Bureaucratic Representation and Ethnic Bureaucratic Drift: A Case Study of United Nations Minority Policy Implementation in Kosovo

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Abstract

The article combines research on postconflict management with public administration research by presenting a single case study on the United Nations interim administration in Kosovo. To investigate the reasons for the UN mission's failure to implement its policies on minority relations, the study turns toward local municipal bureaucracies and offers a two-part causal argument that derives from principal-agent theory and bureaucratic representation theory. First, due to a lack of political and administrative oversight by Kosovar institutions and the UN peacebuilding mission, local municipal authorities experienced a high degree of autonomy. Second, those units within municipal administrations that were responsible for minority policy implementation did not include minority bureaucrats who could have acted as their communities' advocates. In the absence of such active representation and a lack of top-down supervision, the municipal civil service departed from its mandate to implement affirmative policies serving the Serb and Roma community in Kosovo. The article finds that this ethnic bureaucratic drift constitutes a central explanation for the lack of minority policy implementation in Kosovo between 2001 and 2008.

Keywords

United Nations peacekeeping, bureaucratic representation, Kosovo, minority policy

Introduction

In studying the United Nations interim administration in Kosovo between 1999 and 2008, this article looks at the influence of bureaucrats on public policy programs, a classic question in public administration research. At the same time, the article examines a key problem of post-conflict reconstruction and peacebuilding, namely, the political fate of an ethnic conflict's subordinate community.

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The starting point of my analysis is the widespread claim that the international community, when seizing power in postconflict Kosovo in 2001, failed in one of its primary responsibilities: protecting minority communities and implementing affirmative measures to improve their situation. These minority groups include members of and alleged collaborators in the formerly oppressive Serbian regime, who after the war found themselves in the position of the ethnic minority in Albanian-dominated Kosovo. Even though the United Nations Interim Administration Mission in Kosovo (UNMIK) was aware of the ethnic problem and sought to address it with policies, the mission nonetheless failed to improve the situation for minorities, especially the Serbs and Roma. An examination of the legislation passed during the 9 years of international administration reveals that there was hardly a single law or policy that did not address community relations in one way or another, yet the societal impact of these minority policies was not evident when Kosovo declared its independence in 2008. A 2007 World Bank report indicates that the economic situation of Serbs in Kosovo stagnated significantly between 2003 and 2005; the authors found that “the poverty headcount for Serb areas and Serb-headed households seems to have skyrocketed” (World Bank, 2007, p. 18). Today, social tensions still loom large, political participation among minorities is limited, and the economic situation for Serbs remains unstable. In view of these facts, this article asks why the situation has not improved for members of minority groups, despite significant legislative efforts to protect minorities and to introduce a policy of positive discrimination.

Common explanations for this paradox attribute either the fragmented international approach to Kosovo’s reconstruction, minority group reluctance to participate in Kosovo’s governmental institutions, or a lack of local political will to implement these policies (Baldwin, 2006; Lantschner, 2008). These explanations, however, all take a macro perspective that overlooks where policy implementation actually happens. By zooming into Kosovo’s street-level bureaucracy, this article tells a different story. Based on bureaucratic representation literature and principal–agent theory, I find evidence for a causal mechanism that explains how and why minority implementation in Kosovo’s municipalities failed.

Bureaucratic representation literature points out that bureaucrats in multiethnic societies are themselves part of an ethnic group. In the case of Kosovo, where ethnic identity corresponds with the parties to the conflict, Albanian bureaucrats’ attitude soured toward policy issues that favored members of the Serb community—such as minority policy. Two factors influence the way such a negative mindset among individual bureaucrats affects on-the-job behavior and minority policy implementation. On one hand, bureaucratic representation theory suggests that if public offices thoroughly reflect all ethnic communities, ethnic bureaucrats will mutually control their behavior and minority policy will be implemented. On the other hand, principal–agent theory maintains that the degree to which formal oversight mechanisms are in place determines whether local bureaucrats have the leeway to favor their ethnic affiliation or not.

Based on qualitative empirical analysis, this study finds that in Kosovo there was neither sufficient oversight nor an equal distribution of minority community members in implementing offices and that both these factors resulted in what the author calls *ethnic bureaucratic drift* from minority policy implementation.

The article proceeds as follows. The first part reviews the literature on policy implementation, principal–agent relationships, and bureaucratic representation. Based on the theoretical propositions, the second part specifies the causal mechanism, the research strategy, and the data sources upon which the empirical section is based. The third section discusses the outcome (a lack of minority policy implementation) and the empirically observable conditions that account for each intermediate step of the causal mechanism. Two concluding sections discuss the findings in light of potential alternative explanations and lay out some implications for further research.

Bureaucratic Representation and Ethnic Bureaucratic Drift—A Framework

Since Pressman and Wildavski's (1973) famous treatment of the challenges related to policy implementation, the field has kept a rather pessimistic view about the extent to which we can expect policies to be implemented the way they were originally conceived. Bardach (1977, 1998) describes in detail the "games" played by actors involved in policy implementation and points out the relevance of their resources, strategies, and tactics as well as the rules of the game. Numerous studies have subsequently confirmed that it is "through the implementation, and not the design, that the issues, contradictions and dilemmas rise to the surface and become grounded in the reality of administration and politics" (Good, 2003, p. 188). It is within this context that two important theories come into play—principle-agent theory and the theory of representative bureaucracy. Both provide the causal mechanisms behind *ethnic* bureaucratic drift, the phenomenon which I argue to be decisive for why minority policy was not implemented in Kosovo.

McCubbins, Noll, and Weingast (1987) yielded many important insights by applying principal-agent theory. A principal-agent relationship occurs when a principal commissions an agent to implement a certain task, for instance, delegating work to an expert in a specific field. A contract specifies the details of their relationship. Usually the agent receives a reward for his or her efforts but can be punished if the stipulated outcome is not achieved. A principal-agent relationship applies to all situations in which tasks are commissioned to a contractual partner, including joint-stock corporations in the market economy (owner of stocks and the managers of the corporation) or the relationship between elected politicians and the civil service in political systems. With respect to the latter relationship, public administration literature coined the term "policy drift" (Noll, Weingast, & McCubbins, 1989) and later "bureaucratic drift" (Kam, 2000) to capture the empirical phenomenon whereby public agencies deviate from what their political principals intended when they introduced the policy. One reason why drift occurs is because the interests of implementing agents do not always coincide with the intentions of their principals. The extent to which drift is possible depends on the level of autonomy and the control mechanisms that the principal puts into place.

