

VIOLENCE IN KOSOVO:  
Who's Killing Whom?

Amended version

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## VIOLENCE IN KOSOVO:

### Who's Killing Whom?

#### I. INTRODUCTION

The agreement signed on 20 September between the Kosovo Liberation Army (KLA) and KFOR commanders transformed the KLA into a 5,000-strong, nominally multiethnic civilian force - the Kosovo Protection Corps (KPC). This move is unlikely to halt the rising tide of violence and crime in Kosovo, or to stem the continued exodus of the province's few remaining non-Albanians; stopping the violence in Kosovo will require much more. According to the UNHCR, Kosovo's non-Albanian population is now estimated at: Serbs - 70,000; Roma - 11,000; Muslim Slavs and Goranis - 20,000;<sup>1</sup> and Turks - 15,000. NATO figures suggest 97,000 Serbs have remained in Kosovo, about half the pre-war Serb population. Some 100,000 Serbs have fled the province, and many have been murdered.<sup>2</sup> Systematic attacks upon the Serb population, and to a lesser degree upon other minority groups, suggest that at least some elements of the ethnic Albanian majority are determined to rid the province of all non-Albanians.

In countless incidents since the return of the refugees, Serb owned properties have suffered grenade attacks or been set alight, and individuals and groups of Serbs have been routinely kidnapped or murdered. The most notorious incident saw the massacre of fourteen Serb farmers in the village of Gracko on 23 July. Serbs are still leaving Kosovo as a result of intimidation. Before departing, many make arrangements for their property to be looked after by their Albanian neighbours. These caretakers are, however, often evicted themselves by organised gangs.

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<sup>1</sup> The Gorani are a small minority, who according to the last census in 1991 numbered about 20,000 in the southwestern Gora district of Kosovo and a further 25,000 elsewhere in the former Yugoslavia. An estimated 8-10,000 Gorani also live in northeastern Albania. Gorani traditionally spoke an archaic form of Bulgarian until it was Serbianised during the last two decades.

<sup>2</sup> According to KFOR figures to November, murder victims have included 145 ethnic Albanians, 135 Serbs (from a much smaller population base) and 99 others. The Kosovo Serb National Council claims that the figure for Serbs is much higher, around 400, though how it gathers its data is unclear.

Both the Roma and the Gorani are accused by ethnic Albanians in general of being allies of the Serbs, and thus have also found themselves targets of revenge killings. We should not underestimate the inevitability of revenge attacks. Atrocities committed by Serb forces against ethnic Albanians and the expulsion of hundreds of thousands of Kosovo Albanians from their homes in the fall of 1998 and again during the NATO air campaign will not soon be forgotten or forgiven. The sheer number of angry young men who have the desire to avenge not only the recent atrocities, but their lost youth, speaks to the dimensions of the challenge of overcoming ethnic intolerance. Those thousands of former students of the parallel education system, with "degrees" of dubious value, believe their future was destroyed by the Belgrade regime and its supporters.

Ethnic Albanians in general, and the KLA in particular, are angry that whilst they were forced from their homes by the Serbs, the Roma and the Gorani were allowed to stay. The Turkish KFOR commander in Dragash, Izet Cetingoz, told a Radio Free Europe reporter that when his forces arrived in the district, anger among ethnic Albanians towards the Gorani was pronounced.<sup>3</sup> As a result, the area has experienced what the Gorani residents say were several dozen ethnically-based incidents. These include the redistribution in Dragash of Gorani-owned flats in one building to Albanian families.

It still remains unclear who is behind the violence, how much of it is organised and how much spontaneous. It remains a fact, however, that most ethnic Albanians believe that many Serbs who committed atrocities, and should therefore be arrested as war crimes suspects, are being sheltered by the Kosovo Serb community. The recent killing of two Serbs and the wounding of 35 others following a grenade attack on a mainly-Serb market in Fushe Kosovë/Kosovo Polje may have proved the final straw for the Serbs, who accuse KFOR of failing to respond to a warning from "moderate" Albanians<sup>4</sup> that an attack in that place would occur.

In protest at the formation of the KPC, Kosovo Serb leaders walked out of the UN-backed Transitional Council saying that the transformation of the KLA into the KPC had "violated the declared multiethnic nature of Kosovo".<sup>5</sup> Kosovo Serb leader, Momcilo Trajkovic, claimed that: "As long as the decision on the formation of the Kosovo Protection Corps was not withdrawn, then the Kosovo Serbs would not return to the Council, nor would they cooperate with those that were the creators of the transformation of the KLA."<sup>6</sup> Some Kosovo Serb leaders have also put forward the idea of forming a rival "Serb Protection Force," though that

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<sup>3</sup> RFE/RL, 24 August 1999.

<sup>4</sup> The term "moderate" is used by Serbs to denote ethnic Albanians who do not support the KLA and are opposed to the notion of an independent Kosovo.

<sup>5</sup> B92 News on Kosovo, 29 September 1999.

<sup>6</sup> Kosovo Daily News, Blic, 24 September 1999.

idea has been rejected by the international community, which insists that the KPC will include 10% minorities.<sup>7</sup>

The question remains who is doing the killing and, in consequence, furthering the destabilisation of Kosovo? NATO and the UN blame most of the crimes on a small number of extremists. That assumption appears plausible, but there are several distinct groups who may, for different reasons, be responsible for most, or part of, the continuation of violence in Kosovo. They are: radicalised ethnic Albanians; the KLA<sup>8</sup>; criminals from Albania proper; participants in internal ethnic Albanian conflict; and Serb paramilitary groups:

## II. RADICALISED KOSOVO ALBANIANS

While it is impossible to be certain that the prime motive for attacks by ethnic Albanians upon non-Albanian targets is one of revenge, the level of anger and hatred amongst ethnic Albanians towards the Kosovo Serbs and other minority groups, who allegedly assisted the Yugoslav military and security forces in the recent conflict, cannot be overestimated. Increasingly, arson and grenade attacks are being used to force people from their homes. On 22 October KFOR and the UN reported a grenade attack on the home of a Serb woman in the eastern town of Gjilan/Gnjilane and several arson attacks on the homes of Serbs and other minorities in the province. This followed a grenade attack the previous night on the home of a Serbian interpreter working for the UN mission in Prishtine/Pristina (UNMIK). The same day KFOR reported three house fires in Prizren, two of them occurring in houses inhabited by a Roma family and a Serbian family.<sup>9</sup> Earlier a Bulgarian UNMIK worker was shot dead in the centre of Prishtine/Pristina after being asked the time by Albanian youths and replying to their question in Serbian.

