or without. They can be carried out under international agreement, by international organisations or military alliances without the consent of neither the conflicting parties nor the international community. The variety of measures included in peacekeeping are aimed at providing and securing non-violent features in a conflict.

### **2.2.2. Peacemaking**

The *Agenda for Peace* defines peacemaking as “*action to bring hostile parties to agreement, essentially through such peaceful means as those foreseen in Chapter VI of the Charter of the United Nations*” (UN Agenda for Peace 1992). The role of a conflict interventionist party is to establish a structure for communication and support solution of the conflict via reaching agreements on issues that constitute the contradiction and result in conflict (Ramsbotham et al 2011:171f).

International conflict resolution in the form of peacemaking has been the most influential means in the post-cold war era. During this period a majority of conflicts have been settled by third party negotiation and mediation efforts (cf. Bercovitch 1996).

Peacemaking efforts can be conducted by a variety of actors. Interested in conflict resolution and so acting as the negotiation facilitator between conflicting parties. Peacemaking is conducted by international organisations, as much as

states and non-governmental organisations (NGOs) also widely respected individuals are conducting peace negotiations (ibid.).

Peacemaking as a means of conflict resolution can take up a variety of forms. They depend on the actors conducting them, the parties addressed in the peacemaking process such as political elites, intra-state leaders or grassroots functionaries. The intention and purpose of the peacemaking process also shapes the form peacemaking can take. Naturally, whether the objective is to normalise relations among former conflicting parties, after violence has ended, or the intention of peacemaking is to end the violence is shaping the process as such.

Common in all peacemaking efforts is the element of communication and negotiation to settle conflict. *“Negotiations have a fundamental importance in conflict resolution because they are the basic means by which parties search for peaceful settlements and aim to settle their differences”* (Ramsbotham u.a. 2011).

A variety of methods are applied in the peacemaking process, their main components are communication and negotiation aimed at finding agreement between conflicting parties. One particular form of peacemaking is Mediation. Ideally applied from third party interventionists neutral towards the conflict as such and with the intention of finding solutions that are acceptable to all parties involved ( Crocker et al. 2006:427).

Besides the neutral stance of Mediation, peacemaking can also involve negotiations in which the third party has a clear interest in the outcome and the leverage to broker the desired outcome between the parties. Peacemaking can hence influence the conflict situation when the facilitator sides with one party.

Peacemaking contributes to the structural transformation of the conflict, by supporting and/or creating balance in an asymmetrical conflict structure (Ramsbotham et al. 2011:184).

Peacemaking can be applied in a variety of conflict stages. When direct violence is on-going, peacemaking efforts can be identified in brokering cease fire agreements. Also in a later stage of a conflict, when violence has ended but peace is not yet secure, negotiations under the auspices of a third party can

establish agreement on how to regulate the post-war conditions. Peacemaking negotiations tackle issues such as: how to divide territory, power or how to manage the conflicting issues in a non-violent way (cf. Chetail 2009:229ff). To clarify, peacemaking resolves the conflict peacefully without military means, although military deployment can be part of the peacemaking process.

### **2.2.3. Peacebuilding**

Peacebuilding, as defined in the *Agenda for Peace*, is the “*action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict*” (UN Agenda for Peace 1992). From this we can see that peacebuilding is described in general terms, which allows a broad understanding of the concept and the actions and measures to be applied.

Chetail, here identifies three different approaches to peacebuilding: the maximalist approach, aimed at addressing the root causes of armed conflict; the minimalist approach which is aimed at preventing renewed armed conflict; and a mixture of both, aimed at decent governance and prevention of armed conflict (Chetail 2009:6).

Within this paper, the concept of peacebuilding is hereby to be viewed as the most holistic, in regard to promoting conflict resolution in comparison to peacekeeping and peacemaking. Peacebuilding is the attempt to provide structures and enable conditions that prevent the recurrence of conflicts while applying an all-inclusive and systemic approach towards the post-conflict state (Panholzer Kato, 2009:13). Peacebuilding is further defined as: “[...] *an attempt, after a peace has been negotiated or imposed, to address the sources of current hostility and build local capacities for conflict resolution*” (Doyle/Sambanis 2000:779).

The attempts to do so, the actual peacebuilding measures are disputed in political, academic and ideological discourses. As peacebuilding is post-conflict reconstruction that goes beyond settlement of armed conflict and thus aims at the establishment of structures, institutions and societal conditions. This endeavour has unavoidably to be ideologically underpinned, as measures are guided by a certain normative understanding of what the desired peaceful condition is. Thus,

the preferred political, economic and societal conditions, as much as the means and tools with which to establish them, are unavoidably subject to controversies.<sup>4</sup>

In the literature we can find both, critique and praise for the common peacebuilding approaches. Some authors criticize “*Westernization*” (Bellamy 2004, 2010; Richmond 2004, 2009), others disapprove of the elite-focus of peacebuilding approaches (Chopra/Hohe 2004; McGinty 2009) and other authors point out the short-comings of peacebuilding actions (Paris 2004; Call 2012). It becomes clear that peacebuilding, its measures and approaches are politically and academically disputed. I hereby aim to provide a general understanding of the term and give an overview on measures widely approved and usually included in peacebuilding operations.

To put it least controversial, we can state, in accordance with Chetail, that peacebuilding ideally focuses on the root causes of the conflict and is targeted towards creating sustainable peaceful conditions, the so-called maximalist approach (Chetail, 2009:1).

This process can be divided in two distinct phases. First, the transition phase including the establishment of governance institutions and structures, reforms and implementation of these. Also included here are economic and societal revitalization in the post-war setting. The first transition phase is then followed by the consolidation phase in which the previously introduced political, economic and societal changes are to be strengthened, deepened and promoted via local empowerment (Crocker 2006:722).

Peacebuilding largely includes tasks among the dimensions of:

- **Security:** provision of security via law enforcement, removal of weapons such as land mines from fields and infrastructure
- **Political:** strengthening governments and administration capacity, providing conditions for elections, establishment of post-conflict constitutions

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<sup>4</sup> comment from Prof. Jörg Kustermans.

- **Economic:** recovery of economy via currency stabilisation, rehabilitation of financial institutions, infrastructure reconstruction and strengthening household economies
- **Societal:** promotion of reconciliation, community recovery, return of refugees and internally displaced persons (Crocker 2006:722).

## 2.3. A sequential perspective on conflict resolution

The exemplary model below displays the development of conflict and ultimately peace over time, by dividing this phenomenon into different stages. This idea of conflict stages informs measures in peace operations, which is why I want to include it here (cf. Ramsbotham et al. 2011:13).

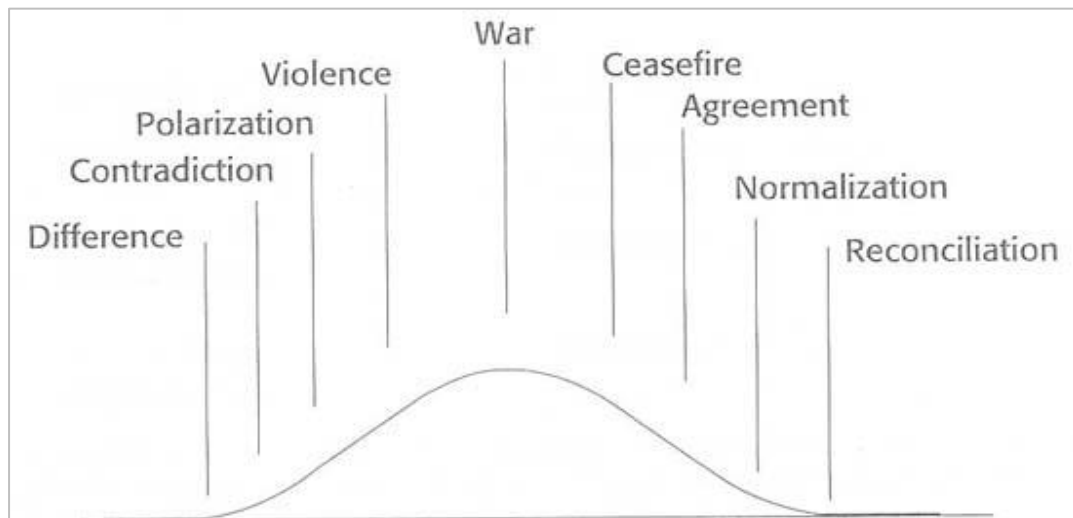


Figure 1: conflict stages (adapted of Ramsbotham et al. 2011:13)

With this model one can differentiate conflict stages from rising tensions up to the outbreak of war followed by conflict resolution stages up to reconciliation.

To be clear, this model does not illustrate the standard course of a conflict nor a peacebuilding process. It merely helps to show formations in which societal conflict can be situated. The model shall further not imply that conflict is a sequential process, slowly emerging step-by-step through each of these stages. It is a purely descriptive model, which allows capturing the ever-changing conflict conditions in a sequential snap-shot perspective.

For the purpose of looking into the EU's engagement in Kosovo, it will be useful to situate the current conflict condition in the exemplary model introduced above. This shall be possible after analysing the current situation in Kosovo with the applied conflict resolution approaches of the EU. At this stage it can already be said that the conflict stages accurate for Kosovo are of post-war. For that reason I



will focus on the main conflict resolution approaches applied to conflict stages after war.<sup>5</sup>

## **2.4. Summary**

To summarise the literature review given above, we can state that International conflict resolution has to be understood as an all-encompassing approach aimed at changing conflict structures in a territory via transforming the economic, political, security and societal structures. The distinction between the differing conflict resolution concepts is useful to understand that these are adapted to the differing stages a conflict can be in. It furthermore provides an understanding of the terms as such and shows the differences in instruments and aims between the various approaches applied. It has been shown that the measures of international conflict intervention are shaped by the current condition, the stage a conflict is in. From this we understand that concepts are adapted to the current conflict stage. Therefore it is useful in a paper aiming to assess the peace intervention in a country to examine the current conflict stage of the specific territory.

The wide implications the Cold War era had on international conflict resolution lends support to the claim that the engagement of the international community is conditioned by power structures, within the conflict territory and even more so outside of it. It shows that these organisations don't operate in a vacuum and that their mandates are dependent on and interlinked with international power structures. This leads to the conclusion that the intervening actors, their mandates in conflict territories and the applied concepts are mirroring these power structures and consequently make peace operations in and of themselves to be inherently embedded in them.

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<sup>5</sup> for a detailed overview on conflict prevention methods, previous to violent outbreaks, I recommend : Ramsbotham et al. 2011:123-145; Engel/Porto 2010; Miall 2007; Wallensteen 1998)

### 3. Theoretical approaches in conflict resolution

*“All thinking about peace involved underlying assumptions about values and ideals, human and social nature, and the causes of conflict”* (Catfield/Iluhkina 1994:17). Ideas and assumptions on what creates peace and how to sustain it are manifold. The notions of peace vary greatly, from the Christian philosopher Augustinus of Hippo<sup>6</sup>, thinking of peace as a perfect compromise between everyone’s interests to Bertha von Suttner<sup>7</sup> depicting peace as a natural right in and of itself and ultimately claimable by international law.

Scholars of international relations, sociology as much as peace and conflict studies have investigated large and long on the causes of war (Waltz 2010; Blainey 1988) and on the prevention of violent conflict (Lund 1996; Burton 1990). A wide array of research is devoted to finding root causes of conflicts and how to overcome them (Johnson 2003; Hadjipavlou 2007). Investigations on the challenges and prospects for external actors (Paris 2004; Richmond 2007; Doyle/Sambanis 2000; Mac Ginty 2011) and on the prospects for external actors in peace agreements and mediation (Bercovitch 1997; Bergmann/Niemann 2015).

With the following section I want to provide an overview on the most influential notions in contemporary peace operations. This shall present the theoretical approaches which inform today’s actions in conflict resolution. In a further step this shall allow having a theoretical background when assessing the EU’s notions and the approach taken in Kosovo.

#### 3.1. Galtung’s Theory of Peace

The terms peace, conflict and violence are universal terms, terms which are clearly understood and widely used. Their universality also makes them open to a

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<sup>6</sup> *De civitate Dei* (5<sup>th</sup> century AD), consisting of 22 books on Christian philosophy.

<sup>7</sup> *Die Waffen nieder!* (1889), pacifist novel granted nobel peace prize.

wide array of interpretations, freely available to the user and applicable to multiple circumstances. They imply a certain understanding of a societal condition and a judgement on a situation. Which in turn makes them normative, their usage and understanding depends on one's own perception.<sup>8</sup>

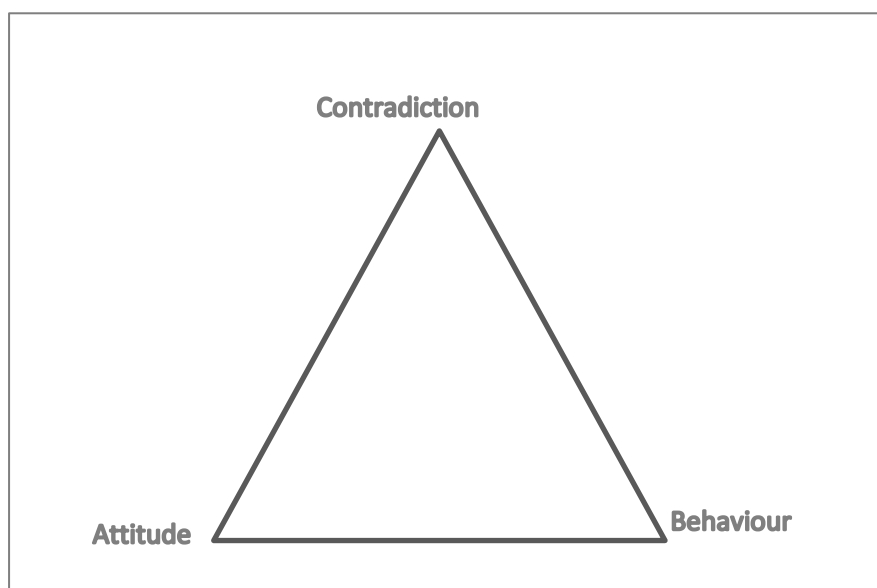


Figure 2: Galtung's conflict triangle (adapted of Ramsbotham et al, 2011)

Peace  
operations,  
their scope  
and  
approaches

are inherently informed by these normative assumptions (cf Ramsbotham et al 2011:10ff). These terms thus are socially relevant and in the context of peace operations they constitute main aspects in the society in which the intervention takes place. It is therefore that I want to begin the theoretical framework with a concept aimed at understanding peace, violence and conflict.

Fundamental in this field has been the Norwegian researcher Johan Galtung. His work is highly influential in peace and conflict studies and continues to inform our contemporary understanding on post-conflict peace and violence.

Galtung provides an in-depth understanding not only of the terms but also of the conditions under which peace, conflict and violence emerge.

<sup>8</sup> also here I refer to comments made by Prof Jörg Kustermanns.

### 3.1.1. Conflict elements

Galtung's view on conflict is characteristic in the sense that he identifies three distinct elements inherent in conflict. According to Galtung, conflict is the result of elements standing in a dynamic relationship and influencing each other (Galtung 2012:10ff). These conflict inherent elements are:

Contradiction: the presumed incompatibility of the conflict actors' interests and goals;

Attitude: representing an actor's view on themselves as much as the "Other". Attitude in a violent conflict situation is negatively constructed and influenced by emotions such as fear and anger promoted by a collective identity.

Behaviour: the manifestation of the actual relationship of the conflicting actors towards each other; Behaviour in conflicting situation varies and can reach from hostility and violence, to negotiated opportunism but as well cooperation (Ramsbotham et al 2011:10).

Galtung understands conflict as a dynamic interplay, its tangible manifestation thus composes the actual conflict. The perspective of conflict as a dynamic process further helps to understand that in order to address the conflict situation one needs to be aware of these elements and take account of them individually. With Galtung's conflict triangle it becomes clear that conflict can be present, long before war breaks out and long after direct violence has ended.

However conflict in a society might be visible, with the triangular model we understand that it's a mere snap shot of the current conflict constitution. To exhibit: Civil war can be seen as one particular formation of the conflict triangular characterised by incompatible societal interests, a hostile attitude and violent behaviour. In contrast, a fully peaceful societal condition is composed of common societal projects and interests, supported by cooperative behaviour and friendly attitude.

### 3.1.2. Dimensions of violence

Galtung's definition of violence is based on the idea that *"If peace action is to be regarded highly because it is action against violence, then the concept of violence*

*must be broad enough to include the most significant varieties, yet specific enough to serve as a basis for concrete action*" (Galtung 1969:168). Galtung conceptualizes violence as a phenomenon that deprives people from their opportunities so *"that their actual somatic and mental realizations are below their potential realizations"* (Galtung 1969:168). He distinguishes between three types of violence, direct (personal) and indirect violence in the form of structural and cultural violence.

- Direct violence: The most obvious form of violence is what Galtung defines as direct violence in the form of intentionally harming persons physically or psychologically.
- Structural violence: The second form of violence Galtung distinguishes is more indirect. Structural violence, is exerted via institutionalised inequality. It becomes evident through unequal distribution of resources. Unlike direct violence, it is not manifest in behaviour but is often invisible. Structural violence can be seen, as Galtung states, via differing housing standards and income and also an unequal distribution of non-material resources such as health and education (ibid.)
- Cultural violence: The term is defined as *"aspects of culture, the symbolic sphere of our existence - exemplified by religion and ideology, language and art, empirical science and formal science (logic, mathematics) - that can be used to justify or legitimize direct or structural violence."* (Galtung 1990:291). To put sharply: *"cultural violence makes direct and structural violence look, even feel, right - or at least not wrong"* (ibid.). Cultural violence is not expressed via violent behaviour but via justification for it, violence via words, images and portraits.