Another reason for deviating interests between principals and agents is grounded in the structural context of postconflict societies and the constitution of the public workforce. The literature on "bureaucratic representation"—a term that goes back to J. D. Kingsley (1944)—helps to understand how *ethnic* bureaucratic drift may occur. Mosher (1968) distinguished between passive and active representation. Passive representation refers to the extent to which the demographic origins of public service members mirror those of the society. Active representation refers to individual bureaucrat behavior in the workplace. Building on Mosher, Krislov (1974) argues that individual socialization by virtue of demographic background (including race, ethnicity, and gender) leads to the formation of a distinct group-related pattern of beliefs and values. These in turn influence the behavior of public servants when they perform tasks; for instance, they may exploit their position to favor particular groups of citizens in the provision of public services. Thompson (1976, p. 203) provides the following definition of active representation¹: "behavior actively represents a racial community when it increases the wealth, prestige, or other advantages associated with belonging to that race" (see also Wise, 2003, p. 344).

Bureaucratic representation is particularly important in ethnically heterogeneous societies with a history of civil unrest and conflict. In such cases, minority group representatives in public administrations were observed to actively push for their group's interests (Selden, 1997; Selden, Brudney, & Kellough, 1998; Sowa & Selden, 2003). Bureaucratic representation may thus be helpful for establishing societal stability after conflict because public servants who belong to a formerly oppressed minority community ensure that "their community is treated fairly and has a

stake in the day-to-day functioning of government” (Esman, 1999, p. 365). However, when the public sector is composed only of majority community members, street-level departments might be reluctant to implement policies that serve the interest of minority communities, especially if bureaucrats continue to harbor ethnic resentments. This is the basic logic behind ethnic bureaucratic drift.

Causal Mechanisms and the Research Strategy

The causal argument consists of two segments. The first derives from implementation and principal-agent theory, which holds that the principal of a task cannot expect his bureaucratic agent to act exactly in line with his intentions and that he needs to put control mechanisms in place to prevent drift. This is particularly the case in state systems where the governing authority should expect a lack of legitimacy in the eyes of the administration, as in some authoritarian systems or in international interim administrations. In most state systems, control is exerted by the bureaucratic hierarchy, the legislature, the judiciary, or the public. In transitional administrations, the international bureaucracy adds another layer of oversight.

The second segment derives from the bureaucratic representation literature, which offers one explanation for why individual bureaucrats might not act in line with the policy principal's intentions. Ethnic bureaucrats charged with the implementation of minority policies or the delivery of services to citizens consider the ethnic dimension of their task.² They tend to exploit their autonomy to privilege members of their respective community while discriminating others (active representation). If an administrative unit is exclusively staffed with members of one community—in other words, if it lacks passive representation—we can expect the entire unit to be influenced by ethnic affiliation. However, if these units reflect the demographic characteristics of the society they serve, we can expect minority bureaucrats to safeguard the interests of their community.

Due to Kosovo's postconflict context and the lack of aggregate data on policy implementation, this article cannot employ a research approach based on probabilistic causality and statistical analysis (see King, Keohane, & Verba, 1994, p. 59). I will therefore explore the prevailing alternative and specify a causal mechanism that reveals the logical intermediary steps that link a number of conditions (C1-5) to explain a certain outcome (see Bunge, 1997; Mayntz, 2004). Hence, the postulates derived from theory suggest the following causal statement:

In societies with ethnic unrest or hatred (C1), aggregated individual bureaucratic behavior (C2, C3) causes bureaucratic drift in the implementation of policies affecting community interests (outcome) if the bureaucracy does not exhibit passive representation (C5) and is not subject to formal supervision (C4).

Figure 1 illustrates this causal mechanism to account for the lack of minority policy implementation in Kosovo.³ The mechanism consists of three hypotheses that link the five conditions (C1-5) and account for the relationship between societal macro phenomenon and individual action. The first hypothesis (a) postulates an association between the social fabric in which the bureaucracy is located and individual attitudes. The second hypothesis (b) signifies how the resulting attitude influences decision making in the workplace. This follows the argument of active bureaucratic representation. The third hypothesis (c) postulates the association between individual decision making and organizational action.

The figure suggests one possible explanation for the lack of minority policy implementation in Kosovo (outcome). The literature provides a number of alternative explanations that do not

Figure 1. Causal mechanism with Conditions C1 to C5 and Hypotheses a to c.

primarily take into consideration the implementing level. They are discussed below. I do not suggest that these explanations should be rejected on the basis of the present findings. The research design employed here does not allow drawing conclusions about the validity of alternative explanations or the exclusivity of this one. I merely argue that the literature has not yet considered one additional, important, explanatory dimension that can only be identified by tracing the actual process of policy adoption and implementation by the bureaucracy.

It is not possible to directly observe how causal mechanisms function (Mahoney, 2001). According to the method of causal process tracing (George & Bennett, 2005), only the prevalence of structural conditions can be recognized.⁴ Figure 2 details the observable conditions and the sources that I have available to account for their presence in Kosovo. For each, I indicate the strength of evidence, which unfortunately varies in quality due to the unfavorable contextual conditions for this sort of research in postconflict societies (see Figures 3 and 4).

This research covers the period between 2001 and 2008⁵ and is based on information compiled during three field visits to Kosovo between 2009 and 2011 (overall about 6 weeks). During this time, I collected the statistical documents presented in this article and conducted about four dozen semistructured interviews with individual members of several Kosovar organizations and with members of international organizations. Among the Kosovar institutions were the Prime Minister's office, the Ministry of Local Government Administration (MLGA), the Association of Kosovar Municipalities (AKM), the Kosovar Ombudsman Institution (OIK), Kosovar research institutions, and members of the municipality in Prizren, including a group interview in the municipal community office. Among the international organizations were UNMIK, the Organization for Security and Cooperation in Europe (OSCE), the International Civilian Office (ICO), the U.S. Development Agency (USAID), the European Rule of Law Mission (EULEX), and NATO's Kosovo Force (KFOR).

No systematic empirical information was collected on how ethnic membership affects individual attitudes or workplace behavior. Still, I provide evidence from one Kosovar municipality to illustrate the operation of the micro-level theory. Further data collection proved difficult because of language and access barriers and a certain hesitation among respondents to discuss the issues at hand. As a consequence, the micro-level statements are only supported by original empirical evidence to a limited degree. However, given the dynamics of the ongoing ethnic tensions, especially in Northern Kosovo, it is reasonable to conclude that widespread individual-level resentments among members of all ethnic groups in Kosovo prevailed during the timeframe under investigation.

Condition	Type of source employed	Strength of evidence
Outcome - Minority policy implementation	Documentations and analyses provided by governmental and non-governmental organizations	strong
C1 - History of ethnic conflict	Secondary sources	strong
C2 - Individual mindsets of bureaucrats regarding other ethnics	Reports on ethnic resentments in overall Kosovo, exemplary interviews in municipality of Prizren	intermediate
C3 - Ethnic decision-making by single bureaucrats	Exemplary interviews in municipality of Prizren	weak
C4 - Political control/ local bureaucratic autonomy	Statistical data by UNMIK, UN General Assembly, semi-structured interviews	strong
C5 - Passive bureaucratic representation	Statistical data by the Government of Kosovo, Statistical Office of Kosovo, UNMIK and OSCE	strong

Figure 2. Sources and strength of data employed.

