

Polity IV Country Report 2010: Kosovo

<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Score:</td> <td style="width: 15%;">2009</td> <td style="width: 15%;">2010</td> <td style="width: 15%;">Change</td> </tr> <tr> <td>Polity:</td> <td>8</td> <td>8</td> <td>0</td> </tr> <tr> <td>Democ:</td> <td>8</td> <td>8</td> <td>0</td> </tr> <tr> <td>Autoc:</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Durable:</td> <td></td> <td>2</td> <td></td> </tr> <tr> <td>Tentative:</td> <td></td> <td>Yes</td> <td></td> </tr> </table>	Score:	2009	2010	Change	Polity:	8	8	0	Democ:	8	8	0	Autoc:	0	0	0	Durable:		2		Tentative:		Yes		
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Durable:		2																							
Tentative:		Yes																							
SCODE	KOS	CCODE	341	Date of Report	1 June 2011																				
Polity IV Component Variables																									
XRREG	XRCOMP	XROPEN	XCONST	PARREG	PARCOMP																				
2	2	4	7	2	4																				
Date of Most Recent Polity Transition (3 or more point change)																									
End Date			Begin Date																						
			17 February 2008 (Incl.)																						
Polity Fragmentation: Yes, c5% (Serb-majority districts in north)																									
Constitution																									
15 June 2008																									
Executive(s)																									
President Atifete Jahjaga (non-partisan), elected by Kosovo Assembly, 7 April 2011 Prime Minister Hashim Thaçi (DPK), elected by Kosovo Assembly, 9 January 2008																									
Legislature																									
Unicameral: National Assembly (120 seats; 100 directly elected, 10 guaranteed for ethnic Serbs, 10 guaranteed for other minorities; most recent elections 12 December 2010) Democratic Party of Kosovo (DPK): 36 Democratic League of Kosovo (LDK): 26 Self-Determination (LV): 13 Alliance for the Future of Kosovo (AAK): 12 Other Parties: 13 Serb Parties: 10 Other Minority Parties: 10																									
Judiciary																									
Supreme Court; Constitutional Court																									

Narrative Description:¹

Executive Recruitment: Transitional or Restricted Elections (7)

The independence of Kosovo remains in dispute. Kosovo first gained status as a distinct administrative entity on 31 January 1946 when the newly constituted government of the Socialist Federal Republic of

¹ The research described in this report was sponsored by the Political Instability Task Force (PITF). The PITF is funded by the Central Intelligence Agency. The views expressed herein are the authors' alone and do not represent the views of the US Government.

Yugoslavia under the leadership of Marshal Josip Broz Tito created the Socialist Autonomous Province of Kosovo and Metohija within the Socialist Republic of Serbia. Its status as an autonomous province did not grant with it the constitutional right of secession afforded to the five constituent republics. After Marshal Tito's death on 4 May 1980, ethnic tensions among and within the republics of the Yugoslavian federation began to surface and fester largely due to Serbian dominance. In the early 1980s, ethnic-Albanians, who comprise the majority population in the province, began to protest what they believed to be official discrimination and demand status equal to that of the other ethnic groups in Yugoslavia. In response, the federal government cracked down forcefully on dissent in Kosovo and, in 1989, rescinded the province's autonomous status and dissolved its provincial assembly. On 2 July 1990, the self-declared parliament of Kosovo voted to make Kosovo a republic and, on 22 September 1991, organized a popular referendum that voted to make Kosovo an independent country. Leadership of Kosovo passed to the Democratic League of Kosovo (LDK) and its leader, Ibrahim Rugova, was elected president of Kosovo in a referendum held 25 May 1992. These pronouncements were overshadowed by the breakup of Yugoslavia and the resulting wars in Croatia and Bosnia and, particularly, by the collapse of communism and ensuing unrest in neighboring Albania. Rugova professed a policy of peaceful resistance and civil disobedience against federal authorities.

The Kosovo Liberation Army (KLA) was formed in 1991 but did not begin systematic attacks on government targets until early 1996. KLA attacks intensified in early 1998 drawing a heavy-handed response from Yugoslavian security forces. International condemnation of the military crackdown in Kosovo encouraged the KLA to expand its operations and the scope of its attacks in Kosovo during July, August, and September 1998; these were met with an intensification of military action by Yugoslavian forces which targeted civilian bases of support for the KLA. The numbers of internally displaced persons as a result of the armed conflict expanded and created a serious humanitarian crisis in Kosovo prompting the UN Security Council to adopt Resolution 1199 on 23 September 1998, calling for an immediate cessation of hostilities. The resulting ceasefire quickly broke down and hostilities intensified once again in late 1998. NATO threatened airstrikes against Yugoslavia to compel a settlement but talks broke down. On 24 March 1999, NATO air strikes against Yugoslavian forces in Kosovo and military targets in Serbia proper began and continued to 10 June 1999. By April 1999, some 850,000 residents of Kosovo had fled their homes. In June 1999, Yugoslavian authorities accepted terms of a peace agreement under which their forces would relinquish control and withdraw from Kosovo and NATO air operations would cease. On 10 June 1999, the UN Security Council passed Resolution 1244 which placed Kosovo under a transitional UN administration (UNMIK) and authorized a NATO-led peacekeeping force, Kosovo Force (KFOR), to provide security. NATO forces entered Kosovo on 12 June 1999.

