

BRIDGING KOSOVO'S MITROVICA DIVIDE

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BRIDGING KOSOVO'S MITROVICA DIVIDE

EXECUTIVE SUMMARY AND RECOMMENDATIONS

The international community has properly decreed that Kosovo's final status must not involve division of its territory. But this declaration has not been followed by sufficient action. Belgrade's policy of pursuing some form of partition is far advanced in the restive northern city of Mitrovica and its hinterland, and a major security, political and financial effort is required to save the situation. Capacity should be built immediately, and its implementation should begin once the Contact Group has declared its support for Kosovo's future as a functional, conditionally independent state within its present borders.

Territorial integrity is the correct policy because partition could provoke further population exchanges inside Kosovo and instability elsewhere in the Balkans, especially in neighbouring Macedonia. But division remains a live issue, not least because in Mitrovica, where Kosovo is increasingly divided at the Ibar River, the UN mission (UNMIK) and NATO-led security forces (KFOR) have failed to carry out their mandates. In north Mitrovica and the neighbouring communities up to the border, an area that contains perhaps a third of all Kosovo's remaining Serbs, Belgrade exerts its influence through parallel government structures, including a police presence that contravenes UN Security Council Resolution 1244.

Settling Mitrovica early in the final status process presupposes foreknowledge of Kosovo's overall destination. But it is time for Contact Group member states to stop talking of final status as a process open to a wide range of results. In fact, behind closed doors international consensus is taking shape. Making that manifest near the outset, and cementing it in Mitrovica, would contribute to a virtuous circle of stability and predictability. Letting Mitrovica drift would risk making realisation of that consensus unlikely.

Despite the six-year standoff, Mitrovica is not impenetrable to transformation that would increase the chances for a unified Kosovo. The international community should put more resources and energy behind a clear, articulated program of compromise between each side's maximum demands. A first step should be the appointment of a Special Commissioner for Mitrovica for the status

determination period, with the rank of Deputy Special Representative of the Secretary-General and power to coordinate the effort.

UNMIK and KFOR must quickly regain the security initiative north of the Ibar by increasing force levels and assertiveness, under the Special Commissioner's direction. KFOR should explicitly make Mitrovica and the north its primary operational focus and restructure accordingly. Belgrade's illegal police stations should be removed from north Kosovo, and the Special Commissioner should negotiate the replacement of the obstructive hardliners who head the regional hospital and university there. Plans for devolving the brittle, ethnically divided Mitrovica regional police command to local control should be delayed until the Special Commissioner can secure a viable Albanian-Serb security consensus for the north that squares territorial integrity with Serb fears of being overwhelmed.

With the security situation under better control, the framework of a solution that needs to be pursued with greater commitment and sense of urgency could include creation of a new municipal authority for north Mitrovica, which should furnish both the security and accountability for addressing Albanian returns, and creation of a central administrative district shared between the current Mitrovica municipality and the new north Mitrovica unit that could house a common city board to receive donor funding for the city's development.

The strategic need is to encourage the Serbs of north Kosovo -- and Belgrade -- to think increasingly of north Mitrovica becoming the hub of an effort to provide services for all Kosovo's Serbs. The central district's broader uniting purpose could be reflected by hosting two or three ministries relocated from the capital; the similarly relocated Supreme Court; possibly a Kosovo-wide Serbian-language television station; and some elements of Kosovo central government that would accommodate an autonomous, Kosovo-wide system of education, healthcare, and other social services for Serbs. Both the international community and Kosovo's government should aim to incorporate Belgrade's parallel structures into this system within a specified

time frame by offering matching funds and a guaranteed cooperative role for the Serbian government.

Without conceding it formal entity status on the Bosnia-Herzegovina model, the Serb north should be offered the substance of autonomy, including devolved powers for municipalities, freedom for municipalities to associate on a voluntary basis, and the coordination and resource role made possible through the proposed Serb units of Kosovo's government ministries. Albanians should be persuaded that support for participation in these initiatives by viable new Serb-majority municipalities elsewhere in Kosovo would dampen pressure for division on the Ibar line.

In short, if facts on the ground in Mitrovica and even new violence are not to destroy the prospect of a stable final status settlement for Kosovo, the international community needs to work harder and creatively to change Serb strategic thinking and get Albanians to recognise the need to participate in a constructive offer. The no-partition dictum is, unfortunately, not self-executing.

RECOMMENDATIONS

Preliminary steps, by end October 2005

To the Contact Group and its Member States and the UN Secretary-General:

1. Appoint a Special Commissioner for Mitrovica, with the rank of Deputy Special Representative of the UN Secretary-General, preferably someone with a military background and experience of civilian implementation, to hold office until at least the end of 2006.
2. Reinforce and reconfigure international security forces in Mitrovica and north Kosovo by replacing KFOR's French-commanded Multinational Brigade North-East with a force designed to closely support the Special Commissioner, and by introducing a special international paramilitary police unit such as the new European Gendarmerie Force, under the Special Commissioner's direct control.
3. Set the stage for a Mitrovica settlement by stating clearly and publicly that the Contact Group's preferred outcome for Kosovo is as a functional, conditionally independent state.
4. Invite Belgrade to participate in Kosovo Albanian-Kosovo Serb negotiations on decentralisation under the aegis of the Special Representative of the Secretary-General, conditional on its acceptance of the foregoing Contact Group statement.

5. Allocate, together with the EU, funds for a multifaceted Mitrovica investment program.

To UNMIK:

6. Take a more cautious approach to devolving police commands to the Kosovo Police Service in the Mitrovica region pending the final status settlement, deploy international police and customs officers to the Leposavic and Zubin Potok boundary crossings, and develop a modified chain of command, giving the Special Commissioner control over new international paramilitary police forces to be deployed into the Mitrovica region.
7. Energise the Kosovo Albanian cross-party final status working groups to begin developing a framework for resolving the problem of Mitrovica and the north within parameters that rule out partition, stipulate substantial decentralisation and encourage secure returns of former residents to their homes on both sides of the Ibar, and do the same in parallel with the Serbs through the mayors of the three northern municipalities, the leadership of the Serb List for Kosovo and Metohija, and (perhaps indirectly) the Serbian National Council.
8. Make a more determined effort to educate Serbs and Albanians in Mitrovica about developments and conditions on the other side of the Ibar divide by supporting new public information programs and encouraging relevant news about the other in their respective media.

To the Provisional Institutions of Government (PISG) in Pristina:

9. Using the final status working groups, explore and prepare public opinion in Mitrovica and throughout Kosovo for various options of re-organising Mitrovica and giving it a constructive mission.
10. Enable creation of more Serb-majority municipal units south of the Ibar, in particular a greater Gracanica municipality, to act as counterweights to Serbian pressures for partition.

To Belgrade:

11. Cooperate with the Special Commissioner in identifying credible candidates to lead Mitrovica's university and regional hospital.
12. Prepare to close down parallel police stations and courts in north Kosovo, including by negotiating with the Special Commissioner for credible security provision to fill gaps their removal may leave.

13. Begin designing an outreach structure to assume joint responsibility with the PISG for supporting a non-territorial scheme of autonomous healthcare, education, and social services for all Kosovo Serbs.

Negotiation steps, from November 2005

To the PISG/Kosovo Final Status Working Groups:

14. Make a generous offer to Serbs, including:
 - (a) willingness to negotiate mechanisms for demilitarisation and joint security oversight with the Serbs of the Mitrovica region and acceptance that Serb municipalities will have the final say in appointment of their police chiefs;
 - (b) willingness to accept a Serb municipality in Mitrovica that subscribes to a common city coordinating board and a unifying role for the city in Kosovo, and works to accommodate the rights of Albanian Internally Displaced Persons (IDPs);
 - (c) willingness to give Serbs space in central government and institutions, such as by relocating some of them to Mitrovica (and Gracanica), and offering Serbs a deputy prime minister post; and
 - (d) guarantees such as dual citizenship, an open border with Serbia, and national-rate telephone connections to Serbia.

To the Special Commissioner:

15. Consult widely in Mitrovica on models for the city's future administration and role and decide by the end of 2005:
 - (a) whether north Mitrovica should be a stand-alone municipality or combined with Zvecan;
 - (b) the territory of any central inter-municipal district; and
 - (c) the electoral rights of its inhabitants, and the shape of any common city board.
16. Found a joint Serb-Albanian-international security coordination body, seated in central Mitrovica, to seek consensus on a security concept for the Mitrovica region and eventually oversee its demilitarisation.
17. Oversee and, if necessary, determine and (with KFOR assistance) enforce the selection by November 2005 of new heads for the regional hospital and university.

Implementation steps, from early to late 2006

To the Special Commissioner:

18. Design the new Serb-majority municipality in north Mitrovica, the central inter-municipal district and the city coordinating board; establish automatic funding for administration and projects of the common board in the budgets of the north and south Mitrovica municipalities; and decide whether initially to appoint councillors or go straight to a municipal election in the north.
19. Oversee Albanian returns to north Mitrovica.
20. Oversee establishment of revolving funds for Mitrovica-based service institutions, including the regional hospital, university, a new Serbian-language public television channel (RTK-2), and a new shared Coordination Centre/Kosovo Ministry of Economy and Finance unit for regularising Serb parallel structures throughout Kosovo as a non-territorial autonomous system to provide education, healthcare, and social services for Serbs.
21. Lay the groundwork for a Kosovo Albanian-Kosovo Serb agreement on security management of the north by overseeing the obligatory disbandment of Belgrade's police (MUP) stations in north Kosovo and implementation of any decision reached by the joint security coordination body on the regional Kosovo Protection Corps command in south Mitrovica.
22. Oversee introduction and enforcement of Kosovo car licence plates north of the Ibar.

To the PISG/Kosovo Final Status Working Groups:

23. Seek Serb partners in Mitrovica and north Kosovo with whom to agree on security management of the north, and consider such mechanisms and techniques as joint oversight bodies, regular rotation schedules, and sub-contracting some responsibilities to international personnel so that Kosovo's sovereignty can be exercised consistent with its Serbs' concerns about Albanian domination.
24. Establish new, largely Serb-staffed units of ministries -- in Mitrovica, Gracanica and Pristina -- to administer the new autonomous system of education, healthcare and social services for Serbs throughout Kosovo and offer the Serbian government opportunities to cooperate in this service system.
25. Transfer some Kosovo central institutions to Mitrovica's central district, such as two or three

ministries and the Supreme Court, and support establishment of a Serbian-language television channel (RTK-2) there and facilitate its Kosovo-wide transmission.

26. Offer constitutional provisions that, without conceding formal entity status, would allow Serb areas to construct de facto autonomy, including significant devolution of powers to municipalities;

freedom for municipalities to associate on a voluntary basis; and the coordination and resource role offered by the new Serb units of government ministries established to administer education, healthcare and social services.

Pristina/Belgrade/Brussels, 13 September 2005

BRIDGING KOSOVO'S MITROVICA DIVIDE

I. INTRODUCTION

The divided city of Mitrovica challenges Kosovo's future status. The river Ibar that runs through it not only marks the boundary where the authority of the UN Mission (UNMIK) and Albanian domination give way to Serb resistance and Belgrade's continuing strong influence, but the de facto partition and exchanged populations of the city visibly contradict the international community's vision of a multi-ethnic, undivided Kosovo.

The city tends to only present itself as problematic during its periodic violent eruptions.¹ Yet, for six years UNMIK and the NATO-led peacekeeping force (KFOR) have failed to enforce their mandates and acquiesced in policing the makeshift security arrangements that keep several thousand people separated from their homes on the opposite river bank. Until the March 2004 riots, the UN presented most of Kosovo as a territory in which slow progress was being made toward multi-ethnicity thanks to the "Standards Before Status" policy, in which Mitrovica stood out as an anomalous eyesore.² However, the riots have had a levelling effect. The international community has ceased to back Albanian-dominated Kosovo wholeheartedly as a vehicle for realising multi-

ethnicity. Instead of building up central authority in Pristina as a guarantor of civilised values, it now demands that power in Kosovo be fragmented through decentralisation along internal ethnic boundaries.

In fact, the international community has for six years pursued ambiguous policies in Mitrovica, at odds with its professed goal of a multi-ethnic Kosovo. As a reasonable measure in itself, KFOR cordoned off north Mitrovica and its hinterland in summer 1999 to create a makeshift safe haven for Serbs in the face of the Kosovo Liberation Army (KLA) takeover and reverse ethnic cleansing that was taking effect throughout the rest of Kosovo. However, in February 2000 KFOR did little to prevent Serbs there from forcibly accelerating an exchange of population. When UN Secretary General's Special Representative (SRSG) Michael Steiner set up an interim UNMIK administration for north Mitrovica in late 2002, he conferred legitimacy upon the violent population shift on the basis of the new de facto Serb majority. This jarred with international community practice in the rest of Kosovo (and in Bosnia). Although Albanians had formed roughly half of north Mitrovica's pre-war population, only Serbs were invited to apply for posts, and the advisory board appointed in place of elected officials has six Serbs and a single Albanian.³

Should one resolve Mitrovica first to solve Kosovo's status, or does settling the latter provide the key to resolving Mitrovica? This question has often been posed and becomes acute as the final status process draws nearer. But it is not just a sequencing question. Mitrovica and its baggage will have a profound impact upon the quality of the overall settlement for Kosovo. What happens in the two square kilometres of north Mitrovica will ripple out to affect arrangements in Kosovo's remaining 10,875 square kilometres.

Although -- as the March 2004 riots showed -- UNMIK's authority is thin throughout Kosovo, it is particularly challenged in north Mitrovica, the only part still under direct UNMIK administration. Its Serb population barely tolerates UNMIK's presence and institutions, which it sees as agents of an Albanian project for an independent Kosovo, and gives loyalty instead to Belgrade, its parallel

¹ This is a rhythm also observed by Crisis Group in reports issued after successive incidents of mass violence in Mitrovica in February 2000, April 2002 and March 2004. See Crisis Group Europe Report N°96, *Kosovo's Linchpin: Overcoming Division in Mitrovica*, 31 May 2000; Crisis Group Europe Report N°131, *UNMIK's Kosovo Albatross: Tackling Division in Mitrovica*, 3 June 2002; and Crisis Group Europe Report N°155, *Collapse in Kosovo*, 22 April 2004.

² First espoused by UNMIK in April 2002, this policy gained the backing of the Contact Group and was made "operational" in late 2003. Under it, Kosovo's Provisional Institutions of Self-Government (PISG) were set standards in a range of governance and human rights fields, such as freedom of movement and return of displaced communities. The international community indicated it would reward achievement by launching a process to determine Kosovo's final status. The Contact Group, originally formed in 1994, coordinates the policies of the key states interested in the Balkans. It has played an important role in previous negotiations on both Bosnia and Kosovo. Its six members are the U.S., the UK, France, Germany, Italy and Russia.

³ The board also includes one Bosniak.

institutions and local political sub-contractor, the Serbian National Council (SNC). Serbia has retained north Mitrovica as a brake on UNMIK and Albanian control of Kosovo and a card to play on final status. Above Mitrovica, the three Serb-dominated northern municipalities of Zubin Potok, Zvečan and Leposavić have a fuller and longer-established array of UNMIK-established Kosovo institutions, such as elected municipal authorities, the Kosovo Police Service (KPS), and UNMIK courts. However, parallel Serbian government institutions -- education, healthcare, social security, justice and others -- and the combined political authority of Belgrade and the SNC also balance UNMIK's authority there, where a border with Serbia makes its majority bolder than in the more vulnerable Serb enclaves of central Kosovo. The telephone system has re-integrated with Serbia's, and most inhabitants hope other service links will follow.

North Mitrovica is the last significant remaining Serb urban centre in Kosovo. The roughly 15,000 Serbs now living there fear becoming swamped and pushed out by the 60,000 to 70,000 Albanians in the city's south. A third of these Serbs were displaced from other parts of Kosovo and insist that if they cannot return to their homes in safety, Albanians should have no legitimate claim to return to north Mitrovica.

UNMIK's feeble grip on north Mitrovica is illustrated in many ways. Those responsible for attacking its police or murdering Albanians during the last five years have not been arrested. Many cars have no licence plates rather than use Kosovo number plates. UNMIK was reduced to impotent protest when Serbia's education ministry appointed Milosevic-era hardliner Radivoje Papović as the new rector of the north Mitrovica university in May 2004 and he cut its nascent links with UNMIK and Kosovo's education ministry.

As UNMIK downsizes and prepares in coming months to transfer authority for policing and justice to indigenous institutions in Mitrovica and the north, where the Albanian-Serb conflict has been barely suppressed, the international community must at long last assert its authority convincingly. Any breakdown of order would have consequences for the rest of Kosovo.

II. MITROVICA AND THE NORTH

A. THE REGION AND ITS HISTORY

Mitrovica is wedged into a corner of north Kosovo, bounded by the Shala hills extending northward from its east flank, and the Ibar River, which flows into the city from the west and turns north into a narrow valley leading to what was the heart of the medieval Serbian kingdom. South of Mitrovica, the Sitnica River's valley widens out into central Kosovo, making the city the natural gateway between Kosovo and Serbia. The remains of the fortress of Zvečan, which guarded Mitrovica's mines during Byzantine rule, perch on a high promontory just north of the town centre. In the 1180s the medieval Serbian state expanded into the area, and it remained under Serbian control until the middle of the fifteenth century, when the Turks incorporated it into the Ottoman Empire. Under the Ottomans, Mitrovica was a garrison town on an important silver trade route.

Nearby Trepça has been a mine since the Middle Ages. Mitrovica itself developed as an industrial centre linked with the mining complex in the nineteenth century. During the Yugoslav period, the city and the complex were synonymous, with up to 20,000 jobs dependent on Trepça. Although unable to turn a profit since the 1980s and needing massive and possibly uneconomic new investment to restart large-scale production, the complex is still regarded as a prize by both Albanians and Serbs.⁴ With Trepça having produced nothing since early 2000 until the experimental restart of some mining in August 2005, an economic black hole has engulfed Mitrovica, adding to the dislocation of division.

When not divided, the city has served as a natural regional crossroads: with Montenegro to the west, Sandžak to the north west, and Belgrade to the north. An old one-track railway follows the line of the highway and Ibar north, linking with Raška, Kraljevo, and Belgrade beyond. A second highway runs west from south Mitrovica, following the Ibar and the long Gazivode lake from which it flows through Zubin Potok to Montenegro and the Adriatic. With its existing north-south railway line out of date, however, and a new east-west highway projected to run from Nis through central Kosovo to Durrës, Mitrovica faces being bypassed.

⁴ See Crisis Group Europe Report N°82, *Trepça: Making Sense of the Labyrinth*, 26 November 1999, and Michael Palaret, "Trepça: Kosovo's industrial giant", European Stability Initiative (ESI) report, at <http://www.esiweb.org/kosovo/palaret.php>.

The Mitrovica region was one of the homes of the Albanian national movement. The Ottomans' shifting administrative arrangements situated it for periods in the Vilajet of Kosovo, although at one point, it was part of the Sandzak of Novi Pazar, a Serbo-Croatian speaking administrative district that covered parts of Montenegro and Serbia and stretched as far as south east Bosnia.⁵ It remained part of the Sandzak until the First Balkan War in 1912, when Serbia reclaimed it and incorporated it into a special district, the "New Territories" or "Old Serbia". Due to its geographical position, Mitrovica was not always considered part of Kosovo, and it was not until the second half of the twentieth century that Yugoslavia's communist authorities joined them administratively. German control in World War II again separated the region from central Kosovo (administered by Italy).

Mitrovica was declared a city in 1947 and seven years later became the seat of one of Kosovo's five regions, with ten small municipal units subordinated to it. The regions were disbanded in favour of larger municipalities in the territorial re-organisation of 1959-1960. Five municipalities emerged in the Mitrovica region: Vushtri/Vucitn, Mitrovica, Zubin Potok, Leposavic and Skenderaj/Srbica. During the late 1940s and 1950s, changes were made to Kosovo's boundaries within Serbia. The northern Leshak district was detached from Serbia proper and joined to Leposavic municipality. In the south east some territory centred around the village of Cerevajka was switched to Serbia proper. Accurate information concerning these changes is hard to come by in Kosovo, where it is popularly believed that more territory was affected. This has encouraged some to speculate on major swaps as part of a Kosovo final status deal, with Serbia retaining north Kosovo in exchange for relinquishing "east Kosovo": the municipalities of Presevo, Bujanovac, and perhaps Medvedja.

In 1965 Zubin Potok municipality was abolished and absorbed into Mitrovica municipality. In 1987 that was reversed. Under Milosevic in 1991, Zvečan municipality was created and detached from Mitrovica municipality. This was not recognised by Albanians, who maintained parallel municipal structures through the 1990s, but SRSG Bernard Kouchner confirmed Zvečan as a municipality in 1999.

Leposavic municipality is overwhelmingly Serb, as are the territories now in the municipalities of Zubin Potok and Zvečan. Their progressive detachment from Mitrovica municipality over the last 30 years has created contiguous Serb-dominated administrative units and tilted

Mitrovica municipality's own ethnic balance ever further in favour of Albanians. By 1991 census-takers estimated it to be 78.9 per cent Albanian, 10.2 per cent Serb.⁶ In the late 1990s only the two square kilometres of the north of Mitrovica city retained a rough balance, perhaps 10,000 Albanians and Serbs apiece.⁷ The southern portion of the city was overwhelmingly Albanian.

