

WHAT HAPPENED TO THE KLA?

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Map of Kosovo



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WHAT HAPPENED TO THE KLA?

EXECUTIVE SUMMARY

The end of the war over Kosovo brought the transformation of the guerrilla army that started it. The Kosovo Liberation Army (KLA – or UÇK in the Albanian acronym) has been formally demilitarised, but in various manifestations it remains a powerful and active element in almost every area of Kosovo life. Some welcome its continued influence; others fear it; many are concerned about it.

This report focuses on the period since mid-1999, after the NATO-led Kosovo Force (KFOR) was deployed and the United Nations Mission in Kosovo (UNMIK) was installed. It traces the nature and extent of the influence the KLA still wields; evaluates that influence and the way the international community, through UNMIK and KFOR, has dealt with it; and suggests how it might be dealt with in future.

Continuing KLA influence is manifested in “four pillars.” Three of these – political, military and police – are overt: KLA supporters have formed their own political party, the Party of Democratic Progress of Kosovo (PPDK), while some members have been accepted into the new national guard-style Kosovo Protection Corps (KPC), and others into the Kosovo Police Service (KPS). The fourth pillar of KLA activity is covert and utterly unacceptable – organised crime and violence.

The KLA was never rigidly structured, resembling more an association of clans than a hierarchical military force. Some parts of the old KLA operate openly and essentially as before; others have been transformed; some new elements have been added; and much remains underground. Current KLA influence is by no means all negative. Most of the individuals engaged in the overt pillars of activity – and a good many of those who are not – genuinely seek a better Kosovo, including one in which politics is wholly separated from crime. But there is equally no doubt that the KLA has much to answer for in terms of the orchestrated crime which has occurred since mid-1999.

The international community’s preferred policy in Kosovo was to remove the KLA from the scene entirely, but that has not happened. A number of KLA members, assumed to be decently motivated, were co-opted into the KPC and KPS, and as for the rest a policy was adopted that can be described as “tolerant confrontation”: KFOR dealt with those armed bands they knew about, but made no systematic effort to confront and destroy the whole KLA organisation. The legal infrastructure was and is simply not there, to deal with organised crime.

So a policy dilemma still confronts the international community. Pretending that residual KLA influence is not a problem, and ignoring it, is impossible. At the same time confronting that influence to the point of generating a full-scale shooting war is no more attractive an option now than it has ever been.

The approach suggested, and described in some detail, in the concluding section of this report is "tough-minded co-option." There should be no tolerance for those guilty of serious crime or other major misbehaviour, and nothing should be done to prejudice the reinstatement of the rule of law in Kosovo. But there is a danger of going to the other extreme and branding as unacceptably criminal, and beyond any kind of engagement, all those KLA leaders and followers whose behaviour in the past has been less than admirable.

There are bound to be some KLA elements unable to break from a vendetta-based or criminal past, but equally there will be those, including those who are outside UN control at the moment, who can be encouraged to work within internationally acceptable standards. The leadership of UNMIK and KFOR should initiate talks – quietly in the first instance – with those KLA leaders with whom they judge it might be possible to build a relationship of trust, and attempt to find common ground on which that trust could be based

Sensitive and difficult decisions will need eventually to be taken regarding individuals and structures whose role and behaviour in the past have been ambiguous. As always, intelligent and effective political leadership will be required to carry off the process of further co-option that is envisaged. But if Kosovo is ever to have a decent and democratic future, trying to engage the KLA constructively in this way may be a necessity rather than just an option.

Pristina / Washington / Brussels, 3 March 2000.



WHAT HAPPENED TO THE KLA?

I. INTRODUCTION

On 21 June 1999 Hashim Thaçi as commander in chief of the Kosovo Liberation Army¹ (KLA) signed an “Undertaking of Demilitarisation and Transformation,” under which the KLA would cease to exist as a military organisation from 20 September 1999. On that date the NATO-led Kosovo Force (KFOR) duly confirmed that the demilitarisation was complete.

Thaçi’s policy on the transformation of the KLA, as expressed in numerous public statements over the summer, was that it would divide into three components. Part would become a new political party, another would join the new Kosovo Police Service (KPS), and the third would become a new armed force, not quite a new army but an embryo of one, usually likened to the U.S. National Guard. In addition, many members of the KLA would leave entirely, to be assimilated back into Kosovo Albanian society.

The political party was duly formed. Many KLA members were accepted into the KPS. And the creation of the mostly unarmed Kosovo Protection Corps (KPC) was intended by the KFOR/UN negotiators to offer a compromise between their mandate to demilitarise Kosovo and the KLA leaders’ determination to maintain some form of standing force. The KLA believed that someday Kosovo would be independent and would need its own army, a view shared by most Kosovo Albanians, even those who were growing to mistrust the KLA itself.

Thus there are three overt destinations for former members of the KLA. A fourth vocation has been the subject of extensive speculation and anecdotal accusations for many months – that members or ex-members of the KLA have been responsible for at least some of the organised crime and violence that blights post-war Kosovo.

This paper examines the transformation of the KLA and looks at what it has become. No one in Kosovo believes that the KLA has simply disappeared: it remains as a powerful and active element in every aspect of Kosovo Albanian life. Some welcome its continued influence; others fear it.

¹ For convenience and familiarity to an international readership, the English terminology, Kosovo Liberation Army (KLA), is used throughout the report. The Albanian terminology is Ushtria Çlirimtare e Kosovës (UÇK).

Parts of the new KLA are overt and official, with basically the same people and structures as before. Some parts of the structure have been transformed, new ones have been added and the rest remains underground. The major shift appears to be that it is no longer the universal popular movement it developed into during 1998 and the war, but rather a new kind of nomenklatura which is exclusive and now hard to join. Its leaders have consolidated the power they gained during or immediately after the war, and hold highly influential political and/or economic positions.

The self-serving approach of some in powerful positions has discredited the effort by some KLA officials to bring order and progress to Kosovo. The challenge for the international community is to identify those with whom it can work constructively and separate them from those others who are involved in illegal activities. These latter have become a threat for the future of Kosovo, the region as a whole and even for third countries where the Albanian Diaspora, and with them the KLA, have established a strong presence during the last decade.

II. THE FOUR PILLARS

To clarify the continuation of KLA power in Kosovo society one might envisage four pillars or divisions of activity. This is not a formal structure, but a simplified model of a complex reality.

The first three pillars – the party, military and police – refer to organisations identifiable by their respective names, structures and personalities. They are also distinct from one another. Crime is different. Insofar as KLA personnel are involved in crime, they are either playing a double role occupying positions in one of the other three pillars, or else are operating freelance outside the mainstream command structures. And not all of the self-enriching activities of the nomenklatura are unambiguously criminal: some occupy a hazy middle-ground only possible in Kosovo's unclear and unstable situation.