### **3.1.3. Positive and negative Peace**

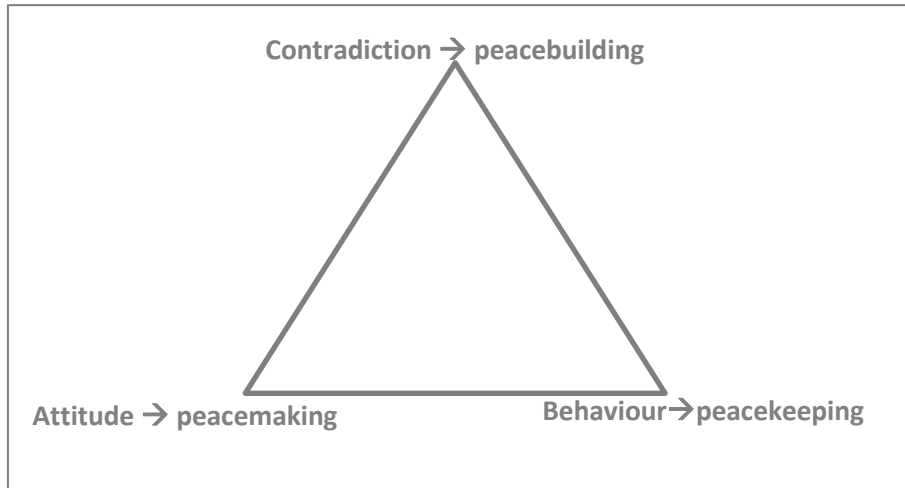
Galtung identified two major categories into which he groups post-war conditions. With this he coined the terms positive and negative peace (Galtung, 1964). Important to notice when making use of the concepts of positive and negative peace is that they both describe a situation in which war has ended; both define a post-war condition.

Whereas the terms might imply that they have normative character, they do essentially simply describe whether a condition of peace is characterised by the absence of elements or their presence.

With the term negative peace, Galtung describes in general a peaceful condition that is characterised by the absence of non-peaceful elements. The second concept, positive peace, refers to the opposite in which peace as a societal condition is characterised by the presence of peaceful elements. Positive peace is a more holistic concept than negative peace, it is "*more than the absence of violence; it is the presence of social justice through equal opportunity, a fair distribution of power and resources, equal protection and impartial enforcement of law.*"(Galtung, 1964:2).

Galtung, having a family history rooted in medicine, draws an analogy to health to demonstrate the idea of positive and negative peace stating that "[...] *negative peace, absence of direct and structural violence, like negative health as absence of disease*; whereas he illustrates positive health as "*soul and body developing through projects for mutual and equal benefit and harmony of suffering and joy.*"(Galtung, 2012:250)

The figure below shows how we can link the introduced perspective on conflict and violence to the idea of positive and negative peace with current concepts in peace operations. The introduced perspective on conflict will give an understanding on peace operations and the measures applied in this field.



**Figure3: conflict triangle and conflict resolution concepts**

As shown in the chapter on the history of peace interventions, initially the main aim of peace operations was to end direct violence between the parties and therefore intervene in the conflict element of behaviour via peacekeeping. As mandates of international peace operations widened, conflicts have been addressed in a broader manner and the elements of contradiction and attitude were taken into account by interventionist actors. Measures taken to address the conflict element of contradiction, intending to reduce structural violence are peacebuilding measures, such as establishment of institutions, good governance and the rule of law promotion. Peacebuilding intends to the modify contradiction in the conflict affected society. A peace operation that further takes the transformation of the conflict constituting elements of hostile attitudes into account will make use of peacemaking instruments and hence work against cultural violence. These are measures designed to address the emotional component of conflict, the perceptions of the conflicting parties, measures aimed at ultimately transforming the underlying attitudes towards one another. Measures against cultural violence can be: code of conducts for media and political rhetoric, common institutions and infrastructure projects and events aimed at bringing together former conflicting parties (Ramsbotham et al 2011:11).

I want to argue that the terms positive and negative peace help to understand the condition of a post-war society in an objective manner. Because, unlike the approaches described below, the terms do not refer to political, economic and societal notions believed to promote peace. They don't include notions on a desired structure or system to be established by the interventionist actor. Positive peace has much more to be understood as a desired result of the peace operation, not specific instructions on how to reach it.

In the section below I want to introduce mainstream approaches that do exactly that, instruct on these measures. Approaches that propose desired structures believed to be beneficial in creating peace and promote conflict resolution. This shall provide an understanding of the underlying assumptions dominant in international conflict resolution processes. The description of the following theoretical approaches shall further allow deducting core elements believed to promote peace and therefore give an insight into how the EU has so far taken account of these notions in its approach towards Kosovo.

## **3.2. The Liberal Peace Thesis**

The liberal peace thesis deserves to be an integral part of this paper. Its core ideas have informed international peace operations and continue to do so. The liberal peace thesis is widely influential, it advises on actions and implies instructions for interventionist actors (cf. Ramsbotham et al. 2011; Chetail 2009; Paris 2004; Richmond/Mitchell 2012).

In essence the liberal peace thesis rests on the assumption that peace and stability can be safeguarded by effective marketization and democratization. Within liberal peace notions it is believed that these aspects have a peaceful effect on a post-conflict society and shall therefore be pursued by the international community in conflict resolution.

The main idea of the liberal peace thesis is that in order to stabilise a conflict torn country and to prevent recurrence of violence, the interventionist actor has to create structures that allow free-market, trade and democratic governance.



Liberal peace notions state that violence does not occur nor re-occur and civil unrest is highly unlikely when the political system is democratic and the economy organised as a free-market economy (cf. *ibid*). In the following a more detailed overview on those aspects will be given.

### **3.2.1. Democratization**

The political sphere of the liberal peace thesis is largely overlapped by the notion of democracy promotion. Various international, regional and national peacebuilding actors have stated democracy promotion as a main pillar of post-conflict reconstruction (Paris 2004:10f). This notion is widely shared and thus the promotion of electoral democracy has become the central framework for interventionist actors in the field of post-conflict reconstruction (cf. Crocker et al. 2006; Call 2012; Paris 2007).

To elaborate on this aspect, I want to present the main arguments for promoting democratisation in a post-war territory.

The concept of democratization as a crucial aspect of (liberal) peacebuilding is largely based on two main assumptions:

Firstly, the famous concept of democratic peace; the assumption that democracies do not wage war against each other. This idea of democratic peace has been widely called the closest we get to a law in social sciences (Levy 1988). From this assumption stems the belief that promotion of democracy has a stabilising effect on the international system. If war doesn't occur between democracies a wide-spreading of democracy will, according to that argument lead to limit the occurrence of war in general (cf. Levy 1988; Doyle 1986; Chetail 2009:106; Ramsbotham et al. 2011).

Secondly, democratization is also believed to support peace and stability on a domestic level. This notion is based on the assumption that via democratic institutions societal conflict is transformed. Sharply put: from the battlefield to the parliament (Paris 2004:5f). It is believed that democracy brings domestic peace because democratic elements such as voting, consensus finding and negotiation, establish conflict resolution mechanisms in which differing interests can be modified and need not be fought over violently. Furthermore, a well-designed balance of power architecture as a necessary condition ensuring that societal

conflict is transcended into the field of democratic policy making (cf Chetail 2009:5f; Paris 2004:43).

### **3.2.2. Marketization**

Marketization is another central component of the liberal peace thesis. According to this notion a free-market economy has a central role in the process of establishing stability in a post-war society. The arguments for promoting free market economy in post-conflict territories are the following:

The first assumption rests on the idea that marketization and trade liberalization create economic interdependence. The economic perspective of the liberal peace thesis argues that in the context of international trade relationships, violent conflicts and the disruptive nature of these are less reasonable and political leaders will therefore be less likely to engage in them (Chetail 2009:3; Crocker 2006:13). Thus, marketization has a peace enhancing effect, because it makes war amongst states unprofitable.<sup>9</sup>

On the domestic level, the argument for promotion of free-market economy in post-war societies goes along similar lines. Marketization creates dependency within society and among former conflict parties (cf. Chetail 2009:3f). It therefore promotes peaceful conflict settlement within states, because people will prefer economic prosperity over conflict.

A third assumption on the peace enhancing effect of marketization is that economic prosperity brings along a power-shift in society. The rationale here is simple: trade goes along with the rise(- and possible decline) of certain domestic groups, these beneficiaries gain wealth and power in a country and are thus prone to stabilise their situation. These empowered domestic groups will so obstruct conflict and war and work to promote peaceful relations in order to stabilise their conditions. The empowerment of this “pacifist class” therefore contributes to the establishment of peaceful conditions ( Crocker et al 2006)

Despite liberal peace thesis assumptions, the importance of economic recovery in a post-conflict society is widely acknowledged and an integral part of contemporary peacebuilding efforts (Chetail 2009:8). Collier and Hoeffler find

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<sup>9</sup> The establishment of the European Coal and Steel Community and the following closer integration of the European nation states can be traced back to this very idea of marketization as a peacebuilding factor.

direct links between the economic conditions of a post-conflict society and the risk of recurring violence. They find that states suffering from natural resource dependence in combination with an overall low GDP are particularly endangered of recurring in violent conflict (Collier/Hoeffler 2007). Furthermore, it is argued that local economic capabilities are linked to a higher probability of achieving a basic level of democracy within the post-conflict society (Crocker 2006:710). Linking hereby necessary societal conditions for a functioning democracy, such as trust in institutions or government with dimensions of economic development, it is believed that economic prosperity has a positive effect on these societal features. In contrast, failure in creating stable socio-economic conditions can result in a loss of trust or apathy in the political system (cf. Dzihic 2015).

### **3.3. Criticism and Alternatives to the Liberal Peace Thesis**

The central critique to the concepts of marketization and democratization is that according to the authors, they challenge the fragile situation in a post-conflict state via their competitive elements (cf. Call 2012; Chandler 2006; Paris 2004). *“The first step in resolving this dilemma is to recognize that democratization and marketization are inherently tumultuous and conflict-promoting processes, and that post-conflict states are poorly equipped to manage these disruptions”* (Paris 2004).

I want to clarify that criticism to the approach of democratization is widely not criticism on democratic systems as such. Sceptical scholars don't neglect the peaceful means by which well-established democracies solve their societal conflicts. The prime critique is pointing towards a very fundamental distinction between the *well-established democratic* states and those that via peace building become *democratizing* states (Paris 2004; Call 2012; Richmond/Mitchell 2012; Crocker et al. 2006).

Another main point of critique is concerned with the competitive feature of marketization. It is hereby argued that rapid marketization enhances inequality in a society and can contribute to fostering the conflicting attitude within. As the

private market especially in a condition of a conflict economy might “reinforce the political and economic power of leaders involved in criminal activities.” (Chetail 2009:251).

In accordance with these arguments, it becomes clear that the division in a post-conflict society has endangering effect when democratization is introduced at an early stage.

The logic of this argumentation is the following: enforced by the existing post-conflict division in society inflexible and group-specific interests can via electoral democracy be introduced in the regulatory practises of a post-conflict state. The electoral component of democracy further leads to rational choice decisions of political elites that will give in to short-sighted, mass-supported arguments. These conditions can shape the state’s quality of policies and enforce nationalist and other populist rhetoric and can therefore result in conflict enhancing rather than eradicating policies (cf Crocker et al 2006:120; Paris 2004). Of course in this argumentation the assumption rests in a political elite that is primarily self-interested and focused on remaining in or gaining office.

In the same line the argument against rapid liberalisation emphasizes the role of state institutions, which in a post-conflict society are believed to be weak and unstable (Crocker et al 2006: ch 8.). According to this criticism, in a post-conflict setting the institutions and structures are comprised of a limited central authority, sub-optimal regulatory and policy practices and fragile institutional designs. This condition endangers democratic consolidation as the conflict division can have destabilising effect on these institutions and the political system as such (Paris 2004:40).

### **3.3.1. Institutionalisation before Liberalisation**

Institutionalization before liberalization is an approach towards post- conflict peacebuilding which has been established by R. Paris. He laid out in “*At wars end, why peace fails*” that the universal promotion of the liberal peace thesis ( in his terms: *Wilsonianism*) was based on limited empirical evidence and founded primarily on the idea, rather than evidence that democracy and marketization are prime drivers of a peaceful society. The believe in the peace enhancing potential

of marketization and democratization, according to the author rests upon “*a little more than hopeful assumptions*” (Paris 2004:42).

He states that “*What is needed in the immediate post-conflict period is not quick elections, democratic ferment, or economic “shock therapy” but a more controlled and gradual approach to liberalization, combined with the immediate building of governmental institutions that can manage these political and economic reforms*” (Paris 2004:8). In order to prevent the pitfalls of democratization and marketization he advocates for a strong institutional framework in which this competition can take place without hindering the prospect of sustainable peace. His critique goes hand in hand with a holistic view on how to define success in conflict interventions. This can also be related to the above introduced idea on the distinction between positive and negative peace. Paris argues for a sustainable peace process, that goes beyond the aim of direct violence prevention. He depicts peace operations that prevent civil war recurrence but fail to transform the post-conflict setting as unsuccessful (Paris 2004:6).

From the critique as argued in the Institutionalisation before liberalisation approach, it becomes evident that the notion of liberal peace has an inherent chicken-and egg problem.

Liberal peace postulates a positive relationship between peace and liberal market democracies it however fails to account for the direction of this development. As mentioned above, post-conflict states operate under severely different conditions than established market democracies and they lack the institutions, the capacities and the societal settings that constitute the necessary framework for a functioning liberal market democracy.

The main arguments pro liberal peace, however rest on conditions that are not-yet established. Institutionalisation before liberalisation hence argues for primarily aiming at the establishment of strong, efficient institutions in combination with a democratic setting able to absorb the societal conflict division. Only when these institutions and settings are set up, the forces set free through open competition in a free-market and a democracy can be absorbed in a constructive manner and so the causality dilemma within liberal peace can be solved.

### 3.3.2. Peacebuilding from below

Just as Galtung who declares that “*A conflict solution can be defined as a new formation that is (1) acceptable to all actors, (2) sustainable by the actors.*”(Galtung 2011:87), the Peacebuilding from below approach is focused on the importance of the local. The approach emphasizes the need for local knowledge, actors and capacities in the post-conflict setting. It is famously advocated for by J. P Lederach who introduced the idea that “*the principle of indigenous empowerment suggests that conflict transformation must actively envision, include, respect and, promote the human and cultural resources from within a given setting.*”(Lederach 1995:212).

The peacebuilding from below approach connects the ideal of establishing positive and sustainable peace in a post-conflict setting with the need to cultivate, support and engage peaceful local cultures and structures. It recognises the non-governmental sector as significant in the peacebuilding process.

Lederach finds that in order to move towards sustainable peace an interventionist actor has to acknowledge that local participation is needed. Peace interventions need to aim at transforming the societal conflict just as much as focus on solving

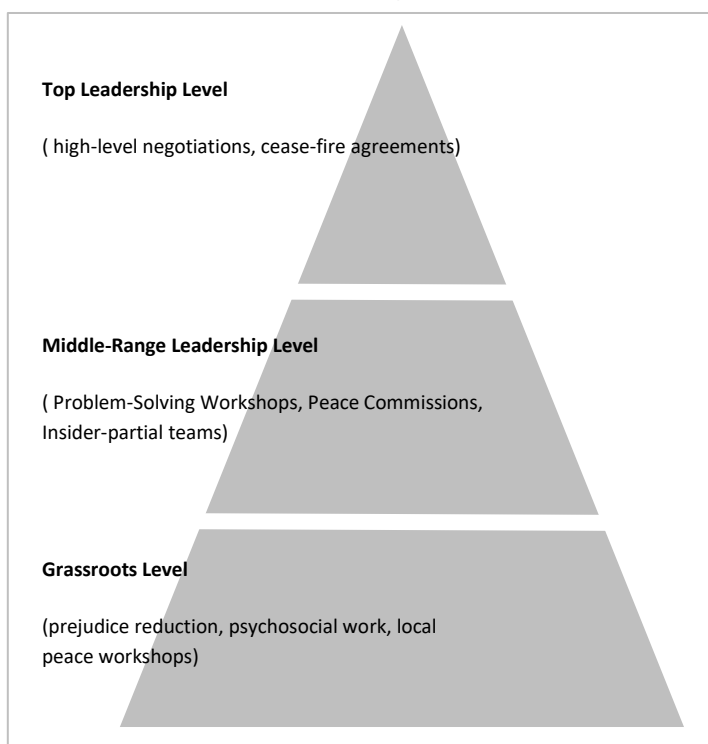


Figure 3: Peacebuilding from below approach ( derived from John Paul Lederach, 1997:39).

the issue on a political level. Hence peace interventions need to go beyond the elite level, “*we must not limit our lenses to only the highest level of political actors and the peace negotiations they forge*” (Lederach in Crocker et al 2006: ch. 49).