B. MITROVICA SINCE 1999

Serbian security forces expelled much of Mitrovica's Albanian population during NATO's bombing campaign in spring 1999 and destroyed hundreds of homes. When Albanians came back to Kosovo in June 1999, some managed to return to their homes in the north of the city, such as in the Bosniak mahalla,⁸ on the Ibar's north bank. Some had even managed to stay there during the fighting. But with Serbs rallying into a makeshift defence force to prevent Albanian entry into the north of the city and French KFOR cordoning off the bridges, most former Albanian residents could not return. The few Serb homes in south Mitrovica became targets of revenge arson and looting by Albanians, who also razed the mahalla where 6,000 Roma had lived.

Through the rest of 1999 the city's division hardened, with KFOR restricting movement across the bridges and male Serbs forming a paramilitary force, the Bridge Watchers, to defend against Albanian encroachment. Despite the tensions, some ethnically-mixed institutions continued to exist for a time, including the regional hospital and the fire brigade. The Bridge Watchers' leader, Oliver Ivanovic, met weekly with the KLA-designated mayor, Bajram Rexhepi.⁹

In February 2000, new violence sharpened division and caused a third of the remaining Albanians in the north to flee. A rocket-propelled grenade attack on a UNHCR bus killed three Mitrovica Serbs on 2 February, and a grenade lobbed into a café in north Mitrovica wounded

⁶ The 1991 census was largely an estimate in Kosovo. Albanians boycotted it, protesting the dismissal of staff from the Kosovo statistical office several months prior.

⁷ Reliable figures are virtually impossible to come by. Albanians insist they were a slight majority. Other sources contend that Serbs retained their majority though Albanian population growth was reducing it.

⁸ The Turkish word *mahalle* (*mahalla* in Kosovo usage) denotes a distinct quarter of a village, town or city where either a particular minority ethnic group or large extended family has established itself. In Kosovo, the Albanian word *lagje* has largely superseded it in recent decades but through habit and history *mahalla* sticks to certain well-known urban quarters, traditionally inhabited by Bosniaks, Roma or Ashkali.

⁹ See Crisis Group Report, *Kosovo's Linchpin*, op. cit., p. 1.

⁵ For the Sandzak today, see Crisis Group Europe Report N° 162, *Serbia's Sandzak: Still Forgotten*, 8 April 2005.

several Serbs and killed one Albanian the next day. While crowds of Albanians and Serbs confronted each other across the KFOR-guarded bridges, Serb gangs went through apartments in north Mitrovica, killing, wounding, and driving out Albanians, Bosniaks and Turks. Five Albanians and Turks were killed, and more than 1,500 Albanians fled south. Clashes continued for days. KFOR reinforced the French-led multinational brigade with U.S., UK, German and Italian troops ("Operation Ibar"), who searched for weapons throughout the city and held Serb and Albanian crowds at the bridges, particularly on 21 February, when several thousand Albanians marched from Pristina and Drenica.

In late February 2000, UNMIK developed a plan to create a secure environment for coexistence and returns over four to six months. French KFOR troops established a heavily-guarded zone of confidence around the central bridges. KFOR returned several Albanian families to three tower blocks on the north bank and built a footbridge to connect them with the south. The plan foresaw introduction of international judges and prosecutors to end impunity and the gradual abolition of Serbian parallel structures. Some public works employment was generated but aside from establishment of an international judge and prosecutor in the regional court in north Mitrovica, institutional elements made no headway, and returns did not take off. In August 2000, UNMIK and KFOR shut down the Trepca lead smelter in Zvečan, because it was polluting Mitrovica. UNMIK kept on a third of the largely Serb workforce for site-cleaning and paid the other 2,000 stipends. North Mitrovica Serbs boycotted Kosovo's October 2000 municipal elections, which installed a Democratic League of Kosovo (LDK)¹⁰ municipal administration.

In late January 2001, Albanian youths rioted against French KFOR troops after shooting and grenade attacks by Serbs upon the Bosniak mahalla culminated in the killing of a fifteen-year-old boy. Responding on 1 February, UNMIK and Kosovo Albanian political leaders agreed to revitalise the previous year's strategy with increased security forces, a widened confidence zone, and new efforts to secure freedom of movement and returns. However, with Albanians insisting on implementation and Serbs stonewalling, violence broke out on 17 March in north Mitrovica. Following arrests of Serbs suspected of assaulting police, gangs attacked UNMIK police, raining down petrol bombs, dragging them from apartments and beating them. UNMIK withdrew from the north of the city for some weeks.

In February 2002, UNMIK established a community office in north Mitrovica, intended as a first step toward superseding Serbian parallel structures by linking Serbs there to the Albanian-dominated municipal authority. Its 70 local positions were only partly filled, and Serb employees frequently received threats from the Bridge Watchers.¹¹ In March UNMIK was presented with a fait accompli when the Serbian state telecommunications company, PTT, installed a digital switching centre in Zvečan, disconnected north Mitrovica and the three northern municipalities from Kosovo's network, and re-connected them to its own.

Tensions built again in north Mitrovica after two Serbs were arrested on murder charges in February 2002. On 8 April, Bridge Watchers attacked UNMIK police with stones, guns and grenades north of the main bridge where police had set up a traffic checkpoint and arrested a leading Bridge Watcher; 26 officers were wounded. French KFOR was criticised for failing to help, and international personnel were withdrawn from north of the Ibar until May.¹² On 1 October, SRSG Michael Steiner proposed a "Seven Point Plan" for Mitrovica. It promised Serbs that UNMIK and KFOR would prevent any "incursion from the south" and projected that north Mitrovica Serbs who had started joining the Kosovo Police Service¹³ would patrol their part of the city by year's end. No mention was made of earlier priorities such as facilitating returns or expanding the confidence zone. The plan's economic incentives were likewise oriented toward securing Serb cooperation, including proposed relocation of the Kosovo Trust Agency to north Mitrovica and a Mitrovica donors conference "after successful elections", i.e. if Serbs did not repeat the boycott of 2000.

Essentially, Steiner held out a promise to north Mitrovica Serbs of their own municipal unit, distinct from the larger Mitrovica municipality. To receive this they would first have to participate fully in Kosovo's second municipal elections on 26 October 2002 and enter a coalition with the majority Albanians at the municipal level.¹⁴ However, the Serbs again boycotted the municipal elections.

In late November 2002, Steiner launched a modified plan with Belgrade's support. An administration directly

¹⁰ The party of Kosovo President Ibrahim Rugova, the LDK, triumphed in most municipalities south of the Ibar in the October 2000 elections, displacing KLA-appointed mayors.

¹¹ See Crisis Group Report, *UNMIK's Kosovo Albatross*, op. cit., pp. 11-12.

¹² Ibid, pp. 4-5.

¹³ Agreement between SRSG Steiner and Serbian Deputy Premier Nebojsa Covic in mid-2002 paved the way for north Mitrovica Serbs to join the KPS.

¹⁴ See Crisis Group Europe Report N°143, *Kosovo's Ethnic Dilemma: The Need for a Civic Contract*, 28 May 2003, pp. 18-20. Such municipal units for "sizeable non-majority communities" were to be replicated throughout Kosovo

run by an UNMIK official, with a local advisory board, was introduced in north Mitrovica. Virtually all 100 posts went to Serbs. UNMIK thus established its formal authority through an ambiguous compromise with the Serb agenda of division and by accepting the changed post-war ethnic make-up as the basis for organising administration. It was, nevertheless, initially greeted even by many Albanians as "re-unification". Tension eased, and Albanian and Serbian municipal officials met regularly under UNMIK aegis. One UNMIK official even claimed Mitrovica was "solved".¹⁵ However, in August, when Serb children wounded in shootings at Gorazdevac were hospitalised in north Mitrovica,¹⁶ grenade attacks occurred around the "three towers" and the Bosniak mahalla, and more incidents followed. Moves late in the year to devolve control of the main bridge from KFOR to the KPS stoked Serb fears, while Albanians felt humiliated when UNMIK downplayed an incident in which stone-throwing Serbs besieged Prime Minister Rexhepi in a restaurant.¹⁷

The European Stability Initiative (ESI) published its report, "People or territory? A proposal for Mitrovica", on 16 February 2004.¹⁸ Its guiding idea was to create a new municipality by uniting north Mitrovica with Zvecan so as to give Serbs a prospective majority and thus sufficient security to accommodate Albanian returns, while the new municipality's substantial non-Serb minority would stimulate business-like relations across the Ibar and enable city-wide development planning.¹⁹

On 16 March 2004, however, three Albanian children drowned in the Ibar, and after television news gave the impression of Serb blame, there was a riot the next day around the main bridge in which four Albanians were killed and hundreds wounded.²⁰ The last Serbs south of the Ibar -- small communities by the Orthodox church in south Mitrovica and in Svinjare/Fraseri village -- fled northward when Albanian mobs torched both

places on 18 March. KFOR closed the main bridge for weeks, then gradually relaxed the regime until it was returned to the KPS in June 2005. A plan to open it to road traffic at that time brought organised Serb protests. After they appeared to calm down, UNMIK handed command of the north Mitrovica police station to local Serb KPS officers in August.

C. THE THREE NORTHERN MUNICIPALITIES

The militancy, hardline regimentation and thuggery that mark north Mitrovica weaken as they radiate out to the three predominantly Serb municipalities of Leposavic, Zubin Potok and Zvecan. Serb dominance is seen as more legitimate and less contested there, so accommodation with UNMIK is made from a comparatively secure footing, and violent eruptions are rarer. There are few Albanians, Belgrade's dinar is the accepted currency, and many institutions of the Serbian state still function.²¹ An UNMIK official acknowledges: "It is Serbia. The UNMIK and PISG presence there is a skin graft, only kept in place by massive doses of immuno-suppressants".²²

These mostly rural municipalities are small. Precise figures are lacking but Zubin Potok and Zvecan each number under 10,000, while Leposavic is roughly 15,000. The public sector is important in all three -- double civil service salaries, paid by both UNMIK and Belgrade, have helped keep them at the top of Kosovo's human development league table.²³ The few socially-owned enterprises are largely as dormant, run down and uncompetitive as elsewhere in Kosovo, differing only in that the Milosevic-era ownership transformations of the 1990s did not involve mass sackings of Albanians. The workers are Serb.

The three municipalities participated in Kosovo's October 2002 local elections and have elected assemblies. Deputies from Serbian Prime Minister Kostunica's Democratic Party of Serbia (DSS) and the Kosovo-specific Serbian National Council dominate, in coalition. The two Serbs who pull most of the strings in north Mitrovica also have mandates in these assemblies. Marko Jaksic sits in the Zubin Potok assembly on a DSS ticket, while Milan

¹⁵ Crisis Group conversation, July 2003.

¹⁶ See Crisis Group Report, *Collapse in Kosovo*, op. cit., p. 11, for an account of the killing of two and wounding of four Serb children at Gorazdevac village in west Kosovo.

¹⁷ Ibid, pp. 12-13.

¹⁸ <http://www.esiweb.org/kosovo/>.

¹⁹ The report generated significant interest in Kosovo but the climate for consideration was harmed by the riots of 17-19 March 2004. It is a valuable contribution to thinking about Mitrovica and, with its sister report, "A Post-Industrial Future? Economy and Society in Mitrovica and Zvecan", contains a mine of information. If it has weaknesses, they are an over-ready assumption of good will among the protagonists; insufficient consideration of Mitrovica as the front line of an ongoing conflict; and eagerness to reduce the sources of conflict and its transformation to economic and property issues.

²⁰ See Crisis Group Report, *Collapse in Kosovo*, op. cit.

²¹ In his own way, former Prime Minister Haradinaj acknowledged the contrast: "Zvecan and north Mitrovica are the trouble spots -- just 300 people have been playing games with us there these past six years". Crisis Group interview, Pristina, 21 January 2005.

²² Crisis Group interview, 26 August 2005.

²³ See UNDP Human Development Report, "Kosovo 2004", pp. 25-26. High performance in education elevated Leposavic and Zubin Potok; in Zvecan income was also a factor in placing it in Kosovo's top five municipalities for human development.

Ivanovic is the SNC deputy president of the Zvecan assembly. Although these two groups provide all the municipal leaders, there is considerable variation in the assemblies. Leposavic's municipal politics in particular is less regimented. It "accepted" UNMIK earlier than the others, and there is more cross-party debate.

All three municipal authorities maintain Serbian government structures and use Serbian state emblems. They have partially integrated with UNMIK, accepting its officials and institutions such as Minority Communities Offices, and meet with the regional UNMIK representative and working groups such as crime prevention councils and -- more haphazardly -- communities committees. Although they keep the minority Albanian communities at arms length, they generally abide by UNMIK's "fair share financing" rules. In addition to funding from Serbian ministries, they receive money from the Kosovo Consolidated Budget. There is a greater tendency to refuse Kosovo budget money for healthcare but education money is accepted while the Serbian curriculum is used. In Zvecan it is the Kosovo Ministry of Economy and Finance that for two years has not approved goods and services or capital investment. The municipality has switched much of its budget to cover school needs. Investment for capital projects has come from donors and Belgrade.

Leposavic in 2000 was the first of the three to accept Serb KPS officers. Zubin Potok followed quickly but Zvecan (and north Mitrovica) only in late 2002. An UNMIK source described the Leposavic police as "a parallel service in KPS uniforms", corrupt and pliant.²⁴ In Zubin Potok the KPS has not found such a niche. The municipal president refuses to talk to the commander, and there are occasional attacks upon the police station. There are parallel Serbian police stations, manned by officers in civilian clothes, in all these municipalities. From mid-2002, Belgrade encouraged Kosovo Serb judicial professionals to join the UNMIK court system. In early 2003 it closed its parallel courts in Leposavic. UNMIK opened municipal and minor offences courts in Zubin Potok and Leposavic, while Zvecan municipality postponed a decision. However, Belgrade cooperation with the UNMIK justice system stalled during 2003. Parallel courts remained in Zubin Potok and were re-opened in Leposavic. No more Serb judges joined the short-staffed UNMIK courts. Whether Serb KPS and judges in the northern municipalities will accept UNMIK's transfer of authority to new Kosovo ministries of justice and internal affairs is uncertain.

While the three municipalities would prefer full Serbian authority in north Kosovo, they have been pragmatic about engagement with Pristina. In May 2005, Leposavic officials visited Prime Minister Kosumi's office to discuss budgets. The municipal presidents have taken part in several meetings called by SRSG Jessen-Petersen of the six Mitrovica region municipal presidents (three Serb, three Albanian, spanning both sides of the Ibar) to discuss "common concerns".

Their alternative form of amalgamation, however, was the "Union of Serbian Municipalities and Settlements in Kosovo and Metohija", established in early 2003 with municipal deputies who had won mandates in the October 2002 local elections. It met in Zvecan and was weighted in favour of the northern municipalities and the SNC. Apparently coordinated with the late Serbian Prime Minister Djindjic's initiative, it sought Kosovo's federalisation into two entities -- one of Serb municipalities and enclaves that would function as a part of Serbia, the other an Albanian entity with substantial autonomy.²⁵ As final status decisions come closer, important questions are whether talk of such an amalgamated entity would be revived; if it did, would it be intended by these communities as the precursor of a serious push for partition or merely to enhance their bargaining position; and would the southern Serb enclaves be included in their initiative? Recent consultations indicate that the local leaders favour multiple municipalities rather than a single, larger northern entity.²⁶

²⁴ Crisis Group interview, Mitrovica, 16 August 2005.

²⁵ See Crisis Group Report, *Kosovo's Ethnic Dilemma*, op. cit., pp. pages 20-21, for a fuller account.

²⁶ Crisis Group interview with an UNMIK source, 26 August 2005.

III. THE KEY PLAYERS AND KOSOVO'S TERRITORIAL INTEGRITY

A. THE INTERNATIONAL COMMUNITY

SRSJ Jessen-Petersen's lobbying helped gain statements from the Contact Group and the European Union (EU) in April 2005 that they would not agree to Kosovo's partition or its union with any other state (e.g. Albania),²⁷ an affirmation for Kosovo's territorial integrity within its 1974 borders that significantly limits possible final status outcomes. The geopolitical imperative for ruling out ethnic partition is clear. However, the lack of concrete effort thus far to bolster this declaration in connection with the six-year division of Mitrovica and Belgrade's continuing influence north of the Ibar is striking. It gives rise to doubts about the Contact Group's dedication to the declaration, or at least its willingness to engage with the details. The coming months will reveal whether the international community is prepared to do the heavy lifting necessary to convert a stipulation expressed as a negative into positive support for functioning, integrated governance throughout Kosovo.

Until this happens there will be at least suspicion that the declaration was merely meant to slow down or temporarily obscure a partition outcome that the international community does not have the energy or will to prevent. Indeed, this is what the Mitrovica experience has suggested. KFOR and UNMIK's management of the city has amounted to little more than a crude exercise in roping the protagonists off from each other. Stability has been interpreted as the absence of fighting. UNMIK has taken the road of least resistance, negotiating its way with Belgrade into a formal role in north Mitrovica at a price of distorting usual principles of governance. Even the present activist UNMIK chief has invested little energy in dealing with Mitrovica.

The "no" to partition has been tried on by KFOR and UNMIK like a set of emperor's new clothes. Both have recently made statements that there is, as it were, no Mitrovica problem -- no division, and the city is just like anywhere else in Kosovo.²⁸ Not necessarily consciously,

and without wishing to state such a purpose openly, however, UNMIK and KFOR have step by step prepared the way for a separate north Mitrovica municipality, based on its de facto rather than pre-war population. This leaves unfinished business and a displaced population hanging, with no arrangements made to compensate or resettle it. The international community is stuck between the low energy and realist cynicism of its approach on the ground and the principles of human rights, multi-ethnicity, and reversal of ethnic cleansing to which it theoretically subscribes.

If Kosovo is to remain unpartitioned, the push and the will must come from the international community, which cannot rely on the protagonists to make up any deficits. Pristina is ambivalent about what it wants. Belgrade increasingly prefers partition and has prepared the ground for it. It is the international community that has the clearest stake in territorial integrity lest the long UN and NATO missions appear to be failures, with corresponding cost to those institutions' authority and risk to territorial stability elsewhere in the region. All that is at stake in Mitrovica.

B. BELGRADE

Serbia's position on Mitrovica -- a lowest common denominator one that reflects in part the internal differences among its politicians about Kosovo's final status -- seeks to hold to the status quo while laying the groundwork for possible partition. All Belgrade politicians view the north in general, and Mitrovica in particular, as the line to be held against further Albanian encroachment. While they argue over plans and whether to participate in Kosovo institutions, there is a near-unanimous view that if independence comes, it must be without the north. While they appear not to have thought through the dynamics yet, partition is the consensus fall-back position.

Perhaps the clearest voice is that of the influential author Dobrica Cosic, whose latest book -- entitled simply *Kosovo* -- makes an argument that would support partition.²⁹ It is widely thought that President Tadic agrees with many of his ideas. A number of other key Belgrade politicians also agree with this approach though none with whom Crisis Group spoke would go on record.

To prepare for partition, Belgrade has implemented policies designed to integrate the north into Serbia and sever all connections with the Albanian majority areas,

²⁷ Crisis Group also recommended these moves as stages toward resolution of Kosovo's status. See Crisis Group Europe Report N°161, *Kosovo: Toward Final Status*, 24 January 2005, recommendation 1b), p. ii.

²⁸ COMKFOR General Yves de Kermabon insisted in a 10 June 2005 interview that "Mitrovica should not be treated as a special case. There is no division of Kosovo". At UNMIK's weekly press conference on 22 June, its spokesperson, Neeraj Singh, dismissed journalists' suggestions that UNMIK has never had full control of north Mitrovica.

²⁹ See Crisis Group Report, *Kosovo: Toward Final Status*, op. cit., p. 17, for discussion of Cosic's ideas on Kosovo and influence.

typically by having line ministries attempt to exercise authority over north Mitrovica and the three Serb-majority municipalities to the north. It has also expended significant resources to create separate infrastructure such as the telephone lines that now bypass Pristina. Preparations are under way to construct a separate water system for Zvečan and north Mitrovica, though electricity still comes from Kosovo's power stations at Obilić. The construction of a road from north Mitrovica and Zvečan to Zubin Potok will permit Serbs to avoid Albanian areas.

On the ground, Contact Group opposition to partition lags far behind Belgrade's moves. A senior Western diplomat observed that: "Belgrade may well detect our lack of appetite to continue policing a border they don't recognise".³⁰ Even now, in spite of pronouncements that partition is out of the question, Belgrade seems to sense intuitively that the international community is hesitant to take actions to match rhetoric to reality.

For Belgrade, the conundrum is how to achieve this division with minimal damage to its international position and while maintaining its claim to all Kosovo as negotiating leverage. While Serbia fears openly confronting the international community in a military showdown, creeping partition means that it has already gone well down the road of presenting a *fait accompli*. If Kosovo is granted independence, Serbian parliamentarian Milorad Todorović says, "the division will take place spontaneously, as a result of impossible implementation of other options".³¹

Belgrade does not necessarily fear another outburst of violence from the Albanians. Renewed attacks on Serbs and other minorities would actually be welcome in some circles, as they would provide domestic justification to consolidate open control in order to protect co-nationals, even at the risk of renewed international isolation.