Pillar One – Political: The Provisional Government and the PSDK

The political structure is the most visible and the only avowed public face of the new KLA. At the end of the Rambouillet talks a year ago, with NATO intervention a growing possibility conditioned on some semblance of Kosovo Albanian unity, the three main Albanian negotiators signed a document agreeing that a member of the KLA should hold the office of prime minister in a new Kosovo interim government, effectively replacing Bujar Bukoshi. This document bears the signatures of Ibrahim Rugova, the "President" of Kosovo; Rexhep Qosja, president of the LBD (Lëvizja e Bashkuar Demokratike – United Democratic Movement) coalition; and Hashim Thaçi, the political leader of the KLA. Jakup Krasniqi, ex-member of the Committee for Human Rights and Freedoms in Drenica and at the time of Rambouillet the spokesman of the KLA's political

directorate, seemed at the time the most likely candidate to become the new prime minister.

Although the agreement was never implemented jointly by the three parties, Thaçi on 2 April formed a so-called provisional or interim government of Kosovo led by himself. Qosja's men joined in but, on the grounds that Rambouillet was never implemented, Rugova's LDK (Lidhja Demokratike te Kosovës – Democratic League of Kosovo) did not. Rugova instead kept in formal existence his own government under Bukoshi, while trying to avoid an open confrontation with Thaçi. Thaçi's government, which was never recognised by the United Nations (nor was Bukoshi's), quickly moved to create the administrations for 27 out of 29 municipalities, that is those where Albanians are a majority. It had a ready mechanism to take power once the war had ended.²

Many of those involved in the political leadership of the KLA were rewarded with portfolios in the provisional government and the municipalities. Examples included Thaçi's four colleagues in the KLA's Political Directorate: Ramë Buja (local government), Thaçi's uncle Azem Sylja (defence), Jakup Krasniqi (reconstruction), and Sokol Bashota (labour). Other examples include late but respected entrants to the KLA like Mazllom Kumnova (mayor of Djakovica³).

Of the three leading figures who for a long time were at the very top of the KLA, apart from Thaçi and Sylja only Xhavit Haliti from Pec has not taken high office in the post war period. This one-time prominent LPK activist, who later became the KLA's official man responsible for finances, was shortly appointed as the provisional government's ambassador to Albania, where he has excellent contacts with the ruling Socialists, but has remained in the second row as an adviser to Thaçi and, as some say, the grey eminence behind him.

In July 1999 there was an apparent challenge to Thaçi's political authority from within the KLA, when Bardhyl Mahmuti and some others formed a new party of their own, the PBD (Partia e Bashkimit Demokratik – Democratic Union Party). For a time Thaçi's position, as titular head of the KLA and the provisional government but without a party of his own, looked weak. But in September, just after demilitarisation was declared complete, Thaçi and his supporters agreed with the PBD to unite to create a new party, the PPDK (Partia e Progresit Demokratik të Kosovës – Party of Democratic Progress of Kosovo⁴). The political profile of its members ranges from left to right, from radical to liberal, but on the whole the PPDK represents the present-day descendant of the LPK (Lëvizja

² ICG, *Waiting for UNMIK*, 18 October 1999.

³ The forms of town names most familiar to an international readership are used throughout the text of this report. For a list of the Serbian and Albanian names of these towns, see appendix.

⁴ It is reasonable to speculate that PBD and non-PBD elements mark a fault-line within the PPDK, but so far no public disagreements have emerged. It is interesting that the PBD's old headquarters in the centre of Priština still display 'PBD' in large letters.

Popullore e Kosovës – People's Movement of Kosovo), the group of exiled dissidents in Switzerland and elsewhere who became the political leadership of the KLA during the summer of 1998. Fourteen out of 21 members of the presidency of the PPDK come directly from the LPK; some others, like Mahmuti himself, indirectly through a short time in PBD.⁵

On 15 December 1999 an agreement was reached between the UN, the PPDK and other Kosovo Albanian parties which would lead to the voluntary abolition of the provisional government (and all other parallel structures such as the office of the "president" held by Ibrahim Rugova), replacing it with a common Interim Administrative Council (IAC) and an executive Joint Interim Administrative Structure (JIAS). By the time of the agreement on a common administration on 15 December, ten out of the fifteen occupied ministerial posts had been held by PPDK members, including four who had been in the PBD. In the new structure the PPDK would hold only five "ministerial" posts.

Another KLA-linked group in the provisional government was the LKÇK (Lëvizja Kombëtare për Çlirimin e Kosovës – National Movement for the Liberation of Kosovo). Originally a student movement separate from the KLA, it joined forces with the KLA during the war, but retained its own identity⁶ and when peace came resumed its activity as a separate party. Its members resigned from the provisional government on 15 December over lack of consultation on the agreement to create a unified authority. The LKÇK leaders always disliked Thaçi, though they do respect Remi, the KLA wartime commander in the Llap zone where most of the LKÇK served. According to its own statements the LKÇK has now abandoned armed activity, though reports regularly surface about LKÇK members involved in incidents inside Serbia.

The provisional government seems to have expected to be recognised as a partner by the international community, but in fact it was treated more as a dangerous nuisance. From the start the UN Mission in Kosovo (UNMIK) objected that it operated without any legal justification or legitimacy. Within the legal framework of UN Security Council Resolution 1244, and in the unavoidable absence of elected bodies, this was indeed true, but at least the self-installation of this "government" could be seen as a positive attempt to bring some order to the province at a time when UNMIK itself had neither the personnel nor the money to carry out its duties.

⁵ There still exists an organisation using the name LPK but it is a new formation unconnected with the PPDK.

⁶ During wartime the LKÇK's armed forces called themselves the BIA, an acronym composed from the initials of their three founders.

But the provisional government tried to exercise greater and wider powers. Thaçi's ministries issued decrees which usurped the UN's authority and contradicted the internationally-agreed status of Kosovo as part of Yugoslavia, such as provisions for a Kosovo citizenship. Other decrees will have a continued social impact long after a new government has been elected – such as those decrees declaring contracts made under post-1989 law to be void. The "provisional" government was trying to develop into a legislative authority.

The PPDK, the provisional government and its municipal representatives have used their positions to try to control Kosovo's structures and society. They have sometimes gone too far, using violence and coercion, and the image of the whole KLA network has suffered as a result. Witnesses are often afraid to speak, but in late 1999 a group of German businessmen experienced a virtual hold-up, when an Albanian entrepreneur was threatened with murder unless he paid a large sum to the Pec municipality. This had a very bad effect on the Germans, and such stories are likely to scare possible investors away. Recently there have been attempts to influence the education system, which for a long time was the preserve of the LDK. The Organisation for Security and Co-operation in Europe (OSCE) has several reports about teachers being dismissed and replaced by self-declared authorities close to the PPDK. Members of the OSCE's human rights department have also started investigating claims that humanitarian aid is being distributed by the municipalities with preference to those who swear allegiance – and promise their votes – to the PPDK. Many such stories establish a clear pattern of political and economic heavy-handedness and bullying by people whose direct link to the PPDK is less and less deniable.