A recent comprehensive report by the Humanitarian Law Center on Kosovo's Roma population examines, through extensive interviews, the situation of the Roma during the conflict and after the arrival of NATO forces. The report stresses how the Roma were coerced through fear and intimidation into assisting the Serb security forces and paramilitary groups into looting and destroying Albanian property and burying Albanian bodies. As a result, Roma perceive themselves as the biggest victims of the Kosovo Albanians. Both the KLA and Albanian civilians are taking vengeance against Roma for what they suffered at the hands of Serbs. Roma homes are torched, their property is taken on the

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<sup>7</sup> Agence France Presse, 19 October 1999.

<sup>8</sup> Though the KLA has officially been disbanded, many of its members still consider themselves members, and still recognize a residual structure. In using the term KLA, this report refers to them.

<sup>9</sup> KFOR press update, 23 October 1999.

pretext that it was stolen from Albanians, and they are physically abused to extract confessions of crimes against Albanians. Roma also allege that the KLA has killed a large number of Roma but that official bodies, including KFOR and UNMIK, disregard the problem. According to witness statements, the killing of Roma during this present period can be attributed to both KLA members and Albanian civilians. The Roma questioned allege that the KLA run secret prisons in which Roma, Serbs and some Albanians are held. They say that these prisons are located in abandoned houses and factories and at local KLA headquarters.<sup>10</sup>

The preservation of a multiethnic Kosovo cannot be achieved without the full cooperation of the ethnic Albanian population. Yet the growing intolerance of ethnic Albanians towards non-Albanians is clearly not going to abate unless the ethnic Albanian leadership, be they from supporters of the Provisional Government or of the LDK grouping around Ibrahim Rugova, see ethnic reconciliation as the single most important priority for achieving stability in Kosovo. Unfortunately, at present, only two factors have the top priority slot for the majority of the ethnic Albanian leadership: the early announcement of an independent Kosovo; and who will govern that Kosovo.

The Kosovo Albanian population continues to be radicalised by a number of unresolved issues. The most important of which are: the continued imprisonment of an estimated 3,000 - 7,000 Kosovar Albanians still being held in Serbian prisons, and the number of Serbs, whom the ethnic Albanians claim are war criminals that remain at large inside Kosovo - unapprehended by either KFOR troops or UN police.

NATO fears more violence could erupt in Kosovo after sightings in several communities of posters with lists of suspected Serb war criminals. The lists - some of which bore the name of the banned Kosovo Liberation Army or local self-declared ethnic Albanian police units - appeared to be the latest form of vigilante action against the dwindling Serb minority. KFOR spokesman Major Roland Lavoie said that NATO is concerned that one could have people killed out of simple personal animosity by putting their name on a list.<sup>11</sup> Such posters are bound to strengthen Serb determination to defend themselves and yet further hinder international attempts to establish cooperation between Serbs and Albanians.

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<sup>10</sup> Humanitarian Law Center, *Kosovo Roma: Targets of Abuse and Violence*, p 8. The report gives detailed accounts of the torture, rape, murder and forced displacement of Roma by the KLA and Albanian civilians.

<sup>11</sup> *Albania Daily News* quoting KFOR press statement, 22 October 1999.

### III. THE KLA TARGETING MINORITIES

For a significant number of KLA members the war obviously did not end with the departure of Yugoslav troops in June. They continued to harbour weapons, such as the eight KLA members arrested by KFOR in the western city of Djakovica/Gjakove in a flat containing a machine gun, ammunition, 30 cluster bombs, two 85mm anti-tank launchers and several land mines.<sup>12</sup> Prior to the recent "demobilisation" of the KLA, the organisation had approximately 10,000 registered members. The new Kosovo Protection Corps will number approximately 5,000, of whom 3,000 will serve as full-time members, whilst the rest will serve as part-time reservists. Not all the recruits will be ex-KLA soldiers as applications from civilian members of the community are also being accepted, and 10% of the members are to be minorities. That leaves at least 5,000 battle-hardened men looking for something to do. It remains to be seen how successful creation of the KPC will be in dissipating support for the KLA, both among former KLA fighters and the Kosovo Albanian public in general.

Since the agreement signed on 21 June between KFOR and the ethnic Albanian-led Kosovo Provisional Government for demobilising and demilitarising the KLA, there has been much scepticism about the KLA handing in all its weapons. Although the KLA complied with the agreement by handing in a considerable number of weapons by the 19 September deadline, the gesture can only be interpreted as symbolic. Despite the surrender of almost 10,000 small arms, 5.5 million rounds of ammunition and several hundred mortars, machine guns and anti-tank weapons,<sup>13</sup> many thousands more weapons surely remain hidden away throughout Kosovo.

Meanwhile, the lucrative weapons smuggling trade continues across the Albanian-Kosovo border. At the end of August, Albanian police discovered a tunnel near the Tropoja village of Pac on the border with Kosovo, which contained cannons, grenade launchers, heavy machine guns and mortars waiting to be smuggled into Kosovo. No individual will hand in a gun he has paid for himself. Thousands of Kalashnikovs and hand guns were bought with personal cash by KLA men in the flourishing arms bazaars in Tropoja, northern Albania. Another factor to be considered is that aside from heavy weapons, most KLA fighters consider the small arms and Kalashnikovs they possess to be their own personal property. On 28 September, French troops near the central town of Skenderaj/Srbica stopped two ethnic Albanian-driven vehicles and confiscated 16 anti-personnel mines, 38 anti-tank mines, eight anti-tank rockets, plus four launchers and detonators. The two drivers were arrested.<sup>14</sup>

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<sup>12</sup> AP, 9 September 1999.

<sup>13</sup> These arms are being held in secure storage sites under KFOR control.

<sup>14</sup> AP, 3 October 1999, 1:26 pm.