Internationally, Serbia frequently questions the validity of inter- and intra-republican borders set by Yugoslavia's 1974 constitution. If a precedent is set in Kosovo for setting those aside, some Belgrade politicians believe it would position Serbia better eventually to incorporate Bosnia-Herzegovina's Serb entity; to be able to activate ambitions for territory around Kumanovo where a significant Serb population lives should Macedonia's Ohrid peace process falter; and to receive the territory inhabited by Montenegro's large pro-Serbia minority should it not wish to follow the rest of that republic into independence in the referendum that may be held in 2006.

C. KOSOVO ALBANIANS

The "no partition" guarantee has been accepted gratefully by Albanians but they were not the driving force demanding it. Albanians are currently committed to the 1974 borders and Kosovo statehood but this vision could change if territorial changes are made. An editorial in *Zeri* in March 2005 voiced concern that some leading politicians might be ready to bargain the north away and demanded that all declare dedication to territorial integrity. On 1 August the paper warned that "official Belgrade is trying to find a partner in Pristina to reinvigorate the idea of partitioning Kosovo".

Recent media speculation suggests Kosovo Albanians are waking up to the security challenges, including possible influx of Serbian irregular forces, that may develop north of the Ibar as Kosovo's status is determined over the coming year. What they have not yet done is begin to reduce those risks by seeking to narrow the divide with the north Kosovo Serbs, in particular by offering a convincing negotiating basis for long-term security and autonomy of their communities. The lack of a security vision for Kosovo keeps Serbs frightened and the international community distrustful. Albanians should realise that if the issue is left open during the final status talks, Belgrade will be in a stronger position to demand partition as the price for independence.

The Kosovo Albanian political elite worries about being outflanked by more extreme groups with a pan-Albanian agenda but it is not coherent enough to develop a common vision or advance beyond the maximalist demand for a unified Kosovo under Pristina's authority. One commentator fears for the quality of Kosovo's democracy if borders are changed: "We need the Serbs here to build a non-exclusive society and democracy".³² Another fears political orientation in a rump Kosovo could quickly degenerate into greater Albanian nationalism -- "the idea of Kosovo would be dead"³³ -- and an environment in which radical armed groups would seek territorial compensation in adjacent Albanian-inhabited territories, especially Macedonia. While Serbia might trade acceptance of Kosovo's independence for north Kosovo, Albanians would likely only consider a swap in which Serbia would give up its "eastern Kosovo" territories of Preševo, Bujanovac, and perhaps Medvedja. Barring such a territorial deal, some Albanians express readiness to oppose partition by force of arms.³⁴

³⁰ Crisis Group interview, January 2005.

³¹ Speech to Rose-Roth seminar of the NATO Parliamentary Assembly, Sveti Stefan, Montenegro, 18 June 2005.

³² Crisis Group interview with Lulzim Peci, director of Kosovo's KIPRED think-tank.

³³ Crisis Group interview with academic and PDK presidency member Enver Hoxhaj.

³⁴ Potential fighters interviewed by Crisis Group during winter 2004-2005 in west Kosovo had strong views on the north. They

A linked question is whether Kosovo's Pristina-based elite has the will and motivation to deliver on behalf of Mitrovica. Although all major parties espouse independence within established borders, a complicated compromise over Mitrovica and the north might require major budget resources to finance it. The failure in July 2005 to find even the modest €200,000 contribution promised to the Mitrovica Roma mahalla reconstruction project may be an indication that practical commitment is lacking. If a deal included transfer of some central ministries or departments to Mitrovica, there would be considerable practical resistance. Kosovo's politics of localised interests and patronage may preclude Albanians from making an offer capable of bridging the Mitrovica divide.

Now that the Contact Group and the EU have ruled out partition, the Albanian majority may not see the necessity of offering concessions to engage the north in dialogue over the terms of its accommodation within Kosovo. On the other hand, Kosovo Albanian politicians may balk at the complexity and apparently marginal chance of success of agreeing lasting security arrangements for the north with the Serbs. Rather than face constant security worries and a difficult-to-control border, they may see virtue in letting the north go. Indeed, even though Kosovo Albanian politicians would not say this publicly, some see an interest in establishing Kosovo's international border approximately along the Ibar. If Pristina could not fully control the north even with statehood, they see letting it go as beneficial, freeing the new state from a minority rights ball and chain that the international community would otherwise insist it wear. With the north gone, pressure on the remaining Serbs to leave would be enormous. Serb land and property south of the Ibar -- more of it, and of better quality, than to the north -- would likely become available to Kosovo Albanians at a price lower than current market rate. One factor inhibiting such thinking is the enduring Trepca myth. If the enterprise could be revived, Albanians might see lasting value in keeping the north. Conversely, a final liquidation of Trepca might shift calculation toward abandonment. Ultimately, of course, a partition deal might also be attractive to Albanian nationalists as implicitly weakening the Contact Group's

second injunction, that against Kosovo's union with any other territory.

D. THE SERBS OF THE NORTH

To the north's strong Serb majority, the prospect of being pitched into an independent Albanian-dominated Kosovo appears unnatural, unfair, and a threat to its continued existence. It displays ignorance about Serb enclaves south of the Ibar and apparently little interest that its own manoeuvres have negative consequences for them. Instead of pursuing a common Kosovo Serb identity, the north hovers between seeking re-absorption into Serbia and demanding its own autonomy from Pristina. Abandonment of the south is creeping into the rhetoric of even moderate politicians. Dragisa Krstovic of the Serb List for Kosovo and Metohija talks of partition and evacuation to the north of Serbs from areas such as Gracanica as the best guarantee of peace, though he acknowledges he has not consulted Gracanica Serbs and is uncertain they would agree.³⁵ Belgrade's signals are a big part of these attitudes. As a Mitrovica Serb argued, only Belgrade can build a link between Serbs of the north and south strong enough to convince the former they are all "in the same boat"³⁶ and it is not doing so. Under the late Prime Minister Djindjic, the move of some departments of the north Mitrovica university to Gracanica and dispatch of teachers to the enclaves appeared to herald such an effort but Serbia's more recent message has been different.

Particularly since Kostunica became Prime Minister in 2004, the dominant political force in north Kosovo has been the Serb National Council. Originally established in 1998 and 1999 by Kosovo Serbs who wanted to represent their interests independently of Milosevic and his SPS, different wings developed in the north and Gracanica after the war. Dr Marko Jaksic of the Mitrovica regional hospital and a senior member of Kostunica's DSS party has recently consolidated his primacy, and Kostunica delegates to him much of his power over appointments in Kosovo. In return the SNC delivered Kosovo Serbs to a central Belgrade demonstration against Kostunica's opponent, President Tadic, in 2004 and secured 99 per cent backing of his call for a Serb boycott of the October 2004 Kosovo general election, humiliating both more moderate Kosovo Serb politicians such as the Mitrovica-based Oliver Ivanovic and Tadic. During his February 2005 visit to Mitrovica, Tadic allowed himself to be accompanied by SNC figures rather than the more moderate Serbs who had taken up his appeal to

drew a parallel between north Kosovo Serbs' links with Serbia and their own with Albania, and viewed them as legitimate so long as Kosovo's territorial boundary was not challenged, Serbian armed forces did not encroach, and cooperation with Kosovo central institutions was maintained. Otherwise, they would attack and subdue the north. A senior Kosovo Albanian politician with a KLA background has also indicated to Crisis Group that any "one-sided" partition of the north would meet a military response. Similarly, Ylber Hysa, Assembly leader of the ORA party, warned at a U.S. Institute of Peace seminar in Washington D.C. in January 2005 that "there would be an Albanian response".

³⁵ Crisis Group interview, Leposavic, 23 June 2005.

³⁶ Crisis Group interview, 18 February 2005.

participate in the election, thus adding to the perception that the SNC is Serbia's annointed Kosovo flag-bearer.

Until he lost some of his political base in the Serbian parliament and Kostunica cut off his funding in early 2004, Nebojsa Covic vied for control in the north through his Coordination Centre for Kosovo and Metohija (CCK).³⁷ Since then, more of Serbia's funding for parallel institutions has gone through the government ministries, while the SNC has oversight if not direct control of funds, which reportedly amount to €1.6 million monthly for north Mitrovica and Zvecan.³⁸ Even the CCK's new representative in north Mitrovica was appointed through Jaksic.³⁹ Hostile toward any links with Pristina, the SNC has tried to break such connections as were established with Kosovo's provisional government (PISG) and the Kosovo Consolidated Budget in 2002, when UNMIK established its administration in the north.⁴⁰ Moves to link the regional hospital and north Mitrovica university to the PISG ministries of health and education and incorporate them within the Consolidated Budget fizzled out. Both subsist exclusively on the Serbian government budget.

The Serbs of the north resent that Mitrovica has been highlighted as a discrete problem, arguing that to do so ignores a context in which tens of thousands of Serbs have not been able to return to homes all over Kosovo during the last six years.⁴¹ They are quick to claim that the freedom of movement opening Mitrovica's main bridge would provide would be one way -- Albanians going north, but no Serbs venturing south because, as one insisted, "we have enough experience to know that when Albanians are allowed to be equal they want to dominate....As soon as Albanians are allowed equality

in Mitrovica they will pressure Serbs to leave....For them, 'what is mine is mine. What is yours is for us both'".⁴²

³⁷ Kostunica dismissed Covic from the post altogether in late August 2005.

³⁸ See the European Stability Initiative (ESI) report, "A post-industrial future? Economy and society in Mitrovica and Zvecan", 30 January 2004, at www.esiweb.org.

³⁹ The appointee, Momir Kosalovic, comes from Jaksic's home village and is clearly subordinate to him.

⁴⁰ Salaries and allowances paid from that budget to north Mitrovica still amount to around €500,000 monthly. See ESI, "A post-industrial future?", op. cit.

⁴¹ "Serbs cannot reasonably explain why Albanians should not be allowed into the North. The international community has skilfully manipulated us into looking bad. But why doesn't the international community exert similar pressure on Albanians, for example for return in Istok?" Crisis Group interview with Nenad Radoslavljevic, Leposavic, 23 June 2005. "I was always against pulling Mitrovica out of the whole Kosovo story. Many Albanian leaders hold Mitrovica up as a very bad example, but don't see ethnic cleansing of Serbs elsewhere as a problem. They locate that outside the Mitrovica equation. Returns of Serbs to their homes throughout Kosovo would solve the Mitrovica problem". Crisis Group interview with Dragisa Krstovic, Leposavic, 23 June 2005.

⁴² Crisis Group interview with Nenad Radoslavljevic, Leposavic, 23 June 2005.

IV. THE NATURE OF DIVISION

The social, institutional and economic situation that has coalesced in Mitrovica over the last six years forms the foundation that policy-makers must start from in constructing a settlement. Careful design is essential -- a broad framework for Kosovo can either float or sink on the ripples of the river Ibar.

A. A CITY SLASHED APART

No adequate forums of dialogue exist between the divided communities. Despite several radio and TV stations in and around Mitrovica, neither side broadcasts in the other's language on Mitrovica issues.⁴³ The collapsed economy has added to the separation. Younger people in south Mitrovica appear tired of the violence, and there is a latent social demand for dialogue⁴⁴ but few channels available.

Those in power on either side of the river show no interest in peace-building. A conflict resolution NGO reports that initiatives which start well at grassroots level run into the sand at the municipal level in the south.⁴⁵ On the Serb side, the SNC actively stokes the notion of an imminent Albanian threat. Due to the lack of contacts and the readiness of both sides to mobilise for combat, any incident carries the risk of escalation, while there is no structure through which to exploit opportunities for confidence-building.

Within Mitrovica both communities are highly ignorant of the other. Serbs regard the territory south of the Ibar as a hostile, mono-ethnic wasteland where they do not want to venture.⁴⁶ Apart from knowing that they share their abject poverty, Albanians know little about life on the north bank. They assume it is under Belgrade's control and mistakenly believe Oliver Ivanovic has the most clout there because of his prominence on Kosovo Albanian television news. Few appear to have heard of Jaksic or Milan Ivanovic, the SNC leaders who really pull the strings.

⁴³ The Albanian private TV station in Mitrovica does make some broadcasts in the Bosniak language, which diverges only slightly from Serbian. The OSCE reportedly turned down a €50,000 project proposal for equipment to enable the Albanian TV Mitrovica and the Serb Radio Contact Plus to share news reporting. Information made available to Crisis Group from an UNMIK source, August 2005.

⁴⁴ Crisis Group interviews, south Mitrovica, 3-9 June 2005.

⁴⁵ Crisis Group interview with staff of Kosovan Nansen Dialogue, 1 December 2004.

⁴⁶ By contrast, Serbs in enclaves further to the south have grown increasingly adventurous in recent months.

Paradoxically, both communities feel on the edge of defeat. The collapsed economy casts its pall over all. The Serbs increasingly exhibit a sense of inevitability about independence. Very few are planning for a future in Mitrovica, and those who can have invested in residences in Serbia proper. The Albanians extrapolate their own pessimism from the status quo, which they feel powerless to change, believing the city's division pre-planned by the international community.

1. The urban topography of division

"Fair's fair - the Serbs got Trepca, and we got the bus station. At least we have the satisfaction of being on the sunnier side of Mitrovica -- it's colder in the north", quipped a Kosovo Albanian satirist in December 1999.⁴⁷ Today the city's severed links still cramp the lives of both communities -- a price Serbs remain willing to pay in return for perceived security gains. Most of the more modern, high-rise buildings are in the north, a displaced city centre roped off from the sprawling hinterland of privately built houses that forms the mega-village of south Mitrovica. The pre-1999 Muslim cemetery is in the north, the equivalent Orthodox cemetery in the south. Cultural and sports facilities are in the south, the regional hospital in the north. 20,000 Albanian school children are crammed into roughly the same number of schools as 4,000 Serbs. The resource that Mitrovica as a whole once was for Kosovo is now denied to both communities. Far from enhancing Kosovo's development, Mitrovica has become something of a ghost city, which most people with ambition have left.

2. Division fuelled by a collapsed economy

All interviewees in Mitrovica note that powerful individuals, families and groups on both sides of the ethnic divide collaborate in smuggling, trafficking, car theft and other illicit activity while maintaining a political and social environment that makes it taboo for ordinary citizens to work together.⁴⁸

The dire economic situation increasingly rivals the status question for both communities. Older generations place faith in the potential of the Trepca complex. Younger interviewees see a more diversified economy as the

⁴⁷ Adem Mikullovi in a 1999 RTK broadcast.

⁴⁸ The recent arrest of two Serb and Albanian KPS officers who were collaborating in the escort of a lorry smuggling goods from north to south is an example of how inter-ethnic cooperation has been confined to a clandestine sphere for "insiders". Police sources claim that Albanian owners of a large hotel on the road south from Mitrovica engage in similar collaboration, absorbing a coach-load of trafficked women every month from Serbia.

future, emphasising development of small and medium enterprises. The intended "quick economic boost" of SRSG Steiner's plan to move the Kosovo Trust Agency (KTA) from Pristina to north Mitrovica never materialised -- its staff did not want to go to such a provincial, violent outpost, and the idea gradually died.⁴⁹ The drift in loyalties in north Mitrovica from Oliver Ivanovic to Milan Ivanovic and the hardline SNC has followed the latter's growing control of the limited budget resources and job opportunities, as well as its readiness to intimidate. New investment could pull people in a different political direction. Some in the north chafe at the economic price of being cut off from the rest of Kosovo. Others, while worrying about independence, say, "if only I had a job, I wouldn't care much about these things". An Albanian pointed to the strong demand from north Mitrovica Serbs for jobs paying €250 monthly on a new multi-language magazine she is starting.⁵⁰ The Serb owner of a construction company close to the inter-communal divide observed that Albanians have begun coming to him for work: "They have stopped caring altogether who I am and started focusing fully on the business".⁵¹

Both communities accuse UNMIK of utter economic negligence; some in the south also criticise Pristina's passivity. A northerner complained: "Everything UNMIK does in north Mitrovica is chaotic, uncoordinated, and does not respond to people's needs. They are building us playgrounds instead of generating jobs. It's exactly because of these mistakes that radical and criminal groups -- mainly gathered around Milan Ivanovic -- have gained their points, money and power".⁵² The shops and kiosks along north Mitrovica's arterial King Peter Street are not regulated or taxed by UNMIK but pay protection money to northern crime bosses. Money that created an ephemeral boom, including from the Albanian diaspora and donors, tended to be used for construction rather than productive enterprises. Funds from donors, Belgrade and Pristina are divided up informally by local elites. A local businessman commented:

Money was badly invested, just like in Bosnia, and not just because much of it ended up lining somebody's pockets, but because of the quality of the projects themselves....[C]onstructing buildings

[is]...cheaper and easier to steal money from, while if you invest in production it takes too long, it is too complicated....Donors were only interested in doing something fast and nice, with concrete 'results'.⁵³

3. Courts

Serbia's persistence and UNMIK's lack of strategy and clout allow the judicial divide to persist. Serbian and UNMIK courts exist side by side in north Kosovo, and citizens use whichever is more likely to resolve their problems. Recourse to Kosovo law is more prevalent in nominally UNMIK-administered north Mitrovica and Zvecan (which uses Mitrovica's courts) than in more distant Zubin Potok and Leposavic. Indeed, UNMIK's Mitrovica regional court is a curious, largely Albanian island, connected to the south by a shuttle bus,⁵⁴ its presence tolerated by the SNC and presided over by an Albanian president who lives in Zvecan. Social acceptance of the court is lower, however. With few northern Serbs willing to join the UNMIK judiciary and procuracy, its advance is stymied north of the Ibar. Albanian prosecutors cannot make headway in a Serb milieu, and judges apply pre-trial detention more stringently to Serbs, who can otherwise easily escape to into Serbia.

The non-recognition of UNMIK personal documents by Serbia and many other countries has maintained a market for the document services of the Serbian parallel courts. However, one area where UNMIK courts have an advantage is their ability, due to the growth of the KPS alongside UNMIK police in the north, to have their decisions (such as eviction orders) executed by legitimate bodies. The development of a banking sector in the north has also encouraged greater use of UNMIK courts since loan contracts likewise require a reliable enforcement mechanism. This suggests UNMIK could strengthen its courts and the application of Kosovo law further by helping develop more small and medium enterprises as well as improving property registers. Once Kosovo's final status has been determined, the official personal documents presently issued by Kosovo authorities will presumably get wider recognition and validation in the region and the world, which would also help the Kosovo court system developed by UNMIK gain a stronger footing.

⁴⁹ Not before nearly €1.2 million had been spent renovating the building intended to house the KTA in north Mitrovica. In late 2002, mindful of Mitrovica's propensity for violence, the then KTA chief Jurgen Mendritsky commissioned a bolthole with stainless steel walls to be built beside his upper floor office. Crisis Group interview with former staff of UNMIK's European Union Pillar, 29 July 2005.

⁵⁰ Crisis Group interview with Valdete Idrizi, head of the Community Building Mitrovica NGO, 16 February 2005.

⁵¹ Crisis Group interview, 27 June 2005.

⁵² Crisis Group interview, 2005.

⁵³ Crisis Group interview, north Mitrovica, 27 June 2005.

⁵⁴ UNMIK recently discontinued the bus. Reportedly, the SNC has stepped in to fund its continuation.

4. Making a home in the lawless interregnum

The relatively lawless environment benefits the SNC, which has mobilised many of the displaced (IDP) Serbs from elsewhere in Kosovo -- one third of all Serbs in the north. Most of these IDPs squat in Albanian homes, and the threat of demonstrations hinders UNMIK's Housing and Property Directorate (HPD) from settling claims in north Mitrovica.⁵⁵ This also provides local chiefs with cover for an organised rent racket regarding the usurped homes. Similarly, the chaotic situation with car licence plates aids the car theft network.⁵⁶

Although few can be said to enjoy life at present in Mitrovica, many Serbs, as noted, benefit from multiple government salaries. The lack of a single undisputed governing authority also means there are virtually no pressures to pay utility bills. Such factors make the uncertain interregnum more bearable. Larger business, smuggling and crime interests tailor the environment to their needs while engaging in mutual support with the SNC. Some north Mitrovica Serbs complain of the influence of a "Kolasin group" from the Ibarski Kolasin area of Zubin Potok.⁵⁷ Several leading SNC figures come from this area, including Jaksic, former leading bridge watcher Vladimir Rakic, and the new CCK chief in north Mitrovica, Momir Kosalovic. A prominent north Kosovo Serb politician said the group's dominance stifled the possibility of new people and new politics breaking through. No observers wished to be drawn on details, noting that unresolved relations with Albanians still remain north Kosovo Serbs' number one problem,⁵⁸ but a local businessman said of the Kolasin group that "all the tensions around security and criminality in Mitrovica are actually coming from them".⁵⁹

The business and political elite of the Serb north, including the SNC, reap benefits from VAT, customs and excise collection due to Pristina's lack of effective control over the administrative boundary line with Serbia. Its influence over the ethnic Serb officers of the

KPS border police and the UNMIK customs service who man the Leposavic and Zubin Potok crossings is an embarrassment for both services' commands.⁶⁰ Despite formal abolition under a new Kosovo customs code introduced in June 2005, UNMIK permits these "gates" to continue using a fast track procedure which in effect allows lorries carrying most of Kosovo's imported food and excise-rated goods such as alcohol, coffee, cigarettes and fuel to "disappear" on their way to the customs terminal in south Mitrovica. Timber, cattle, electronic goods and domestic appliances are also routed through the two gates while UNMIK turns a blind eye, vetoing proposals to supplement staffing with Albanian officers as provocative.