Minority Policy Implementation in Kosovo—or How UNMIK’s Great Expectations Were Dashed in Prizren

The following five sections discuss the conditions specified in the causal mechanism. The first section provides an overview of the conflict in Kosovo (C1) and how the international community responded to it, including the adoption of an advanced minority policy regime. By tracking the implementation of three distinct pieces of minority policy legislation, I am able to prove that all three were significantly delayed in their implementation (outcome). The second and third sections discuss the conditions of external supervision and bureaucratic autonomy (C4) and passive representation (C5). The fifth section addresses the level of individual bureaucratic action in order to present the arguments for sustaining the micro-level action hypothesis that individual prejudices (C2) resulted in ethnically biased decision making (C3). Finally, the findings are reflected upon in light of alternative explanations.

Postconflict Kosovo and the Implementation of Minority Policies (C1, Outcome)

Longstanding ethnic tensions in Kosovo, mainly between members of the Serbian and the Albanian community, flared up in the 1980s during the looming collapse of the Socialist Federal Republic of Yugoslavia. In 1989 the Yugoslav government under Slobodan Milošević decided to revoke Kosovo’s status as an autonomous province within the republic. The following decade, ethnic relations turned sour, and Kosovo-Albanians increasingly faced structural oppression by the Serbian-dominated government and administration, such as expulsion from public office. In the late 1990s, Albanian armed-resistance groups, most notably the Kosovo Liberation Army (KLA), began to carry out violent guerilla attacks on Serbian security targets, further provoking violent crackdowns by the Serbian military that also affected the Albanian population. As a response to the deteriorating humanitarian situation for ethnic Albanians, Western governments initiated a NATO-led air campaign in 1999 to confront what the United Nations Security Council (UNSC) declared “excessive and wholly disproportionate force” by the Serbian side (S/1999/338, 1999, p. 2). The grave humanitarian situation, however, became even more desperate between March and June 1999, the months of the air raid, when approximately 10,000 civilians (mostly Albanian) were killed in what was later described as an ethnic cleansing campaign by the

	1999	2000	2001	2002	2003	2004	2005	2006	2007
1 Military Liaison Officer	38	38	38	38	38	38	38	38	38
2 Civilian Police	4,718	4,718	4,718	4,718	4,603	4,028	2,938	2,078	2,078
3 International Staff	1,148	1,339	1,319	1,227	1,049	910	765	616	605
4 National Staff	3,294	3,927	3,869	3,504	3,130	2,830	2,555	2,084	2,037
5 UN Volunteers	203	203	203	250	250	250	250	163	162
SUM	9,401	10,225	10,147	9,737	9,070	8,056	6,546	4,979	4,920
6 Municipal Admin.	-	-	413	-	195	149	128	28	28
7 Regional Admin.	-	-	347	-	284	187	151	149	149
SUM	n.a.	n.a.	760	643	479	336	279	177	177

Figure 3. United Nations Interim Administration Mission in Kosovo (UNMIK) staff overall and on municipal and regional level between 1999 and 2007.

Belgrade government (American Association for the Advancement of Science & American Bar Association [AAAS] & American Bar Association [ABA], 2000, pp. 3-14; Judah, 2008, p. 64; U.S. Department of State, December 1999). Following NATO's invasion and the subsequent expulsion of Serbian troops from the territory of Kosovo, the international community found itself confronted with an inverse situation: It became necessary to protect the remaining Serbian community members from retaliation.⁶ After a phase of relative stability between 2001 and 2004, ethnic tensions erupted again. UN Secretary General Kofi Annan described the March 2004 riots as "an organized, widespread, and targeted . . . onslaught led by Kosovo Albanian extremists against the Serb, Roma and Ashkali communities of Kosovo" (S/2004/348, 2004, para. 2).

After the Serbian government withdrew its forces from the territory of Kosovo in June 1999, the UNSC established the UNMIK by way of Resolution 1244.⁷ Its mission was to conduct transitional administration, which included core governmental functions such as basic civilian administration and, with the support of NATO troops, the establishment of a secure environment under the rule of law (S/Res/1244, 1999, para. 11). The mission was supposed to build all substantial state institutions in a way that reflected Kosovo's multiethnic character. At the same time, the mission was not supposed to predetermine the territory's legal status (independence vs. remaining part of Serbia). While Resolution 1244 foresaw the status question being decided on the basis of a future political process, including all relevant regional and international stakeholders, Kosovo's political system had to be designed in a way that left open all status options.

Following an emergency phase during which UNMIK assumed the entire spectrum of executive, legislative, and judicative powers in Kosovo from 1999-2001, national elections were held in 2001 and the UN administration began to transfer selected policymaking competencies to the new Kosovar governance framework, the Provisional Institutions of Self-Government (PISG). UNMIK nonetheless remained the ultimate political and legal authority in Kosovo right up until the unilateral declaration of independence in 2008, enabling the Special Representative of the Secretary General (SRSG) to reverse laws, verdicts, and administrative acts passed by the PISG and to remove Kosovar staff from public office. Furthermore, a few selected policymaking powers remained in the hands of the SRSG until 2008, including those related to community relations. Consequently, UNMIK—the political principal—was responsible for creating and adopting laws, policies, and programs related to interethnic issues, whereas the PISG—the executive

No.	Municipality ¹	K-Alb	K-Serb	Turk	Bos.	RAE	Other ²	Total	Min. Share Pop. ³	Min. Repres. MCS ⁴
1	Drenas/Glogovac	137						137	0.0	0.0
2	Kaçanik/Kaçanik	113						113	0.0	0.0
3	Malishevë/Mališevo ⁵	982				1		983	0.0	0.1
4	Podujevë/Podujevo	235	2			1		238	0.8	1.3
5	Shtime/Štimlje	68			1	1		70	2.6	2.9
6	Suharekë/Suva Reka	153				2	1	156	0.6	1.9
7	Deçan/Dečani	104			3	1		108	1.0	3.7
8	Gjakovë/Đakovica	254			1	10		265	6.3	4.2
9	Klinë/Klina	129	2			4		135	3.5	4.4
10	Skënderaj/Srbica	207	7					214	0.6	3.3
11	Rahovec/Orahovac	122	13			1		136	2.2	10.3
12	Viti/Vitina	147	14				2	163	5.7	9.8
13	Istog/Istok	127	2		9	4		142	8.1	10.6
14	Ferizaj/Uroševac	226	1	1		15	2	245	2.7	7.8
15	Vushtri/Vučitrn	173	16	1		1		191	4.5	9.4
16	Prishtinë/Priština	615	64	12	4	4		699	2.6	12.0
17	Dragash/Dragaš	64			39			103	28.1	37.9
18	Fushë Kosova/Kosovo Polje	119	19			4		142	15.0	16.2
19	Novobërdë/Novo Brdo	44	14			2		60	38.7	26.7
20	Prizren	234	2	24	30	6		296	18.6	20.9
21	Mitrovicë/Mitrovica	193	2	5	12			212	11.3	9.0
22	Pejë/Peć	256	4		22		2	284	13.6	9.9
23	Gjilan/Gnjilane	238	25	3				266	10.6	10.5
24	Lipjan/Ljpljan	142	11		1			154	16.6	7.8
25	Kamenicë/Kamenica	144	40				4	188	17.5	23.4
26	Obiliq/Obilić ⁵	73	15		2	2		92	16.2	20.7
Kosovo-wide % ⁶		92.0	5.3	0.4	n.a.	1.1	1.2		8.0	8.5

¹ No data was available on the mainly Serb municipalities Shtërpçë, Zveqan, Leposaviq, and Zubin Potok.