It was unrealistic, however, to expect the KLA just to dissolve away. Senior KLA commanders have always envisaged the transformation of the KLA into a lightly armed civil emergency corps that would then form the basis of a new national defence army in Kosovo. The KLA's military leader, Agim Ceku, said that he expected the international community to reward the KLA by permitting it to establish a "Kosovo Corps" to assist in the defence of Kosovo as well as dealing with emergencies and disasters. Ceku said that it was up to the international community to recognise the KLA's role in ridding Kosovo of Serb oppression by promoting its members, both in the police force that is being organised under European and UN auspices, and in the civil administration.<sup>15</sup>

In a statement in Prishtine/Pristina, Ceku stressed that the KLA "will be the only foundation on which the institutions of Kosovo will be created."<sup>16</sup>

Ceku also claims that the continued attacks on Serbs and other non-Albanian minorities by people wearing KLA uniforms were not sanctioned by the KLA leadership: "It is not difficult for someone to acquire a KLA uniform...they are available all over Kosovo and Albania," he said.<sup>17</sup> In this, Ceku is correct - KLA uniforms and insignia are widely available at shops and kiosks throughout Kosovo and Albania and, after all, anyone can wear a mask. It is also generally acknowledged that it is not in the interests of the KLA leadership to be seen sanctioning the increasingly barbaric attacks on Serbs. They are aware of the damaging effect of such assaults, often upon elderly and defenceless civilians, that are rapidly eroding the hard won sympathy that the Kosovo Albanians enjoy in the West.

It is credible that the KLA leader Hashim Thaci, together with many of the KLA's higher command, could be unhappy with the continued assaults and intimidation inflicted on Kosovo's non-Albanian population. KLA leaders have consistently called for Serbs to remain in Kosovo. In an interview with ICG, Thaci confirmed his personal desire for a democratic and multiethnic Kosovo.<sup>18</sup> Whilst on a visit to London at the beginning of September, Thaci said that he was committed to establishing a "society of tolerance", and that he regretted acts of violence against Serbs and the flight of Serb civilians saying that: "We were committed from the very first day to establishing a society where tolerance and not revenge would rule. We ask all Serbs who left Kosovo to return to help peace and democracy and to respect each other."<sup>19</sup>

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<sup>15</sup> Reuters, 13 September 1999.

<sup>16</sup> Albanian State Television, Tirana, 6.00pm, 10 September 1999.

<sup>17</sup> Albania Daily News, 14 September 1999.

<sup>18</sup> ICG interview with Hashim Thaci, Prishtine/Pristina, 4 July 1999.

<sup>19</sup> *Albanian Daily News*, 3 September 1999.



Since the KLA never had a unified central command, its leadership, even if sincere, can therefore not give complete assurance that KLA soldiers are not responsible for specific acts of violence. Thaci also does not speak for all KLA and former KLA commanders or soldiers, many of whom are known to be vehemently opposed to demilitarisation.

There seems to be little doubt that certain elements of the KLA appear to be building up pressure to chase out Serbs, Roma and Gorani and anyone else who does not fully support the demand for an independent Kosovo. Unlike the international community, which appears not to have a clear-cut decisive plan for the future status of Kosovo, Hashim Thaci, and many KLA commanders have a very distinct and specific goal - independence for the province. With the euphoria of their victory still fresh and alive in the minds of the KLA soldiers and their many thousands of supporters, they are impatient waiting for NATO, the UN, and the OSCE to decide when to hold elections.

We have to also consider whether or not Hashim Thaci is merely paying lip service to the concept of a multiethnic Kosovo in return for international support for his future political aspirations. Thaci is, after all, a politician with a constituency to appeal to. In a meeting in Gjilan/Gnjilane on 5 October, Thaci told a crowd that the civilian Kosovo Protection Corps would have the same command structure as the old KLA, and declared Belgrade would never again make decisions about Kosovo. NATO immediately denounced Thaci's comments saying that as a self-declared politician he has no connection with or influence over the KPC established on the ashes of the KLA. The criticism by Maj. Roland Lavoie exposed differences between the two sides on the role of the KPC.<sup>20</sup>

The old KLA leadership and their supporters' goal is an independent Kosovo free forever from Belgrade's control; many in the KLA interpret this to mean the fewer Serbs in Kosovo the better. Belgrade has recently argued that KFOR has clearly not been able to protect Kosovo's minorities, and renewed its appeal to the UN Security Council to send Yugoslav troops back to Kosovo to take responsibility for the protection of the Serb communities.<sup>21</sup> The fewer the number of Serbs, the less reason Serbia will have to intervene in the affairs of Kosovo and, it is thought in Belgrade, the stronger the argument for an independent Kosovo. This then provides the logic for continued KLA attacks on the Serb minority, and because of their presumed "collaboration", attacks also upon the Roma and the Gorani.

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<sup>20</sup> *Albania Daily News*, 7 October 1999.

<sup>21</sup> Associated Press, 7 October 1999, 10:00 p.m.

#### IV. SERB PARAMILITARIES

A little over a month after the withdrawal of Serb military forces, KFOR expelled six Serbs belonging to Belgrade's intelligence services who were in possession of a quantity of signalling equipment.

This fuelled reports that Serb military intelligence was creeping back into Kosovo. Their presence was particularly noted in the northern Leposavic district on the border with Serbia, and the districts surrounding the divided northern town of Mitrovica/a, where ethnic tensions have been increasing daily. On 19 September in a Serbian cafe in Zvecan, near Mitrovica/a, French and Danish KFOR soldiers confiscated seven assault rifles, three hand grenades and 500 bullets. By the end of September reports of Serbian agents infiltrating Kosovo to spy on NATO forces and to provoke renewed violence were becoming widespread.<sup>22</sup>

There is increasing concern amongst NATO forces that Belgrade may be preparing for some degree of military intervention in northern Kosovo. In a recent statement, NATO commander General Wesley Clark has warned the allies that the risk of a large-scale Serbian military incursion into north-eastern Kosovo cannot be ruled out.<sup>23</sup> This region contains the majority of Kosovo's industrial resources and is widely regarded as the likeliest objective of any bid by Belgrade to force a de facto partition of Kosovo. In particular, the Trepca mines near Mitrovica are of interest to Belgrade, and have been a focus of Serb nationalist partition scenarios. Clark's warning follows recent military exercises conducted by Serbian forces along the north-eastern border with Kosovo and persistent rumours of Serb paramilitaries moving south from Serbia proper into the overwhelmingly Serb-inhabited Leposavica district, which borders Serbia.