Lederach depicts conflict resolution in a procedural not sequential perspective. To graphically illustrate this idea, Lederach provides us with a descriptive model on

peacebuilding operations. In this he takes account of the differing approaches of

peace operations adapted to the capabilities and needs of the existing societal actors (Lederach:1997). In Lederach's model the societal levels and actions taken by peace operating actors are displayed. The distinction is here made between three levels in society active in post-conflict resolution: Top Leadership, the elitist level that represents a group in society, or the state as such in negotiations; further, the middle-range leadership, actors representing sectors in society and hence speak for a certain group in society, these have local knowledge and public outreach; thirdly, grassroots leadership, these are local leaders, NGO representatives or leaders of refugee camps, they do not represent specific groups in society, they advocate for conflict resolution and stability (cf. Lederach1997).

From this perspective we understand that the process of conflict intervention aimed at promoting positive and sustainable peace has to follow a holistic approach and include a variety of levels present in a conflict society.

*"[...]peacebuilding has multiple activities, at multiple levels, carried on by different sets of people at the same time."* (ibid.).

The peacebuilding from below approach gives civil society a crucial role in this process. As it is believed that within the post-conflict setting civil society can fulfil a certain set of functions favourable to promote peaceful conditions (cf. Lederach 1997; Pfaffenholz/ Spurk, 2009).

Paffenholz and Spurk (2009) have tested these functions and distinguish between seven distinct civil society tasks in a post-war setting. According to the authors, their relevance is object of variation and changes among the differing conflict stages ( Paffenholz/ Spurk 2009). These functions are:

- Protection - Protection from despotism by the state or other authorities within the post-conflict setting in the aim of protecting freedoms and rights of citizens (Paffenholz in Chetail 2009).
- Monitoring - this function is centered around controlling central powers, governments and other state institutions (ibid.).
- Advocacy - as a central function of civil society, its relevancy stems from the fact that the advocacy function of civil society brings relevant local and

societal issues in the political sphere (cf Beyers 2002, 2004; Pfaffenholz/Spurk 2009).

- Socialization - Meaning, promoting attitudinal change towards participation in political processes, conflict transformation and further values in society via group associations and networks. Pfaffenholz/Spurk here emphasize that socialisation is specifically a group – oriented function that promotes bonding, taking place within a certain societal group and their specific interests. In that respect it differs the bridging aspect of the social cohesion function ( Pfaffenholz/ Spurk 2009).
- Social cohesion - this presents the function of promoting social capital and community building. It is the social cohesion function of civil society that is believed to have severe impact on reconciliation between a post-conflict society and work to bind disparate groups together (ibid.)
- Facilitation - The contribution of civil society in respect to facilitation can be understood as intermediary between citizens and states and also the interventionist actor (ibid.).
- Service delivery - Further service provision in the post-conflict setting vary greatly from aid distribution, educational services, legal advisories to reconstruction support and other humanitarian related activities (ibid.).

Lederach concludes that a sustainable peace process has to be accompanied by a strong civil society characterised by its entrenchment in the local and impelled by constructive responsibility. The findings of Pfaffenholz and Spurks study place additional hints to the importance of civil society integration in conflict resolution processes. The Peacebuilding from below approach calls the interventionist peacebuilding actor to create the appropriate context for this civil society to flourish (Lederach 1997; Pfaffenholz/Spurk 2009).

### **3.4. Summary and refined research questions**

As outlined above, in this paper the core understanding on peace and conflict is based on the distinction between positive and negative peace as outlined by Galtung.



This distinction is helpful to assess to which extent the peace intervention has promoted peaceful conditions in the post-conflict society. In regard to the liberal peace thesis, it has become clear that it has been largely influential in peace operations and shaped international and regional organisations approaches towards conflict resolution. To relate it to Galtung's types of violence it can be said that, on direct violence - an interventionist can influence non-peace via peace keeping operations and military presence. In the post-conflict condition a newly established security structure shall ensure safe and stable conditions.

From this we can draw the assumption that direct violence will diminish when interventionist actors are present and strengthen the apparatus in order to avoid reoccurring direct violence.

Liberal peace thesis' response to structural violence can be detected in its promotion of democratization and marketization. The assumption is that free and fair elections and an open competition of power as much as resources via an open market economy can hinder unequal distribution of power and resources leading to deprivations.

It is hereby believed that establishing a democratic system in combination with promoting open market economy will lead to diminish structural violence via promoting equality in society.

Institutionalisation can furthermore contribute to limiting structural violence as the structure as such is under improvement. Structure in the sense of states' institutions such as the Police, the judiciary apparatus and political institutions like the parliament can work against the structural violence component in a post-conflict territory.

On this grounds we can deduct that institutionalisation will further have a positive effect on hindering structural violence. Implied in this assumption is that interventionist actors, when taking account of the importance of institutions and ensure their impartiality, efficiency and effectiveness can hereby work against structural violence.

When taking account of the severe impact of cultural violence, the importance of inter-ethnic reconciliation to foster the conflict resolution process becomes obvious. The integration of the civil society sector can work to promote inter-ethnic reconciliation and societal cohesion and so have a positive effect on the

state of positive peace in the territory. The Peacebuilding from below approach is here believed to have a positive effect on this dimension of violence.

From this we can assume that integrating civil society and conducting a peacebuilding from below approach can positively influence the conflict resolution process and hinder cultural violence.

The above introduced assumption lead further to the refined research questions:

- *Does the EU follow assumptions of liberal peace thesis in its intervention in Kosovo? Did it take account of limitations of the approach?*
- *Has the condition of structural violence in Kosovo improved via introducing marketization and democratisation?*
- *Did the EU respond to cultural violence via involving Civil Society in the peace building process in the country?*

## 4. Kosovo – an overview

The empirical part of the thesis starts with an overview on Kosovo, its territory, conflict history, demographic characteristics, political and economic situation.

As mentioned before, Kosovo is a distinct case of territory, as its statehood is contested. It is therefore that any such overview on Kosovo will have to address the disputed status-situation and this one shall not be an exception.

The republic of Kosovo unilaterally declared its independence in February 2008, its statehood is since under dispute. Kosovo is currently recognized by 111 out of 193 UN members<sup>10</sup>. Also regionally, we find disagreement over Kosovo's independence. Within the EU countries such as Greece, Spain, Romania, Cyprus and Slovakia, have not recognised the independence of Kosovo. It is therefore that whenever Kosovo is mentioned in official EU documents, it is done so with asterisk\* stating *“This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.”*

To gain more support for its independent status remains a continuous priority for Kosovo's external politics, as stated *“Ministry of Foreign Affairs will remain fully committed to lobbying for international recognition of Kosovo by the UN member states, aiming to enhance the international position of Kosovo and establish diplomatic relations with the vast majority of UN member states.”*(Website: Kosovo Foreign Ministry)<sup>11</sup>

Geographically Kosovo is located in South-Eastern Europe and shares borders with Serbia, Macedonia, Albania and Montenegro. The climate of the landlocked country is predominantly continental. Kosovo has a diverse topography shaped by woods, plains and it is surrounded by mountains which make up 53% of the territory. The territory also includes several lakes and rivers, of which the White Drin in the South and the Ibar River in the north-west are the largest (Website: GORUMA)

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<sup>10</sup> June 2016.



Figure4 Kosovo Map (source GORUMA)

Kosovo's capital is Prishtinë/Priština (engl. Pristina). It is the country's largest city and also its centre in administrative, cultural and educational terms. On state level the country has two official languages: Albanian and Serbian. On municipal, regional level one can make use further of Turkish, Bosnian, Gorani and Romani. Kosovo is centrally governed and divided into 38 administrative municipalities (Website:

Government of Kosovo).

Considering that Europe as such is aging Kosovo's demographic characteristics are particularly interesting. The population is very young with a median age of estimated 28.2 years and about more than half of the population being under 25 (Kosovo statistic office & Website: beinkosovo).

Due to the disputed situation in the country, no reliable statistics concerning population size, ethnic and religious variation are available. The census conducted in 2011 has been boycotted by the Kosovo-Serbian population in the North. The previous one in 1991 was boycotted by the Kosovo-Albanian population (Schleicher 2012:64f). It is therefore difficult to provide reliable statistical data on population. Estimates here range between 1.8 and 2.2 million inhabitants (Website: beinkosovo). It also has to be acknowledged that Kosovo has a considerable size of diaspora, which is estimated to be 703,978 people of Kosovar background living outside the country (Human Development Report, 2014).

Also only estimates are available on Kosovo's ethnic composition. Numbers commonly referred to are stating that 92 % of Kosovo's population is Kosovo-Albanian, 5.3 % Kosovo-Serbian and 2.7 % of Kosovo's population are other minority groups (Turkish, Bosniak, Gorani, Roma, Ashkali, and Egyptian).

In terms of religion, Kosovo is home to a large Muslim population estimated to make up around 85% of its population, also Christian religions are represented in Kosovo, largely in the form of Serbian - orthodox and to some extent Roman catholic (Schleicher 2012:65). The unreliable data on population in Kosovo is believed to cause difficulties in project planning and budget allocations (ibid.).

## **4.1. Kosovo's conflict history**

The conflict between the new state Kosovo and its northern neighbour Serbia is at the first glance a territorial one. It is essentially a struggle about land and the appropriate ownership of the territory. This surely can be said since 2008, when Kosovo declared its independence from Serbia. The conflict however, is deeply rooted and accrued long before the declaration of independence. For the past centuries the region of today's Kosovo has time and again been the side of (ethnic)-conflicts and clashes. In order to grasp the conflicting circumstances in the region one needs to look into the past and take account of the tensions that arose throughout time.

This is in no way a Kosovo or Kosovo-Serbia particularity, as historical claims on territory make up for a wide array of today's conflicts (Ramsbotham 2011:77). In the literature it is stated that all domestic conflicts have to some extent a historical dimension, they do not arise overnight. As also Ramsbotham refers to when stating that *"After all, the roots of all major conflicts reach back into the historical past - often several centuries back"* (ibid.).

As stated above, the territorial ownership of Kosovo is under dispute between Serbia and Kosovo. The claim of the respective population is grounded in national myths as much as factual ethnic majority relations.

From the perspective of the Serbian claim, one has to take note of the national myth rooted in the Battle of Kosovo polje in 1389. Whereas only scarce historical resources exist about the fight between the invading Ottoman Empire and the army led by Lazar Hrebeljanović on the Serbian side, this battle brought a long-lasting legacy with it. Up until today this battle is commemorated in Serbia with

national holidays, such as the St. Vitus' day, numerous Serbian folk songs and epic poems. In the literature this battle is widely referred to as the founding myth of Serbian nationalism and it is particularly important for the countries' national identity. Hence the Kosovo territory is of great cultural and national value, many Serbian monuments of historical, religious and cultural importance can be found in Kosovo (cf. Ker-Lindsay 2009; Judah 2008; Schmitt 2008).

In comparison to that, also the Kosovo-Albanian population rests their claim to the territory historically. In the believe that the ancient Illyrians settled in the region and are ancestors to today's Kosovo-Albanians (Schmitt 2008). Further than that, Kosovo-Albanians make up the majority of population in the territory and therefore claim the land as theirs in respect of demography and with that refer to right of self-determination (Greilinger 2009).

We see from this, that the territorial claims from both ethnicities are deeply rooted in myths and legends and are essentially national-identity related. This is in line with a majority of territorial conflicts. Also other types of claims and therefore roots of territorial conflicts exist. Territorial prerogatives are also based on natural resources, in a revolutionary history, ideological rights, or on the negotiated terms of peace in inter-state wars (Jones et al 1996).

Writings on Kosovo usually include these national-identity territorial claims, they do so to function as an explanation for the ethnic conflict. However, what has to be kept in mind is that the historically based claims only became influential once the ethnic conflict was manifest. Taking a constructivist stance, we will see that it is not important whether these historical claims are sound and proven. It is not important whether the battle of Kosovo polje was won or lost against the Ottomans, or whether the Albanians are truly the descendants of the ancient Illyrians. What is important in the conflict history is that these legends and myths have been widely influential in mobilisation against the other ethnicity. History in this particular conflict was used as a political instrument "*Serbian and Albanian political leaders both appeal to the past to explain or justify their policies*" (Schleicher 2010:70) These myths and legends proved to be justification for violence and hatred among the inhabitants of the territory and have been widely upheld in the political rhetoric. "*In keeping with this trend, although history was*

*not the root cause of the war in Kosovo, it was heavily used as a political propaganda instrument.”*(Schleicher 2010:70).

Formerly under Ottoman rule, Kosovo was incorporated in the Serbian Kingdom in 1918 and was since 1929 part of the Kingdom of Yugoslavia. The “new rule” intended to change demographic relations in the territory with forcing “*thousands of Kosovo Albanians to move out of Kosovo while simultaneously encouraging Serbs to migrate to Kosovo*” (Šmid 2012:95).

During World War II Kosovo’s territory was incorporated into what was then called “Greater Albania”, it stood under the occupation of Italy, Bulgaria and Germany. This change of “ownership” was again accompanied by forced demographic change via forcing Serbians to leave Kosovo (Schleicher 2010:74).

The occupation of the Axis powers ended in 1944, when Kosovo, against what was initially promised to the Albanians, was incorporated in the Republic of Serbia. From 1945 until 1999 Kosovo was part of the Federal Republic of Yugoslavia (Greilinger 2009:61ff; Šmid 2012:95; Schleicher 2010:74).

In the Federal Republic of Yugoslavia, ethnicity played a very distinct role. Ethnic-identity was supposed to be replaced by the national – civic identity of Yugoslavia. The Federal Republic was thought to offer enough ideological space for a multitude of ethnicities and provide a commonly shared Yugoslav- identity (Greilinger 2009:65).

With time it became clear that the policy of neglecting ethnic differences within Yugoslavia was not effective. During the 60s and 70s, the so-called “Golden Age” of Kosovo, Albanians protested for more autonomy within the Federal Republic of Yugoslavia. In Tito’s Yugoslavia these claims have been met with a gradual granting of rights and manifested in a constitutional reform in 1974. This gave Kosovo a more autonomous status and rights in legal, budget and constitutional terms (Judah 2008:18). The territory “*was practically considered one of the republics of Yugoslavia*”(Šmid 2012:95).

At this stage, Kosovo’s education and health system as much as its infrastructure were reformed in order to foster industrialization. In the literature it is stated that it was these policies towards Kosovo that had huge implications for an awakening Kosovo-Albanian identity (cf. Šmid 2012:95; Schmitt 2008:280ff). In respect to

demography, the Kosovo-Albanian population in the territory increased. The territory during that period was inhabited by a majority of Kosovo- Albanians, of Muslim religion and a minority of Serbians of Christian-orthodox religion. Reasons for this are given with improved health conditions, high-birth rates and the gradual emigration of the Kosovo-Serbian population out of the territory (ibid.).

The increasing nationalist tendencies in Kosovo<sup>12</sup>, and the claim for more became especially conflicting after Titos' death in 1980. We can mark the beginning of violent ethnic conflict in the early 80ies which continued through the 90s. In this time Kosovo-Serbian inhabitants were attacked and their monuments destroyed. In Serbia, the increasing consciousness of Albanian national and cultural identity was regarded as a threat, and issues such as high birth rates, the official language status of Albanian and the continuous claim for more autonomy were highly politicised<sup>13</sup> (cf Schmitt 2008:300ff).

Under Serbia's' nationalist leader, Milošević, who became president of the Serbian Republic in 1989 Kosovo was stripped of its autonomy and Kosovo's administration was directly controlled by Serbia. Under his rule systematic social exclusion took place in favour of Serbians, via barriers for education and employment for Albanians. Also targeted demographic change in the police forces and other state institutions took place (Schleicher 2010:77).

The Albanians in Kosovo answered to the repressive policies of Milošević, with a declaration of independence in 1991. The representative of the Republic of Kosovo, Ibrahim Rugova, followed the policy of peaceful resistance. Under Rugova, the official stance towards statehood was to remain within Yugoslavia while organizing parallel institutions such as political, tax, educational and health structures (Judah 2008:73).

The end of the peaceful resistance in Kosovo is widely regarded to be the conclusion of the Dayton Peace Accords in 1995. As paradox as it sounds, a Peace Accord marking the beginning of violence rather than the end, especially in a region that wasn't even part of it. The assumptions in the literature are the

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<sup>12</sup> for a more detailed account on this issue, I recommend Oliver Schmitt, 2008.

<sup>13</sup> In this respect the SANU Memorandum has to be mentioned, a Serbian nationalist manifesto especially targeting Kosovo-Albanians.



following: Since Kosovo was not included in the Dayton Peace Accords and the international community made no serious efforts to resolve the province's on-going problems, the peaceful resistance policy was seen as ineffective by the population. Rugova was heavily criticised for his approach and many inhabitants in Kosovo shared this perspective (Judah 2008:79; Schmitt 2008:321; Schleicher 2010:79).

It is in this context that an armed resistance emerged in the form of the Kosovo Liberation Army (KLA). At this stage direct violence between the ethnicities has become a feature in the territories daily life. The following years are marked by clashes between the KLA and the Yugoslav military and Serbian police paramilitary groups. Furthermore, the Serbian police forces as much as the KLA began to systematically terrorise the respective opposite ethnic group. The violent clashes resulted in extensive police brutality, the destruction of homes and mass killings of civilians. Again, demography changed in favour of Kosovo-Albanians as numerous Kosovo-Serbs left the territory (cf. Schleicher 2010:81).

#### **4.1.1. International conflict intervention**

In order to end the direct violence in the territory, the international community in form of the UN got involved in the conflict with the UNSC Resolution 1160 in 1998. The Resolution called for an end to the excessive violence directed both conflict parties.