The SNC demonstrated its role as a protector of north Kosovo business interests when it organised successful protests in January-February 2005 against new Belgrade rules for collecting VAT on goods going to Kosovo and its positioning of customs officers at the crossings.⁶¹ The protests were a double success. The SNC's political patron, Prime Minister Kostunica's DSS party, pressured its junior G-17 Plus coalition partner -- of which the finance minister is a member -- to relent. While G-17 Plus accused it of fronting a "smugglers' lobby", the DSS argued that the regulations amounted to an unpatriotic recognition that Kosovo was a lost territory. In the compromise that followed, the DSS and SNC got most of what they wanted. VAT waivers continued for any Belgrade-registered business importing goods from Serbia into Kosovo. This automatically excluded Kosovo Albanian companies and so solidified the monopoly on VAT-free imports from Serbia.

⁵⁵ The Housing and Property Directorate (HPD) is a distinct component of UNMIK Civil Administration (pillar-II) with sole jurisdiction over three types of residential property claims: by individuals who lost property through discrimination after 23 March 1989; who entered into informal transactions which could not be registered due to discriminatory laws between 24 March 1989 and 13 October 1999; and who involuntarily lost properties after 24 March 1999. See www.hpdkosovo.org.

⁵⁶ Since Kosovo licence plates are unwelcome, many cars carry none. The police do not act, so a stolen car can easily be anonymous.

⁵⁷ Crisis Group interviews, May 2005.

⁵⁸ Crisis Group interviews, north Mitrovica and Leposavic, 23 June 2005.

⁵⁹ Crisis Group interview, 27 May 2005.

⁶⁰ In Pristina, a senior UNMIK customs official observed: "Mitrovica is a political problem. Our customs guys up there wear our uniform but in reality they are controlled by the bridge watchers. The only reason Serbs accepted to become UNMIK customs officers, and...why they were allowed to take the job is the illicit income it brings their bosses in north Mitrovica, and themselves....Those two gates supply a lot of money to the bridge watchers and the SNC". Crisis Group interview, 22 July 2005.

⁶¹ In addition to illicit imports to Serbia through Kosovo, Finance Minister Dinkic had been concerned that VAT was widely waived or refunded for Serbian goods entering Kosovo on the strength of flimsy claims they were destined for export, or purported documents from UNMIK's customs service that VAT had been paid. Since Serbia neither controlled Kosovo's borders with Macedonia, Albania and Montenegro nor cooperated with UNMIK Customs prior to June 2005, it had no way to verify the claims.

B. THE ADVERSE ENVIRONMENT FOR RETURNS

1. The displaced

Mitrovica's Albanian and Serb IDP communities are both stuck -- victims and reproducers of inter-ethnic tension. They are increasingly asymmetrical, composed respectively of Albanians from Mitrovica itself and Serbs expelled from other parts of Kosovo, largely the west, in 1999, and a second wave from central Kosovo in March 2004.

In Pristina the buoyant property market and the work of UNMIK's Housing and Property Directorate (HPD) have at least allowed many Serbs to get some compensation for lost homes and the wherewithal to restart their lives elsewhere, but part of Mitrovica's residential property cycle is blocked. HPD has received roughly equal numbers (1,287 and 1,266) of claims for homes north and south of the river. While a large majority of displaced Serbs with property in the south have sold to private Albanian buyers, there is an impasse in the north due to illegal occupation by Serb IDPs and local toughs, which limits HPD's ability to effect evictions; lack of capital and willingness in the north to make property purchases; and unwillingness of Albanians to sell their property in the north. Property is, therefore, worth less above the Ibar, with few buyers. All this has contributed to Serb determination to block Albanian return in the north. Many of the 6,000 Roma who lived in the now-destroyed mahalla on the south bank have left Kosovo. Others are on dangerously polluted sites in Zvecan. However, the Roma are reluctant to cooperate with plans to reconstruct the mahalla, in part because those now living abroad fear they may be forcibly returned.

Ascertaining the size of the remaining unsettled Albanian IDP population is difficult but important for determining what sort of municipal reconfiguration would leave Serbs confident enough to accept Albanian returns. The ESI proposal assumed that the necessary Serb majority could be produced by uniting north Mitrovica with Zvecan. The pre-war Albanian population of north Mitrovica is assumed to have been around 10,000 but may have been as low as 8,000. Roughly 2,100 are presently in the north, leaving some 6,000 to 8,000 IDPs. Some have sold their homes and more are trying to do so, though they have not had much success and risk ostracism from their own community. Serbs in north Mitrovica currently number 12,000 to 15,000, including IDPs from elsewhere in Kosovo, specialists and students from Serbia proper. This population is vulnerable to decline, while Albanian populations have a tendency to vigorous growth.

City dwellers from each side blame the alleged spoiling effect of the other side's post-war newcomers. With IDPs now constituting so large a part of their community, Serbs tend to view Albanians with established claims in the north as a major threat: "...an Albanian comes 'just to check out his old apartment'. Next day he comes back with the HPD...."⁶² Nevertheless, some can contemplate living with genuine Albanian returnees, "who lived there before 1999", and declare, "we are not afraid of Mitrovica citizens, but of other newcomers who do not see us as individuals".⁶³ A long-time Serb resident fearful of an Albanian attack across the river in July 2004 said, "Mitrovica citizens will never attack us, because we lived fine together before the war, and now on both sides of the city we are tired of these villagers who came here -- we have had enough of them".⁶⁴ Likewise, many Albanian IDPs are convinced it is the Serb IDPs, not their former neighbours, who are blocking their return.⁶⁵ Indeed, Crisis Group's interviewing in the north found that Serb IDPs tend automatically to refer to Albanians in derogatory terms mostly avoided by long-term Serb residents.

In pre-war Mitrovica a higher proportion of Serbs than elsewhere in Kosovo spoke some Albanian, while some Albanian residents take pride in "speaking better Serbian than most Kosovo Serbs" and hope a Mitrovica identity can overcome ethnic division. One optimistically postulated organising a joint demonstration of Serb and Albanian IDPs from Mitrovica to protest the lack of progress in returns.⁶⁶ Another recounted trying with representatives of nearly twenty local civil society organisations to defend the Serb Orthodox Church in south Mitrovica on 18 March 2004 before they were overrun and beaten by a mob.⁶⁷

2. Controlled multi-ethnicity

As many north Mitrovica Serbs point out, their half of the city may well be the most multi-ethnic urban space in Kosovo. More than 2,000 Albanians remain, mostly in three locations. Nearly 1,000 live in the "three towers" close to the river and a similar number in the Bosniak mahalla. Deeper inside north Mitrovica, up to

⁶² Crisis Group interview with a north Mitrovica Serb, originally from the west Kosovo town of Gjakova/Djakovica, May 2005.

⁶³ Crisis Group private discussion, 4 June 2005.

⁶⁴ Blerim Xhemajli and Musa Mustafa, "Serbet do te sulmohen prape, slogani me i perfolur ne veri te Kosoves" (Serbs will be attacked again is the expression most repeated in the north of Kosovo), *Koha Ditore*, 3 July 2004.

⁶⁵ Crisis Group interviews, south Mitrovica, June 2005.

⁶⁶ Participants at a round-table convened by Crisis Group, south Mitrovica, 26 June 2005.

⁶⁷ Crisis Group interview with Valdete Idrizi, Community Building Mitrovica, south Mitrovica, 16 February 2005.

500 are in the mixed Kodra e Minatoreve/Mikronaselje ("Coca Cola Hill") neighbourhood. With 1,000 to 2,000 Bosniaks, Turks and Roma, non-Serbs constitute around a quarter of north Mitrovica's population.

De facto segregation nevertheless limits free circulation for Albanians, especially adult men. Although KFOR checkpoints and barbed wire have been removed, Albanians from the Bosniak mahalla and the "three towers" do not venture further into the north. Their life is connected with south Mitrovica via the new footbridge. Cars can be driven to or from the "three towers" via a road bridge on the western edge of Mitrovica, where the Albanian village of Suhodoll/Suvi Do sits on the north bank, separated from the rest of north Mitrovica by a mix of Serb houses and empty, damaged or destroyed Albanian homes. Albanians of the Bosniak mahalla -- a neighbourhood where they live with Bosniaks and Serbs, though segregated from the latter on a street by street basis -- use the east road bridge to connect to the south bank. In the weeks prior to UNMIK's June and July 2005 push to open the main bridge to road traffic, they had also begun using that bridge for foot crossings. Limited traffic of cars with Kosovo licence plates also started then between the two Albanian outpost neighbourhoods. The cars passed by the main bridge on the north side without attempting to cross it and were tolerated by the Serbs. Since July 2005, Bridge Watchers have occupied a house at the entrance to the mahalla from the main bridge side. The house had been a KFOR checkpoint until earlier in the summer. Albanian residents complain that they are subjected to insults and intimidation when they pass by.

In Kodra e Minatoreve/Mikronaselje there is genuine mixing between Albanian and Serb residents, whose children even play together. But this does not extend to allowing these Albanians free movement in the town centre of the north. In May UNMIK withdrew the shuttle bus that had connected this community with the south. A private bus company service that replaced it charged 50 euro cents each way, which is expensive. So increasingly Albanians from Kodra e Minatoreve/Mikronaselje resorted to risking the walk along King Peter street to reach the south. This raised Serb anxieties, and in May 2005 at least one Albanian was beaten there.

The basic Serb fear is not so much an Albanian military push across the river as seeing the demographic tide of north Mitrovica turn against them, including exposure to the greater weight of Albanian private capital.⁶⁸ To stop

them falling into Albanian hands, the Serbian government's Coordination Centre for Kosovo has funded several purchases of houses put up for sale by Serbs at the frontier with Albanian communities in north Mitrovica: in the Bosniak mahalla, the "three towers", and in Kodra e Minatoreve/Mikronaselje.

Fear of not being able to control their environment, of having too many new Albanians wandering about north Mitrovica to keep track of, underpins Serb dismay at UNMIK's gambit to open the main bridge to all traffic. That move is also an affront to Serbs' latent hope for containing multi-ethnicity within a controlled environment. Although the SNC is far from constructing such an offer, some north Mitrovica Serbs would not oppose normalisation through a limited, controlled return of Albanians, particularly of familiar faces, so long as they could ensure their own majority and final say in their part of the city.⁶⁹

C. THE LEADERSHIP DEFICIT

Neither community has made much effort to secure the support of its wider Kosovo brethren. Provincialism and limited ambition reign. Mitrovica's Albanians have failed to make the case with Pristina or lobby through the media for its active engagement with their problems. As one ex-resident put it: "If a child doesn't cry, mother won't come to it".⁷⁰ The SNC leaders in the north seem comfortable with their lack of electoral legitimacy, preferring to exercise control without accountability through patronage and intimidation, an arrangement which allows them to avoid representational obligations and routinely decline meetings with officials they do not like.⁷¹ The SNC and the municipal authority in south Mitrovica regard themselves as gatekeepers for the leadership in their respective capitals, Belgrade and Pristina, and have not wished to explore political options with one another. The SNC, however, has begun discreetly to look into how it might insert itself into the negotiations on decentralisation.

⁶⁸ Some Serbs tendentiously cite the impossibility of their "civilized culture" surviving in close proximity with the "aggressive culture" of Albanians. See Crisis Group Report, *Collapse in Kosovo*, op. cit., pp. 32-33, for discussion of Kosovo Albanian society's tendencies to exclude non-Albanians.

⁶⁹ For example, Oliver Ivanovic envisages that if north Mitrovica is awarded its own municipal authority, its elected officials would be obliged to face up to Albanian return: "Serbs would still form a majority, but there would be more Albanians than there are today". Crisis Group interview, north Mitrovica, 23 June 2005.

⁷⁰ Linda Shala, former Trepca basketball team manager, at a round-table convened by Crisis Group, south Mitrovica, 26 June 2005.

⁷¹ SRSG Jessen-Petersen has said they have refused to meet with him. The SNC does, however, meet with UNMIK's Mitrovica-based officials. The SNC follows a nuanced etiquette with Crisis Group, making its third in command, Nebojsa Jovic, available for interviews.

1. Staying below the parapet

Both communities lack respect and trust for their own local leaderships. Many in the north dislike Milan Ivanovic, associating him with thuggishness and criminality. He keeps his grip through patronage, intimidation, anti-Albanianism, and Serbia's backing. Nevertheless, most support him and the SNC from fear that nobody else would defend them.

The SNC's ideological development is both stunted and uncoordinated. Its senior figure, Jaksic, has not extended his thinking on status much beyond Belgrade's decentralisation plan of April 2004. While he suggests "South Tyrol" as a model for Kosovo, he appears unable to explain what that means.⁷² He accepts the ESI idea of fusing north Mitrovica with Zvecan, but his lieutenant, Nebojsa Jovic, insists north Mitrovica must have stand-alone municipal authority.⁷³

The SNC substitutes visceral anti-Albanianism, "bordering with Nazism and other racial theories",⁷⁴ and preoccupation with state territory and loyalty to Belgrade for the development of ideas on more everyday issues. Maintaining dread of an Albanian attack serves to keep the Serb community tense, ready for mobilisation, and dependent upon hardline politicians. Some observers consider the series of attack rumours, which have been eagerly refracted back into Kosovo by Belgrade-based media during the past year, to be SNC-inspired.

When the old Bridge Watcher, Oliver Ivanovic, got involved with Kosovo-level politics, he tended to turn away people looking for favours. The SNC took the opposite course, building its influence through distribution of favours, hiring people, cutting deals with them, and sending government funds their way. A close Serb observer calls the SNC "the worst of Serbian politics...a populist political group that cares little for the long term and the genuine interest of the society it represents. Instead it comes up with short-sighted positions to appease and patronise people, keep itself in power and continue controlling the budget, the black market and organised crime".⁷⁵

While Jaksic is the SNC's chief ideologue, its primary enforcer is Milan Ivanovic, who runs the regional hospital -- the largest healthcare facility in north Kosovo. Serbs from other parts of Kosovo also look to it for treatment

but it is denied to Albanians. It is one of northern Mitrovica's few major employers, and Ivanovic deploys patronage to maximise his control over the city. Staff is kept on short-term contracts to ensure obedience. A core group from the former Bridge Watchers is retained as security guards. Many people in north Mitrovica believe organised crime is coordinated from this quarter. One alleged that the SNC "use[s] harassment, beating, and weapons to deliver 'messages' to people, or provide favours and services to 'hold them in their debt'".⁷⁶

The SNC has organised several petitions within the last few months. One demanded dismissal of SRSJ Jessen-Petersen. Another denounced Kosovo Serb politicians Oliver Ivanovic, Randjel Nojkic and Slavisa Petkovic for "collaboration" with UNMIK and Albanians. Reportedly, staff at the regional hospital were obliged to sign, some without even being given time to read the documents.⁷⁷ Any north Mitrovica Serb stepping too far out of line to cooperate with Albanians or UNMIK's agenda risks SNC-marshalled ostracism. A journalist who publicly criticised the logic of the Serb boycott of the October 2004 Kosovo general election recounted being summoned "onto the carpet" by Milan Ivanovic to explain himself.

Although marginalised in north Mitrovica, the SNC's political opponent, Oliver Ivanovic, is respected because of his leadership of the Bridge Watchers during the difficult early months in 1999. He is regarded as untainted by the criminality and corruption that have come to characterise the SNC, and cleverer, more constructive and linguistically gifted than Milan Ivanovic, who is seen as "a bit slow" and not particularly eloquent in Serbian, let alone English and Albanian like Oliver. However, without elections, relative popularity is less important in north Mitrovica than SNC muscle. When a bomb destroyed Oliver's car on 8 February 2005, it probably increased sympathy for him and further tarnished the SNC's image.⁷⁸ Yet in local terms, the bombing may have been viewed by its perpetrators as self-affirmation.

The municipal authority in south Mitrovica is a typical LDK set-up,⁷⁹ much of its staff pre-occupied with nurturing their own network. Some constituents accuse it of lack

⁷² Information made available to Crisis Group by the Institute for War and Peace Reporting (IWPR), whose correspondent interviewed him in early July 2005.

⁷³ Crisis Group interview, north Mitrovica, 15 July 2005.

⁷⁴ Crisis Group interview with an international official of several years' standing in Mitrovica, 29 November 2004.

⁷⁵ Crisis Group interview, north Mitrovica, 12 April 2005.

⁷⁶ Crisis Group interview, north Mitrovica, 12 April 2005.

⁷⁷ Information made available to Crisis Group, May 2005.

⁷⁸ Oliver Ivanovic claims to know who the perpetrators are and criticises the police investigation as slow. Returns Minister Slavisa Petkovic accused the SNC of a grenade attack on his ministry and party office in Zubin Potok on 4 July 2005. However, the grenade was put on a chair and valuable equipment temporarily removed from the office, suggesting a possible inside act.

⁷⁹ See Crisis Group Europe Report N°163, *Kosovo After Haradinaj*, 26 May 2005, pp. 14-16.

of transparency, nepotism, and corruption in tenders,⁸⁰ although it was one of only three Kosovo municipalities to emerge well from a 2002 audit.⁸¹ An OSCE-sponsored survey highlighted poor communication with constituents.⁸² A prominent local artist called municipal leadership "totally passive and incompetent. They are not a factor that people count upon to improve the situation".⁸³ Mayor Faruk Spahija has been battling cancer for more than a year. During the March 2004 riots he was in Germany, half-way through a seven-month treatment. His plight has attracted sympathy but also questions about his fitness to run Kosovo's most problematic municipality. Younger people, twenty to 35, expressed frustration that the older generation still monopolises leadership positions.⁸⁴

2. Regimenting opinion

In many ways, the SNC hard line genuinely reflects the north Mitrovica Serb mood. Opposition to a relationship with Pristina runs deep. However, the SNC works actively to keep the public on edge, reinforcing and policing the idea that it is impossible to live with Albanians and precluding contacts that might lead to creative solutions.

Although the reporting of the local Serb Radio Contact Plus tends to be careful and so commands a certain respect, the agenda of the Belgrade papers and TV that dominate north Mitrovica's media market is driven by stories reflecting the Albanian threat. Local journalism is timid and underdeveloped. Its small community understands the constraints in which it operates. In 2003, a journalist seen to be crossing the line was reminded to behave, since he had "a family in Mitrovica".⁸⁵

The SNC disliked the "love container" inter-ethnic youth project, a tent with meeting space, computers and other facilities pitched just south of the main bridge from late 2002 to early 2004. Its claim that a young Serb and a young Bosniak woman were abducted from there and raped by Albanians was widely believed in north Mitrovica and dismissed south of the river. An international judge dismissed a case brought against two Albanian men, and the women stated that they liked the men and eloped.

That contact breeds further interaction was evident, too, in a recent private dialogue initiative, during which north Mitrovica Serbs concurred that the lack of city-wide media was a problem; learned to their surprise that electricity cut-offs also caused difficulties for Albanians; began discussing the city's common problems; and supported development of the dialogue.⁸⁶ With warm, local Serb-Albanian relations prevailing in Kodra e Minatoreve/Mikronaselje, someone saw the need to impose control from outside. In May 2005, all 160 Serb heads of households dutifully signed a petition demanding that UNMIK stop repair of five damaged Albanian houses. The petition pinpointed young KLA veteran and returning resident Hakif Mehmeti ("Kiko") as a security threat,⁸⁷ protested that no agreement had been reached with the Serb community on renovation of the houses, and warned that violence could follow, for which UNMIK would be responsible.⁸⁸ While some see the hand of the SNC in the petition, one informed observer suspects an Albanian community leader in Kodra e Minatoreve/Mikronaselje, whose interests might be compromised by the return of the five households.⁸⁹

The SNC appears to resist any change in the Mitrovica status quo. Thus, in late April 2005 it pushed Roma IDPs at lead-polluted sites in Zvecan to demonstrate against a plan for reconstructing the Roma mahalla in south Mitrovica that Albanians devastated after the war.⁹⁰ International observers believe the SNC even wrote the speeches and designed the posters, with slogans such as: "We are with our Serb brothers".

The Albanian-run Mitrovica municipal authority's agreement to a reconstruction and return plan for the

⁸⁰ Crisis Group interviews, south Mitrovica, 3-9 June 2005.

⁸¹ Crisis Group interview with Auditor General Inga-Britt Ahlenius, Pristina, 12 April 2005.

⁸² Izedin Krasniqi, "Komunikimi I manget, qytetaret te marginalizuar" (Communication is absent, citizens marginalised), *Koha Ditore*, 20 June 2005.

⁸³ Crisis Group interview, south Mitrovica, 16 February 2005.

⁸⁴ Crisis Group interviews, south Mitrovica, 3-9 June 2005.

⁸⁵ This was confirmed to Crisis Group by several sources.

⁸⁶ Crisis Group interview with a Kosovo Nansen Dialogue Centre activist, July 2005.

⁸⁷ Hakif Mehmeti, a prominent and controversial activist, runs a local NGO, "House of Peace". He was involved in the March 2004 riots in Mitrovica, arguably in a leading role, and was shot in the leg, charged with several offences, but acquitted by an UNMIK court in July 2004.

⁸⁸ Musa Mustafa, "Serbet e Kodres se Minatoreve kunder rindertimit te 5 shtepive te shqiptareve" (Serbs of Miners' Hill against repair of 5 Albanian houses), *Koha Ditore*, 31 May 2005; Crisis Group interview, north Mitrovica, May 2005.