² Others include Gorani and other not specified groups.

³ Minority Population Share in municipality (%), based on OSCE municipal profiles: <http://www.osce.org/kosovo/43753> (accessed 01 May 2012).

⁴ Minority Representation in municipal civil service (%).

⁵ Includes numbers of staff in education and health care.

⁶ According to the Kosovo Statistical Office (2008).

Figure 4. Passive representation of civil servants by ethnicity in Kosovo's municipal administration.

agent—was responsible for their implementation. Within the PISG, this involved almost exclusively street-level bureaus at the municipal level.

Under the PISG, Kosovo was administratively subdivided into 5 regions and 30 municipalities. The formal vertical relationship between central government and municipalities was greatly influenced by the principal of subsidiarity, shifting important regulatory competencies and

responsibilities to the local level. However, funding for these activities was by and large provided by the central level (see UNMIK/Reg/2000/45, 2000, para. 39). Until 2001, municipalities were administered exclusively by UNMIK personnel who took over all vital decision-making competencies. After that, powers were transferred and the number of international staff decreased significantly. In 2005, the Office of the General Auditor of Kosovo officially announced that Kosovo's "civil service has the capacity and capability to implement effective financial procedures and controls" and concluded that the "skills of technical staff at [the] local level are adequate" (United Nations Development Programme [UNDP], 2005, p. 86) for the task of public service delivery, including the implementation of minority policies.

To provide for the rights of minority groups in multiethnic municipalities,⁸ community representation structures and mechanisms for public service access were established, among them the Municipal Community Offices (MCO). These offices were integrated into municipal administrations and were "responsible for enhancing the protection of community rights and ensuring equal access for communities to public services at the municipal level" (UNMIK/Reg/2000/45, 2000, para. 23.12). MCOs were set up in most of Kosovo's municipalities. Although, as an OSCE report in 2003 indicated, the functioning of minority representation structures in municipalities depended critically on the level of cooperation between local and international authorities (OSCE, 2003, p. 61). According to UN officials working on community relations, MCOs in many municipalities were the only department where minority community members were employed.⁹

There are three important minority policies: the Anti-Discrimination Law (ADL), the Law on the Use of Languages (LUL) and the Fair-Share Financing Policy (FSF). These policies have already received academic attention (e.g., Baldwin, 2006; Bieber, 2003; Lantschner, 2008), and their implementation was closely monitored by the various nongovernmental and international organizations quoted later in this article. The following examples therefore summarize the literature's overriding message—that "minorities are being offered at best a series of paper rights" (Baldwin, 2006, p. 25) and "that the legislative framework is very advanced but that practical implementation lags far behind" (Lantschner, 2008, p. 461).

The ground covered by the ADL (UNMIK/Reg/2004/32, 2004) and the LUL (UNMIK/Reg/2006/51) had already been partially regulated by the Constitutional Framework (UNMIK/Reg/2001/9, 2001), which set up the PISG in the first place. Their main purpose was to regulate the equal treatment, fair representation, and interethnic tolerance of individuals by public or private bodies. The legislation authorized courts to grant compensation and impose fines for violations, and it explicitly encouraged the use of affirmative action to ensure equality in public life. The LUL defined Albanian and Serbian as Kosovo's official languages¹⁰ and stipulated that all public services be accessible in these languages. The LUL also required that all public documents and official signs (for instance, traffic signs) be bilingual.

Major problems arose with respect to the implementation of the ADL in the areas of health care, education, and employment in the public sector. A Human Rights Committee (HRC) report at the time stated that distrust among communities meant that Serbs and RAE¹¹ community members avoided Albanian health care and education facilities. Instead, they used parallel facilities established and maintained by the government of the Republic of Serbia.¹² Furthermore, members of minority groups, especially in refugee camps, were reported to have faced severe obstacles in their physical access to health care and educational services, especially since many of these facilities were located in areas predominantly inhabited by Albanians. As a result, the HRC observed that there was a marked difference in the average years of schooling between all Kosovar boys and girls (10.4 and 8.42 years) and those of the RAE community (8.04 and 5.69 years). The authors concluded that this was exacerbated by the widespread practice of only offering major examinations and school bureaucratic procedures in Albanian (CCPR/C/UNK/1, 2006,

para. 208 and 237). Hence, minority communities frequently complained to the Kosovo Ombudsperson Institution (IOK, July 21, 2008, p. 69) “that they face discrimination in all areas of their daily life such as employment, health, education, right to property, access to justice and right to diligent investigation, fair trial, etc.”

In 2006–2007, the OSCE (2008a, 2008b) conducted a survey among minority community members on their interaction with municipal officials while accessing public services. Twenty-eight percent of the respondents, all belonging to non-Albanian communities, said they experienced severe problems receiving any services at all in their own language. Furthermore, 40% of respondents claimed that they had not been issued official documents in their respective languages. For instance, in 2007, as many as 40,000 RAE community members had still not gone through civil registration. According to the OSCE, a “lack of will and resources continues to prevail in several Kosovo Albanian and Kosovo Serb majority municipalities” (2008b, p. 6). Moreover, the IOK stated that “the issue of language represents another major obstacle to restoring cooperation between Albanians and a number of minority communities” (July 21, 2008, p. 37).