Violence, whether ethnic, political or criminal, seems always to be just beneath the surface in Kosovo. Members of the LDK have been victims of assassinations and violent attacks which can only be political in nature. Innocent civilians have been gunned down in the street

The media have also been subject to pressure in ways reminiscent of authoritarian forms of government. Local journalists have repeatedly received visits from "government officials," been called to "informative talks" or even subjected to direct threats. One of the most outstanding examples, which has acquired worldwide notoriety, was the virtual death threat made by Kosovapress (the KLA's news agency) against the publisher and chief editor of *Koha Ditore*, Kosovo's highest-circulation independent daily newspaper. But this is far from the only example. Journalists were called in for interrogation by KLA police forces in Prizren after having reported about activities of the LDK. A Pec radio station suddenly went off the air when a telephone poll was reporting thirty votes for Rugova and only one for Thaçi (perhaps a coincidence, but consistent with the general pattern). There have been so many such cases reported that the OSCE has started working on a protection program for local journalists. As an experienced member of the OSCE's media department put it, "this is a normal

procedure and was done already in Bosnia. But here in Kosovo the protection program is much more needed."

The PPK's rhetoric pays due respect for the law and a safe environment for everyone regardless of ethnicity. But its leaders must bear some responsibility for actions carried out in their name. Even if they are innocent in action, they are guilty of inaction. During the witchhunt against Serbs, and now during the continuing violent attacks on "collaborators," Thaçi and his colleagues made statements disowning and condemning the violence, but the statements had an air of formality, of being what the international community expected, and they were not accompanied by any firm action against the perpetrators of violence. Thaçi could claim that UNMIK/KFOR had refused to grant him any authority to use his own security forces within Kosovo, but this claim rang hollow when weighed against the visible continuing presence and activity of these forces in everyday life.

The PPK is aware that its image among the population has suffered severely. The need to regain respectability may underlie its decision to join the Interim Administrative Council and Joint Interim Administrative Council. Whether the decision will also create trouble among those who have held important posts in the provisional government, but for whom there is no place in the new structures, is a source of potential tension for the coming months.

Pillar Two – Military

(a) The Kosovo Protection Corps

The roughly 5000-strong Kosovo Protection Corps (KPC), of which 2000 are a reserve force, is generally said to be modelled on the French Sécurité civile. It was not intended by the UN/KFOR to be simply a continuation of the KLA under a new name albeit with only harmless tasks; officially the KPC was an entirely new creation, and membership would be open to all residents of Kosovo including Serbs. But no one seriously believes that the KPC is anything but a new manifestation of the KLA, inheriting its leaders and loyalties. The KLA leaders themselves do not pretend otherwise. And Kosovo's Serb leaders think so too, for they abandoned the Kosovo Transitional Council after the creation of the KPC and created their own self-defence force. Even UNMIK's own officials and some KFOR officers admit (though never in public) that the KPC is, and will probably remain, a military-style organisation.

The difference in perspective of the KLA and the UN/KFOR was obvious from the start in the very name of the KPC. The Albanian title of the KPC is *Trupat Mbrojtëse të Kosovës* (TMK). "Mbrojtje" can mean "protection" but it also means "defence." The international community insists on the English name but the KLA leaders have been able to play on the ambiguity to claim that the KPC is a

"defence" corps. General Jackson, then KFOR commander, was well aware of this ambiguity but accepted it in the interests of securing an agreement.

In many Kosovo towns uniformed KPC members circulate looking and acting just as they did when they were KLA. The KPC red-black shoulder flash looks very like the old KLA one, now outlawed. The casual observer notes very little difference between the new and old styles. At the organisational level the structure of the KPC was drawn directly from the KLA, with former zone commanders serving as KPC Regional Task Group (RTG) commanders, and their staff being drawn from their original KLA units as well.

The six RTGs, their approximate old KLA zones, and their leaders are:

- RTG1: Drenica (Srbica) – Sami Lushtaku.
- RTG2: Pashtrik (Prizren) – Sali Veseli.
- RTG3: Dukagjin (Pec) – Gëzim Ostremi.
- RTG4: Shala (Kosovska Mitrovica) – Rrahman Rama.
- RTG5: Llap (Pristina) – Rustem Mustafa (Remi).
- RTG6: Karadak (Gnjilane) – Shaban Shala.

At first the international community took a strong line against Albanian politicians who claimed publicly "the continuity of KLA in KPC." Yet against the irremediable under-staffing of the UN police, and the continuing security crisis, some gradually began to advocate using, or co-opting, functioning elements of the KLA/KPC in support of international policies. This issue remains controversial but will be easier to handle in the context of the new IAC, providing it is successful.

The former chief of staff of the KLA and now commander of the KPC, Lt. General Agim Çeku, is usually described by KFOR as a pure professional, "the clearest and cleanest" in the words of one KFOR officer. Nevertheless, Çeku too is seen as one of the driving forces behind the overall intention of maintaining the KPC as the core of a future army, and moreover once expressed his wish that not only the agreed 5,000 members, but on a rotating basis all of the more than 20,000 applicants be granted KPC training. KPC headquarters and every RTG have a KFOR liaison officer assigned to them, with the one at headquarters in a special position which he himself is reported to describe with the words: "I am employed by [KFOR commander General] Reinhardt, but Çeku is my boss."⁷

The possibility cannot be ruled out that some military units of the old KLA still actively exist outside the KPC entirely. Towards the end of 1999, military activity sprang up at the southern border with Serbia, in an area of Serbia known to the Albanians as "Eastern Kosovo" which includes the region around the towns of Bujanovac, Preševo and Medvedja. "Eastern Kosovo" remains a potential flashpoint, with a build-up of Serb forces there, reports in the Belgrade press of

⁷ *Zëri* daily, 13 January 2000.

attacks on Serbian police, and regular reports in the (not much more objective) Kosovo media of harassment of Albanians who live there.

The ethnic tensions in "Eastern Kosovo" are, it seems, being primarily stirred by the activity of a KLA splinter group called the UÇPMB (replacing the initial K in the Albanian acronym for KLA with the initials of Preševo, Medvedja and Bujanovac). This group, which has been engaged in pinprick actions mostly against the Serb MUP-police and is also reported to have killed "collaborators" of the regime, is not entirely indigenous, but rather a local branch of the KLA receiving backing from inside Kosovo.

Finally there is a question of whether the KLA intelligence network has been disbanded. During the war ZKZ (Zbulim-Kunderzbulim, or Intelligence-Counterintelligence) zone commanders were under direct authority of the general staff. At the end of 1999 the situation remained similar – the KPC had even adopted the NATO acronyms G1 to G6 for its various departments, G2 being the intelligence cell (former ZKZ) of the KPC Headquarters as well as of each RTG. The final structure of the KPC now does not overtly include a secret service, but it would be a major sacrifice on the part of the ex-KLA to give up a network already in place. The KPC general staff has an "information department" headed by Fadil Kodra, a former ZKZ officer.