⁸⁹ Crisis Group interview, Mitrovica, 14 July 2005. Allegations of attempted extortion by this community leader and a relative against fellow Albanian residents have surfaced previously. Crisis Group interviews, late 2003.

⁹⁰ International officials see the SNC as the driving force behind the Roma protests. Crisis Group interviews, 5 and 11 May 2005. Pressure from Roma relatives abroad may also have played a role, since rehabilitation of the mahalla might be used by host countries as evidence of an improved environment justifying an order to deport them; a conference in the European Parliament was devoted to this issue on 27 June 2005.

Roma mahalla is a welcome recent breakthrough, due largely to its new receptiveness to the international community's standards agenda. It had previously favoured retaining all the land for its own development plans, arguing that the Roma had no legal title.⁹¹ The SNC's opposition appears to be rooted in resisting new north-south movement. Indeed, any UNMIK or PISG initiative that advanced multi-ethnicity in the south would be a set-back for the SNC. Similarly, Serb IDPs housed for over a year in appalling conditions in Zvecan have refused to return to rebuilt houses in the Serb village of Svinjare, south of Mitrovica, due, international staff suspect, to SNC pressure.⁹² In line with its new espousal of the standards agenda, the Mitrovica municipal authority is planning a four-times-a-day bus service between Zvecan and Svinjare, through Mitrovica.

Just as the SNC resists returns from the south and discourages movement in the opposite direction, the municipal authority plays a role in maintaining the Albanian taboo against selling property in the north. A former UNMIK official described an ongoing "harassment campaign" by media and political leaders against those who sold.⁹³ Remaining residents have attempted to "name and shame" those attempting to sell. The municipal authority has met with residents of the Albanian communities in north Mitrovica, urging them not to sell before the city is reunified. In July 2005, Mayor Spahija told a newspaper that sales now could harm the re-unification process.⁹⁴ In August, his deputy addressed an open letter to the prime minister and UNMIK, calling for them to stop a fresh wave of property sales in the "three towers" and Bosniak mahalla. Many feel the municipality has not done enough to care for the IDPs from the north, whom it arguably holds hostage to a maximalist political position.

While Spahija has also warned Albanian property owners in the north that they risk being defrauded if they sell in

present conditions,⁹⁵ what is not acknowledged is that it is precisely the Albanian taboo on such sales that forces them to be handled by shadowy intermediaries. Police sources indicate that inter-ethnic criminal and extremist networks regard the underground market in this property as a benefit from the status quo.⁹⁶ Of course, the municipal authority did not try to dissuade Albanians from buying out Serb properties in south Mitrovica. The recent open letter protested that Serb purchases of Albanian property represented a concerted effort to cleanse north Mitrovica ethnically but Albanians have been using the same tactics elsewhere in Kosovo -- currently and very obviously in Caglavica, south of Pristina.

D. MITROVICA AS SERVICE PROVIDER

Were it not for the city's six-year implosion, Mitrovica could provide services regionally and, arguably, throughout Kosovo, particularly for Serb communities.

The hinterland or hinterlands the city's halves will jointly or separately possess once Kosovo's status is determined is uncertain, as are the answers to such questions as whether the regional hospital and the university will develop as facilities for north Kosovo Serbs only, for Kosovo's wider Serb community, or -- certainly the most desirable -- as centres of excellence also embracing Albanians from Mitrovica and perhaps throughout Kosovo. The greater its hinterland is, the better Mitrovica's prospects are for regeneration.

The attitude of city residents themselves will be crucial. While the municipal authority in south Mitrovica emphasises growth of small and medium enterprises, studies have reportedly determined that north Mitrovica's inhabitants do "not want to work in manufacturing sectors". Therefore, local officials put faith in public services as the mainstay of development.⁹⁷ Another question is the commitment to Mitrovica of public sector specialists in the north. Many stay during the week only because of the exaggerated salaries presently available, while spending their free time in Belgrade. Such specialists can probably be tempted to remain only if some larger role is created for Mitrovica.

Pristina's willingness to transfer parts of the government or civil service will bear on the city's future. TV Mitrovica

⁹¹ The municipality concluded the present agreement with UNMIK, OSCE, UNHCR and the HPD, which acted collectively as the "Roma mahalla stakeholders". Roma representatives had asked them to negotiate with the municipality on their behalf. The plan envisages that whoever can document ownership of land will get it back. Apartments would be built for other former residents, and the municipality would also construct a sports centre. However, the project appears to have encountered funding difficulties and is not progressing.

⁹² Crisis Group interview, north Mitrovica, 13 April 2005.

⁹³ Private communication with Crisis Group, August 2005.

⁹⁴ Beke Abazi "Shitja e pasurive ne veri do te kete pasoja te renda per procesin e integritetit te qytetit, thote Spahija" (Selling properties in the north will have severe consequences for the process of integrating the city, says Spahija), *Zeri*, 14 July 2005.

⁹⁵ Ibid.

⁹⁶ Crisis Group interview, July 2005.

⁹⁷ Interviews, Mustafa Pllana, chief executive officer of Mitrovica municipality, and Sladjana Radovic, chief of the economic development sector at UNMIK's north Mitrovica administration, cited in *Kosovo at a Glance*, No. 241, 25 February 2004.

Director Nexhmedin Spahiu argues that moving the capital to Mitrovica would offer Serbs the renewed prospect of being at the heart of Kosovo's political, administrative and social life.⁹⁸ A multi-ethnic Mitrovica would become central rather than peripheral. Unsurprisingly, this idea has not caught on in Pristina. The aborted move of the Kosovo Trust Agency set a poor precedent. Yet if the Ibar divide is to be softened in post-status Kosovo, Mitrovica is an obvious candidate to receive elements of government to support the Serb population. One might be a new division of the Ministry of Economy and Finance, to collect and disburse funds from Kosovo, Serbia, and donors for Serb institutions of "cultural and personal autonomy" in healthcare, education and other spheres.⁹⁹

Mitrovica institutions such as the regional hospital and the university in the north could help provide direction for a final status settlement by beginning to assume a regional or Kosovo-wide potential. However, they have been captured by Belgrade-backed managements dedicated to blocking progress and sharpening division. Albanian doctors and patients were forced out of the hospital in September 1999 due to "the belligerence of certain key doctors, in particular Dr Marko Jaksic",¹⁰⁰ who orchestrated violent incidents and a blockade. This was a month after then-SRSG Bernard Kouchner had called the hospital a symbol of hope, where Albanian and Serb doctors continued to treat all patients. UNMIK's regional administrator pledged to expelled Albanian nurses on 29 September 1999 that UNMIK would work to make the hospital "multi-ethnic again in the future".¹⁰¹ But in the intervening six years, the SNC has consolidated its control.¹⁰² The international community has failed to maintain attention and apply pressure.

The university, which arrived in north Mitrovica only during the UNMIK period, briefly showed promise of becoming a bridging institution. However, in May 2004 the Serbian government snatched it back, and its new management has tried since to mould it into a force for division. Since the Serbian Ministry of Education appointed Radivoje Papovic to head the university, he has cut its ties with Pristina and UNMIK and attempted to re-fashion it in his own hardline Serb nationalist image. His appointment was a validation of Milosevic's

personnel and policies in Kosovo and a slap in the face for Albanians. As rector of the University of Pristina in the 1990s, he had overseen the wholesale expulsion of Albanians from the institution.¹⁰³ His approach complements that of the SNC. However, Jaksic's expectation that he would absorb the university into the SNC's patronage web has been rebuffed; Papovic is too much of a maverick, one of the few Kostunica appointments that did not go through Jaksic. At first Papovic and Jaksic chose new faculty deans together -- generally hardliners, several recycled from the former's time in Pristina. As the rivalry heated up, most sided with Papovic.

Even the Serbian Union of Universities, backed by the European University Association, objected to Papovic's appointment.¹⁰⁴ As early as 5 May 2004, Kostunica defended the appointment as a "temporary measure",¹⁰⁵ but there is no easy way to rescind it under Serbia's higher education law, and no apparent willingness. Oliver Ivanovic notes that Papovic "is being careful to observe all the legal niceties".¹⁰⁶ His allies would still dominate the faculties even if he himself were removed.

The university infrastructure, although incomplete, now seems settled in north Mitrovica.¹⁰⁷ The construction of new buildings for the philosophy and philology faculties and student dormitories appears to have ended the nomadic life that began when Albanians occupied the University of Pristina in 1999 and most faculties found accommodation in towns and cities throughout southern Serbia. Only the technical faculty was in north Mitrovica until the Serbian government reunited nearly all of them there in 2002.¹⁰⁸

From 2002 until Papovic took over, there was a degree of cooperation, including engagement by the Kosovo Serb Povratak caucus of Kosovo Assembly members that enabled UNMIK to accommodate Serb wishes in the higher education law passed by the Kosovo Assembly and the Education Ministry to license the university, which

⁹⁸ Crisis Group interviews, June 2005.

⁹⁹ See Crisis Group Report, *Kosovo: Toward Final Status*, op. cit., p. 12, fn. 67.

¹⁰⁰ UNMIK Press Release, "Mitrovica Hospital under Blockade", UNMIK/PR/57, 30 September 1999.

¹⁰¹ Ibid.

¹⁰² Albanians were reportedly able to continue using the hospital on an individual and discreet basis, but not since the March 2004 riots.

¹⁰³ The man he replaced, Gojko Savic, is a member of Oliver Ivanovic's political group, the Serb List for Kosovo and Metohija, formerly the Povratak coalition.

¹⁰⁴ "EUA Statement on the Dismissal by the Serbian Minister of Education of the Rector of the University of Kosovska Mitrovica", Brussels, 2 June 2004.

¹⁰⁵ Meeting with SRSG Holkeri, referenced by acting SRSG Brayshaw in a letter to Prime Minister Kostunica, 15 June 2004.

¹⁰⁶ Crisis Group interview, north Mitrovica, 23 June 2005.

¹⁰⁷ For example, it lacks a library.

¹⁰⁸ Some were located in other parts of north Kosovo: the agriculture faculty in Leposavic, the electro-technical branch in Zubin Potok, and the art faculty in Zvecan (parts of which were later devolved to Gracanica but may have returned to Zvecan).

in turn relinquished the old Pristina name in favour of "the University of Mitrovica". Although the Education Ministry did not offer budget support, some donor funds came in, tied to agreement that the university would reduce its twenty faculties, specialise more in the needs of the Mitrovica region, and eventually welcome Albanian students.

This was opening the way for the university's European recognition in the framework of the Bologna Process¹⁰⁹ and participation in student exchanges, as well as inter-community projects. In fact, during this period the main bar on progress was Albanian reticence. The Kosovo government and Assembly leaders made no effort to correct the widespread perception among Albanians that the university was still an illegal parallel structure, though they had accepted the amendments brokered by UNMIK to the higher education law.¹¹⁰ The now completely Albanian University of Pristina showed no interest in any partnership, though two of its own faculties -- the Higher Technical School and the Mining and Metallurgy faculty -- are in south Mitrovica. It rejected two Serb applicants from north Mitrovica for its 2003 "summer university", and some Mitrovica students reportedly complain that even before Papovic, Albanian students from Pristina showed little interest in interaction.¹¹¹

Donor funding has ceased,¹¹² and Papovic is pushing to resume the name "University of Pristina". This reversion to a Serbia-centric mode of operation has impacted on the rhythm of teaching, which is now organised just once a month, when lecturers from Belgrade, Nis, and Novi Sad universities are contracted to pay flying visits, teaching for up to six hours over one or two days. A professor reportedly complained of this "ridiculous organisation of the university", the product of a "Serbian

government policy intended at whatever cost to keep a university in Mitrovica". He said the academic work is not serious, motivated only by the large pay.¹¹³

Encouragingly, for all Papovic's rabble-rousing and track record in encouraging mob action,¹¹⁴ he has not carried the student body with him. Most are unhappy with the political baggage his leadership has brought -- the exception is a clique of Montenegrin Serb students who "adore Papovic and act like tough guys around campus". Many students are from Serbia proper, and most are concerned that his isolationist line may have repercussions for international recognition of their degrees and has reduced the chances for exchanges and attracting international academic staff. Some are also frustrated that his presence has foreclosed the possibility for more projects and cooperation with Albanians.¹¹⁵

UNMIK reacted limply to the Papovic appointment, restricting itself to a brief flurry of verbal and written protests to Kostunica that the decision cut across its own authority under UN Security Council Resolution 1244 and violated Kosovo's Law on Higher Education. Having suggested to Kostunica that, "Mr Papovic's appointment and subsequent illegal dismissals...place the licence of the University of Mitrovica in jeopardy",¹¹⁶ it failed to follow up. This further diminished its authority in north Mitrovica. The head of a diplomatic mission in Pristina privately castigated the weak response to a "clear provocation to the international community" and suggested that KFOR should have been sent in to keep Papovic out.¹¹⁷

¹⁰⁹ A reform process initiated in 1999 that aims to establish a common European higher education area by 2010. Serbia and Montenegro began to participate in 2003. Council of Europe, "Bologna for Pedestrians", at http://www.coe.int/T/DG4/HigherEducation/EHEA2010/BolognaPedestrians_en.asp.

¹¹⁰ In early September 2005, the Kosovo government's spokesman reportedly expressed a preference for the university to "disappear": "The Serb university is not ours and we do not care about [its] affairs". See Musli Krasniqi, Hamdi Miftari, and Rabie Bala, "Qeverise nuk I intereson as Universiteti serb I paligjishem, as territori yne 'ku ka banda'" (The government cares neither for the illegal Serb university, nor for our territory "where there are armed groups"), *Epoka e Re*, 2 September 2005.

¹¹¹ Information made available to Crisis Group, May 2005.

¹¹² Austria, which has a long tradition of assisting education in Kosovo, has earmarked funds for the university but they are unlikely to stay available beyond the end of 2005 unless its situation changes. Crisis Group interview with Austrian diplomats, Pristina, 2 September 2005.

¹¹³ Crisis Group interview with a student, May 2005.

¹¹⁴ His inaugural speech referred to Kosovo and Metohija as "the holy cradle of Serbia"; in 1998 he mobilised students to prevent physically the handover of some University of Pristina buildings to Albanians under the Milosevic-Rugova education agreement and later his own dismissal by Milosevic.

¹¹⁵ Information made available to Crisis Group, May 2005.

¹¹⁶ Acting SRSB Brayshaw's letter to Prime Minister Kostunica, 15 June 2004.

¹¹⁷ Crisis Group interview, Pristina, 14 January 2005.

V. THE SECURITY KEY

Examining and acting upon the components of Mitrovica's division, as described above, may provide elements of a settlement package that could stitch the city back together and facilitate an accommodation of north Kosovo with its Albanian-dominated reaches below the Ibar. The new UNMIK regional representative's activism in initiating cross-river dialogue over issues such as water management is useful. However, as UNMIK's succession of failed civilian administrators in Mitrovica who were not given the means to show they were in charge shows, major progress will remain out of reach unless the security blockage is ended. KFOR and UNMIK have not worked well enough together or with sufficient determination and clarity of purpose, and Belgrade has exploited this deficit to retain a strong grip.

A. THE UNPACIFIED NORTH

After NATO took control of Kosovo in June 1999, it provided a security overlay that theoretically terminated the struggle for Kosovo's territory. However, the war is unfinished business at the Ibar, which for six years has served as a rough demarcation of the internal boundary between victory and defeat. The protected northern reserve against the completion of the KLA insurgency's military victory is a constant source of Albanian grievance.

In contrast with the rest of Kosovo, where in crude terms Albanians emerged from the March 2004 riots with local dominance re-asserted, Mitrovica's Albanians -- who initiated the riots - were losers. They sustained hundreds of casualties and lost on the ground, while the Serbs gained in militancy and numbers, as more IDPs flowed in from the south. While the international community subsequently gave more urgent consideration to Kosovo Albanian independence aspirations, it exacted the principle of territorial decentralisation for ethnic minorities as penance for the riots. As a former UNMIK deputy administrator of Mitrovica told Mayor Spahija, "the Albanians of Mitrovica will pay the price for what is happening to Serbs elsewhere in Kosovo".¹¹⁸ This has made a simple re-unification of Mitrovica even less likely and given additional potency to the Ibar demarcation line.

1. The strategic environment

For all their lack of preparation, both the diplomatic community and the Kosovo Albanians seem to have understood that a security crunch is impending in

Mitrovica and the north.¹¹⁹ Zeri weekly cited the assessment of Western diplomatic sources that the "high level of risk" likely during final status determination will be particularly acute in north Mitrovica and north Kosovo. One diplomat foresees "blocking of the roads that link central Kosovo with the North, massive protests and...the formation of a political body by Serbs, which would create some sort of 'Serb republic' in the north of Kosovo to counter Kosovo's independence". A Kosovo Albanian security analyst has offered a similar assessment.¹²⁰

KFOR has few troops north of the Ibar, a factor not unnoticed locally or in Belgrade. The Leposavic-Zvecan highway has often been empty of KFOR troops altogether, though slightly higher activity has been observed lately, such as a static Greek patrol above Zvecan. Some Serbs hope that in extremis Belgrade's army could drive down the highway through Leposavic and take up positions on the north bank of the Ibar within hours. The capability of the Serbian army is declining, and Belgrade may not take such a risk for north Kosovo. Yet, in extreme circumstances such as a reprise of the March riots or worse, it is not beyond the realm of possibility, and mixed signals from the West could make it more likely.

Yet, an UNMIK source close to the SNC's thinking observes that north Mitrovica Serbs "know that they are at the far end of a long rope, and cannot depend on anybody. Behind their bravado they know that partition would not run neatly through the Ibar. They are basically surrounded".¹²¹ As final status approaches, this may pull them toward negotiating an accommodation within Kosovo.

A flurry of Serb concern in late 2004 over the Zvecan-Leposavic highway mapped a possible conflict scenario. Prior incidents along the highway have included an attempt by the shadowy Albanian National Army's (ANA or AKSh) to blow up the Loziste railway bridge in April 2003¹²² and the fatal shooting of an Indian UNMIK police officer in August 2003. Along most of its length, the highway is overlooked on its east side by the Shala hills. Sparsely inhabited by Albanians, with no proper roads running through them, they form a natural buffer to Albanian expansion into the Serb-dominated north and complement the rough demarcation line of the Ibar to the

¹¹⁸ Crisis Group e-mail correspondence with Edward Joseph, 18 May 2002.

¹¹⁹ Robert Fox, "1,000 UK troops on Kosovo standby", *The Independent*, 26 June 2005.

¹²⁰ Ramadan Qehaja, "Te gjitha rreziqet e sigurise ne Kosove ne kohen e statusit" (All the security risks in Kosovo at the time of status), *Zeri*, 30 June 2005.

¹²¹ Crisis Group interview, 26 August 2005.

¹²² See Crisis Group Europe Report N°153, *Pan-Albanianism: How Big a Threat to Balkan Stability?*, 25 February 2004, p. 8.

south. However, two clusters of Albanian villages in the Shala hills generate a degree of Serb concern for an encircling move; and any attempt to develop a road connection for them to Podujevo further east would produce dismay. Just above Zvecan, the villages of Zhazhe, Boletin and Lipa are delicately balanced between their own self-perception as vulnerable outposts and a Serb view of them as dangerous Albanian bridgeheads in the north.¹²³ The more northerly cluster -- Koshtove, Bistrice, and Ceraje -- is even more isolated.

The land around Serb-dominated Zubin Potok is gentler. Serb settlements south of the Ibar abut Albanian rural municipalities, and one Albanian village sits on the river's north bank. Though Serbs complain of Albanian cattle-rustling, there is much less fear. The highway leads to the Adriatic coast and is used freely by Serbs and Albanians. From the Gazivode lake, Zubin Potok controls the water supply for the region and in theory at least could turn off the taps in Mitrovica as a response to any threatening move from Albanians. Moreover, it has always had a Serb majority so Albanians would have difficulty justifying an attack. The municipal leadership also lacks the militant edge of north Mitrovica or Zvecan. With Kosovo's final status still in the balance, it prefers to steer a middle course, antagonising neither the SNC and Belgrade, nor its Albanian neighbours.

All is not peaceful, however. Zubin Potok's police station was attacked both on 3 January 2005 and 8 August,¹²⁴ as on 24 July 2005 was Zupce, a Serb highway village, in a night action that may have been a deliberate attempt to change the atmosphere as final status talks approach. At 1.30 a.m. unidentified assailants fired machine guns at houses and exploded a grenade. The villagers responded by blocking the highway for hours the same day. The UNMIK regional police commander offered to establish a semi-permanent KPS checkpoint near the village entrance to the village, where a Danish KFOR checkpoint had been removed some months before. Zubin Potok mayor Slavisa Ristic reacted with the logic of security interdependence: "In the last five and a half years, since the arrival of KFOR, citizens of the Albanian village of Cabra have been passing through the Serbian village of Zupce. There have been no problems as of yet, but in thinking about their own safety, they should also keep in

mind the security of the Serbs living in Zupce".¹²⁵ Oliver Ivanovic saw the attack as the possible beginning of an Albanian extremist drive on the eve of status talks to intimidate Serbs and raise tensions in Zubin Potok, "which in a way divides Kosovo and Metohija, on the border of the part of Kosovo where Albanians make up a majority".¹²⁶ In fact, such tension-raising would suit either side's extremists.