The third policy introduced, the FSF, was not made into a formal law. The FSF aimed “to create appropriate conditions enabling all communities to express, preserve and develop their ethnic, cultural, religious and linguistic identities” (UNMIK/Reg/2000/45, 2000, Art. 2.3). To enable communities to do this, the annual Kosovo Consolidated Budget stipulated that each multiethnic municipality allocate a proportionate share of their total annual budget grants to nonmajority communities in their areas. Moreover, an Administrative Instruction (2001/1) specified purpose areas such as health care, infrastructure investments, and so on (CCPR/C/UNK/1, 2006, para. 223). According to information gathered in the field, the implementation of the FSF suffered severe shortcomings. International officials reported that the major share of FSF grants was spent on salaries of minority employees in the public service, not on public investments in minority community–resident areas.¹³ This significantly reduced the amount available for urgently needed infrastructure projects for minority settlements, often located in rural areas. It has even been suggested that the earmarked funds for infrastructure projects were never spent. UNMIK legislation on procurement procedures required tenders to be public and open for at least 3 months, followed by approximately another 2 months of consultation and assessment periods in municipalities. Municipal-level observers from OSCE and IOK reported that FSF infrastructure procurements were also held up by delaying tactics of municipal administrations. Apparently, UNMIK’s rulebook on public procurements procedures, which aimed to provide transparency and constrain corruption, was deliberately used against FSF procurements in order to stall decision processes until the winter season would literally freeze construction projects. A 2006 UN human rights report assessing the municipal reporting practice on FSF spending concluded that “in some municipalities, the figures are mathematically correct as the calculations and extrapolated numbers are based on the numbers of minority inhabitants and not on who actually received or benefited from any services provided, or the method of allocations in all categories is not all the time clear” (CCPR/C/UNK/1, 2006, para. 226).

By virtue of the extensive ground that an assessment of minority policy implementation in Kosovo had to cover, the findings in some areas are vague. Yet the above remarks make clear that the scope of implementation of minority policies in Kosovo by 2008 cannot be considered in line with UNMIK’s political objectives. At the same time, the policy framework that was supposed to counter these developments suffered from real deficiencies in its implementation: Either language was not applied as required; administrative procedures were in some respect discriminatory against minorities; or funds designated to minority communities were not spent as stipulated by law or policies. While several sources deemed the policies technically satisfactory,¹⁴ others have noted that the extensive legislative framework that supported minority communities in

Kosovo was not “accompanied by similar levels of governmental implementation or commitment at the local level” (Tansey, 2009, p. 164).

Bureaucratic Autonomy (C4)

According to principal–agent theory and the construct of ethnic bureaucratic drift, the most crucial variable determining public offices’ adherence to governmental policy programs is the extent of top-down or external supervision. In internationally administered Kosovo, three authorities are potentially relevant: the international authority (UNMIK), the PISG judicative institutions, and the PISG elected bodies. As the empirical analysis has shown, the latter two authorities were of minor relevance.

The international authority retained most power over policymaking with respect to ethnic relations, leaving Kosovo’s central institutions with only limited influence over, for example, the municipal budgets (apart from FSF funds) as a means of ex-ante control. This leeway has, however, been extensively exploited, squeezing out most of the municipalities’ capacity for local self-government. In 2006–2007, municipalities had an average annual budget of 5.5 million Euros at their disposal, two thirds of which were already earmarked for education, health and primary infrastructure investments. This left them with approximately 2 million Euros per annum to fulfill functions such as social services as well as to pay salaries for an average of 1,381 civil servants per municipality (UNMIK/Reg/2006/61, 2006). But neither the government nor the parliament seems to have treated minority policies as a priority for ex-post control. As one OSCE (2008a, p. 24) report indicates, Human Rights Units were not installed prior to 2007. These units were supposed to be installed in each ministry in order to review legislation and administrative decisions on their conformity with human rights standards. Furthermore, the parliament’s principal oversight body on ethnic relations, the Committee on Rights and Interests of Communities, failed in its duty to report on the implementation of laws in their areas of responsibility (2008a, para. 61). In short, while the PISG had a tight grasp on the municipalities’ room for maneuver in most policy areas, community policies do not seem to have been a priority issue for close supervision.

The judicial pillar was not of much relevance either. The Constitutional Framework granted every legal person in Kosovo affected by a governmental decision the right of judicial review. In general, administrative courts do in fact perform such reviews. However, in Kosovo, no such courts have been installed. Instead, administrative review was assigned to a two-judge subchamber of the Supreme Court (OSCE, 2008c, p. 23). As is, the Supreme Court did not once render a verdict that opposed municipal administrative decisions until 2008.¹⁵ Instead, infringements were returned to the acting agency for reconsideration. In numerous cases this led to a rising number of cases pending with Kosovo’s courts, from less than 20,000 in 2000 to 160,238 in 2007 (A/62/807, para. 28).

Finally, the UN mission remained the only body with a real motive to implement minority policies. A number of factors limited its ability to exert supervision. According to some officials close to UNMIK senior management,¹⁶ in the first years not everybody within the mission and its pillars saw protecting the supporters of the formerly oppressive Serbian regime as a priority task. And even when the mindset slowly changed, specifically after a phase of violent Albanian retribution in the winter of 1999–2000 (King & Mason, 2006, p. 49), UNMIK’s strategic political concern remained predominantly related to the looming question of Kosovo’s status. Due to political pressure built up by the Serbian and Russian delegations in New York, most operational activities were evaluated with respect to their potential legal impact on the status question. The contest between the two views also affected UNMIK’s operational staff levels, with a constant level of rivalry between those who supported Kosovo’s independence and those who saw

themselves as guardians of UNMIK's neutrality and the status quo.¹⁷ The result was a culture of conflict, not necessarily between individuals but among departments that tended to be staffed with those supporting one or the other view.¹⁸ Because conflict in bureaucratic organizations usually has to be resolved one level higher in the hierarchy, the status debate severely slowed down UNMIK's operational decision making and resulted in what King and Mason (p. 251) call "creeping bureaucratic sclerosis."

In addition, staff figures tell their own story. In 2001, on average 14 UNMIK officers were deployed to each municipal administration; half of them dealt exclusively with community issues. Yet, in line with the transitional character of the UN mission, field staff numbers began to decline soon after 2001 (see figure below).¹⁹ This hampered the mission's ability to control its municipal agents. After 2005, the remaining UN personnel were eventually brought in to regional hubs. To keep track of minority policy implementation, regular "go & see visits" were conducted. Based on detailed indicator lists, the missions gathered large amounts of statistic data. However, insiders report that these data were only superficially analyzed, if at all.²⁰ This further undermined UNMIK's ability to assess the state of minority policy implementation.

To sum up, an examination of relations between the international authority, the domestic political bodies, and the domestic bureaucracy reveals a low degree of top-down municipal supervision. Regarding the PISG, neither judicial institutions (the Supreme Court) nor the legislative or executive oversight bodies (human rights units or parliamentary committees) played a significant role in controlling minority policy implementation by municipal bureaucracies. At the same time, UNMIK was internally split over the status question and suffered from a severe slowdown of decision making regarding all aspects related to Kosovo's status, including community relations. And in line with its transitional character, the UN mission also permanently reduced its staff levels in the field. Therefore, with regard to the degree of formal structural supervision exerted by international and domestic actors, the following conclusion can be drawn: In internationally administered Kosovo, a low degree of control of municipal offices created significant leeway for autonomous administrative action.