The agreement between Belgrade and NATO that ended NATO bombing of Yugoslavia bars federal Yugoslav and Serbian paramilitary forces from Kosovo. Although senior NATO officials deny there is any evidence of Yugoslav forces creating disturbances in Kosovo, any visitor to the Serb sector of Mitrovica/a, scene of violent clashes between Serbs and Albanians, will see a surprising number of well-built, very short-haired, young Serbian men who have recently arrived in the province. The UN Special Representative to Kosovo, Bernard Kouchner, told a news conference that although there was no proof of official Yugoslav security personnel returning to Kosovo, "a lot of non-official people are coming," adding that "some incidents have been organised, and the number of people is certainly high and we have to be suspicious why they are coming."<sup>24</sup> NATO Supreme Commander General Wesley Clark confirmed recently that one

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<sup>22</sup> See the *Washington Post*, 22 September 1999.

<sup>23</sup> Reuters, 07:58 a.m., 22 October 1999

<sup>24</sup> Reuters, 21 September 1999.

of three Serbs killed by Russian soldiers, who intervened to stop an attack on ethnic Albanians, carried an identity card from the Serbian Interior Ministry police (MUP).<sup>25</sup>

Belgrade is increasingly sceptical of NATO's plans to reform the KLA rather than to disband it completely, arguing that transforming the KLA into a Kosovo Protection Corps will merely perpetuate the organisation as a militarised entity. Lt. Gen. Vladimir Lazarevic, the Yugoslav general formerly in charge of Serb troops in Kosovo, has claimed that the KLA is acquiring new, powerful weapons rather than disarming.<sup>26</sup> Belgrade's ally, Russia is equally opposed to anything but the total dissolution of the KLA arguing that the creation of a Kosovo corps not only violates UN Security Council Resolution 1244, which stipulates terms for a solution to the Kosovo conflict with particular reference to the necessity of demilitarising the KLA, it also effectively means supporting the continuation of the KLA.

Serbs bitterly criticised the creation of the KPC seeing it as yet further "proof" that the international community is in reality preparing Kosovo for independence, despite the province's theoretical status as a part of Serbia, and hence still a part of Yugoslavia. This follows a recent White House statement that reiterated strong U.S. opposition to an independent Kosovo but which did not rule it out as an ultimate solution for Kosovo's status.<sup>27</sup> Following the arrival of NATO in Kosovo, many local members of Serb paramilitary groups, as opposed to those from Serbia proper, simply hid their weapons and merged back into Serb-inhabited villages. It is difficult to identify many of these, as it can plausibly be claimed that strong, able-bodied men are desperately needed in Serb rural communities to help in the intense harvesting and other agricultural activities that need to be urgently accomplished before the onset of the harsh Balkan winter.

Following the announcement of the establishment of the Kosovo Protection Corps, Serbs have made moves to set up their own "Serb Defence Force" arguing with some real justification that they cannot rely on protection from 45,000 KFOR "peacekeeping" troops plus the 3,000 UN police. In response, UN spokesman Fred Ekhart said the KPC presented no threat to Serbs in the province and ruled out any possibility of the United Nations considering the Serb's demand for setting up their own protection corps.<sup>28</sup> At present, the Kosovo Serbs living in a climate of real fear and confined to defiant enclaves, are not able to perpetrate a high level of violence. Nevertheless, considering the number of weapons presumed stockpiled in Serb-inhabited areas, it is plausible that they are capable of orchestrating various low-key incidents. However, since the prime concern of the Kosovo Serbs is that of their own protection, it is highly

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<sup>25</sup> Idem.

<sup>26</sup> *Albanian Daily News*, 14 September 1999.

<sup>27</sup> Reuters, 30 September 1999, 02:10 p.m.

<sup>28</sup> Belgrade Radio B2-92, 3 October 1999.

unlikely that they would independently instigate any large-scale violence. Belgrade, on the other hand, has every reason to stir up unrest amongst Kosovo's dwindling Serb minority.

If there are no Serbs left in Kosovo, then Belgrade sees its arguments for the province remaining an integral part of Yugoslavia as considerably weakened. For the last 150 years Belgrade has been trying to encourage Serbs to remain in Kosovo for fear of losing influence over the province.<sup>29</sup> For this reason, Belgrade has never made Serbs fleeing from persecution in Kosovo feel welcome in Serbia. Serb refugees from Kosovo have always, as is the case now, received scant attention from the Serbian authorities in the hope that they will return home and thereby maintain a continued Serb presence in Kosovo. For this reason Belgrade is deeply concerned about the migration of Serbs from Kosovo and the international community's apparent inability to preserve a multiethnic population in the province. Therefore, although there is as yet no official confirmation of a systematic attempt to infiltrate Serbian agitators or paramilitary groups, if it looks likely that Kosovo's remaining Serbs will leave the province, then there is every likelihood that the Yugoslav Interior Ministry will endeavour to create conditions that will render it necessary for Belgrade to intervene to protect Serb civilians.

## V. CRIMINALS FROM ALBANIA

An increasing number of ethnic Albanians have recently become the targets of violence, which indicates a criminal as well as purely political or revenge nature of the attacks. Since June, Albanian criminals wanted by the police have taken advantage of Kosovo's open border with Albania and moved into Kosovo on the heels of the KFOR peacekeeping force to escape justice. According to a spokesman from the Albanian Interior Ministry, dozens of criminals followed the hundreds of thousands of returning Kosovar refugees into Kosovo when the border checkpoint at Morina was opened. Others, not necessarily criminals, were escaping the escalating number of blood feuds in Albania.<sup>30</sup> Now, following the recent decision by the Albanian government to concentrate all efforts on restoring law and order in Tropoja, even more Albanian criminals are seeking refuge in Kosovo. Albanian police have since compiled a list with the names of the 72 most wanted criminals believed to have found a safe haven in Kosovo.

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<sup>29</sup> See M. Vickers, *Between Serb and Albanian - A History of Kosovo*, London, 1998, chapters 3 and 4.