2. Fears of attack

Rumours of an impending Albanian "final push" have been recurring in north Mitrovica since 1999 and are all the more firmly rooted since the March 2004 riots. In late June 2004 north Mitrovica's TV Most reported that a new Albanian attack across the river was in preparation. A fresh wave of concern broke in November, concentrated on the highway linking Mitrovica and Zvecan Serbs through Leposavic to Serbia. Serb villagers south of Leposavic took to heart a statement on local radio by the Leposavic municipal president that the highway was not entirely safe.¹²⁷ The discovery of new holes or ditches and a group of men in military uniform near the highway was the basis for Belgrade newspapers such as *Kurir* to publish alarmist reports claiming the Kosovo Protection Corps was infiltrating the area, and Albanian militants were constructing trenches to cut the highway and isolate north Mitrovica and Zvecan.¹²⁸ Rumours circulated in north Mitrovica that masked, armed Albanian fighters (ANA) had stopped buses on the highway.¹²⁹ Taken together with a report from a Belgrade newspaper that UNMIK and the PISG were preparing an imminent "financial blow" to break Serb resistance in the north,¹³⁰ most north Mitrovica Serbs were convinced an effort to expel them was planned for spring 2005.

In July 2005, veteran Kosovo Albanian politician Adem Demaci ignited fresh fears with a careless warning in *Blic* that if Belgrade and UNMIK continued to hold Albanians' political demands hostage to the interests of

¹²³ Concerned they might be expelled by Serbs if thought to be assisting rioters, these villagers asked for KFOR aid during the March 2004 riots. However, KFOR perceived this to be a diversionary tactic, to draw troops away from real riot sites.

¹²⁴ On both occasions there were no casualties. Shots were fired at the building after working hours, and parked police cars were hit. The police station shares premises with the municipal authority.

¹²⁵ "Serbian village under tight security", B92, 25 July 2005.

¹²⁶ Interview with *Glas Javnosti*, reproduced in UNMIK, "Belgrade Media Highlights", 25 July 2005.

¹²⁷ Crisis Group interview with UNMIK personnel, Leposavic, 18 November 2004. Local Serbs began using the highway less and not at all after dark. Crisis Group interview with NANSEN dialogue personnel, north Mitrovica, 29 November 2004.

¹²⁸ A Crisis Group visit on 18 November 2004 indicated the village and its sister villages were in no condition or mind to threaten the highway, and neither the reports of military trench digging nor those of KPC presence had any foundation.

¹²⁹ A former north Mitrovica police station commander dismissed this as fantasy. Crisis Group interview with Joe Napolitano, 4 March 2005.

¹³⁰ *Vecernje Novosti*, 10 November 2004.

the Serb minority, they could face "violence of such dimensions that 17 March 2004 will be forgotten".

Generating and maintaining a sense of imminent Albanian threat appears to be the chief task of the Serb "International Press Centre" in north Mitrovica. On 22 June 2005, for example, it announced that UNMIK police had arrested in north Mitrovica a Kalashnikov-wielding Albanian radical known to be a member of the ANA and a ringleader in the March 2004 riots. Serbia's BK television picked this up and chided UNMIK for silence over the arrest. A step behind as usual, UNMIK and the KPS denounced the story as fiction the next day and pleaded with journalists to check such reports with them first.¹³¹ Any incident in Mitrovica is instantly spun by Serbian media as evidence of Albanian aggression, before UNMIK can react. Recently, for example, B92 reported an Albanian grenade attack upon a Serb in the Bosniak mahalla. The police later established that the grenade was thrown by two Serbs with whom the victim had quarrelled.¹³²

Neither community much trusts the international security presence. Serbs feel UNMIK and KFOR broke guarantees during the March 2004 riots, have arrested too few perpetrators, and now downplay what happened by speaking only of "the events of March". Instead of beefed-up security in the riots' wake, they see a continuing reduction. The north Mitrovica KPS has lost the brief popularity it gained during the riots. Individually and collectively, Serbs are minded to rely on their own resources for defence. One individual remarked: "I found a gun to protect myself and my family with, because I don't trust anyone. Here, changes happen overnight, and I certainly won't wait for anybody else to defend me. They showed their capability to defend us last year".¹³³ South Mitrovica Albanians feel a moderate affinity for their own KPS and high regard for the local Kosovo Protection Corps but detest the French-led KFOR in Mitrovica.

B. MITROVICA'S SECURITY STALEMATE

Each of the city's major protagonists -- Serbs, Albanians, KFOR, UNMIK -- knows that overstepping the boundaries that have been established to create a stable

instability will draw a violent reaction. Indeed, all have assumed a responsibility for policing them. UNMIK's latest initiatives to open the main bridge to traffic and hand over the north Mitrovica police station, then the regional police command, may unsettle the equilibrium without increasing the prospects for resolution.

1. Saying boo to UNMIK

UNMIK's limited engagement in north Mitrovica has in part been conditioned by KFOR's limited support.¹³⁴ A French police officer told Crisis Group of a "very bad experience with KFOR" during his Mitrovica posting in 2001-2002: "The police were in the most dangerous predicament, facing riots. KFOR refused to help and just watched us".¹³⁵ A Mitrovica-based UNMIK official described KFOR's local relationship with his organisation in 2004 as "cat and mouse".¹³⁶ KFOR's fundamental failure to subdue the hostile security environment has left UNMIK's people to reach their own accommodation with Serb parallel structures, the groups working to undermine them. The appointment of Vladimir Rakic, a water department official and former Bridge Watcher leader who reportedly was seen leading efforts to drag UNMIK police from homes and beat them during the March 2001 disturbances, to the board advising its north Mitrovica administration epitomises the UNMIK policy of seeking accommodation with its tormentors.¹³⁷

UNMIK police know that quick mobilisation of a mob (and subsequent impunity for its leaders) will follow any attempt to apprehend SNC or former Bridge Watcher leaders and that KFOR cannot be counted on, so they limit their ambitions accordingly.¹³⁸ Serb KPS officers at the north station share the deference to the SNC of their own small society. The watching presence of dozens of Serbian Ministry of Internal Affairs (MUP) officers in the city further denies primacy to UNMIK and KPS policing. Particularly after dark, there is little in north Mitrovica to protect citizens against crime, from car theft to physical attack. Locals say, "the dark will eat you".

Occasionally UNMIK headquarters in Pristina orders a more resolute policy but without securing adequate support or resources to challenge the security status quo effectively, as with the drive to free all movement on the

¹³¹ Beke Abazi, "Demantohet lajmi I mediave serbe 'se policia e UNMIK-ut ka arrestuar personin qe ia ka vene zjarrin kisheserve'" (Denial of Serbian media report 'UNMIK police have arrested a man who set fire to Serbian church'), *Zeri*, 24 June 2005.

¹³² Crisis Group interview with a UN civilian police source, north Mitrovica, 10 May 2005.

¹³³ Information made available to Crisis Group, north Mitrovica, May 2005.

¹³⁴ See Crisis Group Report, *Kosovo's Linchpin*, op. cit., pp. 9-12; Crisis Group Report, *Collapse in Kosovo*, op. cit., pp. 21-22.

¹³⁵ Crisis Group interview, 29 December 2004.

¹³⁶ Crisis Group interview, April 2004.

¹³⁷ Eyewitness testimony made available to Crisis Group, May 2002.

¹³⁸ See Crisis Group Report, *Collapse in Kosovo*, op. cit., pp. 12-13.

main bridge. Consequently the policy fades either with slight results or superficial success at best. Often, anyone crossing the main bridge from the south since June 2005 during hours UNMIK has declared it open will have been surrounded at the north end by Serb civilians demanding identification. Albanians are turned back. KFOR has withdrawn, while the police are reluctant to interfere, let alone impose their authority. Crisis Group researchers were checked on 23 June 2005 while KPS officers smoked indifferently a few metres away, and KFOR soldiers and UNMIK police drank coffee at the Dolce Vita café. The day before, an Albanian KTV cameraman was chased back to similar indifference.¹³⁹ In July Albanian residents of the Bosniak mahalla protested police unwillingness to deliver promised free movement to the (south) Mitrovica municipal authority.¹⁴⁰ Even after a 24-hour opening was announced in mid-July, an Albanian woman was sent back.¹⁴¹

2. A contest of wills?

UNMIK's decision to lock horns with the Serbs of north Mitrovica over the main bridge does not appear linked to any broader political initiative to change the status quo, or any increase in KFOR's effort in the city. The struggle is symbolic, about the priority standard, "Freedom of Movement". Other bridges are used and not contested. However, in north Mitrovica the move is seen as an attempt to break the central image of Serb resistance -- "a deliberately provocative move, part of a long-term strategy to expel the Serbs".¹⁴² UNMIK claims the effort is "furthering freedom of movement [and] building confidence between communities",¹⁴³ but in the short term it rendered the main bridge less usable and raised Serb fears to new heights -- especially given KFOR and UNMIK's failure to balance the initiative with measures to enhance Serb security. Increasingly UNMIK is seen as the partner of the Kosovo Albanians' project for independence and dominance in the north. The SNC sent messages to UNMIK police that if they persisted in trying to open the bridge, "and we feel threatened, our people shall

appear on the streets with guns. It will then be up to you to stand in front of us or behind us".¹⁴⁴

UNMIK's plans for the main bridge and control of policing in Mitrovica seem oddly divorced both from the coming contest for final status in north Mitrovica and its hinterland and from consideration of the balance of forces in the city. UNMIK chose to fight a war of attrition with the SNC and Belgrade when it had already downsized its civilian police presence in north Mitrovica from 55 officers in June 2004 to 37 in June 2005, brought forward to 17 August 2005 its plan to relinquish control over the KPS there, and further downgraded the remaining UN police presence to a monitoring team of ten. Its assertion that "we expect that people will understand the futility of this demonstration and will stop doing it"¹⁴⁵ may show misjudgement of which side has the greater staying power and determination. The SNC insists it can field Bridge Watchers around the clock if necessary by bringing in reinforcements from Zubin Potok and Leposavic. Indeed, the city's high unemployment rate guarantees the availability of a large volunteer pool.

In this battle of wills, UNMIK appeared to blink first, retreating in the last week of June from a plan to open the bridge immediately and all day, using riot squads if necessary to enforce its will. It reverted to its original plan of gradually longer openings and finally reached the 24-hour level in mid-July, when it declared victory. Serb protests have died down but not many cars use the bridge.

UNMIK police believe they may have tipped the balance by asserting themselves over an incident on 9 July, when they ignored SNC warnings and arrested a Bridge Watcher who had assaulted an Albanian pensioner.¹⁴⁶ There were actually fewer protestors than usual in the next days and a reduction in violent incidents. The SNC may have chosen to acquiesce in the belief UNMIK would be satisfied with a small victory in a minor affair. However, it was more disturbed when UNMIK police on 24 July assertively attempted to arrest a Serb youth drinking at the Dolce Vita who threw beer bottles at UN civilian police, setting off a melee in which police were attacked and responded with batons and warning shots. Abandoning its previous accommodation with north Mitrovica police station commander Roger Phillips, the SNC broadcast a demand for his dismissal the next day.

¹³⁹ Crisis Group interview with eyewitnesses.

¹⁴⁰ Beke Abazi, "Qytetaret I ankohen kryetarit Spahia se po provokohen nga ekstremistet gjate levizjes neper uren kryesore te qytetit" (Citizens petition mayor Spahia that they are harassed by extremists crossing the main city bridge), *Zeri*, 4 July 2005.

¹⁴¹ See Astrit Gashi, "Serbet pengojne levizjen" (Serbs hinder movement), *Express*, 23 July 2005.

¹⁴² Crisis Group interview with Oliver Ivanovic, north Mitrovica, 23 June 2005.

¹⁴³ UNMIK spokesperson Neeraj Singh, UNMIK weekly press conference, 22 June 2005.

¹⁴⁴ Crisis Group interview, north Mitrovica, 23 June 2005.

¹⁴⁵ UNMIK spokesperson Neeraj Singh, UNMIK weekly press conference, 22 June 2005.

¹⁴⁶ An UNMIK police officer now regrets the force did not take this assertive approach months before. He told Crisis Group that immediately following this incident, an individual formerly connected with Serbian security structures warned, "be careful, they might shoot you". When the officer replied he would shoot back, the man said, "I was only joking".

As final status consideration approaches, the SNC's overriding priority is to guard the city's status quo. Its leading members take pride in what they claim is the moderation of the bridge protests: "I tell my people to keep our side peaceful. Play music, but don't shout, don't stone. We can't afford to make a mistake. Mitrovica is too explosive. This time it wouldn't be like March 2004. It would be with guns".¹⁴⁷

But few Albanians have tested the bridge since its "opening". The Albanian TV Mitrovica station even broadcast an appeal to wait for tensions to ease before attempting to cross. Albanians appear to be gaining a certain satisfaction from witnessing Serbs wrong foot themselves over the bridge and are showing new confidence in their own powers of self-control and restraint. When in early July 2005 three Albanian children again drowned in the Ibar, the bereaved parents were quick to declare the deaths an accident; the SRSG and other dignitaries visited and unlike in March 2004, Mitrovica remained calm.

At least for now, the city's social material is not fissile enough for extremists to generate an explosion. However, some Albanian sources in Mitrovica and Pristina acknowledge there is extremist activity. A journalist conceded that the two men who deliberately drove their car into the bridge protest on 19 June, sparking the stoning melee, were brothers from Suhodoll/Suvi Do village and "known ex-KLA and criminals". There is concern that something may be prepared to coincide with the final weeks of the review of standards implementation that Norwegian Ambassador Kai Eide is conducting for the UN Secretary-General, or during the final status process itself. Security agencies are scrutinising possible links between Serb and Albanian extremist and criminal groups in and around Mitrovica.¹⁴⁸ On the Albanian side, particular attention is being given to Islamic radical groups -- which are in south Mitrovica and villages of Vushtri/Vucitrn municipality -- and to known criminals and businessmen from Drenica who are believed to have played a role in the development of the ANA and in the March 2004 riots in Mitrovica.

C. DEVOLVING POLICING

1. Removing the buffers

Given heightened Serb tensions over the main bridge, UNMIK's accelerated transfers of control to local police commands -- this happened with the north Mitrovica police station on 17 August, instead of December as originally planned -- seem more a recipe for setting up a new cross-river clash and fracturing the KPS along ethnic lines than for stabilising the city. The command transfers appear to be drawn from a generic Kosovo-wide template without adequate consideration of Mitrovica's specific security environment.

Although the north and south KPS stations both come under the Mitrovica regional police command, the Ibar strongly divides them.¹⁴⁹ Most Serb KPS officers flinch from orders to cross it, such as when they must return a car to the south station, where no Serbs work. The lack of a Serb community in the south of the city precludes any rationale for their presence. Some Albanian officers work out of the north station but they deal only with the small Albanian enclaves or are members of regional specialist units, for which there is a shortage of office space in the regional headquarters south of the river.

UNMIK describes a KPS that is maturing and integrating, pointing to the development of a multi-ethnic regional riot squad over the past year as evidence of success. Although the 30 Albanian and 19 Serb members are based separately south and north of the Ibar, they have trained together, guarded President Tadic during his February 2005 visit, despite his request that no Albanians be involved, and controlled an Albanian basketball crowd in south Mitrovica. But informed observers admit there are tensions, and "they don't want to work with each other".¹⁵⁰ One flare-up in Mitrovica could sever altogether the thin threads binding the KPS together as a unified service.

There was barely a sufficient international buffer at the Ibar in March 2004, when only the quick rallying of UNMIK police prevented Serb and Albanian officers from being drawn into fighting on opposite sides. The risk now is that Serb and Albanian KPS will each try to gain acceptance from their own community by defending it against the other. Placing management of the main bridge

¹⁴⁷ Crisis Group interview with Nebojsa Jovic, north Mitrovica, 15 July 2005.

¹⁴⁸ Unconfirmed and perhaps apocryphal stories circulate in Mitrovica that local Serb and Albanian crime bosses and extremists met in the Palace Hotel south of Mitrovica prior to the March 2004 riots and in June 2005, with money offered for riots.

¹⁴⁹ The communal and Ibar divide presents a problem when there is a suspicious death of a Serb in the north, and an autopsy is needed. There are no Serb pathologists at UNMIK's Rahovec/Orahovac mortuary in southern Kosovo, and transport is performed by an Albanian company, so each occasion provokes bitter protest from the family of the deceased.

¹⁵⁰ Crisis Group interview with UNMIK civilian police officer, June 2005.

under the monthly alternating control of the two stations offers hostages to fortune at a time when tensions are rising with the approach of final status talks. Any split between the KPS's two ethnic halves in Mitrovica would be both a boon and a target for extremist agendas on both the Albanian and Serbian sides.

2. North Mitrovica's weak KPS and its strong shadows

The Serbian Ministry of Internal Affairs' (MUP) presence in north Mitrovica has possibly become even more tangible during the past year. The MUP station -- an obvious presence behind the "Black Lady" café in breach of UN Security Council Resolution 1244 -- operates undisturbed. Its only apparent concession to UNMIK's titular rule is that its police officers do not wear uniforms. The station chief, Dragan Delibasic, commands roughly 70 officers, vastly outnumbering the ten remaining UN civilian police officers and roughly matching the KPS in north Mitrovica.

The MUP station has a mainly watching and administrative brief. After March 2004, a core of roughly 50 former members tried to revive the Bridge Watchers but the MUP has partially absorbed them, performing a similar role but less obtrusively, with officers assigned to watch particular streets. Belgrade appears to want a more direct and controlled source of street information so it does not have to rely on local groups. It also sends a signal to residents that the Serbian state is still present and pulling the strings. The station plays a crucial role in north Mitrovica society, while denying this to the KPS. Citizens turn to the MUP for authoritative intervention in resolving disputes. UNMIK police sources believe about 40 per cent of criminal complaints go through this channel, with suspects possibly bundled off to Serbia proper, but the actual figure may be much higher. It appears that MUP officers filter complaints and decide which to forward to UNMIK and the KPS.

With limited room for manoeuvre, KPS officers try to curry community favour by dealing with common crimes such as burglary, theft and intra-Serb violence, as well as car thefts and drug abuse by the young. They shy away from assisting Albanian returns, enforcing UNMIK's vehicle registration regime, arresting anyone who fought for the Serbian cause, investigating attacks upon Albanians, or other "sensitive" cases. Anonymous mobile phone text messages often warn them off specific cases, and "the cops act in perfect accordance with what is demanded of them through those threats".¹⁵¹ At the 2 December 2004 ceremony marking Zvečan station's

turnover, the presence of a group of burly bystanders sent a clear message to the KPS that they were being closely watched.¹⁵²

Most UN police and KPS commanders in Mitrovica's north police station consider the 17 August handover premature, because the KPS lacks confidence, experience and adequate numbers. A close observer commented: "It will be like letting a learner driver loose with a seven-ton lorry" and said a few more months of mentoring from the West European and Brazilian police officers would give the transition a better chance. Newly trained personnel have recently brought the KPS complement from 55 to 70 but UN police assessed that 85 capable, experienced officers are required. Few patrols are mounted, since most manpower is taken up with bridge duty and guarding the station itself. Of the 70, only sixteen former MUP officers are judged adequate. Most of the others, particularly the recent inductees, are described as "mere bodies".¹⁵³ The accelerated transition actually eroded capacity as international officers and local language assistants departed.

The KPS at the north station also lack spirit. Instructions are often carried out selectively, and street patrols frequently exhibit lack of engagement. They are reluctant to make arrests, preferring to contain a situation until international officers arrive to deal with suspects.¹⁵⁴ Some officers apparently welcome suspensions during which they continue to be paid. Many joined the KPS only for the salary. Others are interested in professional development but inadequate equipment¹⁵⁵ and a sense of being the poor relations within the Kosovo police cause demoralisation.

Many KPS officers in north Mitrovica and Zvečan view their involvement with the force as temporary. They are careful to ascertain who outside the police structure pulls the strings locally and conduct themselves accordingly. One officer reportedly said he would stay, "until we are told...by them, you know, those who are in charge, who have been deciding up to now".¹⁵⁶ An UNMIK police source underlines that: "the SNC dictates what the KPS

¹⁵² Crisis Group interview with an international official, Zvečan, 15 December 2004.

¹⁵³ Crisis Group interview, June 2005.

¹⁵⁴ A recent example was their failure to arrest an identified suspect for whom a warrant had been issued and who was brawling in a café. Leaving it to UN civilian police, the KPS officers justified their inaction with the argument that the suspect was injured.

¹⁵⁵ For example, in late June 2005 UN police at the north station had to buy a replacement battery for a patrol car because there were no funds for this in the KPS budget.

¹⁵⁶ Information made available to Crisis Group, May 2005.

¹⁵¹ Crisis Group interview with KPS officer, north Mitrovica, 22 February 2005.

can and cannot do".¹⁵⁷ Of course, north Mitrovica society is aware of this dependency, further undermining KPS credibility. As March 2004 showed, Serb KPS officers' only certain way to gain the respect of their own community is to defend it against attack from the south, that is, by acting like an ethnic militia with elements of the Bridge Watcher role. Ultimately, Belgrade carries far more weight with these officers than the KPS high command in Pristina.¹⁵⁸

3. The regional police command

UNMIK plans to transfer Mitrovica's regional police headquarters to local command by the end of 2005 -- the last of Kosovo's six regional commands to be so transferred.¹⁵⁹ Some regional specialist units will be handed over sooner. The regional traffic unit has already been transferred. If all goes to schedule, the overall shift will come shortly after formal creation of new Kosovo government ministries of internal affairs and justice and as the final status process gets underway.