In the following the international community intended to solve the dispute via negotiating peace agreements, and the deployment of NATO peacekeeping forces on the territory. These peace operation attempts failed to bring the desired result. In spring 1999, without the United Nations Security Council (UN/SC) approval the Serbian capital was bombed by NATO in order to force Milošević's capitulation.

The mandate for the NATO intervention was then issued only in June 1999 with UNSCR 1244. With this resolution the UN/SC approved the deployment of the peacekeeping forces and established the United Nations Interim Administration Mission in Kosovo (UNMIK). At this stage it has to be mentioned, that UNSCR

1244 does not include statements on the authoritative status on the Kosovo territory, it however guarantees the continuous territorial integrity of Yugoslavia, of which the Republic of Serbia is the legal successor.

It is therefore that especially since June 1999, we can state that the conflict between Kosovo and Serbia is essentially a territorial dispute over whether Kosovo is an independent territory or part of Serbia. The lack of clarity, has had and continuous to do so, conflicting implications and fosters nationalist and ethnic ambiguities in the region. Schleicher here states that “*Both (Serbian and Albanian leaders; Note the Author) utilized the ambiguity of Kosovo’s future political status to legitimize their aggression*” (Schleicher 2010:84). UNMIK administration was met with difficulties as especially the Kosovo-Serbian population in the North were encouraged not to cooperate with the UN administration (ibid.).

The UN administration was conducted in cooperation with a variety of organisations. Whereas each was given their specific tasks: NATO, the military peacekeeping component, the OSCE the democratisation process, and the EU the economic development (Schmitt 2008:336ff; Judah 2008:93ff).

Nonetheless, the international presence in the territory had shortcomings and Kosovo’s inhabitants were gradually disapproving of the administration. Issues here are widely referred to be the unresolved status, the slow-economic development, the long-lasting presence and ignorance of local-specific circumstances (Schmitt 2008:339ff; Schleicher 2010:85).

Under UNMIK Kosovo has been location of re-occurring direct ethnic violence, most evidently in March 2004, when protests against UNMIK resulted in riots claiming 19 lives, destruction of orthodox churches and monasteries and destroyed houses of Kosovo-Serbians (cf. ibid.).

#### **4.1.2. Kosovo since independence**

The declaration of Kosovo’s independence can be seen as a result from the 2007 issued Athisaari plan, drafted by the UN-Diplomat Marthi Athisaari which constituted a semi-independence plan for Kosovo. Again, no clear status position was taken by the international community, but the plan proposed a “*supervised independence*” in order to gain support also from the Serbian and Russian side.

Despite these efforts the plan was vetoed. (cf. Judah 2008; Schmitt 2008; Šmid 2012:97).

The result of the failure to agree on the Athisaari plan was that Kosovo declared its independence unilaterally in February 2008. Since then we can state that the territorial status is under dispute between Kosovo's neighbouring countries as much as within the EU<sup>14</sup>. Serbia regards Kosovo's declaration of independence as a violation of UNSCR 1244.

In 2010 the International Court of Justice (ICJ) was called upon to decide on the legality of the independence declaration and decided in favour of Kosovo's independence. This however did not affect the Serbian stance towards its neighbouring country, which is continuously in a conflicting relation (cf. Crisis Group 2010)

In 2008 the EU took over the rule of law sector from UNMIK. UNMIK gradually faded out, its resources decreased and the mission was finalized in June 2009 (Website: UN Peacekeeping).

The status dispute has had considerable impact on daily life in Kosovo, especially in the North of the country. Here Serbia supported the region in financial and personal terms so that parallel institutions could be held up. This resulted in intersecting and double funded governmental institutions supported by Serbia and Kosovo. Kosovo's constitution allows for Serbian financial support in education, medical care and municipal services for regions in which a majority of the population is ethnic Serbian. This does not apply for the parallel funding of police forces and the court systems (Crisis Group 2011:1).

The disputed situation in the North has had considerable implications on the functioning, effectiveness and integrity of the international military and civilian missions in the country (Der Standard, 1.6.2012/ 19.9.2013). Crisis Group Report states that "*The North has not been under effective control from Pristina for two decades; its sparse and predominantly rural Serb population uniformly rejects integration into Kosovo.*" (Crisis Group, 2011:1).

With the so-called normalisation-process the EU has actively intervened in this specific conflict issue. Since 2011, the EU exerted its influence to bring the governments of Kosovo and Serbia to agreement, especially with regards to the

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<sup>14</sup> more on the territorial dispute in the following section.

parallel structures in northern Kosovo. The EU has encouraged both conflicting parties to settle issues that have since the independence declaration shaped peoples life especially in the North, such as the organisation of police, the judicial systems, energy and telecommunications.

From the above laid out description of Kosovo's recent history, we can understand that despite the power changes in the region, the territory has been under long-standing dispute between the ethnic diverse population. Demography has had a huge impact on the power relations between the ethnicities. Other than that it has becomes overt that the various political systems and governing structures have made use of differing forms of management of the territory and the ethnic composition of its inhabitants. The international intervention and the UN administration that followed has brought a power shift in favour of Kosovo's independence, also the 2010 ICJ ruling fosters that position. The EU has especially since 2008 taken over large responsibilities in the post-conflict reconstruction of Kosovo.

## **4.2. Kosovo's political system**

Kosovo's constitution, came into force in June 2008 and declares „ *The Republic of Kosovo is an independent, sovereign, democratic, unique and indivisible state.*“(Kosovo Constitution/ Art.1).

Kosovo was established as a parliamentary democracy, with a unicameral Assembly (Kuvendi i Kosovës/Skupština Kosova). The parliament is situated in Pristina and comprises a total of 120 representatives elected directly and holding seat for four years. 20 seats are reserved for representatives of Kosovo's ethnic minorities<sup>15</sup>. The Assembly elects the Prime Minister as the Head of Government.

The Head of State in Kosovo is the President, who is elected by the Kosovo Assembly and serves a term of five years, with the option of holding office twice. The President ratifies international agreements and can intervene in the

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<sup>15</sup> 10 seats for K-S, 3 seats for Bosniaks, 2 seats for Turks, 1 seat for Gorani and 4 seats for Roma, Ashkali and Egyptians.

legislative process by returning it to the assembly once to debate. Further the president can exercise legislative initiative, together with the government and citizens as stated in Artikel 79 *“The initiative to propose laws may be taken by the President of the Republic of Kosovo from his/her scope of authority, the Government, deputies of the Assembly or at least ten thousand citizens as provided by law.”* (Kosovo Constitution/ Art.79).

The government of Kosovo is defined in Chapter 4 of the constitution and consists of the Prime Minister, deputy prime minister(s) and ministers to be elected from the Kosovo Assembly. The ministers and deputy prime ministers are to be appointed in respect to ethnic quota as defined in Art.96/3 *“There shall be at least one (1) Minister from the Kosovo Serb Community and one (1) Minister from another Kosovo non-majority Community. If there are more than twelve (12) Ministers, the Government shall have a third Minister representing a Kosovo non-majority Community.”* And further stating that *“There shall be at least two (2) Deputy Ministers from the Kosovo Serb Community and two (2) Deputy Ministers from other Kosovo non-majority Communities. If there are more than twelve (12) Ministers, the Government shall have a third Deputy Minister representing the Kosovo Serb Community and a third Deputy Minister representing another Kosovo non-majority Community”*.

In elaboration on the power division of the country it can be said that, the Government of Kosovo has extensive influence. It has the executive power and so laws adopted by the assembly are implemented by the government, it proposes and implements on a wide area of policy issues. It has competencies in areas such as infrastructure, taxes, economic and development policies. The government also proposes the budget and further issues legal acts in regards to law implementation. Another distinct power of the government is its ability to appoint the Kosovo Police General Director and the heads of the Kosovo Intelligence Agency (Pec 2015:22).

All together, the Kosovo government has a very strong position in the political system with fairly limited oversight of its work (ibid.) This is partly due to its appointment procedure, as the Assembly elects the government, the majority in the Assembly reflects the government. Also the President has limited credibility in effectively monitoring the governments work as currently the former Prime

Minister has been part of the government coalition whose work he is now supposed to oversee.

Defined in Artikel 14 of Kosovos' constitution is the administrative decentralisation in Kosovo. Declaring that "*Municipalities are the basic territorial unit of local self-governance in the Republic of Kosovo*"( Kosovo Constitution/ Art.14). Kosovo's administration therefore is federally organised, the currently 38 municipalities enjoy extensive local governance power. This decentralisation process was seen as a "*well-designed process for conflict resolution in Kosovo to balance administrative autonomy, individual and group rights in decision-making*" (Yabanci 2014:134).

The jurisdiction in Kosovo is another quite distinct feature in Kosovo's political system. The organization and functioning of Kosovo's jurisdiction is regulated in Law No. 03/L-199 and has further to be understood in the context of the international presence UNMIK and EULEX as much as the territory dispute with Serbia (Yabinci 2014:129ff).

The constitutional court, located in the capital Pristina interprets the constitution and controls therefore the legislative and executive branch in Kosovo. Also the constitutional court is constituted by judges according to a quota system. Besides that, the Court system of Kosovo consists of: seven Basic Courts and several branches throughout the country (first instance), the Court of Appeals (second instance) situated in Pristina and the Supreme Court (third instance) again composed of judges according to a quota system.

#### **4.2.1. Elections in Kosovo**

Since Kosovo's declaration of independence in 2008, two elections for the parliamentary assembly have been held and two elections were held prior. The voting age in Kosovo is 18 years.

Responsible for the organization and the implementation of elections in Kosovo is the Central Election Commission (CEC), which is constitutionally established and functions as an independent body to regulate and monitor the electoral process (Website:CEC).

In December 2010 Kosovo's institutions held their first elections for the parliamentary Assembly. The voter turn-out in these elections was rather low with only 47,8% participation. This is partly due to the election boycott by the Kosovo –Serbian population mainly in the North of the country. The 2010 elections had to be repeated in January 2011 after irregularities have been detected (Džihic 2015:32).

Kosovo's second elections as an independent state were held in June 2014. The northern communities took part in these elections and refrained from boycotting, although initially declared to do so. The participation was again low with a general voter turn-out of only 42.63% (ibid.:37; Website:CEC). The PDK won the election with narrow margins, followed by the LDK. The process of forming government however was complicated and resulted in a political standstill until December 2014. The newly established government compromised to divide the office of Prime Minister and President amongst each other and change position after 2 years(ibid.38).

Amongst the public as much as within the political elite, these coalition negotiations and results are seen rather negatively. Also the fact that the government now is comprised of the two largest and most powerful parties in Kosovo, leaves people sceptical about their willingness and efficiency in the fight against corruption(Džihic 2015:38). In the following violent, anti-government protests erupted in the streets of Pristina, also the opposition often boycotts the Assembly's work (Balkan Insight 18.11.2015)

#### **4.2.2. Kosovo and its political parties**

Kosovo's party system is comprised of a variety of small and mainly dominated by two large parties. Evident during the latest Assembly elections in 2014, when over 30 different political groupings participated, of which 18 were political parties and seven civil initiatives, four coalitions and one independent candidate (Pec 2015:32).

Ethnic cleavages play a huge role in Kosovo's party system "*Albanian political parties, mostly tracing their origins to the resistance movement of the nineties, function as a clientalistic network: jobs, tenders and opportunities are provided*

*based on loyalties. The same mechanisms of clientalism are present in Serbian political parties and those of other communities. A high position in government often means access to money and jobs that can be distributed to others”*(Hoogenboom 2011:4).

Name of the Party	Percentage	Votes	Number of seats in the Assembly
Democratic Party of Kosovo, Party of Justice, the Movement for Unity, Albanian Christian Democratic Party, Kosovo Conservator Party	30,38%	222.181	37
Democratic League of Kosovo	25,24%	184.594	30
Self-Determination Movement	13,59%	99.398	16
Alliance for the Future of Kosovo	9,54%	69.793	11
Serbian List	5,22%	38.199	9
Initiative for Kosovo	5,15%	37.68	6
Kosovo Turkish Democratic Party	1,02%	7.424	2
Progressive Democratic Party	0,82%	5.973	1
The Kosovo Democratic Party of Ashkali	0,46%	3.335	1
The New Democratic Party	0,39%	2.837	1
The Egyptian Liberal Party	0,27%	1.960	1
Party of Ashkali for Integration	0,22%	1.583	1
Coalition for Gora	0,16%	1.193	1
Roman New Party of Kosovo	0,09%	645	1

Figure 5 Parties represented in Kosovo Assembly after 2014 elections (source, KIPRED, Pec 2015)

Throughout the entire post-war period mainly two political parties are dominant within Kosovo. Firstly, the Democratic Party of Kosovo (PDK, Albanian Partia Demokratike e Kosovës), currently Kosovo’s largest party, holding 37 seats in the Assembly. Secondly, the Democratic League of Kosovo (LDK, Albanian: Lidhja Demokratike e Kosovës), holding 30 seats within the Kosovo assembly.

In terms of party ideology, a distinction between both parties is difficult to make. Both represent center-right, liberal and pro-European positions, but position themselves in “*two different conceptual political wings – PDK the war wing, and LDK the “peace” wing*” (Pec 2015:33).

In general it is believed that the political scene in Kosovo is largely dominated by right wing beliefs. (ibid.).



Also worth mentioning is Kosovo's Opposition party, Self-Determination Movement (Vetëvendosje) currently holding 17 seats in the Assembly and the municipality of Pristina. This makes it the third largest party of the country. Vetëvendosje is a radical nationalist political movement. The party opposes foreign involvement and articulates loudly against the improvement of relations with Serbia. In cooperation with other opposition parties, the movement blocked the Assembly's work several times via methods of physically blocking the speakers pulpit and releasing tear gas (Balkan Insight, 10.08.2015).

To sum up, the political system of Kosovo is shaped by the strong factual position of the government, which is enforced by limited control and balance – of power mechanisms. In KIPREDS report on Kosovo's political system it is bluntly stated that "*Kosovo is a governmental republic and not a parliamentary republic*" (Pec 2015:91) Further, the fact that the party system in Kosovo is fractured in a number of small parties and dominated by the two biggest, leaves small and emerging parties outside of positions of power unless they are willing to cooperate with PDK and LDK. It further allows limited control over the parties' activities and proves to be difficult for a strong opposition to emerge. "*The main problem lies in that the mechanisms for ensuring the observance of legislation on the functioning of political parties are not empowered to such an extent as to be able to effectively monitor the actions and activities of political parties, and to sanction them when they violate the laws.*" (ibid:91). The dominant party system further leads to fostering the political divergence between opposition and government, it furthers extremist positions in the opposition and opportunistic behaviour of governments parties (cf Džihic 2015; Pec 2015:22ff). In view of this, the negative opinions people in Kosovo have of their political elite is rather unsurprising. Opinion polls find that 72% of people in Kosovo are not satisfied with the political development of the country and levels of trust in the government are low and ever falling (Džihic 2015; Hoogenboom 2011).

In Kosovo we currently find a political system characterised by a relatively strong role for the government. Oversight powers for the Assembly as much as the Presidency are weak, due to the design of the political system. The continuous dominance of the two largest parties constitutes a pillar in Kosovo's political landscape. Another characteristic of Kosovo's political system is a continuum of

people in power positions. The same people in power positions prior to Kosovo's independence and involved within the conflict in 1999 are holding offices and public positions in the country nowadays. Best example of this power continuum is current President Hashim Thaçi, who also acted as the first prime minister of the country and is leader of Kosovo's PDK and played an important role as the founder and leader of the paramilitary organisation KLA during and prior to the Kosovo war in 1999.

In regards to service provision to the Kosovo population, the Kosovo's government tends to work in an opportunistic fashion, election campaigns are filled with unrealistic promises and populist stances. (KIPRED report:83ff, 90ff)

Another point of major concern is the dissatisfaction of the population with the current political, societal and economic situation of the country. Over 70% of the population state that they are "dissatisfied and very dissatisfied" with the current political direction of the country (USAID/UNDP 2014). Many indicators point in that direction, the low voter turn-out is understandable once we take into account the findings of a USAID survey, showing that a significantly high number of respondents having the perception that their vote cannot change the political situation in Kosovo. This number being 45% of respondents with another 24% of respondents not positioning themselves on that question (USAID/UNDP 2014:10).

Another rather pessimistic figure is presented in the same survey stating that less than 20% of Kosovars believe that the country's institutions work for the priorities of its citizens. Taking into account these numbers it comes to no surprise that experts in this context speak of a "veritable crisis" of Kosovo's political system (Dzihic 2015:39).

In conclusion it can be said that these tendencies reflect a rather negative level of democratisation in the country. As societal needs are largely left out of the political process, and extremist and opportunistic positions dominate the political discourse. This enforces a breach between society and its political institutions, reflected by the low level of trust people have in their political elite. In light of conflict resolution efforts in the country, this development should be of concern

for the interventionist actors as the poorly implemented democratisation can endanger the countries stability.

This issue is also addressed by Hoogenboom, linking the weak state of democratization with the country's prospect for peace, when stating that "*The gap between state and citizens is a major obstacle to the formation of a functioning democratic state and one of the key factors in state fragility. In other words, this gap is a risk to stability in Kosovo. Improving relations and accountability between the state and its citizens based on democratic values of citizenship and meritocracy is a precondition for sustainable peace and EU integration*" (Hoogenboom 2011:5).