(b) The Drenica Group

Splits within the KPC, based on the traditional competition between various KLA factions even in wartime, have persisted and developed into political divides. It is commonly agreed that Thaçi had his closest ties to his home area RTG 1 (Drenica) and RTG 4 (Shala, which includes Mitrovica). They can be seen as the historical core of the KLA. Thaçi's closest supporters are still those who come from Drenica. Further east, Gnjilane is not territory where the KLA has strong support, but the KPC commanders of RTG 6 there (former Karadak zone) have also been Thaçi supporters.

The first nominee, Shukri Buja, was brother to Ramë, another ex-member of the KLA's political directorate, former minister for local administration in the provisional government and now nominated to have the corresponding function in the IAC. In the beginning of 2000 Shukri Buja was replaced by Shaban Shala. The American-led Multinational Brigade (MNB) East, which covers the same area as RTG 6, is said to have vetoed Buja for "non-compliance," meaning that they suspected him of involvement in cross-border KLA activity into Serbia. Shaban Shala belongs to the inner circle of the Drenica team around Thaçi that includes the two Selimi brothers and Azem Sylja. Yet his future is not quite clear; although Shala is known to be dedicated to the cause, he has a critical mind of his own.

Sami Lushtaku as the head of RTG 1 in Srbica, ex-operative zone of Drenica, is the KPC commander with the highest direct influence on Thaçi and PPDK politics. He is said to be interested in becoming a politician himself, but denies it and holds no high party position.

Although "Greater Albania" – the idea of uniting all the ethnic Albanians under a single government – is no longer a stated objective of KLA (PPDK/KPC) politics and plays no role in public opinion, the idea still has its adherents and among them is Lushtaku. In the anteroom to his office is displayed a map of Greater Albania, and Lushtaku himself brought the issue of Greater Albania (which he calls simply "Albania") into an interview with ICG.⁸ Sami Lushtaku comes from Prekaz and has close links with the Jasharis, a family of heroic symbolism in KLA history since most of them died as "martyrs" (killed by Serb police) in March 1998.

Lushtaku has asked, informally, for an extension of the mandate of his troops to include policing and law enforcement authority, and to be given the assets he deems necessary, including an armoured personnel carrier (APC). He argues that general security would be improved if his disciplined forces were able to supplement the too-few UN police. As already noted, some in UNMIK/KFOR agree with this general reasoning. But policing and law enforcement have been explicitly excluded from the KPC ambit of operations by UNMIK's Regulation no. 1999/8. To allow for such a change would require an important modification of all corresponding agreements and regulations. That is not in sight yet, but such a move would show how far the international community is willing to go into co-option. Some members of the UN Security Council would be hostile to giving the KPC such an overt security role.

(c) Remi

More complicated is the relationship between Thaçi and two of the other commanders, Rustem Mustafa, alias Remi, and Ramush Haradinaj. Both have acquired great fame among the Albanians for their stern resistance to the Serb forces during the war.

Remi was the commander of the KLA operative zone of Llap and now is the chief of RTG 5, which includes Pristina. He appears to regard the PPDK leadership as too Drenica-oriented and allegedly is also quarrelling with Hashim Thaçi over the control of certain petrol stations. The town of Pristina itself is said to be another object of dispute between Drenica and Llap. Remi is universally believed to control many businesses in the centre of the capital, including the Boro and Ramz shopping mall, which burnt down in February 2000 in circumstances that aroused suspicions about it being arson directed against Remi's interests. Through him one curious piece of evidence about how Kosovo is governed has come to light.

⁸ November 1999 in Srbica.

On 28 September 1999, some days after the demilitarisation was completed, Remi, signing as the commander of the operative zone of Llap and using KLA stamps, signed an order (protocol number 662/99) to replace the director of Elektrokosova. That a KLA commander, without even a position in the provisional government, could sign such an order is instructive – especially since Elektrokosova is legally a state organisation within UNMIK's mandate.

(d) Haradinaj

Ramush Haradinaj, the wartime commander of Dukagjin region in the west was originally assigned command over RTG 2 in neighbouring Prizren, but has now been made Çeku's deputy. He nevertheless has kept control over his original Dukagjin zone (RTG 3), where he was born in the town of Glogjan. The new commander of RTG 3, Gëzim Ostremi, is Haradinaj's former chief of staff while Ramush's brother Daut is now chief of staff to Ostremi.

From Prizren Haradinaj controlled the whole border with Albania, Montenegro and part of the border with Macedonia. Persistent reports link him to the trafficking in petrol and cigarettes between Montenegro and Kosovo.⁹ Haradinaj strongly denies such allegations,¹⁰ claiming that they are based on rumours spread to discredit him following criticism by him and others of corrupt elements among those now in powerful political positions.

In a weak policing environment nothing is likely to be proved either way against any of Kosovo's new elite. But Haradinaj is certainly one of the most powerful men in Kosovo. He criticises the PPDK's claim to sole legitimacy over the KLA legacy and dislikes the polarisation of Kosovo Albanian politics between the PPDK and the LDK. Haradinaj would like to found a broad civic movement which at a certain time could evolve into a party. He is well aware that he would have to leave the KPC should he go into politics, but defers that choice for a later time. For now he is re-inventing himself as a responsible and compliant KPC officer prepared to defend KFOR operations, and whose goal it is to professionalise the KPC, which also means depoliticising it.

9 This sort of activity is in a grey area between racketeering and straight business. Montenegro and Kosovo are still legally part of the same state, and as of the start of 2000 UNMIK had not set up customs or tax offices on the road between the two, so no smuggling is involved. Still control of the trade is a result rather of political muscle than of free-market enterprise, and anyone dominating such trade could at least be accused of profiteering at Kosovo's expense.

¹⁰ Interview with ICG, January 2000.

Pillar Three – Police Forces and Secret Service

When the creation of the Kosovo Police Service under the UN International Police was being discussed, the KLA made a strong bid for a large KLA contingent to be integrated into the force. The UN refused to allow the KLA a block entry into the KPS, but did allow that military experience would be accounted a relevant qualification for entry into the KPS. Many KLA members have as a result been accepted into the KPS as individual candidates. It is too soon to assess whether the principal loyalties of these men lie with the UN leaders of the service or with their original KLA patrons. KPS trainees are insufficiently numerous yet to form a pattern to emerge suggesting that a KLA block will gradually re-form within the body of the police. But from the point of view of the individual ex-KLA recruit, being paid a very small wage by the UN seems hardly strong enough to overcome older and deeper ideological loyalties. As each policeman is supposed to earn only about 300 DM per month, as opposed to the 1000-2000 DM per month or so that his daughter or son might get as a translator, the issue of loyalty is a real one.

An even more obvious concern with KPS remuneration is that, as with public office salaries in so many other parts of the world, it renders members of the service very vulnerable to bribery and political influence. Salaries should be raised closer to 1000 DM per month: donors simply have to be persuaded that the cost will be justified by improvements in public law and order.