It is an optimistic plan. UNMIK hopes to hold the regional command together by promoting Serbs to most leading positions, including regional commander. It is certainly fair that one of Kosovo's six regional police headquarters should have a non-Albanian in charge. Mitrovica region has three Serb-dominated and three Albanian-dominated municipalities. The likely candidate for regional commander, Ergin Medic, appears confident about projecting his authority over this mixed territory. He is also reported to believe that professionalism and a service ethic are gradually taking hold in the KPS and will help it resist outside pressures.¹⁶⁰ UNMIK does not plan to challenge the presence of the MUP stations,

preferring to take "a patient approach" by recruiting more MUP officers into the KPS.¹⁶¹ Senior officers in the almost mono-ethnic Albanian municipalities of Skenderaj/Srbica and Vushtri/Vucitrm seem relaxed about having a Serb regional commander. They are more concerned that the most sensitive regional units, such as intelligence and serious crimes, be shared more equitably than presently projected and regard an Albanian deputy commander -- the regional interface for the municipal stations -- as the necessary corollary for a Serb regional commander.¹⁶²

Yet, the social, political and security environments may prove too brittle for this to hold together. Serb KPS officers are uneasy at the prospect of working under a Pristina interior ministry. Some have reportedly threatened a boycott if an Albanian minister is appointed.¹⁶³ Senior Albanians at KPS headquarters in Pristina cannot safely visit their stations north of the Ibar,¹⁶⁴ while there are few Serbs in top positions at that headquarters. Serbs have also been reluctant to apply for positions at the regional headquarters south of the river in downtown Mitrovica, and they are correspondingly severely under-represented in regional units. At least one of those units has a standing invitation for Serb applications and has even lowered entrance criteria, with no result. UNMIK has accelerated promotion of Serbs to head regional units but some of these officers are reported to be under strong social pressure to refuse the posts. In units where integration has gone relatively well, the social pressures appear to be strengthening. In July, two Serbs from such a unit requested re-assignment north of the Ibar; one explained that, "I am regarded as a traitor in the north. I am regarded as suspicious in the south".¹⁶⁵

The persisting inability of officers to work in the other ethnic territory also contributes to the brittleness of the regional command. A capable Albanian investigator for domestic violence cases recently assigned to the north station cannot operate if either the victim or suspect are Serb. He and others are restricted to policing the

¹⁵⁷ An Albanian journalist described a small example of this. When he attempted to cross the main bridge in June 2005, a known SNC activist spotted him and spoke to a KPS lieutenant. Some minutes later the lieutenant and two other KPS officers approached the journalist and demanded his ID. They then went back to the SNC activist to report to him. Crisis Group interview, July 2005.

¹⁵⁸ And, of course, Belgrade pays parallel salaries. In June 2005, UNMIK intercepted a large consignment of dinars from Serbia, complete with a list of KPS recipients. Lorik Pustina, "Tradhtaret" (Traitors), *Express*, 17 June 2005. Police sources confirmed the basic details to Crisis Group.

¹⁵⁹ Three of the six regional police headquarters are under local KPS command already. An UNMIK police source at regional headquarters was nonplussed that no specific criteria or goals are being set as indicators of readiness for transition. Crisis Group interview, July 2005. Generally, UNMIK has hazy criteria for the timing of such transfers and tends to use the fact of transfer as an independent indicator of force maturity and security improvement.

¹⁶⁰ Information made available to Crisis Group.

¹⁶¹ Crisis Group interviews with senior UNMIK officials, Pristina, 31 August 2005.

¹⁶² Crisis Group interviews, July 2005.

¹⁶³ A senior UNMIK Organisation for Security and Cooperation in Europe (OSCE) pillar source has reportedly voiced concern about this. See Artan Mustafa, "Jo - Minister Shqiptar" (No to an Albanian minister), *Express*, 2 August 2005.

¹⁶⁴ They respected a warning from the Zvecan municipal authority to stay away from the Zvecan police station command transfer ceremony in early December 2004. They also did not attend the north Mitrovica station transfer ceremony on 17 August 2005.

¹⁶⁵ Crisis Group interview with a police commander, July 2005.

isolated Albanian communities. They would get no cooperation in the Serb community and would likely be attacked. Even if tensions relaxed, there would be a language barrier since many Albanian officers do not speak Serbian and vice versa -- that has not been a police entry requirement. In the one regional unit -- traffic -- that has regularly deployed mixed patrols north and south of the Ibar, this causes constant problems in dealings with the public.

In short, the Mitrovica regional command will likely be pulled apart during the final status process if not given more help than is presently planned.

VI. CHARTING A SOLUTION

Any terms of settlement for Mitrovica and Kosovo's north cannot depart too far from the status quo of the last six years, since neither side will want to grant the other something not merited by its local strength. Any proposals that leave north Kosovo inside an independent Kosovo risk provoking Serb mutiny no matter how they are couched. The balance of forces in the north is delicate, and the risk that a negotiated settlement will either not be reached or will not hold is high. A settlement will have to take in Serb strength on the ground and the lack of legitimacy accorded there to Pristina government institutions. But it will also have to reflect the Contact Group's guarantee of territorial integrity and its bottom line that there will be no return to Serbia's control of Kosovo. The balance between these conflicting relative advantages is not fixed. Much will depend on the parties' perception of how determined their respective guarantors are. Will Serbia's determination to be the dominant factor in north Kosovo outlast the Contact Group's dedication to its no-partition guarantee?

The international community's goal should be a Kosovo state architecture that allows the Serbs of the north considerable practical autonomy and security against Albanian domination, but not the right to secede or re-introduce elements of the Serbian state other than as agreed with Kosovo's government. Mitrovica's role should be that of a service centre for Serbs Kosovo-wide, with Pristina devolving elements of government to it to administer those services.

A. PROCESS

1. Timing

Leaving Mitrovica until last, waiting on the completion of the rest of the final status process, would create a dangerous hostage to fortune that could derail the whole exercise. Paying insufficient attention to it in the meantime would exacerbate the risks of one or both sides trying to impose a solution on the ground outside the process. Equally, Mitrovica and the north will not be resolved without the leverage of decisions having been taken on Kosovo's overall status. These factors should guide the Contact Group and UN envoys in structuring the final status process. They should at least mark its start by expressing an opinion on its favoured outcome: that Kosovo become a functional, conditionally independent state within its established borders.

Any less clarity would leave the overall Kosovo status negotiations at risk of being overwhelmed by developments on the ground requiring crisis management.

It would also make it difficult to attempt the concentrated effort to settle Mitrovica and the north that should be pursued energetically early in the process. International officials in Kosovo regard the UN Temporary Administration in (Croatia's) Eastern Slavonia (UNTAES) as the most appropriate and successful regional model to adapt and apply in north Kosovo and Mitrovica. A key element in its success was that the desired outcome was established at the outset, unlike with Bosnia's Brcko, which was left open for future rounds of arbitration. A top UNMIK official commented: "Brcko-like ideas appal me. We do not need another holding operation".¹⁶⁶

If this effort is to have traction with the protagonists, there needs to be a degree of prior certainty over what the final dispensation for Kosovo will be since neither side will want to budge over Mitrovica while their maximalist positions remain in play. Maintaining a façade that it can be whatever the protagonists can agree is unhelpful. Maximising the degree to which the future settlement is composed of elements agreed by the sides is desirable, of course, because it reduces the risk of new conflict. However, only the progressive narrowing of the envelope by the international community and the prospect of arbitration are likely to produce such a situation. The international community needs to detail its final status framework more boldly to assist the success of the Mitrovica track, which in turn would further clarify the ground rules for the rest of the final status process.

2. Building capacity

The effort to resolve Mitrovica and the north should be led by a Special Commissioner with the rank of Deputy SRSG, closely linked to the negotiators, and with credible security forces under his or her authority. The Contact Group should choose such an official -- ideally from a NATO country, with military background and experience in civilian implementation -- mandated to bridge the negotiation, administration, and enforcement functions and reporting both to the UN Special Envoy

for Kosovo status negotiations and to the SRSG. In parallel, the international community should increase human, financial, and security resources in Mitrovica and the north.

Despite its importance for Kosovo's future, Mitrovica remains a backwater in terms of the attention, energy, and resources UNMIK and the wider international community devote to it. The two UNMIK officials recently tasked by the SRSG with proposing solutions have suggested determining the desired end state and then working back to identify the necessary steps.¹⁶⁷ However, UNMIK has a legacy of unfulfilled steps and ingrained expectations of failure to overcome. Even measures with an outward appearance of success prove hollow on closer examination, such as the formal 24-hour opening of the main Mitrovica bridge. As former Prime Minister Bajram Rexhepi expresses it, "there is a big gap between thinking, saying, and doing in this environment".¹⁶⁸

A new broom is required, with real energy, coherence, and authority, to enforce international policies in Mitrovica. In fact, the degree of fragile stability there to date is a by-product of Serb confidence in UNMIK's impotence to break the stalemate. The sense of the international community winding down a half-hearted effort in Mitrovica needs to give way to a sense of gearing up. The Special Commissioner should harness and coordinate existing international resources and bring in more to strengthen capacity and fill identified gaps. Orientation should change from routine work to project mode. International staff in the city privately voice concern that they are not being asked to work toward any coherent end strategy. They have the impression that their feedback is not listened to in UNMIK headquarters, which passes down instructions without any consultation.¹⁶⁹

It is crucially important that more security capacity be available for the period of negotiation. Security should be stepped up, rather than stripped away as is presently happening. The schedule for transitioning to local police commands should be slowed down, also to allow the Mitrovica track of final status talks to address composition of the KPS northern regional command. The addition of a significant and credible new contingent of KFOR troops for Mitrovica and the north, and the deployment under UNMIK's aegis of a significant body of paramilitary

¹⁶⁶ Crisis Group interview, 30 August 2005. UNTAES ran from January 1996 to January 1998, to re-integrate Serb-held Eastern Slavonia back into Croatia, following the Erdut Agreement of November 1995. The mission's clear mandate and unity of civil and military command under a single vigorous administrator helped it achieve its major goal, although a significant number of the region's Serb population moved away. The 1995 Dayton Agreement left the final status of Bosnia's strategic town of Brcko open to arbitration, a process which eventually produced a much more intrusive international regime in the town. See Crisis Group Europe Report N°49, *Breaking the Logjam: Refugee Returns to Croatia*, 9 November 1998; and Crisis Group Europe Report N°144, *Bosnia's Brcko: Getting In, Getting On and Getting Out*, 2 June 2003.

¹⁶⁷ Crisis Group interviews with Craig Jenness, minorities adviser in the SRSG's office, and Gerard Gallucci, UNMIK representative in Mitrovica region, July 2005.

¹⁶⁸ Crisis Group interview, south Mitrovica, 12 July 2005.

¹⁶⁹ Crisis Group interviews, Mitrovica, 13 May and 23 June 2005.

police such as the new joint European Gendarmerie Force¹⁷⁰ would have a stabilising effect and signal new determination. Serbs cannot be expected to relinquish or relax their parallel security structures without a stronger security guarantee from the international community. KFOR's proposed re-organisation -- replacing the regional brigades with a new task force structure -- gives an opportunity to produce a more effective, goal-oriented security presence in the north.

Another factor in the success of UNTAES was that the administrator directly controlled international security forces and made an early show of his resolve to use them.¹⁷¹ By contrast, efforts to unite divided areas such as Mostar met with less success when they did not adequately address the underlying security gap.¹⁷²

3. Building a vision for settlement

Just as with Kosovo's final status itself, key determinations on Mitrovica and the north will come from the international community but the Albanian and Serb elites must be willing to make them work. Present prospects look discouraging. Neither Pristina, Belgrade nor Mitrovica is yet focused on reaching a deal. It is unclear who the partners could be on each side. Albanian political leadership is fragmented and weak. The Kostunica government in Belgrade has blocked the efforts of Oliver Ivanovic's poorly supported Serb List for Kosovo and Metohija to represent Kosovo Serbs, while the SNC that Kostunica favours has so far refused engagement with UNMIK or the PISG. The unfinished war in Kosovo and the partial Albanian victory mean that the elites still approach the final outcome like a poker game. Political vision is in short supply. The question is how much can be stimulated.

When Kosovo Albanian political parties -- hopefully very soon -- agree on a format for working groups to prepare negotiating principles for final status talks, UNMIK

should make clear to them the need to work on building a platform specifically for resolving Mitrovica and the north, within the international parameters ruling out partition and stipulating strong decentralisation. Civil society figures interested in Mitrovica should be invited to supplement a Mitrovica working group. The Special Commissioner ought to work with this team and try to stimulate similar development on the Kosovo Serb side through the mayors of the three northern municipalities, the leadership of the Serb List for Kosovo and Metohija, and the SNC.

A mix of Kosovo-wide and Mitrovica representatives in these platform-forming bodies would reflect the fact that the overall final status settlement and Mitrovica's will affect one another. The local Albanian and Serb communities know they do not have adequate leadership to negotiate a solution to their Mitrovica impasse. However, they still wish to be involved. Some in south Mitrovica say unfounded agitation that the ESI proposal of February 2004 to create a new Serb municipality of north Mitrovica and Zvecan was about to be implemented over their heads was an element in the lead-up to the next month's riots.¹⁷³ Any solution debated in Mitrovica, they say, has a better chance of acceptance than a ready-made formula from elsewhere. They want a degree of control over a process that is open to wide participation. Mitrovica Serbs want Belgrade to negotiate on their behalf but to consult first and establish their needs and wishes. Most are frustrated that it stakes out positions without considering their views.

The international community will have to orchestrate much of the debate within these forums by making plainer the bounds of the envelope available for a settlement. In particular, it needs to convince the two elites to make calibrated, conditional offers to each other. The more the principles for governance of Mitrovica and the north are constructed in spite of rather than from their respective offers, the less chance they will stick. Nevertheless, a settlement of Mitrovica and the north should not be held hostage either to Kosovo Albanian political dysfunction or to Serb boycott. Both sides may well not produce adequate political offers within the time frame envisioned here -- the early months of the final status process. The Special Commissioner must be prepared to force the pace.

¹⁷⁰ The European Gendarmerie Force was established in September 2004 for precisely such purposes. With headquarters in Vincenzo, Italy, and personnel contributed from Italy, Spain, France, Portugal and the Netherlands, it is expected to become operational in the next few weeks. Crisis Group interview with EU Council Secretariat, 6 September 2005.

¹⁷¹ The first UNTAES chief, Jacques Klein, deployed UN forces in aggressive military operations against Serbian paramilitary forces. They made the first arrest of an indictee of the International Criminal Tribunal for the former Yugoslavia (ICTY). Serbian paramilitaries got the message, and many departed, leaving Klein able to proceed with the civilian portion of his mission.

¹⁷² Notably, both Mostar and Mitrovica have been areas of French military responsibility, and the security failures in both cities bear certain similarities.

¹⁷³ Crisis Group interview with Nansen Dialogue staff, south Mitrovica, 1 December 2004. In fact, the ESI proposal was nowhere near implementation. However, the interest with which it was greeted at the time by Kosovo Albanian leaders such as Prime Minister Rexhepi and Veton Surroi and Marko Jaksic's present rhetorical adoption of it suggest that it contains promising elements of a possible compromise settlement. This report has attempted to build on some of those elements.

The Special Commissioner should devise a process that increases the chance the settlement can transform rather than merely formalise the existing divisions in Mitrovica and the north. He or she should, therefore, develop forums that expand citizen participation in the negotiation process rather than leaving it the exclusive property of political elites. The Special Commissioner should also propose a range of ideas to expand the negotiating agenda and build upon dialogue forums now being developed by the present UNMIK regional representative.

The Contact Group's "no" to partition comforted Albanians but equally discomforted many Serbs. The international community should explain to the Albanians that they cannot sit on this guarantee. They must offer something to the Serbs of north Kosovo that is aimed at securing their acceptance of the no-partition principle. To encourage Albanians to formulate a realistic vision for governance of Mitrovica and the north, the international community should spell out that:

- ❑ centralised control of the north from Pristina is not feasible; it is the character of decentralisation and the balance of central/regional responsibility, authority and capacity that need to be determined;
- ❑ delay in presenting a serious offer increases the chance for Belgrade to make headway with its territorial compensation arguments; and
- ❑ a good offer would facilitate establishment of Kosovo's security structures, since lack of clarity about how Albanian-dominated structures might operate in relation to Mitrovica and the north is one of the factors holding up their development.

Albanians should outline:

- ❑ the degree of authority to be decentralised to the three Serb-dominated municipalities of the north, the principle of a Serb municipal unit within Mitrovica, and how these arrangements would be entrenched in a new Kosovo constitution; and
- ❑ the structures through which the north would interact with central Kosovo institutions and enjoy cooperation and interaction with Belgrade, as well as the possibility of instituting a Serb deputy prime minister position and moving two or three government ministries to Mitrovica.

Further mechanisms to guarantee Serb security north of the Ibar could be offered, such as arrangements that would meet part way Serb aspirations to control policing and justice in their areas. Kosovo Albanians could explicitly endorse the role for municipal authorities in appointment of local police chiefs proposed in UNMIK's

draft police regulation,¹⁷⁴ and they could offer to relocate the Supreme Court to central Mitrovica. For the Mitrovica region they could propose a standing security oversight board with strong Kosovo Serb representation, an international casting vote and the right of prior approval for any large police operations or movements of Kosovo defence forces there.¹⁷⁵ To advance a new shared security understanding, Albanians could offer to subject the fate of the KPC's regional headquarters in south Mitrovica to the oversight board's decision, provided the MUP regional headquarters in north Mitrovica was eliminated.¹⁷⁶

Mitrovica as a healthcare, education, social service, and cultural support centre for Kosovo's full Serb population could be proposed, together with detailed talks to realise it. Albanians could make their offer of the Serb municipal unit within Mitrovica conditional on modification of links with Belgrade. For example, they might suggest that a Mitrovica-based, largely Serb-staffed Ministry of Finance and Economy unit, run by a Serb deputy minister, administer funding -- from the Kosovo budget, the international community, and ultimately Belgrade -- for the institutions that would evolve from the existing parallel institutions.

Equally, the Contact Group and Special Commissioner should require more accountability from Belgrade for the actions of its proxies in north Mitrovica. They should engage Belgrade in a dialogue on the city's future and work with it on giving legitimate forms to Serb leadership in the city.

B. SUBSTANCE

1. Transforming services

Neither Milan Ivanovic's leadership of the regional hospital nor Radivoje Papovic's of the university should survive. With energetic Contact Group backing, the Special Commissioner should deal quickly with both posts, setting deadlines for the appointment of new chiefs and implicitly threatening physical occupation by international security forces in the event of Belgrade and SNC opposition. The Special Commissioner should offer a formula for selecting new leaders, for example consensus approval from Serb and Kosovo ministries

¹⁷⁴ Similar to the arrangement reached in Macedonia, the regulation stipulates that the police commissioner would propose several candidates from which the municipal authorities could choose.

¹⁷⁵ Such security oversight bodies might also be constituted in all of Kosovo's other five regional police commands.

¹⁷⁶ Any transformation of the KPC is likely in any case to centralise it in Pristina, and dispense with much of its present zonal territorial structure.

and UNMIK. If consensus is not possible, the Special Commissioner and UNMIK would appoint the candidates they deemed most suitable.

To equip the new leaderships to implement expanded mandates, donors could make a revolving fund available through the Kosovo Consolidated Budget. The regional hospital should be set targets for taking on Albanian staff and treating Albanian patients, perhaps 10 to 20 per cent in the first year, rising to an Albanian staff ceiling of 30 per cent and patient ceiling of 50 per cent.

The new university chief should pursue the course the institution followed under Gojko Savic, only more boldly. Armed with the revolving fund and an UNMIK decree (and ideally a similar one from Belgrade) voiding Papovic's appointments, the rector should modernise and reorganise the faculties, attract staff from the wider western Balkan region, including some Albanians, consider making English the language of instruction in some faculties, organise exchanges with the University of Pristina, particularly around the latter's 2006 "summer university", and have at least 10 per cent intake of non-Serb students by the second academic year.

The Special Commissioner should also preside over two additional service innovations designed to expand Mitrovica's role in relation to Kosovo's entire Serb community. He should mediate with Belgrade and the Coordination Centre in north Mitrovica to oversee a job advertising, selection, and appointments process on behalf of Kosovo's Ministry of Economy and Finance to recruit staff for an outreach unit, to be located on the premises of the Coordination Centre. This should be the beginning of the administration for Kosovo-wide Serb non-territorial cultural and personal autonomy in healthcare, education and other social spheres. Donors should help start it off with another revolving fund, delivered through the Kosovo Ministry of Economy and Finance, so staff would arrive at the Coordination Centre with their own "dowry". To give Belgrade an incentive to cooperate with Pristina on this, matching funds might be offered to its parallel structures for a few years provided they went this transparent route. If Belgrade declines to wrap its parallel structures into the PISG on these advantageous terms in 2006, the offer should be withdrawn. The EU, IMF and development banks should then tighten their policies to prevent Serbia from using their aid and soft loans to support the illegal structures Kosovo.

Another donor grant should help start a Mitrovica outpost of Kosovo's RTK public television in order to launch a Serb language RTK-2 channel for Kosovo-wide broadcast. Ideally sited south of the river in a central district, it would be an occupational hub drawing the communities toward one another in central Mitrovica.