### **4.3. Kosovo's economy**

Writings on Kosovo's economic condition have throughout the years made use of terms such as "bad" (Hoogenboom 2011:1) "catastrophic" (Dzihic 2015:38) and on a more conciliatory tone "struggling" (World Bank Report:2015). The following shall provide an overview on key economic indicators of the country and give an insight into the economic structure.

Kosovo currently in its eight year after independence faces a number of economic challenges. Since 2008 many socio-economic conditions in the country have not improved remarkably. In economic terms Kosovo is labelled a "lower middle income country" the 3rd out of four classifications the World Bank provides for categorizing countries according to their gross national products.

#### **4.3.1. Economic developments**

Kosovo's economy has been shaped drastically by the international engagement after 1999, most remarkably so, by introducing to the country a strong currency in form of the Deutsche Mark and later the Euro. This was done in the hope to keep inflation low in the post-conflict territory (Schleicher 2010:92). This however now proves to be a challenge for the young state, the productivity level in Kosovo does not match the high value of the Euro. In terms of currency matching

economic power the IMF states that the exchange rate is overvalued by up to 15-20%. This over-evaluation leads to relatively high costs of labor and furthers the competitive gap in respect to Kosovo's export sector (IMF Report 2016).

Kosovo's limited integration in the world market can partly be explained to this competitive gap. On the other hand and in a more positive perspective, its incorporation in the Eurozone didn't drastically affect Kosovo's economy during the financial crisis since 2008. As unlike Eurozone members affected by the high value of the currency<sup>16</sup> Kosovos limited integration in the world economy proved to be an asset in that respect (IMF Report 2015).

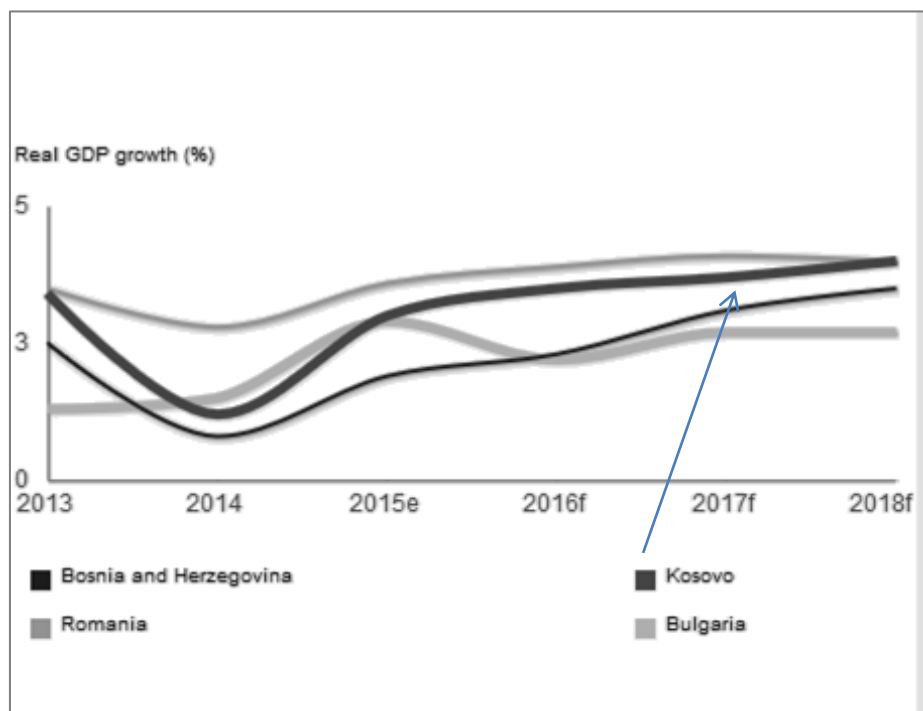


Figure 6 Kosovo's GDP growth in comparison to neighbour countries( created via World Bank database )

From the graph above, we see current and prospected GDP growth rates, in comparison with countries of the region. I want to provide this overview as it shows countries already integrated in the EU as much as counties that just like Kosovo have been affected by violent conflict in their recent history. Kosovo has since 2008, enjoyed steady economic growth rates of on average 3.36 %, exceeding generally rates of countries in the region. However, this indicator needs to be placed in context, as these growth rates are largely due to public investments in infrastructure, donor assistance, and diaspora remittances (IMF

<sup>16</sup> for a more elaborate explanation of this phenomenon look at: Vermeiren M. 2014.

Report 2015:5). The remittances-driven growth model as much as the large amount of public investment to boost economic growth is largely criticised by international financial institutions, stating that “*Kosovo’s current growth model is unsustainable over the longer term.*”(ibid.).

Kosovo is faced with a large trade deficit, numbers provided for 2014 show imports worth of €2.5 billion in contrast to exports amounting to €325 million. As domestically produced goods, largely in the agricultural sector, are not well integrated in the regional and international market, Kosovo’s politicians are widely called upon to strengthen the private sector by lowering constraints on private companies and level up on high-skilled work force (IMF Report 2015:6).

As laid out above, political opportunism remains a problem for democratic consolidation in Kosovo and also directly affects economic policies in the country. We can detect opportunistic economic legislation prior to elections and favourable public spending in order to gain voter support. Also the governing deadlock prior to the establishment of the current coalition delayed important economic legislation. Especially in regards to public spending, the government’s aspiration for voter support lead to unproductive policies. This phenomenon has been observed by IMF staff stating that “*In the months leading to the 2014 elections, there was a significant expansion in public spending, with, for instance, large increases in public sector wages and social pensions as well as benefit packages for war veterans.*”(IMF Report 2016).

Another point concerns Kosovo’s’ infrastructure. Especially in regard to transportation and energy the infrastructure is lacking. Improvement of transportation, construction of roads and railways and furthermore stable provision of energy is needed for Kosovo’s economic development. Frequent power cuts and the poor state of roads and railways prove to be a continuous obstacle to economic and social well-being in the country (cf. Schleicher 2010:92; IMF Report 2016).

### 4.3.2. Kosovo's labour market

The unemployment situation in Kosovo remains a significant challenge for the country. Currently, the country is faced with an unemployment rate of around 30%, meaning that one out of three working-age Kosovars is without work. Especially for the young this situation is problematic, two out of three people under 25 are challenged by unemployment (IMF: Report 2016). No significant improvement in terms of an increase in employment has been forecasted in the upcoming years. Since the population is relatively young, the available work force striving into the labour market presents a major challenge for the country. The employed workforce in Kosovo earns on average between 350-400 € per month, which marks the lowest level on average income in the region (Dzihic 2015:38f).

Concerning the labour market in Kosovo, education is an important aspect. Kosovo's education system is regarded as underfunded and access of formal education from childhood to tertiary education is frail. The education system directly reflects the low amount of available high-skilled labour in the country. Findings of a World Bank survey in the country state that 23% per cent of companies declare an "inadequately educated workforce" as a constraint to business. However, Kosovo's education system is currently insufficiently providing programmes to educate high-skilled workforce and in so fail to align with market demand. The young work force is not encouraged to strive for formal education and develop skills necessary to compete in the "*rapidly changing labour market and economic environment*" (IMF 2016:6f).

To conclude on Kosovo's economic situation, noteworthy here is the extremely high rate of unemployment and poverty especially in regards to the young population. Furthermore the constraining business environment, especially for small and medium sized companies prove to be a challenge for economic recovery.

Poverty in Kosovo remains widespread, following data provided by the World Bank, the poverty headcount ratio in relation to national poverty line remains with 29.2 % relatively high in comparison to other countries' in the region. It has improved remarkably in the past years from an ultimate height of 45% in 2006 to

the current number (Website World Bank 2016). As of 2014, per capita Gross National Income (GNI) in Kosovo is at 3.990 USD, also this indicator shows improvement as in less ten years GNI increased from 2.510 USD (Website World Bank:2016).

The lack of service provision especially in regards to infrastructure necessary for economic development challenges the business environment. In combination with the constrained private business sector, expectations for rapid improvement on the situation are low. The EU Parliament notes on that aspect that “*the skills gap in the labour market*” needs to be addressed, “*administrative obstacles*” removed and calls for improvement of “*the overall business environment, especially for small and medium-sized enterprises*” (EU Parliament Report 2015).

This empirical part of the paper has examined Kosovo’s current conditions, with special attention to its political and economic situation. The chapter outlined Kosovo’s recent history, with which we can contextualize the current conflict situation. The outlining of the particular political system in Kosovo created under the auspices of the international community and the elaborate minority rights in the country allow evaluating the democratisation process of the country. Furthermore, the economic development of the country has been shown, as this is an integral part of the EU’s efforts in the country. Its description hence make up an important aspect of the evaluation of the EU’s engagement. This status-quo report shall help to understand in which context the EU is conducting conflict resolution and so help to evaluate on the quality and the prospects of the EU as a conflict resolution actor in Kosovo.

## **5. The EU as a conflict resolution actor**

The EU aims to “*promote peace, its values and the well-being of its peoples*” (TEU/Art 3(1)) and further ambitions to “*preserve peace, prevent conflicts and strengthen international security*” (TEU/Article 21(2)). In the EU’s communications peacemaking has been acknowledged as a priority in its external action policies

and conflict resolution declared to be a central component of EU's foreign policy (cf COM/2004/0373). The EU's self-positioning as a peace operating actor, active in conflict resolution is believed to result from the very nature of the EU as a peace project itself. *"The European Union's raison d'être as a peace project ending centuries of warfare in Europe has fundamentally shaped its external mission. In its treaties and declarations, the EU has in fact recurrently flagged conflict resolution as a primary objective in its fledgling foreign policy."*(Tocci 2008:1)

The EU as a regional organisation is a relatively new actor in international conflict resolution and peace operations. When writing on the EU as a peace operating actor, one has to take into account the special role a regional organisation has in this field. Next to international organisations, regional organisations in peace operations take up an increasing role. The developing and increasing importance of regional organisations in conflict resolution is also highlighted in the literature (Crocker et al. 2006; Tocci 2008).

The increasing engagement has to be seen in context with the rise of intra-state rather than international (so, inter-state) conflicts. According to the literature, intra-state conflicts are more likely to occur when identity groups perceive of, or face systemic discrimination and injustice (cf. Crocker et al. 2006:561f). So the origins of them are believed to be rooted in inequality in a society. In this context a regional organisations credible commitment to address these, hereby believed to have a favourable peace promoting effect (cf. *ibid.*).

Our understanding of and approaches towards domestic conflicts have to be adapted to this situation. When an intra-state conflict is essentially a manifestation of societal division, the issues which bring up these divisions need to be addressed. Hence the conflict resolution will ask for country and regional specific policies and approaches. In this context regional organisations can act more flexible, more dynamic and are better equipped to act territory specific than an international organisation. Organisations operating regionally are more favourably equipped to deal with root causes of intra-state conflicts. They have the advantage of proximity to the conflict territory and in so can use mechanisms that rely on vicinity (Crocker et al. 2006:562ff).



The following section provides an understanding of the EU as a regional organisation active in conflict resolution. It will show the competency allocation between the EU and its Member States, shed light on the institutions and bodies involved and further provide an overview on the mechanisms the EU can make use of when pursuing conflict resolution in its neighbourhood.

## **5.1. Competency allocations in the EU**

The Treaty of Lisbon from 2009 lays out the basis of the current EU institutional architecture. The competencies and decision-making procedures have been defined within the Treaty of Lisbon and the Treaty on the Functioning of the European Union (TFEU). The EU's decision-making process as well as the procedures to adopt legislation vary greatly among different policy areas, in accordance with the allocation of regulation-capabilities that the Member States have decided to hand over to the EU (cf. Buonanno/ Nugent 2013:5ff). A distinction can be made between the following competence-allocations.

### **5.1.1. Exclusive EU Competences (Art 3/TFEU)**

Exclusive EU Competences regulate the free market within the EU and its external market relations. Also, monetary policy, agricultural and fishery policies are regulated on a supranational level. Member States have agreed on handing over their regulatory powers in these areas. As a result, these areas are handled on the supranational level, the EU's institutions have the power to legislate and adopt binding acts which the Member States ought to implement (cf. Website EUR LEX 2010).

### **5.1.2. shared EU and Member States Competences (Art 4/TFEU)**

In areas where the EU and the Member States share regulatory competencies, Member States act as subsidiary legislators. The EU can in these areas adopt binding legislation and Member States exercise their legislative powers only when

the supranational level does not regulate (Website EUR LEX 2010). Competences are shared among the EU level and its Member States in the following areas:

- social policies concerning health and safety at work
- regulations that concern the harmonization of product standards and consumer protection
- environmental regulations
- energy and transport policies
- expenditure and macroeconomic policies and other policies concerned with the Monetary Union,
- research and development policies also fall within the scope of shared competencies (cf. Hix/Høyland, 2011:38ff).

### **5.1.3. supporting/coordination Competences (Art 6/TFEU)**

In several areas the Member States have not handed over any regulatory competences to the EU level. In some cases Member States have decided to let the EU coordinate their policies in order to benefit from its efficiency (ibid). In the areas in which the European Union holds supporting/ coordinative competences, the EU has no legislative power and can only support the coordination of the Member States' common policy-making. The EU holds mainly supporting competences in the areas of policing and criminal policies, health and cultural policies.

A prominent example of coordinative policies is foreign policy. This is a specific type of an EU policy area and it is handled in a unique manner within the EU. Member States have kept their regulatory competences on a national level and have not given any legislative power on supranational level in that area. It remains within each Member State and its national governments to pursue their foreign policies. The task of the EU institutions in this area can mainly be described as a coordinative one (ibid). In the area of foreign policies the EU is more a cooperation of countries than a single Union speaking with one voice. This circumstance has most famously been uncovered by the quote (falsely) attributed to H. Kissinger "*Who do I call if I want to call Europe?*" (cfr Baneth 2010).

Since this quote has been made popular major changes have happened in the EU's foreign policy area. Also the EU's capability to be an actor in foreign affairs has undergone quite substantial reforms since the Treaty of Lisbon. Within the Treaty of Lisbon, foreign policy instruments such as, diplomacy, civilian and military crisis management, foreign trade and development policy have been brought together (cf. Schmid 2010:458ff). The EU has since gradually increased its abilities in the foreign and defence policy field. In regard to its crisis management competencies the EU operates within its Common Security and Defence Policy (CSDP). A major step for the EU's diplomatic relations was the creation of the European External Action service (EEAS), functioning as the common EU diplomatic service. The EU's development of a more "credible" security and defence policy is often referred to as a response to its inability to act during the Kosovo War (cf. Hix /Høyland 2011:315).

What can be deducted from this uneven distribution of competences is a diverse pattern of policy-and decision-making within the European Union. These diverse patterns have undergone a constant change and rise of institution's powers, not only because of the continuing arguments about which policy powers are to be transferred from the national to the European level, but also because of functional differences between the different policy domains and changing views about how to develop contemporary government and governance (Wallace et al. 2015).

Despite the fact that the EU has only supportive competencies in the foreign relations area, the treaties have brought substantial change to EU's capabilities in this field. The institutionalisation of the CSDP and the establishment of a common diplomatic body provide the EU with the institutional set-up to take decisive and credible actions in its external relations. The Treaty of Lisbon here is especially important as with it former separate but foreign policy related fields are incorporated. It merges various foreign policy instruments and so permits a coherent EU foreign policy stance (Schmid 2010:457ff ).

## 5.2. The EU's Institutions

It is important to bear in mind that within the EU there is no strict separation of powers, like on the national level in most of the Member States (Conway 2011). This means that executive, legislative and, to a certain extent, judicial powers might overlap. Legislative power is shared between the different existing institutions, with the Commission usually having exclusive legislative proposing powers and the Council of Ministers and the European Parliament being the decision-takers (Buonanno/ Nugent 2013:39ff). The balance of power between these institutions has changed over the last decades especially after the Lisbon Treaty of 2009 (cf. Bayram 2010).

The number of policy domains of the EU has increased enormously in the last years, also as a result of the different treaty changes. The EU is getting involved into more and more distinctive policy areas. This also shifts the power balance between the different institutions involved (cf. *ibid.*).

To look into the working of the EU, five main policy institutions are important. Four out of these institutions are known as political institutions, namely the European Commission, the European Council, the Council of Ministers and the European Parliament. They are comprised of politicians and are charged with different policy functions (Buonanno /Nugent 2013:39ff).

The fifth institution involved is the Court of Justice of the European Union. This policy maker is in comparison to the other four not a political body. The importance of the Court of Justice lays in the implications of its judgments. The Court is mostly called upon to interpret existing EU law rather than with law-making itself. However judgments of the Court can result into new law-making, which makes the European Court of Justice one of the five main decision-making institutions (Keleman/Schmidt 2013:2ff). Secondly the Court can also judge on the policy power and competences of the other institutions. Every institution can make a complaint and ask the Court if there have been made errors concerning the applied legislative procedure. The Court can make a judgment on such cases

and therefore change legislation, after it had already been decided upon by the other institutions (Buonanno/Nugent 2013:57ff).

### **5.2.1. The European Commission**

The European Commission (EC) is the supra-national body of the EU. The EC is comprised of Commissioners each representing his/her area and appointed by each Member State. The Commission has the competence of legislative initiative within the EU. Naturally, input for legislative action can result from a plurality of institutions and actors but only the Commission has the power to translate this input into a legislative proposal. The Commission uses a lot of different committees (consultative committees and expert committees) to acquire information about the position of national bureaucracies and final addresses.