In November 2001, elections were held to form a Kosovo Assembly; as a result, an all-party unity government was formed and Ibrahim Rugova was elected president and Bajram Rexhepi was selected as prime minister. Kosovo-wide elections were held on October 2004 with a coalition government formed as a result; Rugova remained president and Ramush Haradinaj replaced Rexhepi as prime minister; Haradinaj resigned office after being indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY). Rugova died on 21 January 2006 and Fatmir Sejdiu was elected by the Assembly to replace him as president. Parliamentary elections held 17 November 2007 brought the Democratic Party of Kosovo (PDK), Hashim Thaçi, who had been a leader of the KLA, was selected as prime minister and assumed office on 9 January 2008. The National Assembly of Kosovo voted to declare independence on 17 February 2008; Kosovo's independence is disputed by Serbia but is officially recognized by 85 countries. On 27 September 2010, President Sejdiu resigned following a ruling by the Constitutional Court that he violated the constitution by remaining LDK party leader while in office. On 22 February 2011, Behgjet Pacolli assumed the office of president but the Constitutional Court subsequently declared his election invalid; he was replaced on 7 April 2011 by Atifete Jahjaga. Kosovo plans to have the president elected directly by popular vote beginning in 2012.

Executive Constraints: Executive Parity or Subordination (7)

Kosovo's two executives, president (head of state) and prime minister (head of government), share executive authority in Kosovo and are currently elected by the National Assembly; current plans call for the office of president to be directly, popularly elected beginning in 2012. Administration in Kosovo is augmented by the presence of the United Nations Interim Administrative Mission in Kosovo (UNMIK),

which is “mandated to help ensure conditions for a peaceful and normal life for all inhabitants of Kosovo and advance regional stability in the western Balkans.” The Mission is headed by the Special Representative of the UN Secretary-General, who enjoys civilian executive power as vested in him by the UN Security Council in resolution 1244. UNMIK consisted of 418 administrative personnel at the end of 2010; its administrative duties have largely been assumed by the European Union Rule of Law Mission in Kosovo (EULEX) which remains subordinate to UNMIK as the EU has not officially recognized Kosovo independence. EULEX is a deployment of European Union (EU) police and civilian resources to Kosovo and was mandated under the EU’s Common Security and Defence Policy (CSDP). The CSDP mission assists “Kosovo authorities, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability.” Its mission statement claims that it will “further develop and strengthen an independent and multi-ethnic justice system and a multi-ethnic police and customs service, ensuring that these institutions are free from political interference and adhering to internationally recognised standards and European best practices.” EULEX is supported by 3,200 personnel and its mission is slated to continue until at least June 2012. The judicial system in Kosovo is weak, inexperienced, and subject to intimidation and political pressure. Kosovo has two high courts: Supreme Court and Constitutional Court.

Political Participation: Political Liberalization or Democratic Retrenchment: Limited and/or Decreasing Overt Coercion (9)

It is probably fair to state that the degree of overt coercion affecting political participation in Kosovo is dampened by the strong international presence in Kosovo; it is probably also safe to assert that, given the proliferation of weapons, the extensive influence of organized crime, and the simmering hostility between the minority ethnic-Serbs and the majority ethnic-Albanians, the withdrawal of the international presence from Kosovo is likely to lead to the reemergence of ethnic tensions and criminal violence. Much of the leadership of Kosovo has ties to the former KLA. Prime Minister Thaçi was the leader of the KLA is alleged to have strong ties to organized crime and trafficking in human organs. Kosovo is also reported to be a principal heroin trafficking route to Europe. Ethnic-Serbs in Kosovo continue to reject Kosovo’s independence and its governing authority. The ethnic-Serb minority is concentrated in enclaves across Kosovo with a territorial concentration in North Kosovo along the border with Serbia and northern Mitrovecia. Ethnic-Serbs formed the Serbian List for Kosovo and Metohija (SLKM) in 2004 and won several seats in the National Assembly, but have boycotted Republic of Kosovo’s institutions and never taken their seats in the Assembly. North Kosovo functions largely autonomously from the remainder of Kosovo.

On 8 October 2008, the UN General Assembly requested the International Court of Justice render an advisory opinion on the legality of Kosovo’s declaration of independence from Serbia. The advisory opinion, which is legally non-binding but had been expected to carry “moral” weight, was rendered on 22 July 2010, holding that Kosovo’s declaration of independence was not in violation of international law.