Bureaucratic Representation (C5)

Modeled along the lines of Western-style bureaucracies, Kosovo's civil service enshrines the principles of impartiality and merit. In recognition of Kosovo's multiethnic character, the civil service law was similarly geared toward reflecting "the multi-ethnic character of Kosovo and the need for equitable representation of all the communities in Kosovo" (UNMIK/Reg/2001/36, 2001, para 2.1). In response, UNMIK established a working group on minority employment that developed target representation ranges for the public service on basis of the results of the Kosovo Assembly elections in 2001. These were between 8.3% and 18.3% for the Serb minority and between 8.3% and 10.8% collectively for non-Serb minority communities (E/C.12/UNK/1, 2008, para 48). Implementing these target ranges was one of UNMIK's priorities in the early days of establishing the public service.²¹ The figure below shows the distribution of minority community members in municipal administrations in 2007-2008 (MLGA, 2008).²²

The numbers show that about 8.5% of the municipal-level administration staff (excluding public employees in education and health care) belonged to minority communities, a figure at the lower end of the target representation range. As to the overall public service in Kosovo, a 2007 report by UN Secretary General Kofi Annan points to a minority representation of 11.2% (S/2007/134, 2007, Annex 1, para 18). The discrepancy arises because, proportionally, more minority civil servants were employed in central-level ministerial administrations and in education and health care facilities than in municipal administrations.

In addition to the underrepresentation of minority communities at the municipal level, an onsite visit to the municipality of Prizren revealed another problem.²³ According to the above figure, minorities were overrepresented in the municipal administration of Prizren in 2007-2008. It employed 62 minority community staff, 30 Bosniak, 24 Turk, 6 RAE, and 2 Serbs. Among them, only the Bosniak community members were consistently represented in all departments. As for the Serbs, RAEs, and Turks, they were primarily employed in the MCO. Although these offices were established as a means of facilitating minority access to the municipality, they were not themselves engaged in the actual service delivery. MCO staff in Prizren claimed that this was because the office faced strong and consistent resistance to cooperation, which came from both the political and administrative realms of the municipal authority. Although not all Kosovar municipalities could be visited during this study, information provided by UNMIK personnel indicates that in most multiethnic municipalities MCOs were even geographically detached from the actual administrative building.²⁴ It appears, therefore, that the Prizren example is the rule rather than the exception. For instance, an OSCE report confirms that "in [Kosovo's] municipal institutions, non-Albanian communities are overrepresented in posts dedicated to communities and returns, but underrepresented in all other sectors" (2008a, p. 10).

It is clear then that in addition to the concentration of minority civil servants in central-level institutions, single administrative departments in Kosovo's municipalities were not multiethnic, despite the overall figure that UNMIK reported to New York. Taking into account the statistics provided by the MLGA and the field information and interviews, a second glance reveals a structural separation of minority civil servants (especially of RAEs and Serbs) from those departments that deliver most services to the population (such as social services, social welfare, infrastructure or cadaster registration). According to theory, active bureaucratic representation can only bring about the desired consequences if minority civil servants are employed throughout all those departments actually concerned with service delivery and minority policy implementation. The analysis shows that this did not occur in Kosovo.

Individual-Level Attitudes (C2) and Bureaucratic Decision Making (C3)

After having discussed the structural features of Kosovo's municipal administrations, this section now turns to the level of individual attitudes and decision making by the bureaucrats working there. The question is whether individual public servants act differently depending on a citizen's ethnic affiliation.

In their review article "Violence and the Social Construction of Ethnic Identity," Fearon and Laitin (2000) find that there is consensus in the literature that ethnic conflict and violence generally contain some element of purposeful strategic action by individuals or groups. Also, Thompson (1989, p. 53) finds no theoretical or empirical arguments that establish ethnicity as "a natural primordial instinct." Even though much has been written on ethnic conflict, it remains difficult to get a clear picture of the long-term dynamic that emerges after ethnic tensions have been raised and (violent) ethnic conflict has taken place. However, there seems to be support for the claim that ethnic antagonism constitutes a "persistent institution" that, once established, continues to reinforce and reproduce itself among ordinary people for decades to come (see Fearon & Laitin, 1996; Laitin, 1998; Mackie, 1996; Volkan, 1997). Based on this argument, it may be reasonable enough to conclude that similar dynamics have persisted since the Kosovo war and continue to affect individual decision making. Although it is difficult to observe such attitudes and the resulting ethnically driven behavior, I shall provide some exemplarily and anecdotal evidence below that supports this claim.

In Kosovo, the most prominent ethnic cleavage can be found in the conflict between ethnic Albanians and ethnic Serbs, as well as Serbian-speaking members of the Roma and Ashkali community. Both sides committed atrocities and human rights violations during their respective period of political supremacy in Kosovo. There were times of massive and organized human rights violations committed by Kosovo Serbs prior to 1999 and by Kosovo-Albanians immediately after the NATO intervention in 1999 and again in 2004. As a result, almost every citizen has lost a member of his or her extended family due to conflict-related violence. This continues to affect individual attitudes and interpersonal relations. For instance, UNDP opinion polls show that the percentage of Albanian respondents who agreed to “live or work in the same town or street” as their Serb compatriots never exceeded 50% between 2002 and 2008, while the figures for Serbs have only slightly been higher (UNDP, 2006, 2008). Furthermore, during the same period more than 70% of Albanian respondents admitted to having no contact with Serb community members (UNDP, 2007a, 2007b, 2008). In 2007, UNDP polls for the first time asked respondents when they expect ethnic relations to improve, a question that the majority of respondents answered pessimistically: 60% of Albanians and 70% of Serbs expected relations never to improve or, if so, only in the distant future (UNDP, 2008). According to two longtime UN employees (King & Mason, 2006, p. 112), “Serbs and their interests hardly figured in the decisions of Albanian-majority municipalities,” and the initially hostile attitude to Serbs began to harden instead of fading over time. In Northern Kosovo, which is predominantly inhabited by Serbs, open conflict erupts on a regular basis.²⁵ A number of organizations that track ethnic violence in Kosovo consistently report that interethnic crime and violence remain problematic, especially in Northern Kosovo and also beyond.²⁶

It seems natural to conclude that ethnic tensions during the period of UN administration of Kosovo persisted, affecting individuals’ decisions about workplaces and social interaction—also within the civil service. Unfortunately, it is nearly impossible to observe such behavior directly, for instance, on the basis of a large-*N* survey approach. Instead, I provide exemplary evidence to support these claims, on the basis of information about the municipality of Prizren. As outlined above, members of the Turk, Serb, and RAE communities were not consistently represented in the overall municipal public service; instead, they were embraced in the MCO. By contrast, members of other communities that do not have such a turbulent history with the Albanians, such as the Bosniaks, found employment in all departments. During a field visit, Serbian and Turkish respondents unanimously reported common obstacles to their access to municipal authorities and complained of a lack of service delivery in their villages. For example, staff responded in Albanian and issued documents only in the Albanian language or voting registration procedures were artificially prolonged or appointments were not kept. Some respondents also reported that minority-resident areas lacked public lighting and waste disposal and that they received low infrastructure investments and irregular bus service. Overall, minority respondents coincided in conceiving municipal authorities as overly unresponsive to their needs and requests. Although these claims cannot be considered representative, they find confirmation in the Kosovo-wide documentation provided by the UN, OSCE, OIK, and others on the implementation of minority policies.²⁷

In sum, the outlined documentation and interview responses give no reason to conclude that the theoretically predicted mechanism—in other words, the ethnic decision making by municipal administrators—should be rejected in the case of Kosovo. By contrast, the little evidence available supports the claim that individual bureaucrats in Kosovo’s municipalities were affected by the long-standing ethnic conflict between Serbs and Albanians and that this also affected their disposition toward the implementation of minority policy. It is of course a serious allegation to suggest that these individuals have actively sabotaged policy implementation or service delivery. However, failing to prioritize minority policies or constantly deciding to focus on something else ultimately has the same effect.