There are two different levels in the structure of the Commission: the first is merely political, represented by the Commissioners, while the second concerns the bureaucratic level, represented by the Directorate General (DG). The DGs are administrative bodies, headed by the respective Director under the political authority of the Commissioner. The DGs are dedicated to a specific field of expertise (Website EU Commission).

Between them there are the Cabinets, particular bodies composed by a small group of functionaries directly linked to the Commissioners in a rather trustworthy relation. The cabinets have two principal functions: coordinating the work of all the Commissioners in order to assure the good functioning of the Commission as a single institution (horizontal coordination) and linking all the bureaucratic levels of the DGs to the political level (vertical coordination) (cf. Hartlapp et al. 2013).

Next to the Commission several expert and consultative committees exist. The role of these groups of experts is to provide specialized information and technical knowledge to the Commission in order to give a clear starting point on a particular topic and so support the Commission with technical details in the legislative proposal. These statements are provided as opinions, recommendations and reports they are not binding neither for the Commission nor the DGs. These bodies can choose the way in which they take the provided information into account. The staff of these committees is appointed by the Council of Ministers

and made up of freelancers from the national administrations, academic researchers and representatives of interest groups. The total number of this kind of committees is estimated to be around 700-800. They hold periodical meetings ranging from one every two weeks to two times per year ( Buonanno / Nugent 2013:101f). There are two types of experts committees, the formal committees, established by a decision of the Commission and the informal committees established by a single DG (ibid).

### **5.2.2. The Council of the European Union**

Also the Council of the European Union consists of a bureaucratic and a political level. The political level of the Council is represented by the regular meetings of the Heads of States from the EU Members, so called European Council. The other constitution is in its specific forms as the meeting of the Ministers of the Members, called the Council of the European Union. It is noteworthy that the Council is one single legal entity, but it meets in 10 different configurations, which depend on the specific subject matter being discussed (Website: EU Council).

The bureaucratic level is composed of diplomats and ministerial officials from the national ministries and is managed by the permanent representative. There is a permanent representation in the Council on the bureaucratic level. This indicates the stable representation of each Member State in the EU. The Committee of Permanent Representatives of the Governments of the Member States to the European Union, referred to as COREPER, is the most important body in the Council's hierarchy. COREPER I is made up of the vice-chiefs of the permanent representations, it organizes the meetings for specific technical areas like agriculture, environment, education, transports etc. COREPER II is made up of the chiefs of the representations, it organizes the meetings for more thorny areas in which it is more difficult to reach an agreement (foreign affairs, general affairs, ECOFIN, justice). The role of the COREPER is strategic and fundamental for the correct functioning of the Council of Ministers (Buonanno/Nugent 2013:39ff).

The Council works further with the help of preparatory bodies, so called Working Parties and Committees. These bodies deal with specific subjects and are comprised of delegates of the Member State holding presidency and bureaucrats.

There are approximately 150 preparatory bodies to analyse Commission proposals, prepare Council conclusions and meetings (Website EU Council 2016).

### **5.2.3. The EU Parliament**

The European Parliament (EP) is the EU's only directly-elected institution. It has legislative, supervisory, and budgetary responsibilities. The EP consists of representatives (MEPs) from each Member State and gets voted for every five years. The Parliament has 751 MEPs and meets in one of its three seats in Brussels, Luxembourg or Strasbourg. Within the EP delegates are seated according to their political parties, they group together on a European level and hence form European alliances of their respective parties (Website EU Parliament).

The parliament's political and legislative work is carried out by parliamentary committees. The wide area of policy works are divided up among a number of specialized committees of which there are 20 standing parliamentary committees, with an average composition between 25 and 71 MEPs, a chair, a bureau and a secretariat. Each MEP has to put work into at least one committee. It is hereby important to mention that the political make-up of the committees reflects that of the plenary assembly and that the Committee's dimension is weighted on the importance of the respective policy area. The EP can also set up sub-committees, special temporary committees on specific issues and formal committees of inquiry under its supervisory. In general the tasks of these committees are to draw up, amend and adopt legislative proposals and own-initiative reports. They (re)consider Commission and Council proposals and, where necessary, draw up reports to be presented to the plenary assembly (Buonanno/Nugent 2013:119ff).

In the area of foreign policy the EP has been granted powers of supervision, hence the HR/VP reports to the Parliament. Further the EP checks if conclusions international treaties and agreements are in line with Enlargement and Neighbourhood negotiations (Website EU Parliament)

Furthermore the EU Parliament establishes delegations to “*maintain relations and exchange information with parliaments in non-EU countries*” (ibid). The delegations are intended to represent the EP externally and establish connections with countries’ outside the EU in form of representations. Currently there are 43 delegations formed by the EU Parliament (ibid).

### **5.3. The EU’s current peace operations**

The EU is active as a peace operating actor under its Common Security and Defence Policy (CDSP) in various countries ranging from Europe to Africa and the Middle East. The EU missions have to be mandated by the EU Council and are separated in military and civilian missions.

The EU is currently (July 2016) involved in 6 military missions:

- **EU NAVFOR ATALANTA**

Operating in Somalia since December 2008, this mission is aimed at combatting piracy, protecting vessels and to strengthen maritime security(Website EEAS 2016).

- **EUTM RCA**

Launched in March 2015 as a successor to the EU’s EUFOR RCA mission. EUTM RCA is operating in the Central African Republic with the aim to advise and assist the military in its reform process (ibid.).

- **EUTM - Somalia**

Since April 2010, the EU operates in Somalia in a military training mission. The missions aim is to train and assist the Somali forces and in so strengthen the Transitional Federal Government and Somalias’ institutions (ibid.)

- **EUTM – Mali**

The EU mission in Mali was established in February 2013 with the aim of training, advising and educating military forces in Mali and to secure stability in the Sahel region (ibid.).



- **EUNAVFOR MED**

Since June 2015 the EU is operating in the central part of Southern Mediterranean Sea. The mission is aimed at combating illegal migration and smuggling (ibid.).

- **EUFOR /Operation ALTHEA**

Since 2004 operating in Bosnia Herzegovina under UN mandate to oversee and monitor the implementation of the Dayton-Agreement (ibid.).

Furthermore the EU is operating 10 civilian missions:

- **EUAM**

The EU is operating in Ukraine since June 2014 to support Ukrainian authorities achieve reform of the civilian security sector through strategic advice and hands-on support (ibid.).

- **EUPOL**

The mission is operating in Afghanistan, established in 2007 with the aim to support the reform efforts of the Afghan Government in building a civilian police service (ibid.).

- **EUBAM**

Since January 2013 the EU's mission is operating in Libya with the aim of supporting the Libyan authorities in improving and developing the security of the country's borders (ibid.).

- **EUCAP Sahel Mali**

The EU's civilian mission in Mali it is mandated since April 2014 to support the internal security forces in Mali (ibid.).

- **EUPOL COPPS**

Established in January 2006, within the EU Middle East Peace process, the mission is aimed at supporting the Palestinian Police Forces (ibid.).

- **EU BAM Rafah**

Since November 2005, also operating on the Palestinian territories, EUBAM Rafah is the EU's border assistance mission with the aim to monitor the border crossing point between Gaza and Egypt (ibid.).

- **EUMM**

Established in September 2008, EUMM is the EU's unarmed civilian monitoring mission in Georgia. It aims to promote stability in the region and prevent recurring hostilities (*ibid.*).

- **EUCAP Sahel Niger**

This mission was adopted in March 2011, the EU is operating in Niger to advice and train Nigerien authorities, furthermore to support the country in its efforts to strengthen their security capabilities (*ibid.*).

- **EUCAP NESTOR**

Is the EU's civilian mission in Somalia. It was launched in July 2012 with the aim of strengthening the local capacities to provide maritime **security** (*ibid.*).

- **EULEX**

The EU is operating with a civilian mission in Kosovo since 2008. More on the EULEX mission in the following section.

From this listing we can see that the EU is active in a wide array of tasks and territories with its various missions. Under the CSDP the peace-keeping operations, including conflict prevention, border management, monitoring and training missions and various others are launched. Missions have to be approved by the EU Council, they are financed by a pool of resources from Member States and are organised within the CSDP. This allows the EU to have a comprehensive and operational approach to international peace operations (cf Website EEAS).

The following shall be an overview on the EU's institutions involved in peace operations, its competencies and the available mechanisms the EU is using to intervene in conflicts. It is followed by a section on how the EU is operating in Kosovo.

## **5.4. The EU's facilities in conflict resolution**

As laid out above, major changes in the EU's capability to be an actor in foreign affairs have been introduced in the Lisbon Treaty of 2009. Within the Treaty of Lisbon, foreign policy instruments such as, diplomacy, civilian and military crisis management, foreign trade and development policy have been brought together

(cf Schmid 2010:458ff). The EU has since gradually increased its competences in the foreign and defence policy field.

#### **5.4.1. Common Security and Defence Policy**

The Common Security and Defence Policy (CSDP) is the EU's policy area in which civilian crisis management is conducted. Through CSDP the EU pursues to strengthen international security via peacekeeping and conflict prevention. The evolution of CSDP dates back to the Cologne European Council meeting 1999. The CSDP was created in order to address "*all question relating to the Union's security*"( TEU/Art 24/) and encompasses civilian and military operations in order to fulfil this objective(ibid.) Additionally to peace-keeping tasks such as disarmament operations, humanitarian and rescue tasks the objectives within the CSDP specifically declare post-conflict stabilisation as a task to be carried out within this policy field. The most notable CSDP mission in respect for its size and financial commitment is the mission relevant for this paper, the European Rule of Law mission in Kosovo (EULEX).

#### **5.4.2. European External Action Service**

The creation of a professional diplomatic corps, titled the European External Action Service (EEAS) has been called the "*most important innovation introduced by the Lisbon treaty*" (Nitoiu 2010:39). The EEAS cannot be easily identified as an institution nor an organisation on its own, it is referred to as a "*organisation [that] constitutes de facto something new, something of a 'sui generis' character[...]*" (Pallin 2012:45). As mentioned above, the European foreign affairs organisation has been renewed with the Lisbon Treaty in 2009, with which also the EEAS was set up. Especially in regard to the above mentioned desire for foreign affairs coherency the establishment of the EEAS has had a major impact. Stating that "*the creation of the EEAS is aimed at enabling greater coherence and efficiency in the EU's external action and increasing its political and economic influence in the world*" (Council Press Release, April 2012).

The European External Action Service (EEAS) runs around 140 EU Delegations and offices around the world. These are established under the 2009 Lisbon

Treaty and are supposed to represent the EU, report and analyse policies of their respective countries and furthermore to coordinate EU foreign policy implementation.

The EEAs works with officials from the Council and the Commission and further hires seconded staff from the Member States (Hix/Høyland 2011:273ff). The EEAS operates under the authority of the High Representative for Foreign Affairs and Security Policy and Vice-President of the European Commission (HR/VP). This person represents a link to the EU institutions, the Commission, the Council and the Parliament. As the HR chairs the meetings of the Foreign Affairs Council (FAC) and is the Vice-President of the Commission, hence the double name HR/VP and reports to the Parliament. First holder of the HR position was Lady Catherine Ashton, who carried out her position actively in regard to Kosovo. She personally led negotiations between the country and Serbia. Her successor Federica Mogherini as well is personally involved in the negotiations.

## **5.5. EU's instruments in conflict resolution**

The EU makes use of a variety of instruments in its attempt to promote peace in conflict affected territories. As laid out above, the EU can through the changes made in the Lisbon Treaty 2009, act with a common voice in its external relations and therefore also in the field of conflict resolution. In the following section I want to display the very EU-specific mechanisms used in the Western Balkan region to promote conflict resolution. These mechanisms are EU particularities, intended to impact the political reform process in a country and hence promote conflict resolution. The section will give an overview on the mechanisms applied in Kosovo and the Western Balkan region.

### **5.5.1. Enlargement**

Enlargement is widely regarded as the EU's most significant foreign policy tool (Hix/Høyland 2011:95). Countries that are part of the EU's Enlargement process aspire Membership or close cooperation with the EU. Currently there are seven countries part of the EU's Enlargement process, Albania, Macedonia,

Montenegro, Serbia, Turkey and further Bosnia and Herzegovina and Kosovo (cf. Website ENP).

EU Membership is conditioned upon fulfilling the 1993 established “Copenhagen Criteria”. In order to achieve this, countries have to gradually implement reforms so that they can realize the following:

- stability of institutions guaranteeing democracy, the rule of law, human rights, respect for and protection of minorities,
- the existence of a functioning market economy
- the capacity to cope with competitive pressure and market forces within the Union.
- ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union (Website EURLEX).

With these criteria the EU conditions membership on extensive influence over domestic policy and polity development in the applicant countries (Chandler 2006:4). The Enlargement process is based on strict conditionality. The EU supports the applicant country in fulfilling the above mentioned criteria. This support is accompanied by technical, financial and political assistance of the EU in the respective candidate country. Enlargement has been a central foreign policy focus in respect to the Western Balkan countries and essentially represents “*state-building through integration process*” (ibid.).

### **5.5.2. Contractual relations**

To achieve the stated aim of preserving peace and security the general EU approach in this endeavour is engaging conflict affected countries in contractual relations. Contractual relations in order to promote conflict resolution can be found in many regions the EU is active in, such as in Georgia, Cyprus and Israel (Rushaj 2015:467ff; Tocci, 2008:ff).

With this mechanism mutual obligations for the contracting partners are negotiated and constituted. As for the matter of conflict resolution, the EU promoted principles of democratisation; good governance and rule of law are

usually included as an obligation for the respective contract partner. These agreements can range from loose cooperation up to integration in the EU (Tocci, 2008:8f).

The strong EU focus on contractual relations, can be explained by the very nature of the EU as a system based on contracts itself. As the EU is created out of laws and contracts, it also aims to promote this feature abroad (cf. Tocci, 2008:1).

The functioning of this approach lies in specific EU inherent characteristics. It is based on the assumption that the EU as such is appealing to outside actors, that its economic strength and well-being of people have a pull-effect on the outside party. The idea is simple: Countries aspire to be in cooperation, association or even fully integrated in the EU. These aspirations can rest on a variety of ideals ranging from perceived economic benefits countries hope to gain, to the normative values the EU represents. These pull-factors stimulate the parties' willingness to engage in mutually obligatory contractual relations with the EU and agree to a reform process. In these contractual relations the EU can hence include principles it aims to promote abroad. The approach of contractual relations to promote conflict resolution relies on three related, but distinct tools.

### **5.5.3. EU Conditionality**

EU conditionality can be understood as a way of seeing the EU's effectiveness in the way it rewards or punishes the contracting actor. *“EU conditionality is understood as a dichotomy between carrots and sticks”. The “carrots” are given as a reward to good behaviour of the state, usually ranging from economic assistance to full membership. On the other hand “sticks” are used to punish a target state for non compliance with the contracted conditions.”* (Rushaj 2015:468-469).

These punishments can be of different nature, political and economic, technical, legal, institutional and related to the EU's *acquis communautaire*. EU conditionality is believed to be effective because decision makers benefit from complying with the proposed conditions. These benefits are withheld in case of non-compliance. Hence, conditionality alters the cost-benefit calculation of decision makers.

Conditionality can have positive effect on conflict resolution in two ways. Directly applied, meaning EU benefits conditioned upon peacemaking or indirectly applied via conditionality towards reforming policy fields that have impact on the condition of peace in the country and so favourably promote conflict resolution. As mentioned above, the framework EU contractual relations encompasses features that are believed to solve conflict, and so contribute to the EU's peace-agenda (Tocci 2008:10ff).

#### **5.5.4. Social Learning**

Conflict resolution via social learning follows social constructivist notions. It is hereby assumed that participation in the EU framework has a transformative effect on institutions and the participating actors, without the carrot-and-stick momentum of EU conditionality. The argument here is that via relations with the EU social learning takes place, which promotes a change in behaviour, interests and identities of the actors involved. In this perspective EU stated principles, are not simply followed because of conditionality but, according to the idea of social learning, because they over time and via practice and contact become intrinsic believe systems of the actors themselves(cf. *ibid.*15).

#### **5.5.5. Passive enforcement**

Passive enforcement is further supporting the EU's approach in conflict resolution via contractual relations. It is described as "*Rather than highlighting the logic of punishment, which sets in when rules are violated, this EU mode of foreign policy-making hinges on a system of rule-bound cooperation, which is expected to work through its inbuilt incentives.*"(*ibid.*). Passive enforcement is believed to work more subtle than conditionality. As rules and obligations related to EU principles are pre-conditions for negotiations, hence non-negotiable. They constitute the very base of the contractual relation and are hence not in dispute. Passive enforcement is a powerful instrument because the obligatory nature of these is inbuilt in the EU's engagement in the negotiations as such (*ibid.*17ff).

## 5.6. On assumptions behind EU Conflict

### Resolution

The Global Peace index report, highlighting that on average the world has become slightly less peaceful, mentions Europe as the world's most peaceful region without significant violent domestic conflicts (GPI-Report2015). Europe is peaceful and the European Union, a peace project in and of itself, has largely contributed to the peaceful situation on the continent.

Nonetheless, there are areas of concern in Europe where conflicts emerge and the potential for direct violence increases. In this respect areas for renewed territorial conflict in Europe are Ukraine and Russia, Spain and the Western Balkan region, especially Kosovo and Serbia. From what has been laid out above we can deduct that the EU is trying to prevent conflicts and aims to promote peaceful conflict resolution. This section shall show which assumptions are behind the EU conflict resolution efforts and which ideas on societal, economic and political structures inform the EU's approach in this field?