<sup>30</sup> ICG interview with Interior Ministry spokesman, who wished to remain anonymous, Tirana, 11 September 1999.

Much of the violence in southern Kosovo appears to be linked to organised crime, a good proportion of which can be attributed to citizens from Albania. In the cafes and bars, it is noticeable also how many Albanian citizens have arrived in these towns along with the influx of thousands of rural Kosovar Albanians. Reports from throughout Kosovo say that Albanian gangs are already running lucrative operations, smuggling drugs and cars as well as petrol and cigarettes.<sup>31</sup>

KFOR has recently reported that its soldiers have detained many Albanian citizens charged with intimidation and looting private property belonging to both Serbs and ethnic Albanians. Albanian prosecutors, however, argue that although criminals from Albania are being arrested by KFOR, the lack of an extradition agreement makes it impossible for these criminals to be returned to Albanian justice. Many northern districts of Albania have been effectively out of control of the Tirana government since the uprising in March 1997. The Tropoja region in particular has long been controlled by local warlords and their heavily armed gangs. Before the border with Kosovo was opened in June this year, the region had become a haven for criminals escaping justice from throughout Albania.

There are reports that some KLA commanders promised Albanian gangsters concessions in post-war Kosovo in exchange for weapons.<sup>32</sup> This, however, seems somewhat improbable. The KLA, noted for their secretiveness, were highly suspicious of the gangster elements they came into contact with in Albania. Although they negotiated complex weapons deals with some notorious Albanian criminals, whom they despised and neither trusted nor confided in, there would certainly be no official invitations from the KLA for the Albanian mafia to "pillage and exploit a liberated Kosovo."<sup>33</sup> Also, the KLA was never that short of cash to risk having to deal with Albanian gangsters in Kosovo once the war ended. The relationship between the official KLA and Albanian arms dealers was purely one of business. It must also be remembered that during the Kosovo conflict the KLA did not have to rely solely on the murderous and notoriously unpredictable whims of Albanian gangsters. Instead, much of their supply of weapons was bought directly from Serbs in southern Serbia. "Those were the smart Serbs," one KLA soldier told the author of this report.<sup>34</sup>

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<sup>31</sup> *The Times*, 26 July 1999. *Albanian Economic Tribune*, 3 September 1999. Also ICG interviews and observations in Kosovo, July and September 1999 - The cousin of the author of this report, who works for the BBC, was offered heroin in Prishtine/Pristina by a man from Tirana in southern Albania - other foreign journalists in Prishtine/Pristina have also been offered drugs by Albanian citizens as well as ethnic Kosovar Albanians.

<sup>32</sup> See article 'The Albanian mafia pounces on Kosovo power vacuum', *National Post*, 6 September 1999.

<sup>33</sup> ICG interviews with and observations of KLA in Albania throughout 1998 and 1999.

<sup>34</sup> ICG discussion with KLA soldiers, Kukes, February 1999.

An analysis of the general criminal activity in Kosovo perpetrated by citizens of Albania shows that the victims come from across the ethnic divide.<sup>35</sup> Ethnic Kosovo Albanians have been robbed and threatened in order to vacate their apartments, as well as members of other minorities. Although these Albanian criminals are armed, their motives are personal gain as opposed to having an orchestrated plan to destabilise Kosovo.

## VI. POLITICAL RIVALS

If, as the KLA's former Chief of Staff Agim Ceku has claimed, certain groups are dressing up in KLA uniforms and committing crimes in order to discredit the KLA, then there is no shortage of suspects. It is not only Serbs who have a vested interest in discrediting the KLA. Many of Kosovo's ethnic Albanian inhabitants would also like to see the KLA not only officially disbanded and severely compromised but preferably eliminated all together. These include the KLA's ethnic Albanian political opponents, and ethnic Albanian supporters of the Yugoslav authorities. As the former KLA and its successor political wing have sensed their power base threatened, they too have lashed out at political rivals.

### A. Bujar Bukoshi and the LDK

One ethnic Albanian political opponent in particular, Bujar Bukoshi, has every reason to wish to see the KLA discredited, though it is doubtful that he is behind any killings. No single prominent Kosovar has been more deeply humiliated by the ascendancy and subsequent victory of the KLA than the former "prime minister-in-exile" of Ibrahim Rugova's "parallel" state. When asked about the position of Bukoshi, the virtually unanimous response from members of the KLA, and all the other political groupings that comprise the Provisional Government is: "He is dead," followed by wry smiles and smirks of satisfaction.<sup>36</sup> It is thus implied that as a political force Bukoshi is for all intents and purposes finished.

During the autumn of 1998, several of Bukoshi's supporters were arrested for involvement in the failed coup attempt in Tirana by Albanian opposition Democratic Party supporters. Two of Bukoshi's men, both Kosovo Albanians, were among those arrested when security forces recaptured Tirana's state-run television station from anti-government protestors. On 21 September 1998, the commander of Bukoshi's "Armed Forces of the Republic of Kosovo", or FARK, Ahmet Krasniqi, was killed in Tirana by two masked gunmen - both reputed to be

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<sup>35</sup> See KFOR and UNMIK reports June to September 1999, of the ethnic origin and status of persons arrested for criminal activity throughout Kosovo.

<sup>36</sup> ICG interviews about Bukoshi with various ethnic Albanians, Prishtine/Pristina, July and September 1999.

members of the KLA. In the spring of this year, Bukoshi's supporters were competing with the KLA in northern Albania to secure more sophisticated weapons and alternative supply routes. The rivalry between the two groups escalated as the conflict entered its final stages, in what can only be interpreted as a struggle for ascendancy in post-conflict Kosovo.

What then has become of Bukoshi's FARK, which was so ignominiously ordered out of Albania in July by Albania's Socialist government? Bukoshi claimed 4000 troops under arms, though outside observers estimated the force as numbering 600 – 700. In the later stages of the war FARK forces were anyway operating under the KLA banner. Most of them have returned to civilian or Diaspora life but remnants are still active inside Kosovo as well as small pockets of the Tropoja district of northern Albania. It is conceivable that, as some KLA members claim,<sup>37</sup> anyone could dress up in masked KLA uniforms and, in order to discredit the KLA, launch an attack on some minority target. When asked if such actions were possible, Bukoshi's supporters claim that: "They are not necessary because the KLA is doing a very good job of discrediting itself every day."<sup>38</sup> And Bukoshi's people are living in as much fear of being targeted by the KLA as the Serbs. They seem unlikely to be able or motivated to carry out a co-ordinated campaign of violence.