Several policemen who are veterans of the Yugoslav Kosovo police have also applied to join the KPS (just as some Albanian ex-Yugoslav army officers have applied to join the KPC). The PPDK is hostile to them for several reasons. First, it is always ready to condemn them as "collaborators." Second, the veterans are generally "old LDK," as it was this party which organised a workers' union among them when they were fired or left their jobs in the early 1990s. Third, they are "ex-communists." And maybe fourth, some of the veterans claim to possess discrediting information about high PPDK members. The UN, on the other hand, has even suggested accelerated "fast-track" training for the veterans, since they were already experienced. The UN has a natural reason to support the veterans, since they are its best guarantee against the future Kosovo Police Service simply becoming an arm of the post-demilitarisation KLA.

The KLA's own military police are the black-shirted PU (Policia Ushtarake). They have been officially abolished and outlawed many times by UNMIK/KFOR – most recently as a result of the agreement on the IAC and JIAS – but so far have remained active. Some of their activities are ostensibly helpful – they direct traffic and control crowds, for example. Others are dubious – according to many reports they are the agency used to collect "voluntary" contributions from businesses for the KLA's local administrations. And there have been persistent reports that the PU have been involved in extortion from businesses, burning of Serb houses and expropriation of flats and businesses.

PU members have repeatedly been accused of calling people in for interrogation, the so-called "informative talks," an expression coined by the Serb police but still in popular use. Evidence that PU members have committed excesses mounts daily, and only the weakness of Kosovo's police and destroyed judicial system has prevented cases from coming to trial.

For example: in November 1999, five persons were found killed in a five kilometre range around the KLA compound in Lukare, north of Pristina, where the command of RTG 5 is based. Four were identified, of whom three were Roma (Gypsies) who had been "executed," in the word of a UN police investigator, by gunshots, and one was an Albanian woman stabbed to death. The victims had previously been "arrested" (abducted) in their homes or in the street by people claiming either to be members of the KPC or the PU. All four identified victims had been accused locally of having been "collaborators" with Serb forces.

In December, three PU members from Pristina and one influential KPC member from Lukare were detained and are still in jail. The KPC member was visited by a lawyer on the day of his detention, and by three more lawyers within the following two weeks. The last lawyer made a visit to each of the PU members, who successively lost all memory – of the case they had already testified about, and of admitting to having called one of the victims for interrogation.

This case shows a certain degree of co-ordination and planning, though it is always possible that the operation was undertaken as a local initiative. The "Interior Minister" in the outgoing provisional government, Rexhep Selimi, made another in a line of statements distancing himself publicly from such behaviour.¹¹ He reiterated that the image of the KLA suffered from such actions.

Not everything is badly-intentioned. It is surely right to suspect the PU of excesses – one UNIP officer has called cases like the above-mentioned murders "the tip of the iceberg"¹² – and necessary to remember that the continued existence of the PU is in direct defiance of the UN. But this does not mean that they always behave in an evil or criminal way. If some of the logic used for PU action is definitely unacceptable, in other cases the rationale it is at least understandable as emergency measures. The PU's widely-publicised role in evictions is an example. A frequent justification of evictions is roughly: "This family, which can share with relatives, must move out of this ex-Serb apartment to make room for that family, whose house is destroyed." Evictions always generate bad publicity, and the suspicion naturally lingers that KLA supporters are being rewarded with flats at the expense of others, but there is at least a case for a reasoned use of triage in emergencies. The provisional government's so-called housing commission has helped many families to find shelter before the winter,

¹¹ *Koha Ditore*, January 19, 2000.

¹² Interview with ICG, January 2000.

but has failed to gain general acceptance because of its rough-and-ready methods and the evicting authorities' unsympathetic treatment of those being evicted. Nonetheless, the housing commission is the right sort of idea, and could feature as an example of structures which the international community could co-opt (take over) and run on approved lines.

Some parts of the international community are coming round to the idea that using the PU might be more productive than continually trying to abolish it without offering its members alternative activity. Where co-option has gone farthest is in Pristina. Here, the five PU stations have been closed down, and reopened as offices of the so-called "neighbourhood watch," or KF in its Albanian acronym. The PU area head, Muhamet Latifi, has agreed to this procedure. The first condition imposed by KFOR for this co-operation is to make the former PU forces "non-executive." The second condition is that all KF members have to apply for the KPS, as Latifi himself has already done. The new roles of the KF are that of informants of and advocates for the people in their neighbourhood.

Although the risks of such a strategy are obvious, especially while the project is still in its initial phase, the mixture of co-operation, control, and, if needed, confrontation applied here could set an example. Any steps which take the PU out of the control of politicians or ex-warlords must be welcome, because the use and abuse of police forces for political purposes is a long-standing structural problem throughout the former Yugoslavia.¹³

It is not yet clear what will happen to the police under control of the provisional government, organised through the ministry of public order of Rexhep Selimi, who during the war was the KLA military police (PU) commander. This MRP police (using the Albanian acronym for the ministry) is tasked to work on bigger, region-wide cases, a kind of Kosovo Albanian FBI, and can draw occasionally on the PU for local assistance, if the regional commander or other local strongmen agree, which not always is the case. It is a 1500-strong force, for which a solution will be needed quite soon.

The intelligence service, called SHIK for Shërbimi Informativ i Kosovës (Kosovo Information Service), is controlled by one senior ex-KLA member, Kadri Veseli, called Luli or Number 7. It is said to have been set up with the help of the Albanian SHIK (where K stands for kombëtar, national). Veseli himself recently described the work of the SHIK in an interview that was the basis for a newspaper article.¹⁴ According to Veseli, his service had to fill a security gap and work against the continued presence of the Serb secret service as well as against

¹³ There was a debate on this within KFOR as early as July 1999, held in terms of the 'bunch-of-thugs' argument. At the time the view prevailed that deputising the PU would give them a dangerous legitimacy while not guaranteeing KFOR control over their actions. But at that time there was much more optimism about the capacity of UN police, the speed of their build-up, and the temporary nature of the wave of violence which had already begun.

¹⁴ *Zëri* weekly, 22 January 2000.

organised crime, but the SHIK "is no executive organ and so does not have executive competences. Our duty is to gather information..." The risk of abuse of this information as long as there is no legal authority controlling the SHIK is obvious.

Given the international community's difficulties in controlling the security situation, and in preventing the rise of organised crime, it is not surprising that the idea of using existing indigenous structures, even if they belong to the KLA, is gaining currency. As already noted, whenever UNMIK/KFOR call upon Thaçi to do more to stop the violence, his answer is (a) we are not committing the violence, and (b) you yourselves do not allow us authority to act.