In this section I want to argue that the EU aims to promote peace via linking conflict resolution to principles such as democracy, market economy and the rule of law. In the belief that these values constitute a stable and secure environment for the EU as much as within the conflict-affected country, the EU hereby acts as a normative power. Tocci explains the "EU's self-image" as a normative peace builder, she states that the EU aims at setting up systems according to its own values in conflict affected territories. In the belief that its declared principles, democracy, market economy, rule of law are ultimately the best mechanisms to promote peace and prevent conflicts, "*The former values, while being viewed as ends in themselves, are also considered as instrumental to achieving the latter objectives.*" (Tocci 2008:7). I want to argue that a parallel to the liberal peace thesis can be drawn here.

This has also been found by Natorski, investigating on the EU's main elements of and approaches in peacebuilding, "*the EU conceives peacebuilding as a process*



*of settling conflicts within the logic of modern liberal states*" (Natorski 2011:31). Hence, the assumption that marketization, democracy and rule of law lead to stability, security and peace in the respective conflict territory is instrumental for the EU's conflict resolution process and inform the EU in its peace operating objectives.

As Paris laid out, relying solely on liberal peace notions can have a conflict-enforcing rather than hindering effect, also Lemay is stating that "*The prevailing paradigm of democratization in state-building is certainly not enough by itself to bridge the legitimacy gap in most state-building interventions.*"( Lemay-Hébert 2012:475). Liberalisation, according to the IBL approach, shall hence be accompanied by creating a legitimate environment in the conflict affected territory via promoting local capacity and institutionalisation. The above displayed EU peace operations have to a large extent, local capacity building, good governance and institution building components (EUAM, EUCAP, EUCAP, EULEX). Taking this focus on institutionalisation into account we can attest a parallel to the Institutionalisation before Liberalisation approach.

In other cases the EU in its conflict resolution objective has further extensively incorporated civil society in the process. In cases where the EU has actively encouraged conflict resolution in Turkey, Palestine and Abkhazia, the EU has taken into account the value civil society organisations can bring into the conflict resolution process and hence focused "*[...] on the promotion of civil society in support of the peace process*"(Tocci, 2008:102). We can therefore attest that the EU in its conflict resolution approaches has taken account of and used elements of the Peacebuilding from below approach.

What can be said from this is that generally speaking, the EU follows to a large extent liberal peace assumptions in its conflict resolution objective. Despite the efforts of democratisation, marketization the EU also focuses on establishing a legitimate rule of law system, promoting local capacities and institutionalisation which are essentially recommendations of the IBL approach. The engagement of civil society in peace processes and the available funding opportunities for civil society organisations in the EU's Enlargement policies show that to some extent Peacebuilding from below is also conducted by the EU.

## 6. The EU's engagement in Kosovo

In general it can be said that the EU has committed deeply to a long-term engagement and conflict resolution process in Kosovo. The EU is present in the territory with a diverse set of mechanisms, approaches and operations in the country. Grouped together we can speak of three distinct EU mechanisms that are applied in Kosovo. Firstly, the peace building approach represented by the EULEX mission (cf. Skara 2014) aimed at promoting and strengthening rule-of-law, assistance in capacity building and institutionalisation. The second stance of the EU's engagement can be seen via its high-level mediation efforts helping to facilitate relations between Kosovo and Serbia. Further, Kosovo is part of the EU's Enlargement strategy hence the EU exerts excessive influence on the countries' domestic policies.

### 6.1. EU conflict resolution in Kosovo – an

#### Introduction

Since the end of the overt violent conflict of 1999 the EU has invested vast amount of resources to the post-conflict reconstruction and development in Kosovo. In line with the EU's overall peacebuilding objective, Kosovo has been subject of EU efforts aimed at democratisation, marketization and establishment of effective governance institutions.

Especially in regard to the EU's engagement in Kosovo, the merger of policy tools and the increase in EU competencies in the field of conflict resolution have had major advantages. As though that the EU is endowed with the competencies to have a coherent approach towards the country. This is especially remarkably since there is EU internal disagreement on Kosovo's statehood. The EU can act and speak with one voice on Kosovo, while these are internally not harmonised.

The EU's engagement in Kosovo has to be seen in context with the 2003 Thessaloniki Summit. In which the EU “[...] *reiterates its unequivocal support to*

*the European perspective of the Western Balkan countries.*”(EU Council/Nr C/03/163, 2003). Without being specifically mentioned, Kosovo is encompassed in this European perspective (Rushaj 2015: 467). The country since benefits from EU’s structural, economic, rule of law and civil society support programmes. Kosovo is integrated in the Stabilization and Association Process of the EU, which supports the country in form of easier access to the EU’s market and funded financial, technical and structural assistance (Website EU Commission).

In October 2015 the Stabilisation and Association Agreement (SAA) between Kosovo and the EU was signed. This constitutes a contractual relationship with the EU and contains mutual rights and obligations. It further includes conditions upon which Kosovo can benefit from the EU single market upon upholding democratic principles and implementing reforms in respect to free market policies such as intellectual property rights and product standards. The SAA as such obliges Kosovo to implement a wide array of reforms to align with EU *aquis* and it covers a variety of sectors from environment and education to justice and home affairs and employment (cf. EU Council Press Release, October 2015).

### **6.1.1. The EU Commission in Kosovo**

The EC’s relations with Kosovo are to be seen in the context of the Enlargement policy. The Commission, its DG (NEAR) as much as the EEAS work in close cooperation in the country. When the EU engages with Kosovo officials in meetings and celebrations such as the recent signing for the Stabilisation and Association Agreement, the EU is usually represented by representatives from the EEAS (in the form of HR/VP) and the EU’s Commissioner for European Neighbourhood Policy and Enlargement Negotiations. I therefore want to make a distinction between the DG for Neighbourhood and Enlargement Negotiations (DG NEAR) and the Delegation of the European External Action Service (EEAS) which I will mention further below.

DG NEAR is responsible for coordinating the EU's neighbourhood and enlargement policies. DG NEAR is organised in six sections of which each has his/her own Director. In regards to Kosovo, the DG works under Section D,

Western Balkans and more precisely in the Unit D.3 headed by Mr. David Cullen (Website EUROACTORY).

In Kosovo the DG's work includes monitoring activities in respect to free-market reforms and democratisation. Furthermore, DG NEAR assists in implementation and reports on the status of prospective member countries' in relation to the established Copenhagen Criteria. It further manages financial and technical assistance to the country which is currently in the Enlargement process. DG NEAR due to its policy field is bound by Council decisions, and hence develops and implements policies that emerged from the Council (cf. Website DG NEAR)

### **6.1.2. The EU Council in Kosovo**

For the purpose of this thesis, the Council formation in the form of the Foreign Affairs Council (FAC) is most interesting. The FAC is comprised of the Foreign Ministers of each of the Member States. Its monthly meetings are chaired by the HR/VP, which demonstrates the close connection between the EU Commission and the Council regarding foreign affairs. The voting rules in the FAC usually require qualified majority, however in the sensitive area of common foreign and security policy they FAC votes with unanimity.

It is the FAC's responsibility to deal with the EU's external action. This includes foreign policy, defence and security, trade, development cooperation and humanitarian aid. Furthermore, the FAC in cooperation with the European Commission, works to safeguard a coherent and united appearance of the EU in its external actions. The FAC also defines and implements the EU's foreign and security policy. In this formation the Council launches EU crisis management actions in civil and military terms and approves budget allocations to these missions. It does so under guidelines set by the European Council, the Council in which the Heads of States of the Member States decide on General Affairs (Website EU Council).

As mentioned above, a multitude of preparatory bodies assist the Councils work. In respect to the EU's relations with the Western Balkans, a special preparatory body has been established. The preparatory body in the Council dealing with Kosovo is the so called Working Party on the Western Balkans Region (COWEB).

COWEB is preparing all issues concerning countries in the region for the FAC including Albania, Bosnia-Herzegovina, the Former Yugoslav Republic of Macedonia, Serbia and Kosovo. It is within this formation that reports concerning the EU's relations with Kosovo are being evaluated and proposals drafted. Furthermore, mandates such as for the civilian crisis management mission in Kosovo and the appointment of the Special Representative are being prepared within working Parties and decided upon in the Council (cf Website COWEB)

### **6.1.3. The EU Parliament in Kosovo**

The EU Parliament issues reports on Kosovo's status and recommendations to the Council and the Commission in a wide range of areas concerning Kosovo's relations with the EU. This work is done in Delegations and standing Committees, which draft papers especially in respect to Enlargement, visa-liberalisation, economic and democratic development.

The Parliaments delegation representing the EU in Kosovo is the Delegation for relations with Bosnia and Herzegovina and Kosovo, former Delegation for South-East Europe (DSEE). The DSEE as a delegation is comprised of 27 MEPs from all EU-Parliament Parties. It has to be mentioned that the establishment of a delegation means an upgrade in the relations between the EU and Kosovo. As prior to the signing of the SAA, only informal inter-parliamentary meetings have taken place (cf. Website EU Parliament).

The Stabilisation and Association Parliamentary Committee (SAPC) is a newly established body. Its main purpose is to maintain the political dialogue with Kosovo officials under the recently signed SAA Agreement. The SAPC addresses issues such as the status of democratisation in Kosovo, the country's relations with Serbia, its economic development and societal issues such as youth empowerment and social dialogue, protection of human rights and media pluralism (cf. Website EU Parliament).

Furthermore, the EP works on EUs foreign policy and therefore in relation to Kosovo within the Foreign Affairs, so-called AFET Committee ( the name resulting from the French *Affaires étrangères*). As the responsibilities of AFET are extensive two Sub-committees are assisting in the preparatory work. Within the

Foreign and Security as much as the Defence policy AFET's responsibilities are largely carried out by the Sub-Committee on Security and Defence (SEDE). It is also within AFET's responsibility to publish on *"issues concerning democracy, the rule of law, human rights, including the rights of minorities, in third countries and the principles of international law"* (Website EU-AFET) this task is carried out within the so-called DROI Committee, another Sub-Committee within AFET. In relation to Kosovo, it is AFET's responsibility to *"strengthen(ing of) political relations with third countries by means of comprehensive cooperation and assistance programmes or international agreements such as association and partnership agreements"* and *"the opening, monitoring and concluding of negotiations concerning the accession of European States to the Union"* (Website EU AFET).

## **6.2. The EU's Enlargement policy in Kosovo**

Within the EU Enlargement policy Kosovo has currently the membership status of a "potential candidate", meaning *"they were promised the prospect of joining when they are ready"*(Website ENP). It can be said that Kosovo specifically has an EU perspective since the Commission's Communication *"A European Future for Kosovo"* of April 2005(EU Commission Press Release April 2005).

The latest development in Kosovo's direction towards European integration was the ratification of the Stabilisation and Association Agreement (SAA) between the EU and Kosovo in April 2016. This Agreement constitutes mutual rights and obligations for the signing parties. The SAA requires commitment to political, economic and legal reforms of the respective country and further obliges Kosovo to implement EU acquis. SAA processes also include clauses on the commitment of good neighbourly relations and therefore provide legal instruments to overcome inter-regional and ethnic problems present in the Western Balkans (Gentjan, 2014:36). Under the framework of the SAA, Kosovo enjoys better access to the European market and it establishes close cooperation in various sectors such as education, employment, energy, environment, justice and home affairs. (EU Commission Press Release October 2015).

On a more critical stance, it has to be taken notice of that Enlargement is an extremely slow process. As stated above, the EU has communicated a European future for Kosovo for more than 11 years now. Recent polls show that on average 68% of inhabitants expect Kosovo to join the EU within the next 5 years (Website EUOK). These statements should be of interest to decision-makers because if the populations aspirations are continuously disappointed, or aren't met this could potentially risk the approval of the EU in the country. Within Enlargement policy it is expected that the EU's conditionality will do the job in regards to the desired reform and development process in the country. I'm off the opinion that within this process, unstable political engagement has to be anticipated by the decision-makers. Especially in light off the increasing popularity of nationalist parties such as Vetëvendosje.

### **6.2.1. EU's Crisis and Civilian Management in Kosovo**

The EU launched its most ambitious project within the Common European Security and Defence Policy (CSDP) in Kosovo. The European Union Rule of Law Mission in Kosovo (EULEX) was launched in February 2008 via Council Joint Action 2008/124/CFSP. This mission was designed to substitute UNMIK mission. EULEX's preparatory work for taking over Police, Justice and Civil administration from UNMIK has been conducted since 2006 under the European Union Planning Team for Kosovo ( EUPT).

EULEX marked a shift of international presence in the territory. At first, the change of responsibility from the UN to the EU level was strongly opposed by Serbia. EULEX's intended operational capacity had therefore not been reached before April 2009. Disagreement over the establishment of EULEX could eventually be eased out via UN led negotiations and the set-up of the so-called "Six-Point Plan". This agreement included a status-neutral EULEX mission and the confirmation of the UNSCR 1244 continued authority (cf. Schleicher 2010; Džihic/Kramer, 2009)

The mission's aim is to support Kosovo's institutions and authorities in respect to the areas of rule of law and minority rights in particular police, judiciary and

customs. Its specific purpose is laid out in the initial Council Joint Action statement of February 4, 2008.

*“EULEX KOSOVO shall assist the Kosovo institutions, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability and in further developing and strengthening an independent multi-ethnic justice system and multi-ethnic police and customs service, ensuring that these institutions are free from political interference and adhering to internationally recognized standards and European best practices.”*(Council Joint Action 2008/124/CFSP).

EULEX is deployed to monitor, mentor and advice Kosovar authorities in respect to the aforementioned areas. Next to this consultancy role, EULEX further represents a mission holding executive powers in the territory, *“whilst retaining some executive responsibilities in specific areas of competence, such as war crimes, organised crime and high -level corruption, as well as property and privatisation cases”*( Website EULEX).

EULEX consists of international and domestic personnel, professionals employed under EULEX largely work as police officers and custom officials. In the judicial sector people are employed as prosecutors and judges. EULEX headquarter is situated in Priština and various regional offices have been established throughout the country. In Brussels a EULEX contact office has been established. The mission’s budget amounts to approximately € 90 million annually and is funded by most EU Member States, excluding Spain. Countries’ outside the EU participating are Norway, Switzerland, Turkey, Canada and the US. EULEX has been extended 4 times since 2008, its current mandate is granted until 2018 (Website EU Council).

EULEX has four operational objectives and each is carried out via separate divisions.

Firstly it is EULEX’s mission is to Mentor, Monitor and Advice (MMA) Kosovo institutions, the MMA objectives are largely carried out in the Strengthening Division (SD). Whose role is to improve efficiency and effectiveness of the addressed institutions and authorities, it furthermore aims to uncover structural weaknesses and enhance cooperation with the North-Kosovo institutions. These



objectives are guided by the policy of introducing European best-practices and internationally recognized standards within Kosovo (Website, EULEX).

The Executive Division and its role in dealing with sensitive cases such as war crimes, organised crimes and terrorism highlights the strong executive mandate that has been given to EULEX. In particular the mission's aim to carry out their executive functions "*until the progress of local authorities allows a complete transition of executive functions to them*" emphasizes the central role of international staff in the territory, which outweighs in number local staff in that division. (EU Council Press Release June 2016).

Within the missions so-called North objective EULEX carries out MMA and executive functions in respect to public order incidents and intents to facilitate cooperation between regional north and south police forces.

The mission further works to facilitate the Belgrade-Pristina dialogues achievements and intents to support implementation of the agreements objectives via technical support and establishment of cultural heritage protection units (Website EULEX).

It has to be mentioned that EULEX is not without its flaws. The mission is increasingly criticised by Kosovo's population, staff working in the mission and the media. One major point of criticism is the lack of credibility of EULEX the mission is being accused to only ineffectively pursuing high-level corruption. Officials have consistently been accused of ignoring allegations that implicate senior Kosovar politicians and instead focussing on lower level cases (cf. Balkan Insight 14.06.2012).

As a recent report states, EULEX faces a dilemma in this respect as "*it is regrettable that respect for the rule of law itself makes it difficult for the Mission to defend itself because the details of a judicial investigation cannot be revealed to the public before a decision is made on indictment[...]*" (Jacque Report 2014).

The report further opens up the problem of the internationally composed staff operating in a foreign cultural context, without specific code-of conduct "*In the absence of training prior to being posted, they all bring their own traditions and ethics with them*" and further "*It might have been useful to draw up ethical guidelines applicable to all those who were to form the basis of a shared culture,*

*but also to prevent the lawyer and their clients from feeling disoriented by different practices” ( ibid).*

### **6.2.2. European Union Office in Kosovo / European Special Representative in Kosovo**

The EU office in Kosovo has the task to channel the political and technical dialogue between Kosovo’s government and the EU. It works under the authority of the EEAS and more specifically reports to the HR/VP. The EU office coordinates the work of various institutions that make up the EU’s presence in the country and its tasks include analysing and reporting on policies and reform development in Kosovo. The EU’s office in Kosovo is headed by the EU’s Special Representative in Kosovo (EUSR), currently Samuel Žbogar. The position was established under Council Decision 2011/270/CFSP. Its mandate consists of four main areas: supporting political process, EU’s political coordination, EU’s public spokesperson within Kosovo and furthermore consolidating respect towards human rights according to the EU’s guidelines. The EU’s presence in form of the EU office and EUSR is directed towards a closer integration of Kosovo into the EU, it works under the objective of implementing a European agenda and to help Kosovo on its path into the European Union (Website KCF-foundation).