The same applies to the numerous other ethnic Albanian political opponents of the KLA, including the mainstream Democratic League of Kosovo (LDK) and Ibrahim Rugova himself, though KLA supporters are prepared to accuse him of responsibility for some attacks on Serbs.<sup>39</sup>

## **B. The KLA and its Political Adherents**

A small number of ethnic Albanians, mostly intellectuals or those who used to work in prominent positions in Yugoslav state enterprises in Kosovo, have persistently been targeted by the KLA for refusing to advocate independence from Belgrade. Other intellectuals, while pro-independence, have come under fire for as little as daring to advocate ethnic tolerance.

Even staunchly pro-independence intellectuals who preach ethnic tolerance are not immune to KLA-sponsored retribution. The internationally respected publisher of the Prishtine/Pristina daily *Koha Ditore*, Veton Surroi, wrote a commentary in his paper in August, condemning "...the organised and systematic intimidation of all Serbs simply because they are Serbs," calling such attitudes "fascist."<sup>40</sup> He went on to write, "[F]rom having been victims of Europe's worst

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<sup>37</sup> ICG interviews with various KLA supporters, Prishtine/Pristina, September 1999.

<sup>38</sup> ICG discussions with KLA opponents, including supporters of Bukoshi, Prishtine/Pristina, September 1999.

<sup>39</sup> ICG discussions with KLA supporters, Prishtine/Pristina, September 1999.

<sup>40</sup> Reprinted in English in *IWPR Balkan Crisis Report*, No. 69, 25 August 1999.

end-of-century persecution, we are ourselves becoming persecutors and have allowed the spectre of fascism to reappear...Is this really what we fought for?"

On 2 October, the KLA-funded news organisation of Hashim Thaci's provisional government, Kosovapress, launched a vitriolic attack and thinly-veiled death threat against Surroi and his editor, Baton Haxhiu. The article said that the two had a "Slav stink", and were supporters of Slobodan Milosevic. It said that they risked "eventual and very understandable revenge" for the Surroi commentary. It concluded that, "Such criminals and enslaved minds should not have a place in the free Kosovo."<sup>41</sup> This blunt attack drew international criticism. For Kosovo, however, it is an ominous sign that the KLA seems intent on beating back calls for multiethnic tolerance.

## VII. THE SECURITY SHORTFALL

Despite a strong warning from NATO's new Secretary-General George Robertson that the military alliance would not stand by and watch the Kosovo Albanians drive the Serbs out of the province<sup>42</sup> the assaults on Serbs and other minorities are continuing. During the last two months Human Rights Watch (HRW) has interviewed hundreds of victims, witnesses and officials from all ethnic groups throughout Kosovo. As a result, HRW has accused UNMIK and KFOR of a belated and uneven response to abuses, citing KFOR's primary concern about the safety of its own troops and a shortage of experienced law enforcement personnel.<sup>43</sup> KFOR units have thus been incapable of instilling confidence and a feeling of security amongst Kosovo's non-Albanian population.

On 27 October, a spontaneously formed mob of some 1,000 Kosovo Albanians attacked a UN-organised and KFOR-protected refugee convoy of 155 Serbs near Peje/Pec. Though no-one was killed, several Serbs were badly beaten.<sup>44</sup> The fact that these refugees felt they had to leave Kosovo for Montenegro because of a lack of security is evidence of security shortcomings in itself. That KFOR was incapable of providing adequate protection even for these fleeing Serbs is a measure of just how substantial the security problem in Kosovo is.

KFOR has done a better, if patchy, job of detaining suspected war criminals. In a more assertive stance adopted recently by NATO towards the apprehension of those suspected of perpetrating war crimes, two Serbs were detained on 22 October by KFOR troops in Rahovec/Orahovac. They were arrested after ethnic

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<sup>41</sup> See *IWPR Balkan Crisis Report*, No. 82, 8 October 1999.

<sup>42</sup> Reuters, 12:13 p.m., 22 October 1999

<sup>43</sup> Human Rights Watch, *Abuses Against Serbs and Roma in the New Kosovo*, August 1999.

<sup>44</sup> *New York Times*, 29 October 1999.



Albanians identified them as possible war crime suspects for acts committed during the 18-month conflict. The two are being held in Prizren for questioning. In a belated but positive move, KFOR troops are from now on to inspect Serb refugee convoys to track down suspected war criminals. However, particularly in the French, Italian and Russian areas of patrol, interest in pursuing war criminals and cooperation with investigations of the ICTY are weak.

KFOR has made sporadic efforts at disarming Kosovars of all ethnicities. However, Kosovo is awash with weapons on both sides of the ethnic divide, so attempts by KFOR to impound arms on this scale can only be interpreted as symbolic.

Deployment of UN International Police (UNIP) has been sluggish, and police have mostly been deployed in central locations. For example, UN police have been slow in taking up their duties in Dragash/Gora. By the end of August only one had arrived.<sup>45</sup> The acute shortage of international police in Kosovo was brought to the attention of the UN Security Council in New York,<sup>46</sup> when Bernard Kouchner called for a near doubling of the UNIP force, from the currently authorised strength of 3,155 to 6,000 and has appealed to Member States to make urgent contributions of police officers.<sup>47</sup> Whether UN members possess the political will to make this, and other necessary adjustments to the Kosovo protectorate, remains an open question.

## VIII. CONCLUSION

In view of the scale of violence, it appears that certain groups are actively promoting instability and hampering efforts to restore peace in Kosovo. When asked who is responsible for assaults on non-Albanians in Kosovo, the majority of ethnic Albanians acknowledge that the perpetrators of most of the attacks are ethnic Albanians. In the next sentence, however, the attacks are excused as a natural response by those who have lost family members killed by Serbs aided and abetted by Gypsies and Goranis, who want revenge for the suffering that they have endured.<sup>48</sup> Whilst therefore, theoretically being able to accept the notion of a multiethnic Kosovo, many ethnic Albanians are inclined to believe that in practice Serb-inhabited areas in the province will serve as places of refuge for

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<sup>45</sup> RFE/RL, 24 August 1999.