Discussion and Alternative Explanations

International interim administrations in postconflict societies face a serious dilemma with respect to their aim of sustainable, long-term peace and reconciliation. They are perceived as alien elements by the society in which they intervene and therefore face a lack of legitimacy. After their initial, positive status as liberator, they begin to encounter difficulties, increasingly perceived as the occupiers. This was the case in Kosovo after only 2 to 3 years into the intervention. In addition, the study shows that in the case of UNMIK, the peacebuilding mission internally was paralyzed by a dispute about Kosovo's status that emerged when the Security Council could not agree on strategic guidance on the issue. At the same time, UNMIK's operational capacity reached its peak. The mission had to rely more and more on local actors' voluntary cooperation rather than on coercion or supervision. This was not a problem in those policy areas that had already been transferred to the local political system by 2003. Quite the opposite: Transferring policy responsibilities to Kosovar politicians would have also handed the responsibility of principal-agent supervision over to local actors. By keeping a tight hold on the policy responsibilities for community relations and minority rights, the internationals kept the entire Kosovar political system on the agent side of this relationship. This also relieved Kosovar politicians of the ownership of and responsibility for postconflict management policy and community reconciliation—although it is of course questionable whether policy ownership by local actors would have changed the way implementation was enforced.

The absence of any meaningful political, bureaucratic, or judicial oversight gave room to the pathological consequences of decision making in public offices on the micro level as described by active representation theory. Due to an absence of minority civil servants in vital service delivery and minority policy implementation units, the majority of civil servants were not pressured to act in line with the legal framework on community relations, and most of the provisions foreseen in these policies never reached their recipients. On a larger scale, these mechanisms allowed for large-scale ethnic bureaucratic drift and significantly contributed to the overall lack of minority policy implementation throughout Kosovo.

This study is based on a deterministic research design and employs qualitative data gathered from field research in Kosovo. It suggests a causal path that explains why minority policy has not been implemented to the extent foreseen by UNMIK. The findings outlined above complement a number of additional explanations that have been suggested in the literature. For instance, one frequent claim is that minority communities had no actual interest to cooperate with the PISG because this would strengthen the legitimacy of Kosovar institutions and increase the likelihood of Kosovar statehood. Instead, the Serb government established parallel institutions in North Kosovo that substituted public services (IOK, July 21, 2008; Lantschner, 2008). Frequent reports about high levels of corruption and politicization in Kosovo's civil service (Korenica, Doli, & Rogova, 2011) suggest additional reasons why street-level bureaucrats did not prioritize the implementation of minority policy. Others point to a lack of political (not bureaucratic) will within the PISG (Lantschner, 2008) or to a fragmented approach by the international community with several organizations under UNMIK's roof (Baldwin, 2006; Bieber, 2003; Visoka & Bolton, 2011).

Even though none of these authors base their findings on thoroughly designed empirical analysis, I will not argue here that their explanations and critiques are invalid. In fact, the design applied in this study does not allow me to reach conclusions about the relative strength of this explanation against others. At the same time, the combination of theoretical information and empirical evidence provided in this article gives no reason to reject any of the claims made within the causal mechanism. The concurrence of bureaucratic autonomy on the municipal level and ethnic bureaucratic drift is suggested as a sufficient condition to explain the lack of minority

policy implemented in Kosovo. Hence, though most of the above explanations emphasize the general political context, specifically as regards the exceptional setting of international administrations, this contribution highlights the relevance of implementing agencies when it comes to explaining policy failure. The concept of ethnic bureaucratic drift thereby points to a set of causal mechanisms that are argued to have some explanatory power in their own right, maybe even in similar cases elsewhere.

Conclusion

Today, more and more analysts see Kosovo as an example for the success of liberal state building as a means for conflict resolution. The UN Department for Peacekeeping Operations has compiled lessons-learned reports about the engineering of Kosovo's institutions, and it folds these lessons into its institutional memory on how to build sustainable peace. There are certainly many positive lessons to be learned from peacebuilding in Kosovo. Still, using public administration concepts to emphasize the bureaucratic dimension of postconflict management, this contribution suggests a number of important limitations that appear only on second glance and should attract more scholarly attention.

First, for post-ethnic conflict institution building, the mechanisms related to ethnic bureaucratic drift might not be limited to Kosovo's context. At the moment, extending state authority by strengthening basic public administration and service delivery is increasingly discussed as a significant factor for the success of postconflict peacebuilding (World Bank, 2011). It may well become a central part of future conflict transformation strategies (Jones, Gowan, & Sherman, 2009). However, we know relatively little about how individual group allegiance to former conflict parties affects the functioning of postconflict public administration. Bureaucratic representation literature argues that a public service that reflects the demographic characteristics of the society it serves increases responsiveness to all citizens' concerns and, thus, legitimacy of the state. By reversing the underlying argument, I present evidence that, in cases in which street-level bureaus exclude one group, the bureaucracy remains rather unresponsive to policies affecting the interests of this group. This constitutes a problem for the proper functioning of the state. Even worse, the exclusion of parts of the society from receiving state services may cause renewed conflict. Surely we cannot conclude from this that representative bureaucracy as a condition would be sufficient to cause societal reconciliation; it might even lead to other problems such as in-built organizational stalemate. But for the moment, it should be considered one among other necessary conditions for long-term stability in an ethnically divided postconflict society governed along liberal Western principles. Thus, conflict-sensitive external support for transforming state institutions should acknowledge these mechanisms, and researchers should put more emphasis on investigating the phenomenon.