### **6.3. EU Mediation efforts in Kosovo**

The EU is increasingly taking over the part of a mediator in negotiations between Serbia and Kosovo. The EU’s mediation efforts are carried out by a number of different actors representing various levels of the EU’s foreign policy system. (Bergmann/Niemann 2015:957). In respect to Kosovo, I will here forth refer to mediation efforts carried out by actors representing the EU within the framework of the EEAS.

The EU’s mediation efforts between Kosovo and Serbia are generally referred to as the process of “*facilitated dialogue for the normalisation of relations between Belgrade and Pristina*” (cf. Website EEAS). The EU has been very active in its

objective to establish relations among the conflict parties and initialised high-level dialogues. These meetings were initially held on a bureaucratic level and later by high level representatives from Kosovo and Serbia chaired by the HR/VP. It is notable that before the initialisation of the EU chaired dialogue the two countries weren't in direct contact since the unilateral declaration of independence in 2008(cf. *ibid.*). The EU-led mediation process was initiated in response to the International Court of Justice's (ICJ) opinion on the legality of Kosovo's unilateral declaration of independence (*ibid.*). Based on the opinion issued by the ICJ, the UN General Assembly in resolution 64/298, called upon the EU to facilitate a dialogue between the countries. The dialogue is believed to promote stability in the region and provide security especially conflict affected regions such as the North in Kosovo. The UN here states that it "*Welcomes the readiness of the European Union to facilitate a process of dialogue between the parties; the process of dialogue in itself would be a factor for peace, security and stability in the region, and that dialogue would be to promote cooperation, achieve progress on the path to the European Union and improve the lives of the people.*"(Website UNMIK).

This process has so far led to the conclusion of three Agreements: Firstly, the 2011 Agreement on Acceptance of University Diplomas and Freedom of Movement Agreement; the widely cheered 2013 Brussels Agreement; and the Agreement of August 2015, which covers areas such as Energy, Telecoms and the highly politicised topic of the North Kosovo Serb municipalities (cf. Website EEAS).

The EU's dialogue facilitation has been successful in the sense that the EU has here effectively influenced the willingness of both parties to come to agreement (Bergmann/Niemann 2015:969). The EU has taken into account the challenging circumstances under which the officials of Serbia and Kosovo have been negotiating. Hence, initially negotiations have been conducted via delegates centred on practical arrangements and were concerned with political non-sensitive topics (Crisis Group 2013). The dialogue as such has been made public, but details about the negotiations were not disclosed to the media and so attempted to be left out of the public discourse "*„To this date, the dialogue has continued with more meetings, which for the public were more or less of the same*

*nature, characterised with general statements to the media and with no details disclosed.*“ (Gashi, 2011: 135).

In a further phase, beginning with October 2012, the EU has led negotiations between the prime ministers of both sides. This high-level dialogue, under the auspices of HR/VP is regarded as an important step in the normalisation of the relations of both countries (cf. Bermann/Niemann 2015; Skara 2014).

The EU-led negotiations have been conducted in a very specific context. As both countries aspire membership of the EU, hence EU conditionality as described above has played a role in the process. Mediator leverage is believed to be a central component in a mediation process; Which was exercised by the EU and possible through the parties membership aspirations (Bergmann/Niemann 2015: 961).

Furthermore both countries had been conducting elections during the negotiation process. In order to not support anti-normalisation forces in the countries' the dialogue has been suspended. This indicates that the EU has used timing in a strategic manner and chose to conduct and pause negotiations in “windows of opportunities”, especially in regard to Serbian elections in Mai 2012 (ibid.:969).

### **6.3.1. 2013 Brussels Agreement**

The dialogue lasted two years before an Agreement could be closed up. The process finally concluded in April 2013, when representatives of Kosovo and Serbia signed the “*First Agreement of Principles Governing the Normalization of Relations*”. This agreement was widely positively rated in the European media and celebrated as historical, mile-stone and landmark (cf. EU Commission Press Release April 2013; Czymmeck 2013) from EU officials and national and international politicians alike.

The 2013 Brussels Agreement regulates the relations between Kosovo and Serbia in the following aspects:

Inter-ethnic relations in regard to the Kosovo-Serbian population in the North as prior to the 2013 Brussels Agreement, the region functioned independently from the institutions in Kosovo, the population refused to acknowledge the

independence of Kosovo and Serbia's government financed the division in respect to Police and Judicial Personnel. The Brussels agreement therefore places large emphasize on regulating the situation in the North. The North of Kosovo shall establish a Serbian municipality association, which shall have authority over the matters of: education, economy, media, health and regional and spatial planning. The municipality association shall be headed by an elected president and supported by an advisory committee. The Kosovo-Serbian population receives certain rate of autonomy from the central government in Kosovo.

The agreement also aims at organising the divided police force in Kosovo, by integrating former Serbian security forces in the existing Kosovar structures. It has to be noted that up until the conclusion of the Brussels Agreement Serbia has financed security forces in the Serbian populated North of Kosovo, with the Agreement Serbia declares to end this "parallel-financing".

Also the judicial system shall be restructured via integrating the up to then Serbian financed judicial authorities into Kosovo's legal system. These legal bodies shall have personnel according to ethnic quota system.

Major points of the agreement were concerned the municipal elections in the North of Kosovo. As prior to the agreement, the 2011 elections have been boycotted by the northern population. With the conclusion of the agreement the Serbian government changed its stance towards Kosovo's election and repeatedly called for participation of the Kosovo-Serbian population in the 2013 November elections (Džihic 2015:36).

It was further intended to level out specific negative consequences of the contested state-hood. In respect to EU membership, the agreement states that "*It is agreed that neither side will block, or encourage others to block, the other side's progress in their respective EU path*".

### **6.3.2. August Agreement 2015**

Less publicly advocated and praised for but nonetheless important are the four Agreements concluded in August in 2015. These were negotiated under the auspices of HR/VP Frederica Mogherini. They include concrete implementation

elements in the following sectors: Energy, Telecoms, Municipality Association and Freedom of Movement.

The Agreement in respect to the municipal association regulates their legal capacity, budget and objectives (cf. Website EEAS: August Agreement). The problematic situation, especially in Mitrovica is regulated under “*Agreement on the Freedom of Movement*”. This 5-point Agreement is essentially regulating the reconstruction of the Mitrovica bridge and its surroundings and states that the bridge shall be open for traffic by the end of June 2016(cf: August Agreement). At this stage it has to be mentioned that in July 2016 renovation works have only just begun (cf: Balkan Insight 15.08. 2016).

Further, the Agreements on Energy and Telecom have very direct implications on life in Kosovo as both of them state concrete action plans in respect to better provision of these services within the country.

### **6.3.3. Summary**

As for the EU mediation efforts it can be concluded that the EU has had a considerable impact on the relation between Kosovo and Serbia. This impact can be seen as a result of EU conditionality. Also the strategic manner in which the EU has conducted these negotiations and the methods applied have had positive effect on the success of the dialogue facilitation.

A major point of concern in the dialogue facilitation is however the negative reaction that have been publicly demonstrated in both countries. Opposition to the conclusion of agreements, especially against the 2013 agreement was heavily demonstrated in Pristina and Belgrade. It has to be taken into account that the population of both countries’ has large been excluded from the dialogue process. It is here to be seen in the future whether the leaving-out-the-public-approach can challenge the implementation of the agreements via strengthening populist, nationalist political forces. This development would have conflict promoting rather than hindering effect in the respective countries’.

## 7. Conclusion and Discussion

The intention of this research paper was to analyse the EU's engagement in Kosovo. The research is placed in the context of international conflict resolution and guided along questions on the EU's approaches and instruments applied in Kosovo. Also the countries' current condition as a post-war territory has been analysed. It was attempted to provide an understanding of the influence the EU exerts in Kosovo via its engagement in the country.

This has been done via presenting general conflict resolution concepts and the most influential theoretical assumptions in the field. In the empirical part Kosovo's current conditions with a special focus on the political and economic situation were questioned. To assess the EU's engagement, the EU's conflict resolution competencies, abilities and instruments were analysed. These findings were then brought together to display the EU's engagement, the institutional relations and measures applied in the country.

The final assessment of the EU's engagement in Kosovo includes elaborations on the role the EU plays in the territory, the instruments applied and the assumptions the conflict resolution approach of the EU has been guided by. It answers the guiding and refined research questions laid out above:

- *How can Kosovo's current conflict situation be understood and assessed?*

Taking the sequential perspective on conflict, I want to argue that Kosovo can currently be placed between the stage of Agreement and Normalisation. This can certainly be said since the conclusion of the EU-mediated Agreements in 2013 and furthermore the August Agreements of 2015. These agreements constitute a major breakthrough for the relations between Kosovo and Serbia. As the disputed situation, especially concerning the North can via the agreements be managed. Nonetheless it has to be taken into account that the situation is merely handled but not solved. Whereas officials of both countries have agreed on finding solutions to common problems, this has been done without embedding the societal level. This indicates that we cannot yet locate the current conflict stage at

normalisation. The recent incidents with protests in parliament and demonstrations on the streets against a normalisation of relations prove that point.

The concept provided by Galtung is useful to assess conditions of peace and conflict, as either negative, in the sense of the absence of violence or positive in the sense of enabling people to achieve their full potential. Under the circumstances described above, the state of peace in Kosovo to this point can be understood as negative peace. Indicators for this are the limited good governance practices causing lack of public service provision, the weak economic conditions fostering unequal distribution of resources and the challenging political environment which as a result prevent the countries' citizens from achieving their full potential.<sup>17</sup>

- *Has the condition of structural violence in Kosovo improved via introducing marketization and democratisation?*

The analysis showed that Kosovo is currently challenged on five dimensions: economic development, democratisation and good governance, reconciliation between conflict parties and the non-resolved independence status.

With regards to structural violence, a major concern in the country should be the rather negative level of democratisation. It has been shown that extremist and opportunistic positions, bad government practices and high levels of corruption dominate the political discourse. As a consequence, we currently find a rather limited level of democratisation. Further points of concern are the weak economic situation of the country, especially in regards to the high level of unemployment and poverty. From this it can be said, that structural violence is still on-going in the country and has stagnated since introducing marketization and democratisation (cf. Rushaj 2015: 473).

- *What is the role of the EU in the conflict resolution process in Kosovo?*

As mentioned above, as a regional organisation the EU has specific advantages when engaging in conflict resolution in the Western Balkans. As for the case of Kosovo, the EU's proximity proves to be additionally advantageous through the

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<sup>17</sup> for a more elaborate argumentation on this point I refer to: Schleicher 2010.



Enlargement perspective the Western Balkan region is integrated in. As through this, the EU's performance in conflict resolution is related to the countries' aspiration of membership. In the particular situation in Kosovo this goes even further, as also the EU's ability to influence the conflict situation between Kosovo and Serbia and so promote dialogue results from the membership aspirations of both countries.

We can see from the description on the competency allocation that in comparison to Art3 competencies, the EU has relatively limited abilities in the foreign policy area. Nevertheless, given that the creation of a more coherent CSDP and the establishment of the EEAS have brought together mechanisms and instruments allowing the EU to perform more comprehensible and autonomous in peace operations. The EU's engagement in Kosovo shows that it can operate credibly as an actor in conflict resolution and crisis management. The Lisbon Treaty reforms have substantially contributed to the emergence of the EU as an increasingly influential peace operating actor.

In this respect it is also worth noticing that the EU's efforts in Kosovo are conducted although not all Member States agree on the statehood of the territory. Especially the signing of the SAA has hereby been a milestone, as mentioned above for the state-ness of Kosovo but also for the EU as a peace operating actor. The EU acts in the territory when it invests, concludes agreements, deploys personnel and engages the region in dialogue regardless whether five Member States don't recognize the country. This fact alone provides an understanding of the EU as a peace operating actor who is more than the mere sum of its parts.

Further support to that claim lends the observation that, the motives for the five non-recognizers to neglect statehood to Kosovo are not being transferred to the EU level. What can be seen is a rather stark commitment to the territories development and the conflict settlement with Serbia. The EU here works rather autonomous from the EU-internal dispute over the status.

- *Which approaches and instruments does the EU make use of in Kosovo? Does the EU follow assumptions of liberal peace thesis in its intervention in Kosovo? Did it take account of limitations of the approach?*

To answer which assumptions behind peace and conflict resolution the EU has been following in the territory of Kosovo, I compared the above introduced concepts with the actual measures the EU has taken. Mostly, the EU's engagement in Kosovo is conducted in line with the Enlargement policy and effective via EU conditionality. Liberal peace notions here are an essential part of this policy. We can see from the amount of personnel and financial resources devoted to establish democratisation and free-market economy in Kosovo, that for the most part the EU's approach towards conflict resolution in Kosovo is guided along liberal peace notions.

Given that with the EULEX mission and integral part of the EU's engagement is devoted to establish rule of law and good governance, we can further assess that the EU has taken notice of the downsides and pitfalls of rapid liberalisation. The findings suggest that the EU has tried to limit the competitive features of democratisation and marketization with specific policy recommendations and incentivising good governance practises. This indicates that Institutionalisation before Liberalisation has been part of the EU's strategy in Kosovo.

- *Did the EU respond to cultural violence via involving Civil Society in the conflict resolution process in the country?*

Cultural violence in Kosovo, as in violence via words, images and portraits is on-going. An example for this can be seen in the massive blockade from within and outside the parliament in opposition to Kosovo's ethnic minorities. As laid out above, elements of Peacebuilding from below are being integrated in the EU's approach towards Kosovo. These are mainly represented by funding opportunities for civil society organisation and a call for more integration of these in the conflict resolution process. To demonstrate, the annual EP Report on Kosovo is stating that "[the EP] notes with concern that the authorities' political will to genuinely engage with civil society is still very weak" and further "stresses the importance of increasing project funding for Kosovo NGOs [...]" (EP Report on Kosovo, February 2016).

A more ambitious Peacebuilding form below initiative is however conducted by EU Member States in form of the so-called Berlin Process. This is an intergovernmental diplomatic enterprise, dedicated to establish dialogue between

civil society organisations in the region and high-level officials of Western Balkan countries, Member States and the EU.

Given these points, it has become clear that the EU has been largely influential in Kosovo's conflict resolution process. Kosovo can currently be understood as a post-war territory, in the condition of negative peace due to the level of cultural and structural violence. In regards to its relation with Serbia, the conflict stage hereby is to be placed between Agreement and Normalisation. It can be said that the main approach the EU has taken in Kosovo is dominantly informed by liberal peace assumptions, with an institutional focus as proposed by the Institutionalisation before Liberalisation approach. Taking account of the IBL approach it can be assumed that further institutionalisation with a focus on good governance and service provision can have a positive effect on hindering structural violence in Kosovo. With regards to cultural violence, the EU has so far taken insufficient account of peacebuilding from below suggestions, as these are mainly represented by funding opportunities for civil society organisation and a call for more incorporation of civil society organisations in the process.

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## **9. Appendix**

### **9.1. Abstract ( engl)**

This thesis aims to contribute to a better understanding of how the European Union engages with countries emerging from conflict. It shall be an addition to the literature on the EU as a peace operating actor and give insights into the approaches and instruments applied in this field. The EU's engagement is described in the context of its involvement in Europe's youngest state, Kosovo. The country represents the EU's largest field operation in post-conflict reconstruction, civilian crisis management as much as mediation and dialogue promotion.

The thesis takes a look into international peace operations and outlines influential notions in contemporary conflict resolution. In a further step, the EU's competencies and its institutional setting in this specific policy field are described. To evaluate the EU as a peace operating actor, Kosovo's current political, economic and societal conditions are outlined and brought together with the EU's efforts in the country. The main research questions answered in this thesis are: How can Kosovo's current conflict situation be understood and assessed? What is the role of the EU in the conflict resolution process in Kosovo? Which approaches and instruments does the EU make use of in Kosovo?

### **9.2. Abstract ( german)**

Diese Arbeit soll zum besseren Verständnis der EU als internationaler Friedensakteurin beitragen sowie die Literatur über Methoden und Ansätze in diesem Bereich ergänzen. Die EU als Friedensakteurin wird im Kontext des jüngsten europäischen Staates, Kosovo untersucht. In dieser Arbeit werden einführend Begrifflichkeiten im Feld der internationalen Konfliktintervention



erklärt, sowie die einflussreichsten Ansätze zur Post-Conflict Stabilisierung vorgestellt. In einem weiteren Schritt werden die EU, ihre Kompetenzen und Institutionen in diesem Bereich dargestellt. Um die Bemühungen der EU im Kosovo beschreiben zu können, finden sich Ausführungen zur aktuellen politischen, sozialen und ökonomischen Verfassung des Kosovo's. Abschließend wird das Engagement der EU im Kosovo, mit Hilfe der vorgestellten Ansätze untersucht. Die forschungsleitenden Fragestellungen in dieser Arbeit sind: Wie kann Kosovo's aktuelle Konfliktmanifestation verstanden und analysiert werden? Welche Rolle spielt die EU in diesem Konflikttransformationsprozess? Welche Ansätze und Instrumente werden von der EU in diesem Bereich verwendet?

## 9.3. Curriculum Vitae

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Handelsakademie / Landeck, AT

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Übungshauptschule der barmherzigen Schwestern in Zams

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Wissenschaftliche Mitarbeiterin / Antwerp Centre for Institutions and Multilevel Politics(ACIM), BE

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EU Projekt Administration Assistentin / Medizinische Universität Wien, AT

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