<sup>46</sup> 10 September 1999.

<sup>47</sup> On 13 September, the UNIP took over primary responsibility from KFOR for law and order in the Pristine/Pristina area. Primary duties for more than 500 officers working in the area include patrolling the streets, conducting investigations, detaining criminals, and directing traffic.

<sup>48</sup> ICG interview with numerous ethnic Albanians both supporters and opponents of the KLA in Kosovo, 4-9 September 1999.

those Serbs deemed by the KLA to be war criminals, and also provide Belgrade with the continued excuse to intervene in the affairs of the province.<sup>49</sup>

The majority of ethnic Albanians feels that not enough is being done to apprehend Serb war crimes suspects. Some believe that the international community will go to any lengths to keep Serbs in the province to promote the notion that a multiethnic Kosovo can be achieved.<sup>50</sup> To the majority of the KLA too, the idea of trying to maintain a multiethnic Kosovo is mere idealism on the part of UNMIK.<sup>51</sup> In order to accelerate Kosovo's independence and deprive Belgrade of any excuse to intervene in Kosovo, the KLA clearly perceives its interest to lie in a depreciation in the number of Serbs in Kosovo. This also applies to those from other minorities who are deemed by the KLA to be sympathetic to the notion of Kosovo remaining within Yugoslavia.

With an acknowledged huge law and order vacuum as both Serbs and ethnic Albanians continue to stockpile weapons, the international military security presence in Kosovo is clearly unable to halt the violence against minorities or to stem the growing tide of organised crime with the resources at hand. The international community must face the discrepancy between its ambitious goals and its committed means.

The cycle of violence appears to have three stages: first, returning refugees and KLA fighters taking out instant revenge on Serbs and minorities accused of collaborating; second, the settling of accounts between opposing ethnic Albanian groups, as well as a more concerted drive by KLA elements to force Serbs to leave Kosovo; third, opportunist or rogue elements of the KLA, finding themselves somewhat redundant (those not recruited into the new Protection Corps) retaining their arms to exploit the rich pickings of urban Kosovo, especially Prishtine/Pristina. Violence from Serbs, whether reactive or provocative, ensures that the cycle of ethnic violence continues.

A distinction must clearly be made between a natural instinctive desire for revenge on the part of Kosovo Albanians, who have suffered personal loss at the hands of Serbs and their collaborators, as opposed to the growing number of general crimes committed against Serbs and other minority groups, as well as ethnic Albanians by criminal elements from neighbouring Albania. Only improved government control in northern Albania, coupled with an extradition agreement with Kosovo, is likely to stem the activities of Albanian criminals in Kosovo.

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<sup>49</sup> ICG interviews with various former KLA members as well as ordinary Kosovo Albanians, Kosovo, July - September 1999.

<sup>50</sup> ICG discussions with various ethnic Albanians, Prizren, Prishtine/Pristina and Mitrovica, July and September 1999.

<sup>51</sup> For a good example of the contempt to which the KLA hold the international presence in Prishtine/Pristina and their idealism of a maintaining a multiethnic Kosovo, see the KLA's website news Kosovapress, 'Kosova an entry in your CV', 9 August 1999.

However, it is a Catch 22 situation - the tougher the Albanian authorities are on criminals the more they will cross into Kosovo.

The creation of the Kosovo Protection Corps, though perhaps a useful effort at co-opting the support of hard-line elements of the former KLA, has nonetheless enhanced the sense of fear and isolation in the Serb community; it has also given the Kosovo Serbs a pretext to demand their own "protection" force.<sup>52</sup> Yugoslav diplomats at the UN use the formation of the KPC as further reason to argue for a return of Serbian forces, ostensibly to control violence and terrorism against Serbs and other minorities fleeing the province, and thereby preserve Kosovo's ethnic and religious diversity.<sup>53</sup> One of the key aims of the UN operation in Kosovo is to preserve Kosovo's multiethnic society. In the four months since the arrival of the peacekeepers, a multiethnic society is far from reality. Indeed, the population is becoming more segregated by the day. The reality is that for nearly two decades before the recent conflict, Kosovo was a deeply divided and segregated province. Thus, there are few examples of multiethnic power-sharing or community development to build upon, and as every day passes there are fewer Serbs to make it even feasible.

## IX. RECOMMENDATIONS

### A. Internal Security

Measures that should be taken to address the security shortfall in Kosovo include:

- KFOR's leaders should adopt a more robust interpretation of the KFOR mandate, and allow troops to leave their hunkered-down positions and provide protection to minorities in all parts of Kosovo. KFOR should clamp down on remaining structures of the KLA, and closely monitor the development of the KPC.
- KFOR should be more willing to seek out and take on trouble-makers. Some contingents make force protection (avoidance of casualties) too high a priority – once this is perceived by criminal elements or political terrorists it can easily encourage them to believe they can act with impunity.
- KFOR should provide active policing until the UN International Police force (UNIP) is fully operational, even though the military do not enjoy police work and lack training for it. Military units can provide the simpler types of policing,

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<sup>52</sup> Agence France Presse, 19 October 1999.

<sup>53</sup> Associated Press, 7 October 1999, 10:00 p.m.

working together with specialised police units such as crime detection or anti-terrorist.