But doubts naturally persist. The KLA's police forces have certainly been active in the KLA's own interest, so the argument that the UN will not let them operate is disingenuous. And if they are legalised who will guarantee that their methods will be more legal? The former leader of the British Liberal Democrats, Paddy Ashdown, put this question neatly: "If Thaçi can give the order that the shops be closed [on Albanian Flag Day], he can give the order to stop the violence."¹⁵

Pillar Four – Organised Crime

Much more sinister are the organised gangs that appear able to operate with impunity in Kosovo. But the issue of crime is elusive. The international community has spent much time and effort trying to assess how much of the criminal activity in Kosovo is due to official or unofficial KLA actions, and over the months the sheer weight of anecdotal and circumstantial evidence has made it harder to believe that the KLA is entirely clean at any level. But neither can the KLA be simply dismissed as a criminal organisation.

It is clear that since the end of war, marked not only by the deployment of KFOR but also by the successive establishment of KLA structures throughout Kosovo (except in the mainly Serb-inhabited north and some minor Serb enclaves), an atmosphere of fear has been created for all non-Albanians – and to an increasing degree for Albanians as well. No matter whether the attacks – the harassment, arson, expulsions and killings – are random or indeed orchestrated and therefore part of an overall strategy of ethnic cleansing: the very atmosphere they created has had the effect of forcing out much of the Serb and other non-Albanian population, including Roma.

If crimes are being committed by non-KLA members wearing KLA uniforms in an attempt to throw the blame onto the KLA, in such a small territory and close-knit society as Kosovo, it seems inconceivable that the KLA, with its intelligence services and influence in every corner of life, does not know at least in some cases who the culprits actually are. It is this reasoning which makes Thaçi's

¹⁵ *Koha Ditore*, 1 December 1999.

disclaimers seem insincere. The KLA itself seems to have followed the same logic. Increasingly towards the end of 1999 there appeared reports of the KPC or PU arresting suspects and handing them over to UNMIK/KFOR for trial. The response of the internationals was not always optimal and many times tainted by misunderstandings on both sides. To the Albanians, the concept of civilian arrest was unknown. They did not differentiate between catching somebody red-handed or conducting their own investigation, which then led to the arrest. However well-intentioned the Albanians might have acted, many were themselves arrested when trying to hand suspects over to the UN police or KFOR. Some even claim to have been physically abused while in detention. KFOR and the UN police, on the other hand, have had to learn more about the Kosovo Albanian mentality. Overreaction on their side was basically the result of a lack of knowledge about the situation. Slowly, now both sides seems to be learning from each other and co-operation has improved.

(a) Ethnically Motivated Crime

Public perception – especially on the international side – throughout the last six months has been that the bulk of violent crimes was ethnically motivated. The biggest problem has been to obtain sufficient evidence about the perpetrators. In the majority of cases, witnesses, many of them the victims themselves, have reported that the assailants wore KLA uniforms, or identified themselves verbally as KLA members. While the accumulation of circumstantial evidence is not proof, the population at large increasingly identifies the KLA with criminal operations – probably the main reason for the rising anti-KLA feeling among moderate Kosovars. In response several members of Thaçi's government and the KPC have repeatedly pointed out that "anyone can get a KLA uniform," hinting at the possibility that "those who want to discredit us" would be the most likely to conduct such crimes – to the extreme of alluding to Ibrahim Rugova being responsible as the one who would profit the most from discrediting the KLA.¹⁶

There is some logic to Thaçi's argument. It is true that the use of KLA paraphernalia is an obvious tactic for criminals who want to incite fear in their victims. There have been cases where the uniform-wearers have been identified by the victims as using strong north-Albanian dialects and accents, for example in Prizren in the early days after war – the prevailing assumption being that these national Albanians would not be full-fledged KLA members. In this case also, the minorities as the least protected were usually the first victims.

But this does not prove that KLA members have never been involved in such crimes. Indirect admission that rogue ex-guerrillas have taken the law into their own hands can be found even in some statements of Thaçi and Çeku, where they distance themselves from such people and ask the population to turn them over to the KLA. The existence of ethnically motivated crime in the form of random

¹⁶ This question of *cui bono* is discussed in ICG *Who's Killing Whom*, 5 November 1999.

revenge attacks can easily be confirmed by simple observation of the incidents which occurred since June 1999. That is already public knowledge. It is rather the possibility of the involvement of KLA command structures (be they political or military) which keeps the international community searching for answers.

By their very pattern, it is clear that the attacks have been orchestrated in some fashion. It is inconceivable that the burning of more than 300 houses in Prizren, where only two suspects were caught, could occur without planning. Neither could it happen without the different KLA security forces in the streets taking any notice of the perpetrators, as is obvious to anyone with any familiarity of how the KLA operates, and how Kosovo society works. In an interview with ICG, A Western diplomat who worked for the OSCE in Kosovo spoke of observing "cars slowing down to block roads, applauded by the fire crews..."

(b) Politically Motivated Crime

In more recent months the number of ethnically motivated crimes has declined, though individual incidents remain serious. The persistence of violence in Mitrovica demonstrates that in the rest of Kosovo it is the reduction in targets, rather than an increase in tolerance, which is responsible for the improved statistics. But politically motivated violence seems to be on the increase. In almost all cases the victims have been prominent officials of the LDK, and here the argument of *cui bono* (who benefits?) appears irresistible, since the LDK is the PPSDK's only credible political opponent (even more so, as in the countryside where the war was fought, many people see the KLA and the LDK as complementary organisations). And in recent months opinion polls, makeshift as they may be in such an untidy situation, have shown steadily growing support for Ibrahim Rugova. The Haki Imeri murder¹⁷ is a case where organisation by KLA structures seems clear, but it was only one of a spate of such incidents in recent months.¹⁸ Observers initially hoped that these incidents were the work of out-of-control radical groups. But the more frequent they become, the more unlikely this seems.

¹⁷ Haki Imeri was abducted and later killed on 2 November 1999. He was last seen when he was asked by someone identifying himself as a PU member to enter a black Opel Omega west of the village of Shala. The license plate number and identity of the holder of the car are known to UN police. He is the intelligence chief of a KLA brigade from Podujevo. Suspicions about the involvement of several, even high ranking ex-KLA members from Drenica have arisen during the ongoing investigation. Imeri, a schoolteacher, had recently been appointed member of the municipal board of the LDK. He was a serious, well-respected local citizen and no extremist.

¹⁸ A more recent case proves that nothing has changed in Drenica. On 23 February 2000, another local LDK activist and schoolteacher, Ismet Veliqi, was abducted, beaten, shot and left for dead. Veliqi claims that the assailants were Albanians, who during the mistreatments asked him: "Why do you still support Rugova?"

(c) *Economically Motivated Crime*

The extent to which economically motivated crime plays a political role is hard to establish. It has nevertheless become a matter of the highest concern. One senior UNMIK official has vented his fears that the international community might be endorsing "a narco-mafia style society" in Kosovo. It remains to be seen if indeed this kind of crime is reinforcing KLA structures, and in any case how far the rivalry between factions plays a role, or if, on the contrary, Hashim Thaçi himself has been put in office as "prime minister" in order to create and maintain official structures whose *raison d'être* is to provide an organisation in which certain people can run their "businesses" freely.