2. New municipal arrangement of Mitrovica

Given all the baggage that Mitrovica will take into post-status Kosovo, what formula offers the most realistic prospect of a settled, unified city? The logic of the decentralisation pilot projects mandated in Kosovo by the Security Council and Contact Group after the March 2004 riots makes it appear inevitable that any significant Serb majority area can become a local government unit. In effect, the structure of such a new municipal unit has existed in north Mitrovica since late 2002, only headed by an UNMIK administrator, not an elected mayor. The Serb majority there is a consequence of post-war ethnic cleansing but international staff privately concur that offering the north the status of a separate municipal unit is probably the only way to head off partition. Such a unit would for the first time establish a legitimate, elected Serb leadership in the city.

Alternative strategies suggested for reconfiguring Mitrovica would either absorb north Mitrovica into Zvecan or split the city into sub-units, bonded by a common municipal board. The former approach, proposed by ESI in 2004, would see Mitrovica as the meeting point of two neighbouring counties, thereby dulling the city's own sense of identity. The second approach, advocated, for example, by Oliver Ivanovic, would seek to heighten the city's distinctness, making it a stronger centre of gravity.¹⁷⁷

Uniting north Mitrovica with Zvecan would offer Serbs the security of numbers that could encourage them to accept more cross-Ibar activity. Roughly 20,000 Serbs would outnumber Albanians by two to one even if the maximum possible number of Albanians returned to north Mitrovica. It is an open question, however, whether the two administrations would willingly accept unification. Zvecan municipality and the Serb-staffed UNMIK administration of north Mitrovica have developed their own bureaucratic interests, and with jobs scarce, neither might be keen on amalgamation.

It is also an open question whether north Mitrovica without Zvecan's 7,000 Serbs could sustain a comfortable Serb majority. Although a stand-alone north Mitrovica municipality might allow for more political variation north of the Ibar, less security about the permanence of its Serb majority might make it less amenable to the rule of law and Albanian returns and more reliant on eminent domain measures incompatible with property rights and freedom of movement. The Special Commissioner should decide by the end of 2005, based on wide consultations

¹⁷⁷ Oliver Ivanovic suggests dividing Mitrovica into three municipal units, which could blur the city's hard-edged Albanian-Serb duality.

and information about population numbers, including IDPs with unsold property in north Mitrovica. He or she should extract undertakings on Albanian returns from Serb leaders in return for demarcation of the new boundaries. The Special Commissioner is likely to decide to appoint councillors initially rather than go straight to a municipal election in the north, since drawing up the electoral rolls would be delicate and probably require at least several months.

Actually making returns happen in 2006 will require close tactical attention from the Special Commissioner. The ESI proposal envisaged awarding Mitrovica Serbs their new municipality only after they had already accepted significant numbers of Albanians back. Success is likelier to come from linking stages in establishment of the new municipality to certain levels of returns.

3. A space for unification

If Mitrovica is left to a simple duality of a Serb municipality north of the Ibar and an Albanian municipality to its south, there would be few reasons for either community to venture across or cooperate. Instead of working out modalities to revive common facilities, the tendency would be to build replacements for whatever was missing in their own half of the city, and if, as likely, there was not enough money, to continue to do without.

The central "confidence zone" maintained for the last five years should not be abandoned. A limited cross-river district should be kept as an inter-municipal zone, to soften the divide and produce more fluid city politics. The Special Commissioner would need to fix its electoral arrangements. The cultural centre and the downtown sports complex, both on the south bank, should be part of it, as should the city library, and subject to joint management and upkeep. The central district could house institutions with inter-ethnic bridging functions, at both city and state level, the latter perhaps including the proposed RTK-2, a Kosovo Ministry of Economy and Finance outreach unit, and other parts of ministries and institutions relocated from Pristina such as the Kosovo Supreme Court and including devolved, largely Serb-staffed, departments of other ministries involved in administering the autonomous Kosovo-wide system of education, healthcare, social and cultural services for Serbs that would absorb Belgrade's parallel structures. The more that Pristina can devolve to Mitrovica, the greater the chances that Serbs and Serbia will accept a role for the city as a hub through which they can cooperate to sustain Serb communities throughout Kosovo, and enjoy a stake in Kosovo's central government and institutions.

As part of the new arrangements, the Special Commissioner should institute a common city board,

with its seat in the central district and officials delegated by both municipalities. Where the Kosovo Ministry of Economy and Finance now deducts a set share of Mitrovica municipality's budget to finance the interim UNMIK administration in north Mitrovica, each of the two newly demarcated municipalities should similarly direct a set share of their budgets to the common board automatically. Its duties could encompass city-wide management issues, management of shared facilities such as the cultural centre, sports complex, and library, and -- as far as there was a will -- city and inter-municipal development initiatives. Donors could strengthen its role by routing Mitrovica's development aid through it.

4. The city economy

A multi-track investment program is needed to inject life back into the economy, though only what can be done in the short term without generating an unsustainable bubble. The city's infrastructure is run down and badly polluted. Education levels are poor, and the workforce's skills obsolete. Record world market prices for lead and zinc have made a limited resumption of mining feasible but the Trepca manager cites low capacity and morale among the Serb and Albanian work force as the main operational challenge. Planning is also afoot to restart the Zvecan car battery recycling plant, and re-activation of the zinc smelter and car battery production line in south Mitrovica is being studied.¹⁷⁸ However, if the Special Chamber of the Kosovo Supreme Court upholds the claim of any of the foreign companies that worked with the Milosevic-era Serbian management in the 1990s, Trepca will probably have to be liquidated. Support is needed for creating new small and medium-sized business enterprises. Making development funds available through banks would both stimulate the banking system and tend to increase recourse to the UNMIK/Kosovo court system, as discussed above. Both programs to support business enterprises and tenders for an array of infrastructure projects could be conditioned on compliance with cross-community hiring. Special attention should be given to transparency of tender processes.

5. Security arrangements for north Kosovo

The foundation for any settlement in the north that is not partition will need to include greater engagement on security matters by UNMIK and particularly KFOR. The latter should explicitly make Mitrovica and the north its primary operational focus and re-arrange its brigade structure accordingly. International police and

¹⁷⁸ Crisis Group interview with Charles Carron Brown, 20 April 2005.

customs officers are needed at the Leposavic and Zubin Potok boundary crossings to Serbia-Montenegro, and as discussed at length above, UNMIK plans to hand over local policy responsibility as if the Mitrovica region was like any other in Kosovo are unrealistic and dangerous. International commanders and officers should continue to bolster the regional command and the Mitrovica north police station until a viable and credible Albanian-Serb security consensus for the north has been reached and can be implemented. A territorially whole Kosovo depends upon Albanians and Serbs reaching and sustaining a shared vision for security management of the north. If negotiations are against a background of international withdrawal, they will be an exercise in entrenching division.

The difficult balance needed involves Serb acceptance of the Kosovo state in return for Albanian guarantees to sub-contract arrangements for security in the north. Both sides require a reliable oversight mechanism that ensures exclusion from north Kosovo of Serbia's security structures and that Kosovo's future Albanian-dominated forces cannot operate there with free rein. The Special Commissioner should work to secure or arbitrate such a shared concept and locate a joint Serb-Albanian-international security coordination body in the central Mitrovica district to oversee its implementation. He or she should also involve this body in the management of other important security issues that need to be addressed in 2006, including removal of the MUP station from north Mitrovica and introduction of Kosovo car licence plates.

Structured Albanian-Serb talks might well agree to sub-contract important elements of policing and border management in the north to internationals on a more permanent basis. The border with Serbia illustrates why. Even joint oversight, quota arrangements and rotation schedules would not solve the problem there. Serbs would likely see Albanians controlling the border as an existential threat. As one said, "At some stage the Albanians will not be able to hide their appetite for power in the north. They will put their people at the border with Serbia and conflict will break out".¹⁷⁹ Albanians would likely consider their independence compromised if they could not control all sectors of that border, even if only because the smuggling possibilities would -- as now -- cripple revenue-raising and regulation of the economy.

Sub-contracting border responsibilities to internationals could be a compromise solution, one that might set a precedent for other areas of a final settlement, including the higher courts, the procuracy, and the auditor general's office. The more that internationals are embedded in a

future Kosovo state structure, the more Serbs will feel reassured. While Albanians may bristle at an ongoing international role, the stability of a settlement ultimately depends on each community's perception of whether the new state arrangement will protect them. The overall constitutional architecture is at least as important as the police and security structures. It must contain checks and balances at all levels, not only in the north, that will bind Serbs in, such as a second reviewing chamber of the Assembly weighted in favour of minority communities; Serb deputy minister positions; a possible deputy prime minister post; and supreme and constitutional court panels with equal mixes of Albanian, Serb, and international judges rather than an ethnic majority.

6. Overarching structure

Serbia has mostly rejected Serb integration into Pristina's central institutions, pursuing instead ethnic territorial separation within Kosovo.¹⁸⁰ If it cannot get partition, it will at least play for Kosovo's organisation on the Bosnia-Herzegovina model, with Serbs having the status of one of Kosovo's two constituent peoples. Sovereignty would effectively reside in each entity, which would agree to pool it in common institutions for limited issues. This arrangement could pave the way for later partition.

The Contact Group has supported SRSG Jessen-Petersen's concept of decentralisation as a Pristina-led process with powers delegated from central institutions to municipal units and new such units created. There are 30 municipalities. Five pilot projects under discussion will add five more, including two further Serb-majority municipalities (Gracanica and Partes) to the two already south of the Ibar (Strpce and Novo Brdo), thus establishing a growing counterweight to the three northern municipalities. Proposals for Kosovo local government reform from the Council of Europe in 2003 included a new lower layer of numerous sub-municipal units, while in early August 2005 Oliver Ivanovic called for sub-divisions into 70 municipalities. UNMIK and the Contact Group are steering a middle course between the Albanian wish to privilege central institutions, giving municipalities only local prerogatives, and Belgrade's demand that Serb municipalities receive wide powers, including policing and justice, and have their aggregation into a "region" be constitutionally sealed.¹⁸¹

The Contact Group has not yet allowed Belgrade's direct participation in the decentralisation process, nor shown enthusiasm for uniting Serb municipalities under any

¹⁷⁹ Crisis Group interview with Nenad Radosavljevic, Leposavic, 23 June 2005.

¹⁸⁰ See Crisis Group Report, *Kosovo: Toward Final Status*, op. cit., pp. 16-17.

¹⁸¹ See Ibid for discussion of the plan proposed by the Serbian government in April 2004.

territorial authority other than the central government, but it has made evident that it views areas of compact Serb settlement as bases for new municipalities to which a significant voice in policing should be devolved. Should the Contact Group in coming months back a role for Belgrade in negotiating Kosovo's decentralisation, it ought first to issue a declaration to the effect that decentralisation should be discussed in terms of Kosovo's future as a functional, conditionally independent state.

Equipped with such a guarantee, Albanians should assist the creation of viable Serb-majority municipalities south of the Ibar in the interest of preserving Kosovo's territorial unity and should offer to guarantee the rights of municipalities vis-à-vis the central authorities in new constitutional arrangements. This should reassure Serbs that devolved powers could not in future be taken away by fiat as well as reinforce the relationship between central government and municipalities as direct, not admitting any intermediate level of territorial or entity government.

Albanians should exercise particular care to allow the new Gracanica municipality, just south of Pristina, to expand to boundaries local Serbs would consider natural. The larger and more vigorous it can become (and it will still be surrounded by Albanian-majority municipalities), the more Serbia will be obliged to consider it in the final status reckoning rather than negotiate to divide Kosovo at the Ibar. Gracanica's municipal boundaries could stretch south to take in Serb villages and their farmland presently in Lipjan/Lipljan municipality.

Pristina initially tried to restrict the decentralisation pilot project to the major village of Gracanica itself without hinterland. After the Contact Group ordered the government to re-think, it came up with larger boundaries, including the fast-growing Albanian village of Hajvali/Ajvalia and still excluding the strategic highway straddling the Serb village of Caglavica. This rearrangement is unsatisfactory to the Serbs of Caglavica since it would create a near even mix of Serbs and Albanians, ensuring an Albanian majority in years to come. New Albanian construction has reached the northern edge of this area, and Serbs justifiably fear strategic Albanian purchases are the first steps in ultimately pushing out their community.¹⁸² The government has similarly proposed adding an Albanian village to the pilot municipal unit of Partes that would reduce the Serb majority to a bare minimum.

Albanian opposition parties attack the government for accommodating the Serbs and internationals while obtaining insufficient guarantees on final status and allegedly risking partition. The government regards its own proposals as a holding operation to pacify the international community and has not dared to offer any meaningful concessions to Serbs prior to agreeing a consensus negotiating platform with the opposition. But strategic concessions are needed now. As they are, the government's proposals facilitate latent Albanian ambitions to whittle away the Serb presence in central Kosovo.

The future Kosovo constitution, in addition to delineating the powers and relationships of municipalities and the central authorities, could also codify the proposed cross-ministry, non-territorial system for autonomous Serb education, healthcare and social services, which would allow Serb municipalities to coordinate policies and development without separating from the central government. Without explicit concession of a "constituent people" basis for a Serb entity -- in present circumstances that would likely be a step toward partition -- the constitution could offer a mix of institutional solutions that would allow the northern municipalities to construct for themselves something very close to an autonomous region. Serb-majority municipalities south of the Ibar might also participate on a voluntary association basis through the Serb service units of the relevant central ministries (sited variously in Mitrovica, Pristina, and Gracanica), which would facilitate coordination of initiatives and the possibility for the municipalities to join in passing municipal-level laws. Virtual autonomy of Kosovo's Serb-majority northern municipalities in security matters would be overseen by the proposed joint Serb-Albanian-international security coordination body in Mitrovica.

Further guarantees might be considered to maximise the attractiveness of these options, both to Kosovo Serbs and to Serbia itself. Kosovo Serbs could be offered double-citizenship and assurances that the border with Serbia would be an open one and that whatever new code arrangements were made for Kosovo's telephone system, calls to Serbia would not be at higher, international rates. Serbia's role in supporting Serb communities through institutions of Kosovo's central government could be anchored by regular meetings in Mitrovica of Kosovo and Serbian government representatives, with an international presence. Such forums might play a similar role to the cross-border bodies agreed in the 1998 Northern Ireland settlement,¹⁸³ and might in part be adapted from existing

¹⁸² See M. J. Radonjic, "Albanski obruc oko Caglavice" (Albanian ring tightening around Caglavica), *Vecernje Novosti*, 2 August, 2005.

¹⁸³ The 1998 Belfast Agreement (Section 4) established a North-South Ministerial Council, which administers a number of all-Ireland administrative agencies, accountable to both the

Pristina-Belgrade dialogue working groups. They would provide Belgrade with avenues through which to project a cultural and social option across the whole of Kosovo. The Serbs of north Kosovo might come to see the benefit of playing a central role in providing services for all Kosovo Serbs and of their region continuing to be one of special interest that could attract international funding, rather than becoming just another backwater district of Serbia's economically depressed south.

Pristina/Belgrade/Brussels, 13 September 2005

autonomous Northern Ireland authorities and the Irish Republic's government. These deal with inland waterways, marine safety, food safety, trade promotion, language issues and the administration of EU funds. See the North-South Ministerial Council web-site, <http://www.northsouthministerialcouncil.org>.

APPENDIX A

MAP OF KOSOVO



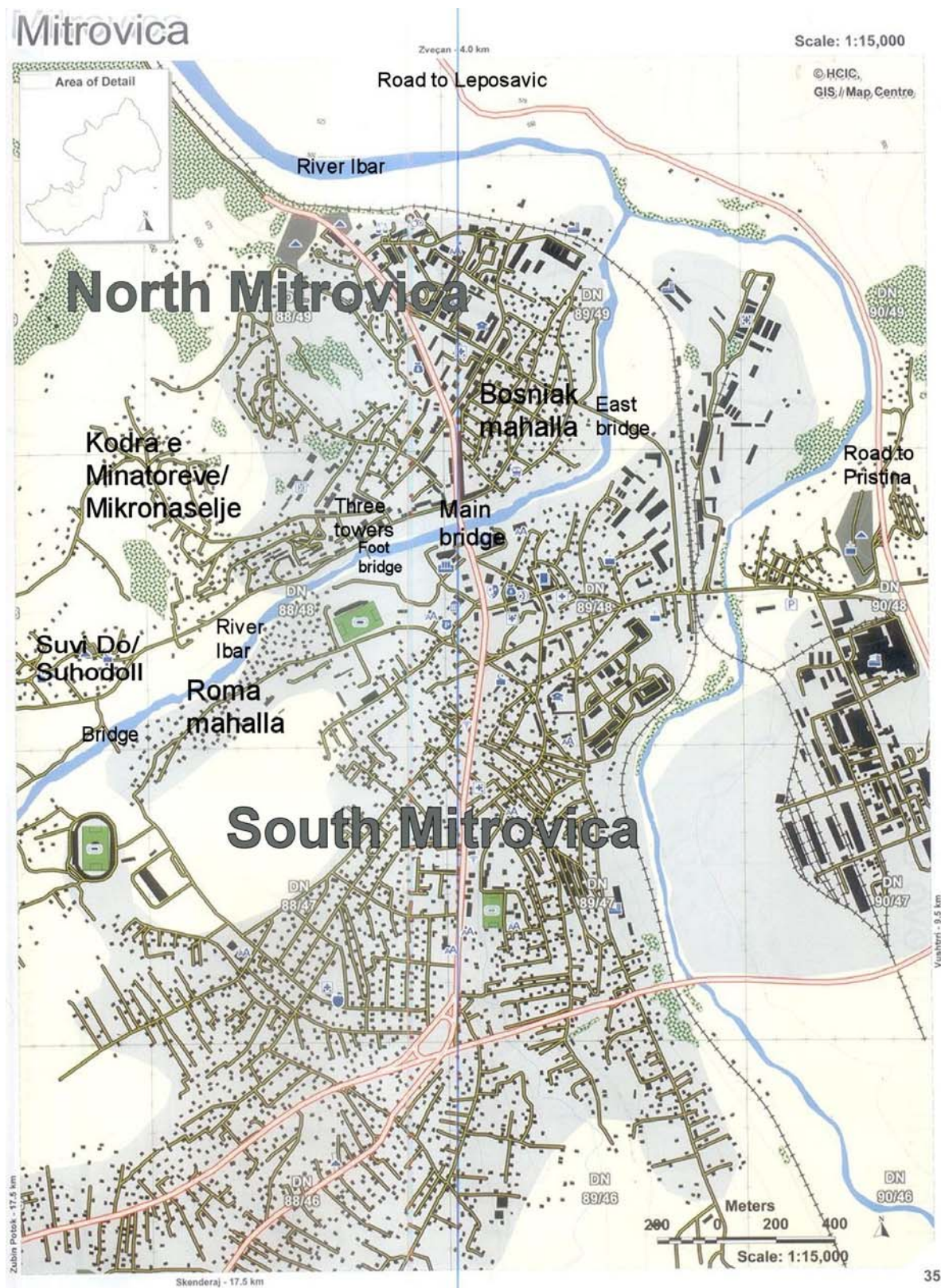
APPENDIX B

MAP OF NORTH KOSOVO



APPENDIX C

MAP OF MITROVICA



APPENDIX D

GLOSSARY OF ABBREVIATIONS AND ACRONYMS

B92	Independent Serbian TV and radio channel and website
CCK	The Coordination Centre for Kosovo and Metohija of the Serbia-Montenegro government
COMKFOR	Commander of KFOR, until 1 September 2005 General Yves de Kermabon of France, currently General Giuseppe Valotto of Italy
DSS	Democratic Party of Serbia, Prime Minister Kostunica's party.
ESI	European Stability Initiative, a think tank.
EU	European Union.
EUA	European University Association.
G-17 Plus	A Serbian political party, part of the governing coalition
HPD	Housing and Property Directorate.
ICTY	International Criminal Tribunal for the former Yugoslavia
IDP	Internally Displaced Persons.
IWPR	Institute for War and Peace Reporting.
KFOR	The NATO-dominated Kosovo Force.
KIPRED	Kosovar Institute for Policy Research and Development, a Kosovo NGO and think tank.
KLA	Kosovo Liberation Army.
KPC	Kosovo Protection Corps, the civil protection successor structure of the KLA.
KPS	Kosovo Police Service.
KTA	Kosovo Trust Agency.
LDK	Democratic League of Kosovo, the largest political party in Kosovo, informally led by President Ibrahim Rugova.
MUP	Serbian Ministry of Internal Affairs.
NATO	North Atlantic Treaty Organisation
OSCE	Organisation for Security and Cooperation in Europe.
PDK	Democratic Party of Kosovo, the main political successor of the KLA and largest opposition party, led by Hashim Thaçi.
PISG	Provisional Institutions of Self-Government.
PTT	Serbian state telecommunications company.
RTK	Radio-Television Kosovo, the public broadcasting service.
SNC	Serbian National Council.
SPS	Socialist Party of Serbia, formerly led by Slobodan Milosevic
SRSG	Special Representative of the Secretary General of the United Nations, currently Soren Jessen-Petersen of Denmark.
UNDP	United Nations Development Program.
UNHCR	United Nations High Commissioner for Refugees.
UNMIK	United Nations Interim Administrative Mission in Kosovo.
UNTAES	United Nations Temporary Administration in Eastern Slavonia (Croatia, 1996-1998)

APPENDIX E

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APPENDIX G

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