- In recognition of the huge law and order vacuum, the most obvious and most urgent need is for UN member states to contribute more police officers to Kosovo, in response to Dr Kouchner's recent appeal to a force numbering 6000+ rather than 3000+. UNIP officers that have arrived in the province should be dispatched more evenly throughout Kosovo - in volatile areas like Dragash/Gora, for example, instead of being concentrated in Prishtine/Pristina.
- The nascent indigenous and somewhat multiethnic Kosovo Police Service (KPS) needs to be built up as quickly as possible. As one Kosovo Albanian remarked upon seeing a KPS officer directing traffic in Prishtine/Pristina, "We are happy to see them. This is a sign Kosovo is going straight ahead." 173 recruits, among them only eight Serbs, began patrols on 2 November. But UNIP needs a strategy to monitor the loyalty of the Kosovar policemen – will they be impartial crime-fighters or will their chief allegiance be to one or other of the Kosovo factions?
- Continued pressure should be put on the leadership of the now officially disbanded KLA, especially the organisation's former leader Hashim Thaci, to exercise constructively his position of authority and influence amongst ethnic Albanians. Since the official disbandment of the KLA on 20 September, Thaci is now a political party leader, and in that respect he can campaign on whatever issues he chooses. Thaci must, however, be warned that his recent provocative and inflammatory remarks at public gatherings will only serve to harden the attitude of international officials towards him and other former KLA leaders.
- Tighter border controls between Kosovo and Albania - not only at the Morina crossing point but also around the Tropoja-Junik crossing. There are, however, another 100 miles of border with no monitoring whatsoever. Albanian criminals cross into Kosovo at will along the same mountain paths used by the KLA during the war. Ever since the start of the conflict in the spring of 1998, the Albanian authorities have requested assistance from the international community for help in the difficult task of monitoring the notoriously porous border between Albania and Kosovo.
- An informal extradition arrangement should be agreed between the Kosovo authorities and the Albanian government to enable criminals arrested in Kosovo to be sent to Albania to be tried by the Albanian judicial system.

## **B. Deradicalising the Albanian Majority**

At the outset of the war in Kosovo in February 1998 there were few adherents of the KLA, most Kosovar Albanians being satisfied with the passive resistance

movement of Ibrahim Rugova. As Serbian forces, officially pursuing a war against the KLA, proceeded to target civilians, the Kosovo Albanians increasingly saw their only salvation in the KLA. This was reinforced by the failure of any outside actors to provide security to the targeted civilian population. The trials that most Kosovar Albanians have endured in the past 20 months have fed the climate of intolerance toward non-Albanians and political moderates in Kosovo today.

Radicalisation of the majority population has continued, even after NATO and the KLA expelled Belgrade's forces from Kosovo. The 2,000 to 7,000 Kosovar Albanian prisoners still being held in Serbia proper all have family and friends in Kosovo prone to radicalisation by the uncertainty of the prisoners' treatment and the duration of their incarceration. Another factor contributing to ethnic intolerance and the will to act on it, is a perceived lack of justice and the threat of a *de facto* partition. Kosovo Albanians see Mitrovica/a and other Serb enclaves as safe havens for Serb paramilitaries and war criminals and as areas that could attempt to break away from Kosovo. Finally, the poor administration of Kosovo has led to frustration that feeds ethnic intolerance and the "Wild West" atmosphere in which people are tempted to take justice into their own hands.

To address these crucial issues for establishing lasting stability in Kosovo, the international community should take the following actions:

- Work to release all prisoners remaining from the war for Kosovo into international custody.<sup>54</sup> Though the international community has little leverage over Serbia on this issue, a UN Security Council Resolution, perhaps pushed by new US Ambassador to the UN, Richard Holbrooke, could call for the release of all prisoners. KFOR, including Russians, together with UNHCR or the ICRC could then vet all prisoners to distinguish between political and other prisoners. A list of Serbian Interior Ministry officials involved in the incarceration of these Kosovo Albanians should be compiled. Those on the list should be notified that their names are being forwarded to The Hague. They should also be added to the list of those banned from obtaining EU and other western visas and have any foreign assets frozen. Prisoner release should be added to the list of conditions for lifting sanctions against Serbia. Allegations of prisoners being bought back for upwards of DM 50,000 should be investigated. The international community should clarify jurisdiction of the many legal questions surrounding the prisoner issue. It must also immediately establish intermediaries who can press for the release of prisoners.

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<sup>54</sup> The Chernomyrdin/Ahtisaari/Talbott agreement with Belgrade that ended the war for Kosovo did not include a provision on prisoner release, though the October 1998 Holbrooke-Milosevic agreement and the Rambouillet accords included such language. The omission was apparently a simple oversight. See the *Los Angeles Times*, 21 June 1999.

- If justice is more efficiently served, then many radicalised Kosovo Albanians may be less willing to take justice into their own hands. A broader and more intensive investigation into atrocities, followed by arrests and prosecutions of suspected war criminals would be beneficial. French, Italian and Russian troops should be encouraged to be more co-operative with investigations into war crimes.
- Serbs living in enclaves and those seeking to return to current Serb enclaves should receive massive KFOR and UNIP protection, those on both sides of the ethnic divide at such hotspots should be aggressively disarmed and any movement toward partition stifled. If Serbs and Albanians think a partition of Kosovo is possible, radicals in both communities will have a green light to finish the eviction of all ethnic minorities in their midst. As a priority, KFOR should disarm both ethnic communities in Mitrovice/a, establishing freedom of movement and facilitating refugee return under tight security for as long as necessary. Delaying action in Mitrovice/a will only aggravate the problem.
- Many Kosovo Albanians are frustrated by the lack of basic services and administration; this contributes to an atmosphere of anarchy that can prolong the radicalisation of distraught Kosovars. UNMIK should come to agreement with the provisional government on a common approach toward the municipalities under *de facto* local administration. This, and other approaches to improving civilian administration of Kosovo, would go a long way toward restoring the hope of the Kosovo Albanian majority, perhaps shifting thoughts of revenge to thoughts of rebuilding.<sup>55</sup>

### C. Regional Security

Even if internal security is improved and efforts to deradicalise the Kosovo Albanians undertaken, stability in Kosovo will still hinge on the stability of the Southern Balkans as a whole. As long as Serbia remains a dictatorship and the majority of Serbs do not come to grips with the crimes committed in their names in Kosovo, Kosovo Albanians will feel threatened by Belgrade and remain prone to nationalism and ethnic intolerance. Continuing instability in Albania and its attendant crime, nationalism and poverty will also hinder stability in Kosovo. A Serbian attack on Montenegro could destabilise Kosovo by flooding the province with ethnic Albanian refugees. Should ethnic divisions in Macedonia deepen, the stability of Kosovo would also likely be called into question by Macedonian Albanians seeking to join with Kosovo. It is clear that Kosovo's fate is deeply interdependent with that of its neighbours. International efforts should go beyond Kosovo to foster stability in the entire region.

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<sup>55</sup> See "Waiting for UNMIK: Local Administration in Kosovo." ICG Balkans Report No. 79, 18 October 1999.