The present situation certainly offers great possibilities for criminal organisations. There are indications, confirmed to ICG by one ex-KLA member, that large sums of money from drug trafficking have entered KLA accounts. Many reports name Veliki Trnovac, a village a few kilometres north-west of Bujanovac in "Eastern Kosovo," as the main narcotics centre during the past ten years.

In spite of the recent war and the divide that now runs between Karadak and "Eastern Kosovo," recent intelligence reports still point at Kosovo's eastern Karadak region and its main town Gnjilane as the entry point of heroin into Kosovo. Once inside the province, the shipments are broken up into smaller parts and thereafter transferred to Montenegro and Albania – and even Serbia – as alternative exit points towards western Europe. This suggests the possibility of a persisting or renewed co-operation between Serbian and Kosovo Albanian organisations, which could also have been used to obtain weapons for the KLA from the Serb side. Several KLA members now admit that some of their arms used in wartime came from Serb sources.

Drug smuggling through Kosovo is no new phenomenon: "drug trafficking organisations composed of ethnic Albanians from Serbia's Kosovo Province were considered to be second only to Turkish groups as the predominant heroin smugglers along the Balkan Route. These groups were particularly active in Bulgaria, the Former Yugoslav Republic of Macedonia (FYROM), and Serbia. Kosovo Albanian traffickers were noted for their use of violence and for their involvement in international weapons trafficking. There is increasing evidence that ethnic criminals from the Balkans are engaged in criminal activities in the United States ..."¹⁹

¹⁹ National Narcotics Intelligence Consumers Committee (NNICC) Report 1996. The NNICC Report is a coordinated effort of an array of U.S. federal agencies and can be found on the website of the Drug Enforcement Agency (DEA); www.usdoj.gov/dea.

Although the trafficking has been linked in several publications to arms smuggling for the KLA, no evidence has been produced that members of the KLA are directly involved. It must at least be feared, though, that KLA-authorities, owing their "victory" to those who financed them, would be unhappy to see anyone clamp down on these criminals. The *International Police Review* wrote last summer of the "strengthening links between organised crime and the Kosovo Liberation Army." Although to the author of that article "it does not appear that the KLA itself smuggles narcotics," he draws the conclusion that "dependence" had been created "which gives the criminals influence over an armed force, almost 30,000 strong, which is likely to dominate post-war Kosovo."²⁰

III. THE MIND-SET PROBLEM

It is very difficult to assess Albanian society, especially in Kosovo, simply according to western norms. In its more traditional, village based form, it is a patriarchal society with many ancient traits. Life is centred around the family, where men are the public figures while women stay at home, being mostly an asset to the household. Their tasks are procreation and the upbringing of the children. Decisions affecting communal life are taken by a gathering of local elders after some long discussions – not necessarily in the town hall, and not necessarily along lines of official legality, but along the lines of a traditional law called the Kanun, which was orally transmitted for centuries.

Serb oppression has had the effect of reinforcing these indigenous structures. And the double standards of communism never offered a way out, but on the contrary taught everybody, not only the Albanians, to maintain two different political opinions, a genuine one which had to be kept private and another one for public use and in conformity with the officially recommended line. Privately, and for national self-protection, this reinforced the Albanians' determination to deflect outsiders from their affairs. It created a society where only the family and close friends could be trusted.

Albanians were, effectively, pushed underground. The backlash becomes more visible now under the scrutinising eye of the international community. At a moment when a state has to be built, and in the absence of the traditional national enemy, a fractionalised Albanian community is not yet ready to look beyond its most immediate surroundings. To a great number of Albanians, the lesson was learnt that legality, which was usually the legality of the oppressor, did not necessarily have to be an element of their social or political behaviour. Many Kosovars had, as a matter of fact, to resort to illegal methods to survive and feed their families. Some went a step further. In the unlikely event that

²⁰ *International Police Review*, July/August 1999; or www.janes.com/police/editors/balkans.html.

they needed lessons in violent action, the regime they lived under was happy to provide them.

It tends to be widely accepted that a small deception is legitimate if it results in some benefit. This thinking has corrupted the society as a whole, even by the standards set by the Kanun. And it has become politically questionable, when even those who use their power for the wellbeing of the people are prone to abuse it for their personal benefit. Such persons would not concede this to be illegal – rather as shrewd behaviour justified by their constructive social efforts.

The methods routinely employed in dealing with opponents or competitors, be it in politics or business, seem extremely ruthless to an outsider's eye. But the local mind-set differs, especially with people from the villages as opposed to those from the larger towns. While illegal or criminal behaviour cannot be condoned, an understanding of this prevailing mind-set is essential when dealing with people on a daily basis.

IV. CONCLUSION

The bleak picture Kosovo offers today is a result of multiple factors: the region's history, which still underlies so many attitudes and so much behaviour; criminal structures taking advantage of the post-war situation; Milosevic's continuing efforts to destabilise Kosovo and lay the basis for its partition, which affects the perceptions and activities of the Kosovo Albanians; and an international community unable to demonstrate a clear mastery of the situation notwithstanding its tens of thousands of troops, civilian bureaucrats and workers operating in a population of less than two million.

The international community bears responsibility for allowing a serious power vacuum to develop, which the KLA then filled, unsurprisingly not in a thoroughly democratic fashion. It now makes more sense to work out how to improve the situation, rather than conclude that the only way to combat crime is to extinguish the KLA.

The international community's preferred policy in Kosovo was to remove the KLA from the scene entirely. Demilitarisation was an element of UNSCR 1244, with a demilitarisation agreement concluded in June 1999 and declared implemented in September. So far as civil administration was concerned, the assumption was that the Kosovo Albanians would simply let the international community run the province, and be appropriately grateful.

In fact things turned out differently. KFOR's perception of its task was limited to security matters, and the UN had neither people nor money to mount the swift planned take-over of Kosovo civil administration.²¹ As a result, self-established and non-democratically based KLA administrations sprang up all over the province. The UN was faced with the problem of confronting these in some way, or working with them.²² The UN solved the problem by finally getting agreement from the KLA and the LDK to form a consensual government, the JIAS, at the turn of the year, which allowed the UN to work with the local authorities without qualms of legitimacy. Flawed as it may be, this was and remains the best option on offer.

The situation in relation to the KLA today poses a similar dilemma for the international community. It has tried to impose a Western model but has not had the strength, or consistency of purpose, to enforce it. The KLA is more resilient than was hoped and has survived in various forms and structures, ranging from the Kosovo Protection Corps and Kosovo Police Service to local bands of old comrades and groups owing personal fealty to old regional commanders. KLA members remain disproportionately influential – despite their relatively limited numbers and apparently waning popularity within the wider community – in setting Kosovo's political agenda. So the choice is recognisably the same: to confront or co-opt.