Second, the study has shown that deadlock about Kosovo's status in the Security Council was negatively connected to UNMIK's ability to ensure minority policy implementation by street-level bureaucrats in Kosovo's municipalities. This relates to a fundamental problem in transitional administration. Most peacebuilding missions today are conducted by international organizations subject to multilateral decision making. Thereby, "Member countries must solve collective-action problems multilaterally before motivating their agents" (Nielson & Tierney, 2003, p. 242). In Kosovo, shortly after the UN mission was launched, the Security Council could not agree on a common position anymore and lost its ability to provide strategic guidance to the mission. Among many other problems, this caused the status debate to politicize and deadlock the mission. Even though the status question remains a unique feature of the Kosovo case, similar dynamics could emerge whenever multilateral principals disagree on peacebuilding policy. Missions are staffed with international peacebuilders who to some degree always reflect the positions of their governments in the Security Council. This link is worth more scholarly attention.

Finally, that UNMIK did not institute appropriate measures to ensure minority policy implementation might also point to a more technical problem. The UN mission extensively gathered statistics on minority representation, for instance, through the “go & see” reports, which counted the number of street signs in minority languages or the presence of translation equipment in municipal assemblies. Yet the methods applied suggest an overemphasis on benchmarking and key figure assessment within the UN peace bureaucracy. This may have been to the detriment of a deeper understanding of institution building and impact measurement. As a consequence, mission leadership and New York were not forced to react to what was really happening because, according to their “official sensors,” there was no problem they needed to respond to. In light of this, the question as to which evaluation and impact measurement tools should be used in peacekeeping shifts from being a technical to a highly political matter. For peacekeeping operations in crisis management, these “politics of evaluation” might be critical for the overall and long-term impact of peacebuilding measures. Future research should investigate this in more detail.

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Notes

1. In line with the language applied in this article, the reader may consider substituting the term “race” in this quote with “ethnic community.”
2. Further research would be necessary to adapt this causal model to other policy areas. The present postulate is explicitly constructed on the basis of a strong, coherent, and stable mindset of bureaucrats toward the policy they implement. However, in postconflict societies there is hardly any policy area that does not affect community interests in one way or another.
3. This illustration follows Coleman (1990) who has called attention to the necessity that the connection between condition and outcome on the societal macro level must be explained by accounting for the action of single individuals. This ensures the holistic character of an explanation and distinguishes otherwise implicit causal mechanisms (see Hedström & Swedberg, 1996; Mayntz, 2004).
4. According to George and Bennett (2005, p. 211), the present style of causal process tracing is labelled the “analytic explanation” and is opposed to an explanation based on a historical narrative.
5. During the emergency phase until 2001, United Nations Interim Administration Mission in Kosovo (UNMIK) assumed all executive, legislative, and judicative functions by itself and in 2008 Kosovo unilaterally declared its independence. The Security Council has not yet agreed on a new resolution to repeal the transitional administration, which lasts today. In practice, however, the UN mission has adjusted to the new realities and given up most of its activities in Kosovo since 2008.
6. Reports indicate that several hundred Serbs and Roma were killed during that period and thousands fled the country (King & Mason, 2006, p. 46).

7. The UN alone lacked the capacity to administer Kosovo and build public institutions. That is why a range of other international organizations were asked to assist UNMIK within the mandate of Resolution 1244. The Organization for Security and Cooperation (OSCE) assumed responsibility for democratic institution building, the European Union (EU) for economic reconstruction. The UN Refugee Agency UNHCR was also part of UNMIK until 2001.
8. Although data about the size of these other groups in Kosovo vary and have always been a political issue, the most reliable figures have been estimated by the Statistical Office of Kosovo in 2006 and indicate that 92% of the population are Albanian, 5.3% are Serb, 1.1% are Roma, 0.4% are Turkish, and 1.2% belong to other communities, such as Bosniaks, Gorani, Ashkali, Egyptians, and Montenegrins (Statistical Office of Kosovo, 2008).
9. Interviews with officials at UNMIK's Department for Community Support and Facilitation (Pristina, November 2009).
10. Municipalities can define additional official languages if their population contains a community with a share of more than 3%. This is for instance the case with Turkish in the municipality of Prizren.
11. RAE is an umbrella term for the three Roma subgroups in Kosovo, the Serbian-speaking Roma, and the Albanian-speaking Ashkalia and Egyptians.
12. According to a European Center of Minority Issues report, 18 parallel health care facilities and 61 schools were funded by the Serbian government in 2007 Kosovo (European Centre of Minority Issues [ECMI], 2008).
13. According to interviews with several officials at UNMIK, OSCE, U.S. Development Agency (USAID), and the Kosovar Ombudsman Institution (OIK) who worked in the area of municipal capacity building or acted as analysts (Pristina, November 2009).
14. For instance, the European Commission concluded that "[Kosovo's] legal framework is nearly comparable to European standards" (European Commission, November 6, 2007, p. 19).
15. Interview with officials at the Kosovo Ombudsman Institution (Pristina, November 2009).
16. Interviews with UNMIK officials and one USAID official who worked in a project on local governance (Pristina, November 2009).
17. Interviews with UNMIK senior management officials and a former principal international officer who worked within PISG institutions (Pristina and Berlin, November 2009, January 2011).
18. Interviews with two former UNMIK senior management officials (Pristina and Berlin, November 2009, January 2011).
19. The numbers are according to UNMIK's annual budget as approved by the UN General Assembly (A/56/802, A/57/679, A/58/638, A/59/633, A/60/684, A/61/776). Row 6 and 7 are part of Row 3 and 4. No figures for the regional and municipal level were available for 1999, 2000, and 2002.
20. Interviews with officials at UNMIK's Legal Department and the Department for Community Support and Facilitation (Pristina, November 2009).
21. Interview with a former UNMIK principal international officer who worked within PISG institutions (Pristina, November 2009, January 2011).
22. The figures are based on a survey conducted by the Kosovo Ministry of Local Government Administration (MLGA) in 2007-2008.
23. The trip was conducted in December 2009. Several interviews were conducted with officials at the NATO's Kosovo Force (KFOR) municipal liaison team, employees at the Prizren municipality, the Municipal Community Offices (MCO), and at a public school in Prizren.
24. In the municipalities Deçan, Skendera, Viti, Ferizaj, Vushtrri, Prishtinë, Dragash, Pejë, and Gjilan, the MCOs were located outside the municipal building in minority residential areas that further restricted access to other departments.
25. One of the latest incidents was in summer/fall 2011 when Serb protestors attacked customs stations at the border between Serbia and Kosovo after the Kosovar government had send special forces there to enforce its ban on Serbian imports (see, for instance, <http://www.dw-world.de/dw/article/0,,15272616,00.html>).

26. See for instance the annual reports by Human Rights Watch (<http://www.hrw.org/>) or the 2010 Human Rights Report on Kosovo by the US State Department (<http://www.state.gov/g/drl/rls/hrrpt/2010/eur/154432.htm>).
27. See the above section on the implementation of minority policies and most notably the OSCE reports (2007, 2008b), a report by the UN Economic and Social Council (E/C.12/UNK/1, 2008), reports by the Kosovo Ombudsman office (IOK, July 11, 2006, July 21, 2008) and by the Humanitarian Law Center (Humanitarian Law Centre, 2007, 2008).

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