The KLA now is not rigidly structured, and never was. It resembles an association of clans. Each active member will typically be loyal to an individual, and that is why the chiefs are so powerful. Units which have drifted away from the mainstream may be loyal to lower-level bandit chiefs with no higher allegiance, and they may be responsible for much of the less-organised crime and ethnic harassment. But that has been extremely difficult to prove.²³ Moreover, in terms of a recognisable Western command structure, "the KLA" does not exist, and therefore "the KLA" cannot be blamed for anything. The question always has to be asked: which part of it? which group? which individual?

KFOR responded to this situation with a policy of what might be described as tolerant confrontation. If they knew there were armed bands about they would go and round them up, but they did not actively set out to smash the KLA. KLA regional commanders were allowed to roam about in uniform. KLA black-shirted police were not much harassed. In all these circumstances, there was no obvious alternative: a policy of open confrontation would have carried a high risk of degeneration into an occupying-force vs guerrilla-band shooting war. But it left a policy vacuum.

²¹ See the forthcoming ICG Discussion Paper, *Civil Administration in Peace Keeping: Avoiding Future Kosovos*.

²² See ICG Balkans Report No.79, *Waiting for UNMIK*, 18 October 1999.

²³ See ICG Balkans Report No.78, *Who's Killing Whom*, 2 November 1999.

So what should the international community do now? The approach suggested in this report is one that could be called tough-minded co-option. If there is to be a further effort to involve KLA members in the UNMIK/KFOR administration – and particularly in policing activity – such co-option obviously cannot be pursued in any indiscriminate way. To simply adopt the KLA as an arm of UNMIK or KFOR is inconceivable: it would, among other things, give respectable cover to too many unacceptable elements, and be seen by too many key international players – not just the Russians and Chinese – as tilting unacceptably to one side.

There is no doubt, moreover, that the KLA has much to answer for in terms of the orchestrated crime which has occurred since mid-1999. While the vendetta against Serbs and their “collaborators” was initially largely spontaneous – if members of the KLA were involved they were not the only ones – in more recent times such violence has seemed more organised, and more attributable to KLA elements. Violence against LDK members is particularly hard to explain away as anything other than organised and planned within KLA structures at some level. In relation to “organised crime,” on the other hand – drug trafficking and the like – it is difficult to attribute any systematic responsibility.

Identifying those elements of the KLA that are not so tainted with criminality or other serious misbehaviour as to be completely unacceptable, and working with and through them, will not be easy. The disposition will be to assume that any decently motivated KLA members should already have joined the KPC or the KPS as they were previously asked to do, thus raising questions about the agendas of those left outside the internationally-created structures (or those operating private projects within those structures). But if confronting such KLA elements to the point of shooting war is unacceptable, as has been thought so far – and if pretending that residual KLA influence is not a problem, and ignoring it is impossible – then the only way forward is some attempt at further co-option.

That co-option should be tough-minded. Nobody suggests there should be any tolerance for those guilty of serious crime. Much more could in fact be done by the UNMIK police to formally and systematically seek access to the intelligence and information about Kosovo criminal elements which has already been collected by other countries and agencies. There needs to be an expansion, not a slackening, of the law enforcement effort. Nothing that is done now with the KLA should in any way prejudice the current effort to reinstate the rule of law in Kosovo and build an effective law enforcement and justice system.

But there is a danger of going to the other extreme and branding as unacceptably criminal, and beyond any kind of engagement, all those KLA leaders and followers who have been caught up in any degree at all, while pursuing money or power, in activities which could be characterised in any way as illegal, corrupt or intimidatory. Without seeking to legitimise a culture that has, by prevailing Western norms, many unacceptable dimensions, in the interests of building a future for Kosovo which is decent and democratic there needs to be some

willingness by the international authorities to treat with respect those who may not fully have deserved that respect in the past.

The leadership of UNMIK and KFOR should initiate talks – quietly in the first instance – with those KLA leaders with whom they judge it might be possible to build a relationship of trust, and attempt to find common ground on which that trust could be based. Understandings could be sought, for example, that violent crime of any kind will not be tolerated; that while Serb paramilitaries will be dealt with, Kosovo Albanian incursions into Serbia (so-called “Eastern Kosovo”) are equally out of bounds; and that irregular business dealing will be wound down.

The international community wants, properly, to establish democracy in Kosovo and reduce crime. These two goals are interrelated. Some Germans deployed to Kosovo have coined the expression that crime is *ebenengerecht* – the level of involvement in crime is proportionate to the political standing of the perpetrator. But whatever may be the truth of that now, it is a counsel of despair to assume that it must be the case in the future.

While the process of separating politics from crime will be extremely difficult, it is not impossible to achieve over time. Open elections, with tough ground rules about eligibility to stand and strong financial disclosure rules, will be an important part of the process. But so too must be some new attempt at engagement with those who are outside UN control at the moment, whatever their nominal position in UN-approved structures, and whose behaviour in the past may have been less than acceptable.

On many occasions sensitive and difficult decisions will need to be taken regarding structures and individuals whose roles and behaviour are ambiguous. The approach cannot be codified in regulations. The strategy of tough-minded co-option advocated here is like every other difficult course of government action: to be implemented intelligently, sensitively and effectively it needs, on all sides, political leadership.

Pristina/Washington/Brussels, 3 March 2000.

APPENDIX

ACRONYMS AND PLACE NAMES

Acronyms

APC		Armoured Personnel Carrier
DEA		Drug Enforcement Agency
IAC		Interim Administrative Council
JIAS		Joint Interim Administrative Structure
KFOR		Kosovo Force
KPC	Trupat Mbrojtës të Kosovës	Kosovo Protection Corps
KPS	Qendra Policore Në Kosovës	Kosovo Police Service
LBD	Lëvizja e Bashkuar Demokratike	United Democratic Movement
LDK	Ledhja Demokratike të Kosovës	Democratic League of Kosovo
LKÇK	Lëvizja Kombëtare për Çlirimin e Kosovës	National Movement for the Liberation of Kosovo
LPK	Lëvizja Popullore e Kosovës	People's Movement of Kosovo
NNICC		National Narcotics Intelligence Consumers Committee
OSCE		Organisation for Security and Co-operation in Europe
PBD	Partia e Bashkimit Demokratik	Democratic Union Party
PPDK	Partia e Progresit Demokratik të Kosovës	Party of Democratic Progress of Kosovo

PU	Policia Ushtarake	KLA Military Police
RTG		Regional Task Group
SHIK	Shërbimi Informativ I Kosovës	Kosovo Information Service
UNMIK		United Nations Mission in Kosovo
ZKZ	Zbulim-Kunderzbulim	Intelligence Units

Place Names (Kosovo)

Serbian

Bujanovac

Djakovica

Gnjilane

Peć

Prišovo

Priština

Prizren

Kosovska Mitrovica

Medvedja

Srbica

Albanian

Bujanoc

Gjakova

Gjilan

Peja

Preshevë

Prishtina

Prizren

Mitrovicë

Medvegjë

Skenderaj